

Mayor Joe Caron
Council Member Scott Wolfersberger
Council Member Jim Schwartz
Council Member Jacob Gates



Council Member Jen Rice
Council Member Ryan Underhill
Council Member Ryan Traver
City Manager Derek N. Perry

CITY COUNCIL AGENDA

October 17, 2022
Regular Meeting- 7:00 PM

- 1) **CALL TO ORDER**
- 2) **ROLL CALL**
- 3) **INVOCATION** – Scott Loughrige, Cross Roads Church & Ministries
- 4) **PLEDGE OF ALLEGIANCE**
- 5) **APPROVAL OF AGENDA** – Items can be added or deleted from the Agenda by City Council action.
- 6) **PUBLIC COMMENT ON AGENDA AND NON-AGENDA ITEMS** – Persons addressing Council are required to give their name and address for the record when called upon by the Mayor. Members of the public shall be limited to speaking for a maximum of five (5) minutes on any agenda item.
- 7) **CONSENT AGENDA**
 - A. **City Council Minutes**
Regular Session Monday, October 3, 2022
 - B. **City Bills**
Regular Purchases \$ 117,234.24
Purchase Power \$982,263.72
Weekly Purchases –9/30/22 \$ 4,345,770.56
Weekly Purchases –9/23/22 \$ 79,958.85
Total \$ 5,525,227.37
- 8) **PRESENTATIONS AND RECOGNITIONS**
- 9) **INFORMATIONAL ITEMS**

10) PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Ventura Way ROW Vacation – 701 N. Linden

11) OLD BUSINESS

12) REPORTS AND RECOMMENDATIONS

A. Set 1201 E. Michigan Ave PA425 Land Transfer Public Hearing

B. S. Marshall Ave. Construction Changes

13) APPOINTMENTS / ELECTIONS

A. Boards and Commissions Appointments

14) PUBLIC COMMENT ON AGENDA AND NON-AGENDA ITEMS

Persons addressing Council are required to give their name and address for the record when called upon by the Mayor. Members of the public shall be limited to speaking for a maximum of five (5) minutes on any item not on the agenda.

15) COUNCIL AND MANAGER COMMUNICATIONS

16) ADJOURNMENT

CALL TO ORDER

IN REGULAR SESSION, Monday, October 3, 2022 at 7:00 P.M., in the Council Chambers of City Hall, 323 West Michigan Avenue, Marshall, MI 49068. City Council was called to order by Mayor Caron.

ROLL CALL

Roll was called:

Present: Council Members: Mayor Caron, Gates, Rice, Schwartz, and Wolfersberger.

Also Present: City Manager Perry and Clerk Eubank

Absent: Traver and Underhill

INVOCATION/PLEDGE OF ALLEGIANCE

Mayor Caron led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Moved Wolfersberger, supported Gates, to approve the agenda as presented. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON AGENDA ITEMS

Barry Reiter stated that on multiple occasions, the city has required for him to be responsible for clean up after the city has come through and trimmed trees from the City Right of Way, but that recently he received a letter stating that he needed to clean up his trees that had fallen on to City property. He inquired what the rule actually was requested for the letter to be redacted.

CONSENT AGENDA

Moved Gates, supported Rice, to approve the Consent Agenda:

- A. Minutes of the City Council Regular Session held on Monday, September 19, 2022;
- B. Approve city bills in the amount of \$ 2,630,873.24.

On a roll call vote – ayes: Rice, Schwartz, Wolfersberger, Mayor Caron, and Gates; nays: none. **MOTION CARRIED.**

PRESENTATIONS AND RECOGNITION

Perry introduced Clerk Eubank. Former clerk Nelson issued the Oath of Office.

INFORMATIONAL ITEMS

None.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

None.

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. Maria's Uncorked Liquor License

Moved Rice, supported Schwartz to approve Resolution #22-026 authorizing the MLCC application for Warner's Vineyards, Inc for an Off-Premise Tasting Room. On a voice vote – **MOTION CARRIED.**

B. 2022 Goal Review and 2023 Goal Setting Special Meeting

Moved Gates, supported Rice to set a special meeting of the City Council for 9:00am on Saturday, September 12, 2022 for the purpose of reviewing the 2022 City Council goals and setting the 2023 City Council goals. On a voice vote – **MOTION CARRIED.**

APPOINTMENTS/ELECTIONS

A. Parks, Rec & Cemetery and Brooks Nature Area Advisory Board:

Moved Rice, supported Wolfersberger, to approve the following appointments to the Parks, Recreation and Cemetery Board with the associated term expirations:

Nola Baker 7/1/2024

Natalie Rector 7/1/2025

Zachery Shippell 7/1/2026

On a voice vote – **MOTION CARRIED.**

Moved Gates, supported Wolfersberger, to approve the appointment of Erin Skidmore to the Brooks Nature Area Advisory Board with a term expiring August 15, 2025. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

COUNCIL AND MANAGER COMMUNICATIONS

ADJOURNMENT

The meeting was adjourned at 7:17 p.m.

