



Legislation Text

File #: 2022-0048, **Version:** 2

Request to vacate the (30') half width public right-of-way for the unimproved portion of Samuel Avenue north of Alsdorf Avenue, south of Gilsam Avenue and west of Mildred Avenue

Whereas, the City Council of the City of Rochester Hills on February 7, 2022, did by resolution deem it advisable to vacate, discontinue or abolish the public's interest in the following described street, alley, public ground or part thereof, located in the City of Rochester Hills, and subject to the jurisdiction and control of the City of Rochester Hills:

The public portion of the (30') half width Public right-of-way for the unimproved portion of Samuel Avenue abutting the east side of 1644 Alsdorf Avenue (#15-33-177-006) the east side of Northbrooke Subdivision's commons area (#15-33-176-010); the east side of 1649 Gilsam Ave. (#15-33-176-018); the west side of 1621 Gilsam Ave. (#15-33-130-001) and the west side of Meadow Creek II Condominium's commons area. Being further described and depicted on the attached Exhibits A, B and C.

Whereas, in accordance with the Code of Ordinances of the City of Rochester Hills, Article IV, Section 94-175, the City Council has held a public hearing and has heard and considered any comments or objections pertaining to such vacation, discontinuance or abolition of the public's interest; and

Whereas, the City Council determines it is necessary for the health, welfare, comfort and safety of the People of Rochester Hills to vacate, discontinue or abolish the public's interest in the above-described street, alley, public ground or part thereof;

Now, Therefore, Be It Resolved:

1. That the public's interest in the above-described street, alley, public ground, public right-of-way or part thereof shall be vacated, discontinued or abolished.
2. That the City Clerk is hereby directed to, within thirty (30) days, record a certified copy of this resolution with the Oakland County Register of Deeds, and to send a copy to the State Treasurer, as required by statute.
3. That, upon being (but not until) so recorded, this resolution shall have the force and effect of vacating, discontinuing or abolishing the public's interest in the described street, alley, public ground or part thereof.
4. That a variable width public water main easement described and depicted on the attached exhibits D and E; a 20 foot wide public utility overhead easement described and depicted on the attached exhibit F; a 20 foot wide public utility easement as described and depicted on the attached exhibits G and H; and a 15 foot wide storm sewer easement as described and depicted on the attached exhibits I and J will be retained within portions of the vacated Samuel Avenue right-of-way.