

2019 DEC -5 AM 11:50

L: 1242 P: 242 #2019-0007404 RESOLUT  
RECEIVED FOR RECORD  
STATE OF MICHIGAN, COUNTY OF CHARLEVOIX  
SHIRLEY M. COBLENTZ, REGISTER OF DEEDS  
12/05/2019 12:05:12 PM PAGES: 2

**RESOLUTION  
Of  
ASSIGNMENT OF PUBLIC HIGHWAY EASEMENT**

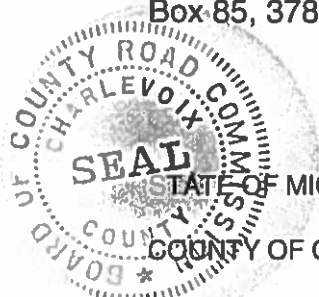
At the regular board meeting of the Charlevoix County Road Commission held on November 11, 2019, Commissioner Way moved for adoption of the following Resolution, supported by Commissioner Ogden.

**WHEREAS**, On June 10, 1940, a permanent easement for a public highway was conveyed to the County over and across Lot 6 of Block 6 of Stephens Plat of part of Government Lot 4, pursuant to the deed recorded in Liber 182, Page 519, of the Charlevoix County Records ("Easement")

**AND WHEREAS**, on June 8, 1998, the Charlevoix County Board of Road Commissioners relinquished ownership of the Easement to the Township, pursuant to the resolution attached to this Release as **Exhibit A**.

**AND WHEREAS**, the Charlevoix County Board of Road Commissioners desires to confirm of record such assignment and relinquishment of the Easement to the Township.

**THEREFORE, BE IT RESOLVED**, by the Board of County Road Commissioners of Charlevoix County, Michigan that based on these facts, **THIS ASSIGNMENT OF PUBLIC HIGHWAY EASEMENT ("Assignment")** has been made as of November 11, 2019, by the CHARLEVOIX COUNTY BOARD OF ROAD COMMISSIONERS, of 1251 Boyne Avenue, Boyne City, Michigan 49712 (the "**County**"), to ST. JAMES TOWNSHIP, of PO Box 85, 37830 Kings Highway, Beaver Island, Michigan 49782 (the "**Township**").



STATE OF MICHIGAN )  
COUNTY OF CHARLEVOIX ) ss:

CHARLEVOIX COUNTY BOARD OF ROAD COMMISSIONERS

By *Russell Magee*  
Russell Magee  
2nd  
Its CHAIRMAN

The foregoing instrument was acknowledged before me this 25 NOVEMBER, 2019 by Russell Magee, as Chairman of the Charlevoix County Board of Road Commissioners, on behalf of the County.

*Frank D. Wasylewski*  
Frank D Wasylewski, Notary Public  
State of Michigan, County of Charlevoix  
My commission expires 3 August 2022  
Acting in the County of Charlevoix

**EXHIBIT A**

**CHARLEVOIX COUNTY BOARD OF ROAD COMMISSIONERS  
REGULAR MEETING JUNE 08, 1998**

1 Chairman Saunders called the meeting to order at 9:00 AM.  
2  
3 Chairman Saunders, Commissioners Way and Ogden, County Commissioner Price, Pat Harmon, Jim  
4 Vanek and Shelley Himmelspach attended, along with Bay Townships Dave Simmons, Clerk, David  
5 Smith, Treasurer and Helen Bergmann, resident, and Dave Willson, Eveline Township Supervisor.  
6  
7 Moved by Commissioner Ogden and supported by Commissioner Way to approve the May 26, 1998  
8 minutes as corrected.  
9  
10 VOTE: Ayes - 3  
11 Nays - 0  
12 Motion carried.

13  
14 Mr. Harmon presented proposed resolution from Steven Treslender, attorney, to transfer jurisdiction of Lot  
15 6, St. James Township, Beaver Island to St. James Township. He explained both parties lawyers agreed  
16 this is a legal procedure.

17  
18 **RESOLUTION**  
19 **and**  
20 **NOTICE OF RELINQUISHMENT OF JURISDICTION**

21  
22 At the regular board meeting of the Charlevoix County Road Commission held on June 8, 1998,  
23 Commissioner Way moved for adoption of the following Resolution, supported by Commissioner Ogden.

24  
25 WHEREAS, the Board of Charlevoix County Road Commissioners relinquish jurisdiction over:

26  
27 Permanent easement for a public highway over and across Lot Six (6) of Stephens Plat  
28 of part of Government Lot Four (4), Section Twenty-three (23), Township Thirty-nine (39)  
29 North, Range Ten (10) West of St. James Township, Beaver Island, Charlevoix County,  
30 Michigan, according to the recorded Plat thereof

31  
32 AND WHEREAS, the Board of Charlevoix County Road Commissioners understand jurisdiction shall  
33 revert to St. James Township and the Charlevoix County Road Commission will be relieved of the  
34 responsibility for the road. MCLA 224.18.

35  
36 THEREFORE, BE IT RESOLVED, by the Board of County Road Commissioners of Charlevoix County,  
37 Michigan that the portions of the Charlevoix County system as hereinbefore described be discontinued as  
38 of June 8, 1998 as a county road. Said Board determines it is in the best interests of the public that  
39 jurisdiction over said roadway is relinquished to St. James Township.

40  
41 BE IT FURTHER RESOLVED, that Notice of this determination be given by the Clerk of the Board of  
42 Charlevoix County Road Commissioners and published in the Charlevoix Courier, a newspaper published  
43 and circulated in said County and to the Petoskey News-Review, a newspaper published in Emmet  
44 County, but widely circulated in Charlevoix County, once each week for three (3) consecutive weeks.

45  
46 Resolution adopted by the following yea and nay vote.

47  
48 YEAS: Saunders, Way, Ogden  
49 NAYS: -0-

50  
51 I certify this to be a true copy of a Resolution made and adopted at a regular meeting of the Board of  
52 Charlevoix County Road Commissioners on June 8, 1998.

53  
54   
55 Shelley Himmelspach, Clerk  
56