APPROVAL LIST FOR CITY OF MARSHALL
EXP CHECK RUN DATES 10/20/2022 - 10/20/2022
UNJOURNALIZED
OPEN

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
1LGH-4RRW-KPL6	AMAZON CAPITAL SERVICE	ACCT A1P4GM99HG1EO2 - WALL PLATE		21.22
1CCF-CDXP-R7QH	AMAZON CAPITAL SERVICE	ACCT A1P4GM99HG1EO2 - OFFICE SUPPLIES		30.97
13LL-VMX4-YFYT	AMAZON CAPITAL SERVICE	ACCT A1P4GM99HG1EO2 - NAME BADGES		18.62
1HM7-Q9J9-3TVV	AMAZON CAPITAL SERVICE	ACCT A1P4GM99HG1EO2 - CREDIT MEMO		(765.38)
1D97-PKV4-6G9H	AMAZON CAPITAL SERVICE	ACCT A1P4GM99HG1EO2 - CARGO WORK PANTS		60.00
1N7W-7JGR-NN3W	AMAZON CAPITAL SERVICE	ACCT A1P4GM99HG1EO2 - CARHARTT BIB OVERA		169.99
1PNF-TTMY-DXLK	AMAZON CAPITAL SERVICE	ACCT A1P4GM99HG1EO2 - PUBLIC POWER OPEN		79.80
1FR6-HCM7-CJLJ	AMAZON CAPITAL SERVICE	ACCT A1P4GM99HG1EO2 - CARHARTT BIB OVERA		439.98
1QCM-N9TJ-HMTM	AMAZON CAPITAL SERVICE	ACCT A1P4GM99HG1EO2 - HANDWASH SIGNS		61.94
1JL6-Y1FD-1GFF	AMAZON CAPITAL SERVICE	ACCT A1P4GM99HG1EO2 - DIGITAL CALIPER, H		149.76
133J-74KY-WXN1	AMAZON CAPITAL SERVICE	ACCT A1P4GM99HG1EO2 - NAME PLATE, LABEL		178.45
1TMH-M1QN-JJKW	AMAZON CAPITAL SERVICE	ACCT A1P4GM99HG1EO2 - RETRACTABLE BELT B		298.40
1Q9X-LNR7-Y6HM	AMAZON CAPITAL SERVICE	ACCT A1P4GM99HG1EO2 - WALL CALENDARS, PL		58.80
7027-10-22	AMTEC	PROFESSIONAL SERVICES FOR BOND REBATE RE2023.093		5,000.00
225-498562	AUTO VALUE MARSHALL	POWER HOUSE - TRUFLEX BELT		9.09
225-498599	AUTO VALUE MARSHALL	GARAGE/STREETS - OIL, FILTER		86.31
225-498605	AUTO VALUE MARSHALL	POWER HOUSE - HYDRAULIC FLUID		159.58
225-498649	AUTO VALUE MARSHALL	GARAGE/STREETS - OIL FILTERS		16.74
225-498705	AUTO VALUE MARSHALL	GARAGE/STREETS - BRAKE CLEANER		44.16
225-498740	AUTO VALUE MARSHALL	POWER HOUSE - 8 & 12 TON BOTTLE JACKS		98.98
225-498782	AUTO VALUE MARSHALL	GARAGE/STREETS - MAP PRO CYLINDER		16.11
225-498889	AUTO VALUE MARSHALL	GARAGE/STREETS - FLANGE		215.74
225-498910	AUTO VALUE MARSHALL	GARAGE/STREETS - OIL & COOLANT FILTER		50.15
225-498979	AUTO VALUE MARSHALL	GARAGE/STREETS - 12V BATTERIES, CONTOUR		511.53
225-499092	AUTO VALUE MARSHALL	GARAGE/STREETS - 12V BATTERY		169.00
225-499047	AUTO VALUE MARSHALL	GARAGE/STREETS - BAR LED, 12V BATTERIES		514.26
225-499129	AUTO VALUE MARSHALL	GARAGE/STREETS - CREDIT MEMO		(81.00)
225-499130	AUTO VALUE MARSHALL	GARAGE/STREETS - KRY PAINT		24.38
225-499188	AUTO VALUE MARSHALL	GARAGE/STREETS - OIL/FUEL/COOLANT FILTER		102.80
225-499211	AUTO VALUE MARSHALL	GARAGE/STREETS - LED LAMP, RED MARKER LA		106.82
225-499287	AUTO VALUE MARSHALL	GARAGE/STREETS - RED MARKER LAMPS		36.52
INV#143721	BALTIC NETWORKS USA	STOCK # F502 ROUTERS		2,494.35
22131024.00-4	BARR ENGINEERING CO.	FERC PART 12D INSPECTION AND REPORTING O2022.222		4,560.00
404-1520	BRONSON HELPNET	EMPLOYEE ASSISTANCE PROGRAM 10/1/22 - 12		262.71
171994	BRUTSCHE CONCRETE PROD	CUSTOMER ID: 0412 TAX EXEMPT - 3/4 YARD		167.92
21008184014	BT PIPING SERVICES	MARSHALL HOUSE - REPLACED VALVE & PIPING		1,117.12
127297	CARR BROTHERS & SONS	28 YDS TOPSOIL & 28 YDS ROAD GRAVEL		1,416.84
761410	CHR SOLUTIONS	FIBERNET SUPPORT CONTRACT	2023.085	6,242.00
10036	COURTNEY & ASSOCIATES	MONTHLY RETAINER SERVICE - SEPT 2022	2023.026	250.00
605822	DARLING ACE HARDWARE	CUST NO. 1650 - REC/PARKS (GREAT STUFF,		31.98
606402	DARLING ACE HARDWARE	CUST NO. 1650 - WATER (TAPE MEASURER)		12.99
606724	DARLING ACE HARDWARE	CUST NO. 1650 - ELECTRIC (ELBOW PVC)		32.31
606971	DARLING ACE HARDWARE	CUST NO. 1650 - ELECTRIC (SAW CHAIN, SAN		71.04
607033	DARLING ACE HARDWARE	CUST NO. 1650 - WATER (STAPLES, BATTERIE		37.97
607260	DARLING ACE HARDWARE	CUST NO. 1650 - POWER HOUSE (T-HANDLE HE		23.99
607257	DARLING ACE HARDWARE	CUST NO. 1650 - MRLEC (TRIMMERS)		199.99
607322	DARLING ACE HARDWARE	CUST NO. 1650 - WASTE WATER (DRILL BIT,		37.17
607300	DARLING ACE HARDWARE	CUST NO. 1650 - MARSHALL HOUSE (HOSE MOU		55.96
607389	DARLING ACE HARDWARE	CUST NO. 1650 - MARSHALL HOUSE (PAINT, K		126.14
607365	DARLING ACE HARDWARE	CUST NO. 1650 - MARSHALL HOUSE (PRIMER,		143.56
607450	DARLING ACE HARDWARE	CUST NO. 1650 - WASTE WATER (CUT/GRIND W		25.95
607483	DARLING ACE HARDWARE	CUST NO. 1650 - MARSHALL HOUSE (BUG SPRA		68.96
607537	DARLING ACE HARDWARE	CUST NO. 1650 - MARSHALL HOUSE (PUTTY KN		13.18
607594	DARLING ACE HARDWARE	CUST NO. 1650 - MARSHALL HOUSE (SHOWER R		167.89
607631	DARLING ACE HARDWARE	CUST NO. 1650 - MARSHALL HOUSE (COMPOUND		39.96
607798	DARLING ACE HARDWARE	CUST NO. 1650 - AIRPORT (SAW CHAIN, LOPP		149.86
607780	DARLING ACE HARDWARE	CUST NO. 1650 - AIRPORT (SAW CHAINS, ENG		179.35
SI22-16780	DETROIT SALT COMPANY	ROAD SALT FOR 2022/2023 SEASON - MIDEAL	2023.089	6,506.59
SI22-16723	DETROIT SALT COMPANY	ROAD SALT FOR 2022/2023 SEASON - MIDEAL	2023.089	3,114.71
22-5955	ELECTION SOURCE	BALLOT BAGS & THERMAL PAPER ROLL		740.76
I120452	ERIC DALE HEATING & AI	CEMETERY SERVICE CALL 9/28/2022		293.00
I120436	ERIC DALE HEATING & AI	COMMERCIAL MAINTENANCE AGREEMENT - CEMET		300.00
I120437	ERIC DALE HEATING & AI	COMMERCIAL MAINTENANCE AGREEMENT - DPW		570.00
I120438	ERIC DALE HEATING & AI	COMMERCIAL MAINTENANCE AGREEMENT - CITY		2,340.00
I120439	ERIC DALE HEATING & AI	COMMERCIAL MAINTENANCE AGREEMENT - PSB		1,815.00
I120440	ERIC DALE HEATING & AI	COMMERCIAL MAINTENANCE AGREEMENT - CEMET		285.00
85412209	FIRST ADVANTAGE RESIDE	ACCT NO. 138549 RESIDENTIAL SCREENING SE		40.78
127101	GIFFELS WEBSTER	PLANNING SERVICES THROUGH 9/17/22 - CLEA		601.00
24623468	GRANGER WASTE SERVICES	ACCT NO. 18400290 RESIDENTIAL		30,214.80
24598524	GRANGER WASTE SERVICES	ACCT NO. 18422860 CITY BUILDINGS/RECYCLI		110.28
24631769	GRANGER WASTE SERVICES	ACCT NO. 2782490 CITY BUILDINGS/WASTE		1,054.72
24632363	GRANGER WASTE SERVICES	ACCT NO. 2890780 875 E. MICHIGAN AVE		171.99
2268204	GRIFFIN PEST SOLUTIONS	ACCT NO. 197892 SERVICES AT 1201 ARMS ST		42.00
2263092	GRIFFIN PEST SOLUTIONS	ACCT NO. 3422841 SERVICES AT 900 S. MARS		51.00
34369	HUNTER PRELL COMPANY	SLUDGE TANK PIPE REPAIR - QUOTE #TS 22-0	2023.012	10,973.33
0068940-IN	HYDROCOP	CUSTOMER NO. MUNMARS - INSPECTION & REPO		909.00
3114962904	IDEXX DISTRIBUTION COR	ACCT NO. 12064 LAB QA/QC SUPPLIES		2,163.28
D345153-IN	ILLUSTRATUS, DIVISION	ACCT NO. 01-BT508 MARSHALL HOUSE SUBSCRI		39.67
28282	J AND K PLUMBING SUPPL	MARSHALL HOUSE - TOILET VALVE, SHOWER SP		152.07

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INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
28308	J AND K PLUMBING SUPPL	WASTE WATER - WASHER, NUTS		0.69
28325	J AND K PLUMBING SUPPL	MARSHALL HOUSE - BATH DRAIN, CAULK		48.72
28347	J AND K PLUMBING SUPPL	WATER - BALL VALVE		18.77
31509018	LINDE GAS & EQUIPMENT,	CUST NO. 59879658 HYDRO #3 CIP		78.92
31546757	LINDE GAS & EQUIPMENT,	CUST NO. 59879658 HYDRO #3 CIP		135.00
31693720	LINDE GAS & EQUIPMENT,	CUST NO. 59879658 GASES & SUPPLIES		103.43
30983	MANER COSTERISAN	FY2022 FINANCIAL STATEMENT AND SINGLE AU 2023.047		2,500.00
002042	MARSHALL HARDWARE	MOTOR POOL (CAULK GUN)		10.99
10052022	MCGINTY, HITCH, PERSON	LEGAL SERVICES PROVIDED THRU SEPTEMBER 3		7,500.00
85902976	MCMaster-CARR	ACCT NO. 188371900 MARKING PAINT		192.67
1	MCSA GROUP, INC.	PROFESSIONAL SERVICES FOR EATON PARK DES 2023.092		6,000.00
S5102638.001	MEDLER ELECTRIC COMPAN	CUST NO. 979 3" TERMINAL ADAPTER		57.51
42317656	MSC INDUSTRIAL SUPPLY	(CUST NO. 02356117 LUBRICANT		87.82
09292022	NAPA OF MARSHALL	ACCT NO. 1400 FUSE		1.40
114942	O'LEARY WATER CONDITIO	METERING OFFICE - SEPT & OCT + WATER DEL		32.50
2397680	OFFICE 360	ACCT NO. 26140 LABELS		28.16
56692151	POWER LINE SUPPLY	CUSTOMER ID: 100402 AUTO SPLICE		749.00
2022300035	SPLYNX, INC.	CLOUD SERVER - 8 CPU (2K + CUSTOMERS)		1,374.19
9368	TECHNICAL TRUCK & TRAI	MAINTENANCE/REPAIR TRUCK #319	2023.078	3,304.12
11041	TIRE CITY TIRE PROS	2004 FORD F-150 NEW TIRES		899.80
11042	TIRE CITY TIRE PROS	2018 FORD F-150 NEW TIRES & ALIGNMENT		971.15
10948	TIRE CITY TIRE PROS	2002 DODGE RAM 2500 DIAGNOSTIC & REPAIR		522.96
11037	TIRE CITY TIRE PROS	NEW TIRES FOR ZERO TURN LAWN MOWER		1,199.80
11040	TIRE CITY TIRE PROS	2010 FORD F-250 NEW TIRES & REPAIRS		1,273.01
R106001481:01	TRI-COUNTY INTERNATIONAL	CUST NO. 100717 MAINTENANCE TO TRUCK #30		1,171.75
1620042682	UNIFIRST CORPORATION	UNIFORM SERVICES - MARSHALL HOUSE		50.83
1620042681	UNIFIRST CORPORATION	UNIFORM SERVICES - ELECTRIC		79.24
1620042676	UNIFIRST CORPORATION	UNIFORM SERVICES - WASTE WATER		32.98
1620042683	UNIFIRST CORPORATION	UNIFORM SERVICES - WATER		48.98
1620042679	UNIFIRST CORPORATION	UNIFORM SERVICES - DPW GARAGE		60.34
1620042680	UNIFIRST CORPORATION	UNIFORM SERVICES - POWER HOUSE		66.02
1620043321	UNIFIRST CORPORATION	UNIFORM SERVICES - MARSHALL HOUSE		50.83
1620043315	UNIFIRST CORPORATION	UNIFORM SERVICES - WASTE WATER		32.98
1620043319	UNIFIRST CORPORATION	UNIFORM SERVICES - POWER HOUSE		66.02
1620043320	UNIFIRST CORPORATION	UNIFORM SERVICES - ELECTRIC		79.24
1620043318	UNIFIRST CORPORATION	UNIFORM SERVICES - DPW GARAGE		60.34
1620043322	UNIFIRST CORPORATION	UNIFORM SERVICES - WATER		42.19
GRAND TOTAL:				117,234.24



MICHIGAN SOUTH CENTRAL POWER AGENCY

168 DIVISION STREET
COLDWATER, MICHIGAN 49036
PHONE (517) 279-6961
FAX (517) 279-6969

INVOICE MONTH: September, 2022
INVOICE DATE: 10/14/2022
DUE DATE: 10/31/2022
TOTAL AMOUNT DUE: \$982,263.72

MARSHALL CITY ELECTRIC DEPARTMENT
323 WEST MICHIGAN AVENUE
MARSHALL, MICHIGAN 49068
ATTN: KEVIN MAYNARD

MSCPA Member Power Billing - September, 2022

Total Power Charges:	\$806,564.30
Transmission / Capacity / Ancillary Services:	\$143,968.37
Total Other Charges:	\$11,175.38
Total Miscellaneous Charges:	\$20,555.67

TOTAL CHARGES \$982,263.72

NOTE: PLEASE SEE ENCLOSED BACKUP FOR ADDITIONAL DETAIL

* Any amounts due and not paid by the due date shall bear interest at the rate of 1% per month until paid

Notes:	
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APPROVAL LIST FOR CITY OF MARSHALL
EXP CHECK RUN DATES 09/30/2022 - 09/30/2022
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INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
422581	AD-VISOR & CHRONICLE	AD NO. 6100458 PUBLIC HEARING/COUNCIL MI		1,530.75
09172022	AT&T	ACCT NO. 145970911 MRLEC INTERNET SEPT 2		107.35
225-497746	AUTO VALUE MARSHALL	POWER HOUSE - WIRE WHEEL		11.17
P54613338	BATTERIES PLUS BULBS	CUST NO. 781 9813 BATTERY BACK-UPS		176.44
67432	BUD'S TOWING & AUTOMOT	MARSHALL PD PATROL CAR TOW/HOOK FEE		98.00
09272022	CALHOUN COUNTY CLERK	RECORDING OF (2) 425 AGMTS - HUGHES STRE		60.00
09292022	CALHOUN COUNTY TREASUR	2022 SUMMER DIST AD VALOREM #3		1,740,956.42
09292022	CALHOUN INTERMEDIATE S	2022 SUMMER DIST AD VALOREM #3		531,737.00
09/30/2022	CARR, GREGORY & KATHY	UB refund for account: 600700004		205.00
09212022	CB HALL ELECTRIC COMPA	CITY OF MARSHALL INSPECTION SERVICES AUG		550.00
09302022-2022	CITY OF MARSHALL	ST. MARY'S UB BILL AUG 2022		272.06
3360122	EDWARDS INDUSTRIAL SAL	CUSTOMER ID: 92775 GAUGE, BRASS PIPE BUS		63.79
346398	FAIRBANKS MORSE, LLC	ENGINE 6 PARTS PER QUOTE # Q06283	2023.060	6,561.67
22-09306A	GARAGE DOORS UNLIMITED	SERVICE AT DPW GATE TO FIX SENSOR 6/17/2		150.00
1951	GREAT LAKES RECREATION	PLAYGROUND EQUIPMENT FOR ALLCOTT PARK -2022.042		18,665.00
2255805	GRIFFIN PEST SOLUTIONS	ACCT NO. 197892 SERVICES AT 1201 ARMS ST		42.00
09/30/2022	IRVINE, NATHANIEL	UB refund for account: 2900800035		46.32
0003783	JUSTICE FENCE	SERVICE AT MRLEC TO RESET POST AT GENERA		450.00
09292022	KELLOGG COMMUNITY COLL	2022 SUMMER DIST AD VALOREM #3		256,780.62
09232022	KP INSPECTIONS; KEN FI	CITY OF MARSHALL INSPECTION SERVICES SEP		100.00
INVPR109209	LEXIPOL	FIRE & EMS LEARNING PLATFORM & ACADEMY A		1,773.00
09192022	LUIB, EARL	REIMBURSEMENT FROM BOOT ALLOWANCE		105.99
09092022COM	MARSHALL COMMUNITY CU	CITY CREDIT CARD - CITY OF MARSHALL 3431		156.85
09092022JL	MARSHALL COMMUNITY CU	CITY CREDIT CARD - JOSHUA LANKERD 3280		1,400.87
09092022KM	MARSHALL COMMUNITY CU	CITY CREDIT CARD - KEVIN MAYNARD 9501		77.85
09092022TAS	MARSHALL COMMUNITY CU	CITY CREDIT CARD - THERESA A SEARS 2624		100.05
09092022JRM	MARSHALL COMMUNITY CU	CITY CREDIT CARD - JUSTIN R MILLER 9156		44.99
09092022CAR	MARSHALL COMMUNITY CU	CITY CREDIT CARD - CHRISTY A RAMEY 4860		1,249.10
08102022CAR	MARSHALL COMMUNITY CU	CITY CREDIT CARD - CHRISTY A RAMEY 4860		301.97
09092022ME	MARSHALL COMMUNITY CU	CITY CREDIT CARD - MARTIN ERSKINE 9519		425.00
09092022EZ	MARSHALL COMMUNITY CU	CITY CREDIT CARD - ERIC ZUZGA 2217		590.36
08102022CAR-CREDIT	MARSHALL COMMUNITY CU	CITY CREDIT CARD - CHRISTY A RAMEY 4860		(353.95)
46441-H	MARSHALL CUSTOM EMBROI	NEW SUBSTATION T-SHIRTS		180.00
09292022	MARSHALL DISTRICT LIBR	2022 SUMMER DIST AD VALOREM #3		277,001.29
09292022	MARSHALL PUBLIC SCHOOL	2022 SUMMER DIST AD VALOREM #3		1,265,268.06
20220610019	MICHIGAN PUBLIC POWER	MPPA ADMINISTRATIVE OVERHEAD MAY 2022		23.62
16136	MIDWEST COMMUNICATION	ACCT NO. 62284 REBECCA STREET FIBER PROJ		2,790.23
0027	NIEMANN INSPECTIONS, L	RADON TEST AT 125 & 127 W. MICHIGAN AVE		200.00
823304	NYE UNIFORM COMPANY	MARSHALL PD - AMBROSE UNIFORM		201.83
09232022	PATTERSON, JACOB	REIMBURSEMENT FROM BOOT ALLOWANCE		200.00
7000502	PLM LAKE & LAND MANAG	CUSTOMER NO. MI34412 TREATMENT OF EWM MI 2023.042		2,315.70
56687272	POWER LINE SUPPLY	CUSTOMER ID: 100402 STIRRUP BRACKET		217.89
56687291	POWER LINE SUPPLY	CUSTOMER ID: 100402 STAPLE STICK		276.35
08102022	QUALITY EXCAVATORS, IN	PROSPECT STREET WATERMAIN AND STREET IMP 2022.275		225,509.36
09302022	RITSEMA, ROBERT	MEAL REIMBURSEMENT FOR ACCREDITATION TRA		14.56
70857780	ROSE PEST SOLUTIONS	CLIENT NO. 70019775 SERVICES AT MARSHALL		1,600.00
70855383	ROSE PEST SOLUTIONS	CLIENT NO. 70019775 SERVICES AT MARSHALL		1,200.00
09262022	SHELDON, PAUL	CITY OF MARSHALL INSPECTION SERVICES 9/2		50.00
131	TOP TO BOTTOM TREE SER	ELECTRIC LINE CLEARANCE (3-PERSON \$106/2023.002		3,286.00
09302022	ZUZGA, ERIC	REIMBURSEMENT FOR ARIN ANNUAL FEE		1,000.00
GRAND TOTAL:				4,345,770.56

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INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
443852	ACTIVE911, INC.	FIRE DEPT ACTIVE ALERT SUBSCRIPTION		450.00
59330	ALEXANDER CHEMICAL COR	CUST NO. 100413 CL2, FLUORIDE	2023.077	2,970.84
59775	ALEXANDER CHEMICAL COR	CUST NO. 100413 CAIROX	2023.081	3,826.52
92459	ALL-TRONICS, INC.	ACCT NO. 1-MARCIT REPROGRAMMED WASTE LIN		90.00
51071792	ALTEC INDUSTRIES, INC.	CUST NO. 21505 FORK TRUCK REPAIR	2023.079	4,484.19
10052022	AMERICAN PLUMBING CONT	CANCELED PERMITS 1047, 1049, 1051, 1053		430.00
5433133-00	ANIXTER, INC.	CUST NO. 115552 3 PHASE IN FIELD METER T	2023.005	4,439.70
32519585	APPLIED CAPITAL, LLC	CONTRACT NO. 132-1753516-000 MRLEC COPIE		117.52
49273	B&B SERVICES	MARSHALL FD TRUCK SERVICE CALL 9/12/2022		156.41
10032022	BROADWAY GRILLE	BREAKFAST FOR BROOKS SUBSTATION GROUND B		571.56
10052022	BROWN, SEAN	REIMBURSEMENT FROM BOOT ALLOWANCE		31.83
10072022	CALHOUN COUNTY TREASUR	PRE CHANGE - INVOICES 22-826 & 22-827		57.04
10/07/2022	CHRISTINE HUGHES	UB refund for account: 3195		50.00
48868	CITY OF COLDWATER	CUST NO. 2590 MUTUAL AID ON AUGUST 30, 2	2023.080	13,121.59
09222022	CRANDALL ELECTRIC, LLC	WIRED NEW WASHER & DRYER AT FIRE DEPT		1,400.00
106017	CRT, INC.	SMARTNET 1 YEAR		60.50
220930COM	CRT, INC.	NEW BLOCK OF T-BRICKS (QTY 75 FOR \$125 E	2023.087	9,375.00
106098	CRT, INC.	ADAPTER DISPLAYPORT/VGA QTY 3		90.00
106128	CRT, INC.	1 YEAR WARRANTY ON TECH EQUIPMENT		1,592.00
106156	CRT, INC.	ADAPTER DISPLAYPORT/VGA QTY 3		90.00
106139	CRT, INC.	CLOUD STORAGE OCTOBER 2022		1,501.36
INV401	CULVER COMPANY, LLC	CUSTOMER NO. C9647 PROMOTIONAL TRUCKS		634.37
169768	D & D MAINTENANCE SUPP	ACCT NO. CIMA1 PARKS TOILET PAPER		87.06
169857	D & D MAINTENANCE SUPP	ACCT NO. CIMA1 FLOOR CLEANING SUPPLIES		1,094.00
45889, 45890	DEAN TRAILWAYS OF MICH	56 SEAT MOTORCOACH FOR MACKINAC TRIP OC	2023.075	3,360.00
S104748534.001	ETNA SUPPLY	CUST NO. 5277 NOZZLE SAMPLING VALVE		422.00
MIBAT322886	FASTENAL COMPANY	CUST NO. MIBAT1561 GARAGE SUPPLIES		118.61
163772	FIRE SAFETY USA, INC.	FIRE LINE DO NOT CROSS TAPE		222.00
9445083398	GRAINGER	ACCT NO. 804945673 CARBIDE GREASE		56.27
9454574410	GRAINGER	ACCT NO. 804945673 GALV STEEL BTHRM FN		55.98
10032022	GROSS, JOHN	CITY OF MARSHALL INSPECTION SERVICES SEP		1,350.00
10/07/2022	HEIDI DEMICHAEL	UB refund for account: 2867		50.00
10052022	HOOKWAY, BARBARA	ENERGY OPTIMIZATION - MULTI-ZONE HEAT PU		200.00
4009563	IIX INSURANCE INFORMAT	ACCT NO. 888907 MOTOR VEHICLE REPORTS		36.20
768	IMPACT LAWN & LANDSCAP	2022 LAWN MOWING - JULY TO OCTOBER 2022	2023.036	300.00
763	IMPACT LAWN & LANDSCAP	2022 LAWN MOWING - JULY TO OCTOBER 2022	2023.036	2,160.00
788	IMPACT LAWN & LANDSCAP	2022 LAWN MOWING - JULY TO OCTOBER 2022	2023.036	1,915.00
790	IMPACT LAWN & LANDSCAP	2022 LAWN MOWING - JULY TO OCTOBER 2022	2023.036	500.00
791	IMPACT LAWN & LANDSCAP	2022 LAWN MOWING - JULY TO OCTOBER 2022	2023.036	450.00
792	IMPACT LAWN & LANDSCAP	2022 LAWN MOWING - JULY TO OCTOBER 2022	2023.036	550.00
10052022	J & L ELECTRIC, INC.	CANCELED PE 22-033 PER CONTRACTOR (COST		95.00
27865	J AND K PLUMBING SUPPL	POWER HOUSE - THREAD SEAL COMPOUND		18.38
31427464	LINDE GAS & EQUIPMENT	CUST NO. 59879658 GASES		123.84
46500-H	MARSHALL CUSTOM EMBROI	BROOKS SUBSTATION PARKING SIGNS		36.00
001992	MARSHALL HARDWARE	WATER (PENS, BOLTS, NUTS)		12.64
002011	MARSHALL HARDWARE	STREETS (LAWN BAGS, BEE SPRAY)		81.66
002019	MARSHALL HARDWARE	AIRPORT (PC GLASS, TUBE GLAZING, LED BUL		32.49
10350	MUNETRIX, LLC	CONTRACT NO. 822 MUNICIPAL LICENSE RENEW		2,964.00
10032022-A	MUSSER, TIM	REIMBURSEMENT FOR HOTEL LODGING AT CONFE		444.60
10032022-B	MUSSER, TIM	REIMBURSEMENT FOR GAS TO CONFERENCE		55.01
10032022-C	MUSSER, TIM	REIMBURSEMENT FOR MEALS AT CONFERENCE		49.77
10052022	NASH, WILL	MEALS & MILEAGE FOR FIRE INSPECTOR CONFE		214.29
10/07/2022	SHELTERS, DOROTHY	UB refund for account: 3005800029		77.19
10052022	SKIDMORE, TIMOTHY	ENERGY OPTIMIZATION - AIR CONDITIONER		150.00
761-11019888	STATE OF MICHIGAN	CUST ID: 156863 LEAD AND COPPER SAMPLING	2023.082	1,040.00
09272022	TAYLOR, JEFF	REIMBURSEMENT FOR CANYON HYDRO CREW LUNC		42.38
10/07/2022	TJAPKES, HANNAH	UB refund for account: 3002880041		76.81
132	TOP TO BOTTOM TREE SER	ELECTRIC LINE CLEARANCE (3-PERSON \$106/	2023.002	4,187.00
1620040802	UNIFIRST CORPORATION	UNIFORM SERVICES - MARSHALL HOUSE		50.83
1620040803	UNIFIRST CORPORATION	UNIFORM SERVICES - WATER		36.69
1620040800	UNIFIRST CORPORATION	UNIFORM SERVICES - POWER HOUSE		66.02
1620040799	UNIFIRST CORPORATION	UNIFORM SERVICES - DPW GARAGE		67.51
1620040797	UNIFIRST CORPORATION	UNIFORM SERVICES - WASTE WATER		32.98
1620040801	UNIFIRST CORPORATION	UNIFORM SERVICES - ELECTRIC		319.27
10072022	V & V ASSESSING LLC	ASSESSING SERVICES OCTOBER 2022		4,700.00
09242022	WOW! BUSINESS	ACCT NO. 013934621 DPW OCT 2022		46.69
09292022	WOW! BUSINESS	ACCT NO. 014226414 FIRE DEPT OCT 2022		126.37
10022022	WOW! INTERNET-CABLE-PH	ACCT NO. 010040764 MARSHALL HOUSE OCT 20		1,431.49
3494853	XEROX FINANCIAL SERVIC	CUSTOMER NO. 69580 XEROX LEASE SEPTEMBER		1,688.49
26618	ZETAONE, INC.	CITY OF MARSHALL INFRASTRUCTURE AUDIT	2023.086	3,000.00
10072022	ZUZGA, ERIC	REIMBURSEMENT FOR ZOOM SUBSCRIPTION OCT		199.90
10032022	ZUZGA, ERIC	REIMBURSEMENT FOR STAMPS		24.00
GRAND TOTAL:				79,958.85

TO: Honorable Mayor and City Council

FROM: Derek N. Perry, City Manager
Marguerite Davenport, Director of Public Services

DATE: October 17, 2022

SUBJECT: VENTURA WAY RIGHT-OF-WAY VACATION – 701 N LINDEN
PUBLIC HEARING

The City received a request from the property owner at 701 N Linden, Kinderhaus Montessori School, to vacate the right-of-way (ROW) from N Linden to their parcel to the west. In the last year, Kinderhaus Montessori purchased parcel 53-002-029-04 to add to their outdoor experience for children. With that purchase, the school would like to own the public ROW they currently use and have improved at their expense as driveway. See below in red:



As discussed, If we proceed with a vacation, the City is required to split the ROW based on frontage of the ROW to all adjacent parcels. The attached resolution outlines the accurate split of the ROW to all adjacent property owners (4 in total). The resolution also maintains the area as a public utility easement. Additional documents include quit claim deeds from the adjacent property owners to Kinderhaus Montessori, which are required as part of the vacation so that parcel 53-002-027-00 does not become land locked.

At the September 19, 2022 meeting, when the public hearing was scheduled, City Council inquired about maintaining the historic pedestrian accessibility through the area. Over the years, the neighborhood residents have grown accustomed to walking through the area. Pedestrian use has continually occurred on parcel 53-002-029-04 without incident or concern from previous owners. Kinderhaus Montessori school intends for this tradition to continue as it has for the memorable past, but is reluctant to formalize the pathway out of liability and future potential maintenance obligations. Based on their comments, no public pedestrian access language was incorporated into the easement document.

BUDGET IMPACT: None. The Kinderhaus Montessori School is required and has agreed to reimburse the City for the actual survey and legal fees estimated at \$1,200.

RECOMMENDATION: Authorize the Clerk to sign City of Marshall Resolution 2022-027 approving the vacation of Ventura Way subject to reimbursement of the associated survey and legal fees.

**CITY OF MARSHALL, MICHIGAN
RESOLUTION NO. 2022-027**

RESOLUTION TO VACATE VENTURA WAY

RECITALS

WHEREAS, a request has been received to vacate Ventura Way to N. Linden Street, within the City of Marshall, County of Calhoun, State of Michigan, and

WHEREAS, the City has the authority to vacate streets within the City under Michigan's Home Rule City Act, being MCL 117.1, *et seq.*, as amended, Section 2.23 of the City of Marshall Charter, as amended, and Article VII, Section 31 of the Michigan Constitution of 1963, and

WHEREAS, Notice of the Public Hearing for vacating Ventura Way to N. Linden Street was published by the City of Marshall on _____. __, 2022, with a notice of the hearing mailed via first class mail to all property owners of record for any property adjoining the parcel in question; and

WHEREAS, the City conducted a hearing on vacating Ventura Way, and determined that the police and fire departments believe that the vacation will not adversely affect public safety, and

WHEREAS, the City has determined that the street right-of-way recommended for vacation is not needed by the City Department of Public Works or Public Safety Department, and

WHEREAS, the City of Marshall deems it advisable and necessary for the health, safety, comfort, and safety of the people of the City of Marshall to discontinue and vacate Ventura Way, a public street, identified as Parcel No. 53-002-027-01, and legally described as:

MARSHALL CITY, BEG PT ON WEST LI N LINDEN ST DIS 330 N FROM NE COR LOT 1 LINDEN HILLS PLAT; TH N 89 DEG 12 MIN W, 198. FT; TH N 85 DEG 44 MIN W, 209 FT; TH N 78 DEG 59 MIN W, 143.78 FT; TH N 66 FT; TH S 78 DEG 59 MIN E, 143.78 FT; TH S 85 DEG 44 MIN E, 209 FT; TH S 89 DEG 12 MIN E, 198 FT; TH S 66 FT TO POB. (CURRENT INGRESS/EGRESS TO PARCEL 13-53-002-027-00).

and all easements of record, (collectively, the “Property”), and

WHEREAS, the City determines it advisable and reserves and maintains an easement in the Property, and any resulting parcels therefrom, for all public and private utilities, to include but not limited to, storm sewer, water, water mains and line or lines of pipe for the transportation of water and sewage, together with all necessary and convenient equipment, facilities, pumps, pipes, lines, and FiberNet, electric, cable, aerial electric, air rights and connections therefor, and all other fixtures and appliances appurtenant thereto, and to operate, by means thereof, in, upon, along, over and across the following described Property; and further, to lay, install, maintain, construct, operate, repair, replace, renew, add, expand, remove utilities and/or lines, together with all necessary and convenient equipment, facilities, pipes, lines, connections therefor and all other fixtures and appliances appurtenant thereto (the “Utility Easement”), and

WHEREAS, the City conducted a public hearing on the 17th, of October, 2022, on the vacation of the Property, in the City Council Chambers at City Hall, 323 W. Michigan Avenue, Marshall Michigan, and

WHEREAS, no objections were made to said vacation of the Property;

NOW, THEREFORE BE IT RESOLVED:

1. That the above RECITALS are incorporated herein.
2. That pursuant to the authority granted the Michigan’s Home Rule City Act, being MCL 117.1, *et seq*, as amended, Section 2.23 of the City of Marshall Charter, as amended, and under Article VII, Section 31 of the Michigan Constitution of 1963, the City Council of the City of Marshall hereby vacates and discontinues and above-described Property as a public street, subject to easements reserved herein over the entire vacated area for public utility purposes, including an easement for, but not limited to, storm sewer, water, water mains and line or lines of pipe for the transportation of water and sewage, together with all necessary and convenient equipment, facilities, pumps, pipes, lines, and FiberNet, electric, cable, aerial electric, air rights and connections therefor, and all other fixtures and appliances appurtenant thereto, and to operate, by means thereof, in, upon, along, over and across the following described Property; and further, to lay, install, maintain, construct, operate, repair, replace, renew, add, expand, remove utilities and/or lines, together with all necessary and convenient equipment, facilities, pipes, lines, connections therefor and all other fixtures and appliances appurtenant thereto (the “Utility Easement”).

3. That, in addition to the easement rights in Paragraph 2 above, this Utility Easement shall include the following additional rights:

- A. The right to move earth materials, including the right to dig soil, and to cut, trim, remove or otherwise control all trees, branches, bushes, brush, undergrowth, crops or other growth or vegetation located or growing upon or in the easement area as may be reasonably necessary to permit the City's use the easement area for the installation, construction and maintenance of the water main and utilities and the equipment and facilities connected therewith.
- B. The right to temporarily and reasonably store materials and conduct other "staging" and necessary activities for the installation, construction and maintenance of the water main and all other utilities.
- C. The right to prohibit the erection or placement of any buildings or structures (excluding roadways and driveways) in or upon said easement area.
- D. The right of ingress to, egress from and passage on and over the Property to the easement area for the purpose of exercising the easement rights hereinbefore described.

4. That vacation of said Property shall be subject to and under the conditions of this Resolution, the Utility Easement, and the agreements herein, and that the parcels identified in **Exhibit A** shall become parts of the adjacent properties described in **Exhibit A** as:

- A. Vacated Parcel #1 to Parcel No. 53-002-027-00, by Quit Claim Deed (**Exhibit B**),
- B. Vacated Parcel #2 to Parcel No. 53-002-026-00, by Quit Claim Deed (**Exhibit C**), and
- C. Vacated Parcel #3 to Parcel No. 53-002-029-04, by Quit Claim Deed (**Exhibit D**), and
- D. Vacated Parcel #4 to Parcel No. 53-002-040-00, by Quit Claim Deed (**Exhibit E**).

5. That vacation of said Property is conditioned upon, and as agreed to by the owner(s) of Parcel No. 53-002-026-00, BROWN FAMILY TRUST (Trust dated March 15, 2021) and Mary E. Brown, Trustee (collectively, "owners of Parcel No. 53-002-026-00"), to convey and transfer Vacated Parcel #2 to the owners of Parcel No. 53-002-027-00 (i.e., KINDERHAUS MONTESSORI PRESCHOOL OF MARSHALL); and the owner(s) of Parcel No. 53-002-040-00, GLOTFELTY

MARLENE J TRUST (Trust dated) _____ and Marlene J. Glotfelty, Trustee (collectively, "owners of Parcel No. 53-002-040-00"), to convey and transfer Vacated Parcel #4 to the owners of Parcel No. 53-002-029-04 (i.e., KINDERHAUS MONTESSORI PRESCHOOL), that upon vacation of the Property, said owners of Parcel No. 53-002-026-00 and owners of Parcel No. 53-002-040-00, will transfer and convey Parcel #2 and Parcel #4, respectfully, as follows:

- A. BROWN FAMILY TRUST, the owner(s) of Parcel No. 53-002-026-00 agree to and shall convey and transfer by Quit Claim Deed Vacated Parcel #2 to KINDERHAUS MONTESSORI PRESCHOOL, the owners of Parcel No. 53-002-027-00, (**Exhibit F**), and
- B. GLOTFELTY MARLENE J TRUST, the owners of Parcel No. 53-002-040-00 agree to and shall convey and transfer by Quit Claim Deed Vacated Parcel #4 to KINDERHAUS MONTESSORI PRESCHOOL, the owners of Parcel No. 53-002-029-04, (**Exhibit G**).

6. That this Resolution No. 2022-027 and its Exhibits A-H shall be recorded with the Register of Deeds of Calhoun County, State of Michigan, and shall be binding upon the heirs, successors and permitted assigns of said identified parcels and shall run with the land.

7. That vacation of said Property shall be subject to, and contingent upon, the filing of an Affidavit by the City Clerk affirming the closing of the transactions identified herein as required under paragraphs no. 4 and no. 5 above and the Agreements identified on page no. 6. (**Exhibit H.**)

8. That the City Clerk shall be, and hereby is, authorized for and on behalf of the City to execute and deliver any documents necessary or appropriate.

The foregoing Resolution was moved by Council Member _____ and seconded by Council Member _____ and declared adopted by the following vote:

AYES:

NAYES:

ABSENT:

RESOLUTION DECLARED ADOPTED.

[SIGNATURES APPEAR ON FOLLOWING PAGES]

[illegible]

I, the undersigned duly qualified and acting Clerk of the City of Marshall, County of Calhoun, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Marshall at a Regular meeting held on the 17th, of October, 2022, the original of which is a part of the City Council's minutes and further certifies that notice of the meeting was given to the public pursuant to the provisions of the Open Meetings Act, 1976 PA 267, as amended.

IN TESTIMONY WHEREOF, I have hereunto set my hand affixed seal of said City of Marshall, this ____ day of _____, 2022.

Michelle Eubank, City Clerk

AGREEMENT

I (we), the owner(s) of Parcel No. 53-002-026-00, BROWN FAMILY TRUST, (Trust dated March 15, 2021) and Mary Brown, Trustee, hereby agree to and shall convey and transfer by Quit Claim Deed Vacated Parcel #2 to the owners of Parcel No. 53-002-027-00, as indicated in City Resolution No. 2022-027. Mary Brown (print), _____ (sign), _____ (date).

STATE OF MICHIGAN)
) SS
COUNTY OF CALHOUN)

On this ____ day of _____, 2022 before me, a Notary Public, in and for said County, personally appeared _____, known to be the same described in and who executed the within instrument, who has acknowledged the same to be of their free act and deed.

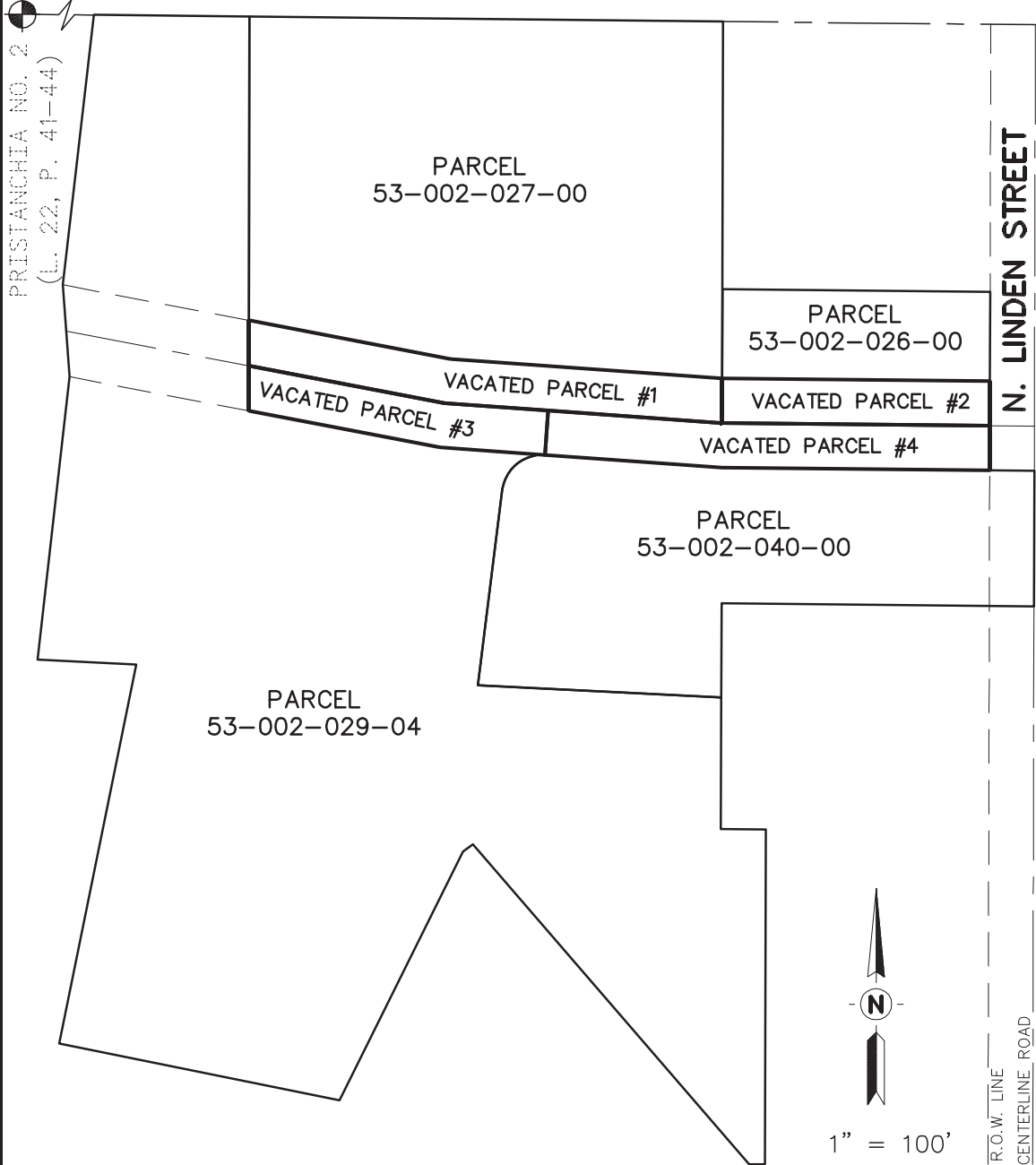
AGREEMENT

I (we), the owner(s) of Parcel No. 53-002-040-00, GLOTFELTY MARLENE J TRUST (Trust dated _____) and Marlene J. Glotfelty, Trustee, hereby agree to and will convey and transfer by Quit Claim Deed Vacated Parcel #4 to the owners of Parcel No. 53-002-029-04, as indicated in City Resolution No. 2022-027. Marlene J Glotfelty (print), _____ (sign), _____ (date).

STATE OF MICHIGAN)
) SS
COUNTY OF CALHOUN)

On this ____ day of _____, 2022 before me, a Notary Public, in and for said County, personally appeared _____, known to be the same described in and who executed the within instrument, who has acknowledged the same to be of their free act and deed.

SKETCH

FOR: **CITY OF MARSHALL**WEST 1/4
CORNER
SECTION 23
T2S, R6W

This plan was made at the direction of the parties hereon and intended solely for their immediate use and no survey has been made and no property lines were monumented, all easements recorded or unrecorded may not be shown, unless specifically noted, and no dimensions are intended for use in establishing property lines.

- R = Recorded Distance
 M = Measured Distance
 — = Deed Line
 - - - = Distance Not to Scale


KEBS, INC. KYES ENGINEERING
 BRYAN LAND SURVEYS

 13432 PRESTON DRIVE, MARSHALL, MI 49068
 PH. 269-781-9800 FAX. 269-781-9805

 2116 HASLETT ROAD, HASLETT, MI 48840
 PH. 517-339-1014 FAX. 517-339-8047

 DRAWN BY: **BEB** SECTION **23, T2S, R6W**

FIELD WORK BY: JOB NUMBER: ---

 DRAWING DATE: **9/22/22** SHEET **1** OF **5**
MICHAEL A. GROAT
 PROFESSIONAL SURVEYOR

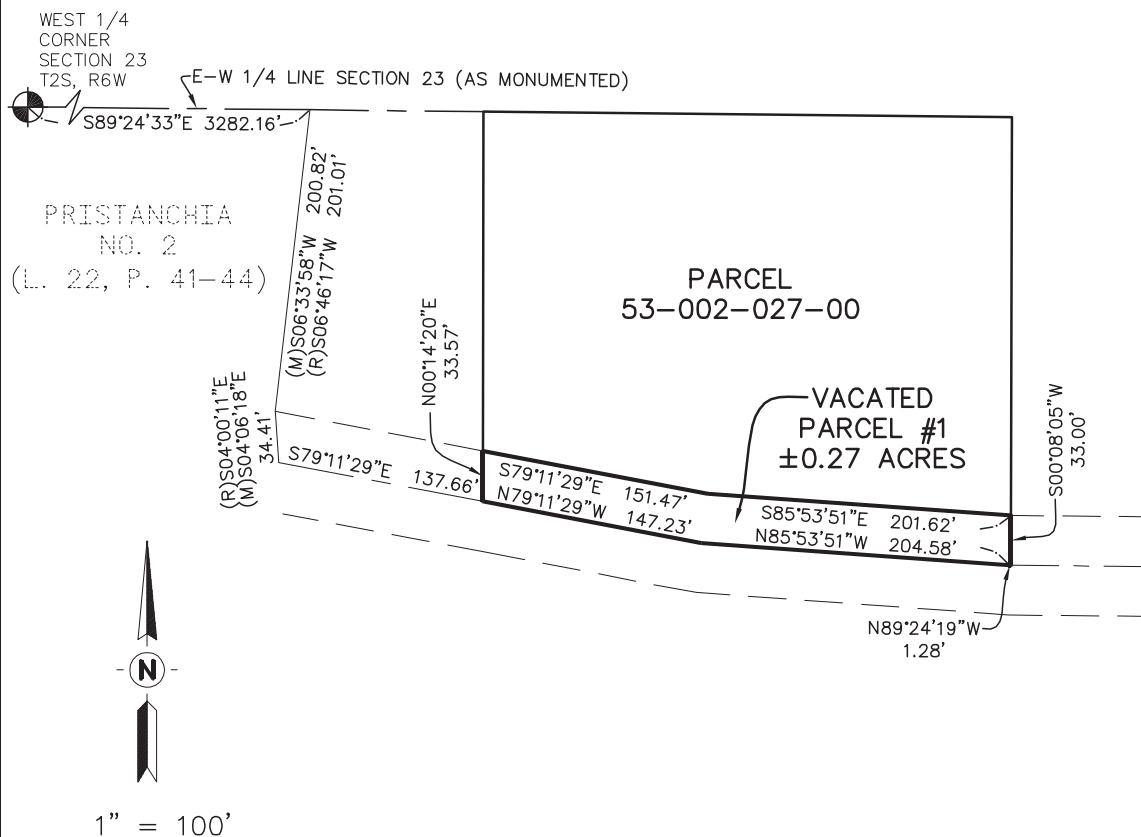
 DATE
 No. **39079**

SKETCH

FOR: **CITY OF MARSHALL**

VACATED PARCEL #1

A parcel of land located in the Southeast 1/4 of Section 23, Town 2 South, Range 6 West, City of Marshall, Calhoun County, Michigan being described as: Commencing at the West 1/4 Corner of Section 23, T2S, R6W; thence S89°24'33"E, 3282.16 feet along the East-West 1/4 line of said Section 23 (as monumented) to the Northeast Corner of Pristanchia No. 2 as recorded in Liber 22 of Plats, pages 41-44, in the Office of the Register of Deeds of Calhoun County, Michigan; thence S06°33'58"W, 200.82 feet (recorded as (S06°46'17"W, 201.01 feet) along the Easterly line of Pristanchia No. 2; thence S04°06'18"E, 34.41 feet (recorded as S04°00'11"E) along said Easterly line; thence S79°11'29"E, 137.66 feet to the point of beginning of the following described parcel; thence N00°14'20"E, 33.57 feet; thence S79°11'29"E, 151.47 feet; thence S85°53'51"E, 201.62 feet; thence S00°08'05"W, 33.00 feet; thence N85°53'51"W, 204.58 feet; thence N79°11'29"W, 147.23 feet to the point of beginning; said parcel contains 0.27 acres, more or less; said parcel being subject to any easements or restrictions of use or record.



This plan was made at the direction of the parties hereon and intended solely for their immediate use and no survey has been made and no property lines were monumented, all easements recorded or unrecorded may not be shown, unless specifically noted, and no dimensions are intended for use in establishing property lines.

R = Recorded Distance
M = Measured Distance
— = Deed Line
- - - = Distance Not to Scale

MICHAEL A. GROAT
PROFESSIONAL SURVEYOR

DATE
No. 39079



KEBS, INC.

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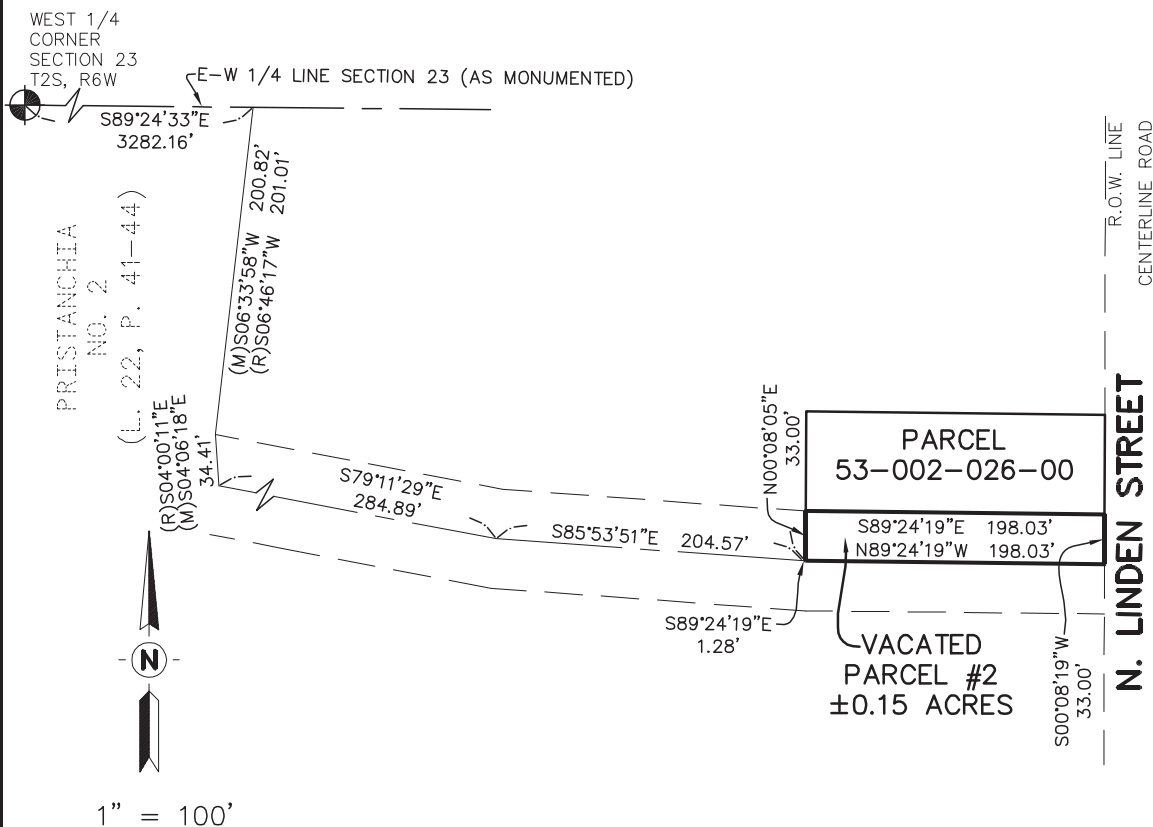
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FIELD WORK BY:	JOB NUMBER: ---
DRAWING DATE: 9/22/22	SHEET 2 OF 5

SKETCH

FOR: **CITY OF MARSHALL**

VACATED PARCEL #2

A parcel of land located in the Southeast 1/4 of Section 23, Town 2 South, Range 6 West, City of Marshall, Calhoun County, Michigan being described as: Commencing at the West 1/4 Corner of Section 23, T2S, R6W; thence S89°24'33"E, 3282.16 feet along the East-West 1/4 line of said Section 23 (as monumented) to the Northeast Corner of Pristanchia No. 2 as recorded in Liber 22 of Plats, pages 41-44, in the Office of the Register of Deeds of Calhoun County, Michigan; thence S06°33'58"W, 200.82 feet (recorded as (S06°46'17"W, 201.01 feet) along the Easterly line of Pristanchia No. 2; thence S04°06'18"E, 34.41 feet (recorded as S04°00'11"E) along said Easterly line; thence S79°11'29"E, 284.89 feet; thence S85°53'51"E, 204.57 feet; thence S89°24'19"E, 1.28 feet to the point of beginning of the following described parcel; thence N00°08'05"E, 33.00 feet; thence S89°24'19"E, 198.03 feet to the Westerly right-of-way line of Linden Street; thence S00°08'19"W, 33.00 feet along said right-of-way-line; thence N89°24'19"W, 198.03 feet to the point of beginning; said parcel contains 0.15 acres, more or less; said parcel being subject to any easements or restrictions of use or record.



This plan was made at the direction of the parties hereon and intended solely for their immediate use and no survey has been made and no property lines were monumented, all easements recorded or unrecorded may not be shown, unless specifically noted, and no dimensions are intended for use in establishing property lines.

- R = Recorded Distance
- M = Measured Distance
- = Deed Line
- - - = Distance Not to Scale



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2116 HASLETT ROAD, HASLETT, MI 48840
PH. 517-339-1014 FAX. 517-339-8047

DRAWN BY: BEB	SECTION 23, T2S, R6W
FIELD WORK BY:	JOB NUMBER: ---
DRAWING DATE: 9/22/22	SHEET 3 OF 5

MICHAEL A. GROAT
PROFESSIONAL SURVEYOR

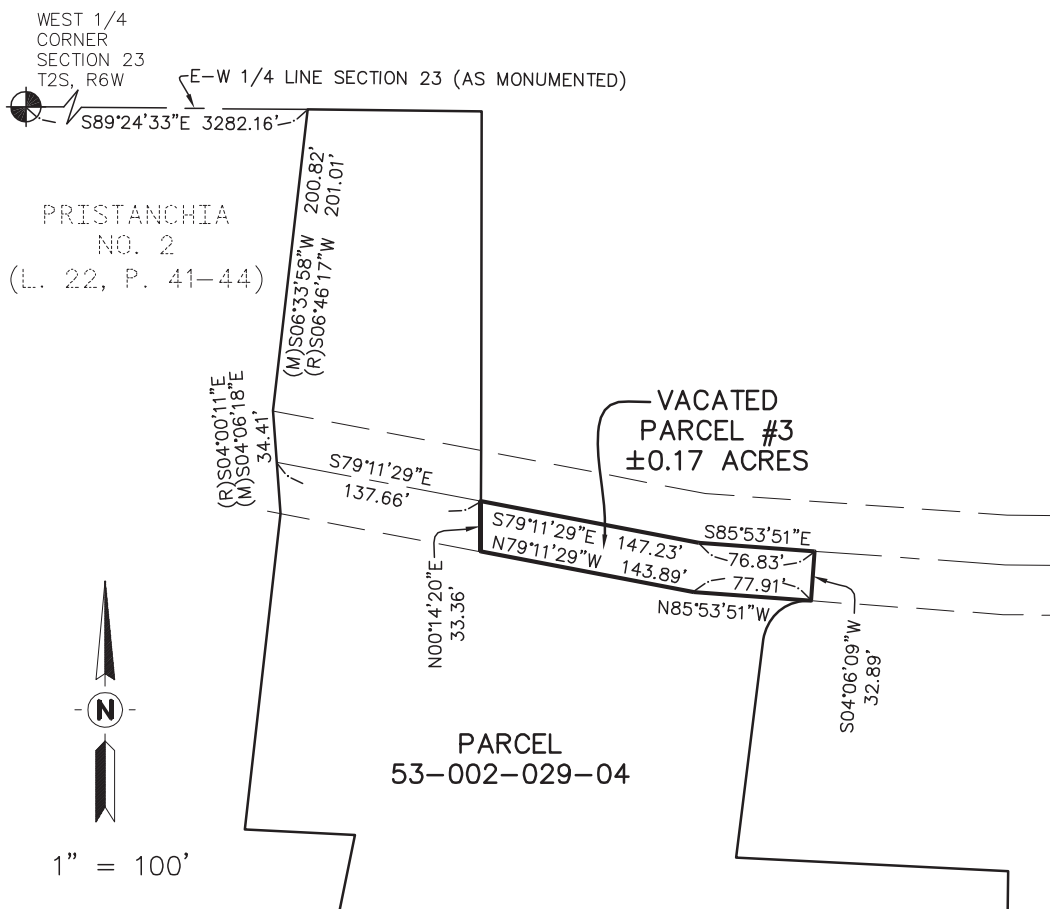
DATE
No. **39079**

SKETCH

FOR: **CITY OF MARSHALL**

VACATED PARCEL #3

A parcel of land located in the Southeast 1/4 of Section 23, Town 2 South, Range 6 West, City of Marshall, Calhoun County, Michigan being described as: Commencing at the West 1/4 Corner of Section 23, T2S, R6W; thence S89°24'33"E, 3282.16 feet along the East-West 1/4 line of said Section 23 (as monumented) to the Northeast Corner of Pristanchia No. 2 as recorded in Liber 22 of Plats, pages 41-44, in the Office of the Register of Deeds of Calhoun County, Michigan; thence S06°33'58"W, 200.82 feet (recorded as (S06°46'17"W, 201.01 feet) along the Easterly line of Pristanchia No. 2; thence S04°06'18"E, 34.41 feet (recorded as S04°00'11"E) along said Easterly line; thence S79°11'29"E, 137.66 feet to the point of beginning of the following described parcel; thence continuing S79°11'29"E, 147.23 feet; thence S85°53'51"E, 76.83 feet; thence S04°06'09"W, 32.89 feet; thence N85°53'51"W, 77.91 feet; thence N79°11'29"W, 143.89 feet to the point of beginning; said parcel contains 0.17 acres, more or less; said parcel being subject to any easements or restrictions of use or record.



This plan was made at the direction of the parties hereon and intended solely for their immediate use and no survey has been made and no property lines were monumented, all easements recorded or unrecorded may not be shown, unless specifically noted, and no dimensions are intended for use in establishing property lines.

R = Recorded Distance
M = Measured Distance
— = Deed Line
- - - = Distance Not to Scale



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13432 PRESTON DRIVE, MARSHALL, MI 49068
PH. 269-781-9800 FAX. 269-781-9805

2116 HASLETT ROAD, HASLETT, MI 48840
PH. 517-339-1014 FAX. 517-339-8047

DRAWN BY: BEB	SECTION 23, T2S, R6W
FIELD WORK BY:	JOB NUMBER: ---
DRAWING DATE: 9/22/22	SHEET 4 OF 5

MICHAEL A. GROAT
PROFESSIONAL SURVEYOR

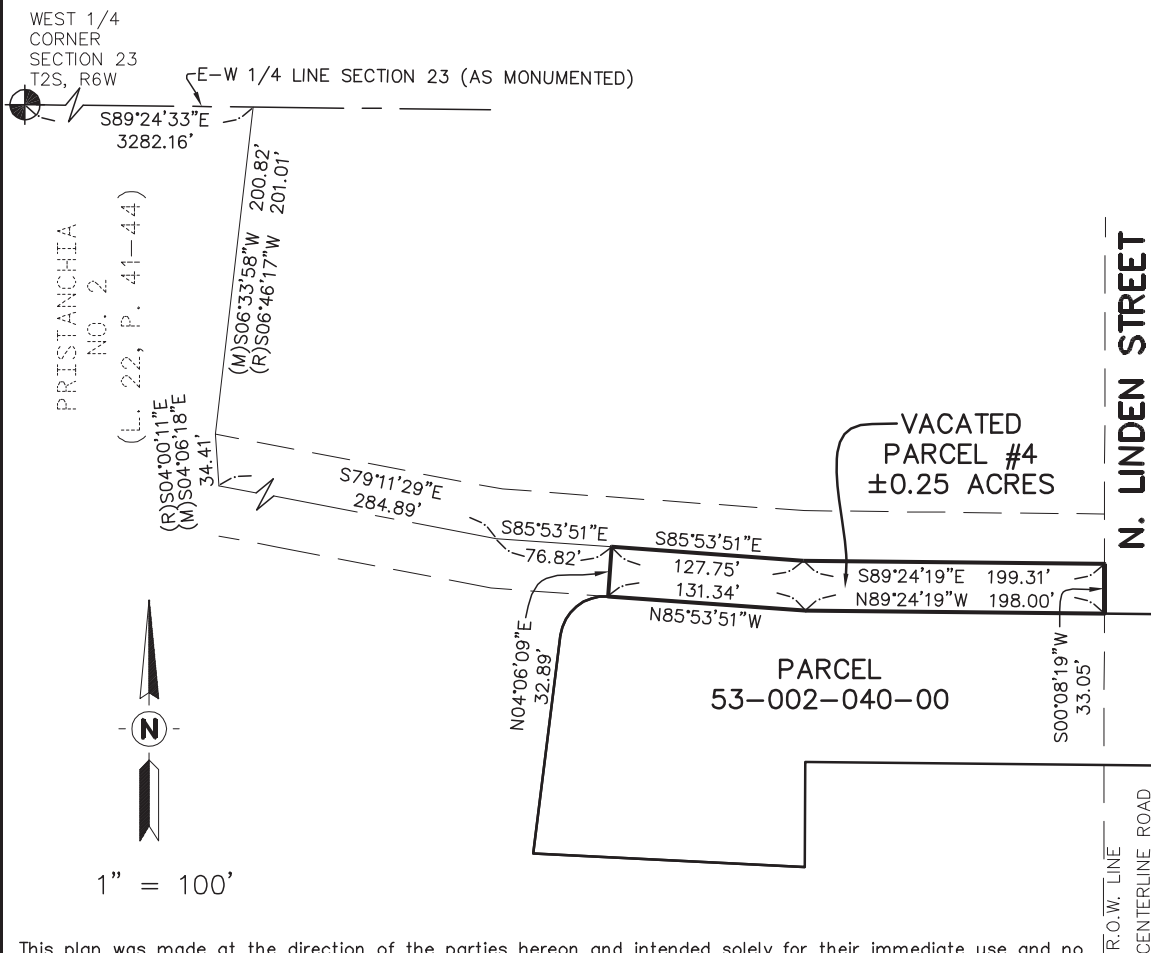
DATE
No. 39079

SKETCH

FOR: **CITY OF MARSHALL**

VACATED PARCEL #4

A parcel of land located in the Southeast 1/4 of Section 23, Town 2 South, Range 6 West, City of Marshall, Calhoun County, Michigan being described as: Commencing at the West 1/4 Corner of Section 23, T2S, R6W; thence S89°24'33"E, 3282.16 feet along the East-West 1/4 line of said Section 23 (as monumented) to the Northeast Corner of Pristanchia No. 2 as recorded in Liber 22 of Plats, pages 41-44, in the Office of the Register of Deeds of Calhoun County, Michigan; thence S06°33'58"W, 200.82 feet (recorded as (S06°46'17"W, 201.01 feet) along the Easterly line of Pristanchia No. 2; thence S04°06'18"E, 34.41 feet (recorded as S04°00'11"E) along said Easterly line; thence S79°11'29"E, 284.89 feet; thence S85°53'51"E, 76.82 feet to the point of beginning of the following described parcel; thence S85°53'51"E, 127.75 feet; thence S89°24'19"E, 199.31 feet to the Westerly right-of-way line of Linden Street; thence S00°08'19"W, 33.05 feet along said right-of-way-line; thence N89°24'19"W, 198.00 feet; thence N85°53'51"W, 131.34 feet; thence N04°06'09"E, 32.89 feet to the point of beginning; said parcel contains 0.25 acres, more or less; said parcel being subject to any easements or restrictions of use or record.



This plan was made at the direction of the parties hereon and intended solely for their immediate use and no survey has been made and no property lines were monumented, all easements recorded or unrecorded may not be shown, unless specifically noted, and no dimensions are intended for use in establishing property lines.

- R = Recorded Distance
- M = Measured Distance
- = Deed Line
- - - = Distance Not to Scale



KEBS, INC.

KYES ENGINEERING
BRYAN LAND SURVEYS

13432 PRESTON DRIVE, MARSHALL, MI 49068
PH. 269-781-9800 FAX. 269-781-9805

2116 HASLETT ROAD, HASLETT, MI 48840
PH. 517-339-1014 FAX. 517-339-8047

DRAWN BY: BEB	SECTION 23, T2S, R6W
FIELD WORK BY:	JOB NUMBER: ---
DRAWING DATE: 9/22/22	SHEET 5 OF 5

MICHAEL A. GROAT
PROFESSIONAL SURVEYOR

DATE
No. 39079

“Exhibit B”

QUIT CLAIM DEED

The City of Marshall, a Michigan city organized and operating under the provisions of the Home Rule City Act, MCL 117.1, *et seq.*, as amended, whose address is 323 W. Michigan Avenue, Marshall, Michigan 49068 (the "Grantor") Quit Claims to KINDERHAUS MONTESSORI PRESCHOOL, whose address is 701 N. Linden Street, Marshall, MI 49068 (the "Grantee") for the transfer of real property the following described premises situated in the City of Marshall, County of Calhoun, State of Michigan:

A parcel of land located in the Southeast 1/4 of Section 23, Town 2 South, Range 6 West, City of Marshall, Calhoun County, Michigan being described as: Commencing at the West 1/4 Corner of Section 23, T2S, R6W; thence S89°24'33"E, 3282.16 feet along the East-West 1/4 line of said Section 23 (as monumented) to the Northeast Corner of Pristanchia No. 2 as recorded in Liber 22 of Plats, pages 41-44, in the Office of the Register of Deeds of Calhoun County, Michigan; thence S06°33'58"W, 200.82 feet (recorded as S06°46'17"W, 201.01 feet) along the Easterly line of Pristanchia No. 2; thence S04°06'18"E, 34.41 feet (recorded as S04°00'11"E) along said Easterly line; thence S79°11'29"E, 137.66 feet to the point of beginning of the following described parcel; thence N00°14'20"E, 33.57 feet; thence S79°11'29"E, 151.47 feet; thence S85°53'51"E, 201.62 feet; thence S00°08'05"W, 33.00 feet; thence N85°53'51"W, 204.58 feet; thence N79°11'29"W, 147.23 feet to the point of beginning; said parcel contains 0.27 acres, more or less; said parcel being subject to any easements or restrictions of use or record.

(the "Property")

for the full consideration of: \$1.00.

This transaction is exempt from real estate transfer tax pursuant to MCL 207.505(h)(i) and MCL 207.526(h)(i).

The Property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act, MCL 286.471, *et seq.*, as amended.

This deed is subject to the agreements, conditions, restrictions, easements, and reservations contained in the City of Marshall Resolution 2022-027, dated October 17th, 2022.

This transaction is exempt from real estate transfer tax pursuant to MCL 207.505(h)(i) and MCL 207.526(h)(i).

Grantor conveys and transfers the Property "AS IS" to Grantee without warranty and Grantee acknowledges that Grantor has made no representation or warranty whatsoever, express or implied, as to the condition, quantity or quality of the Property, or any portion thereof, and Grantee agrees to accept the Property and all portions thereof in "AS IS" condition and without warranty and Grantee hereby waives and releases Grantor of all claims, now and forever, with regard to the Property, its condition, and said conveyance and transfer of the Property.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

GRANTOR:

CITY OF MARSHALL
a Michigan city,

Dated: _____, 2022

By: _____
Michelle Eubank
Its: City Clerk

And

GRANTEE:

KINDERHAUS MONTESSORI
PRESCHOOL

Dated: _____, 2022

By: _____
Its: _____

STATE OF MICHIGAN

COUNTY OF Calhoun

Acknowledged before me in Calhoun County, Michigan, this _____ day of _____, 2022, by _____ who is the authorized agent of the entity KINDERHAUS MONTESSORI PRESCHOOL.

(signature)
(printed)
Notary Public, _____ County, Michigan
My Commission Expires: _____
Acting in the County of _____

Prepared By (w/o opinion as to Tax, Division Rights, or Title Matters):	After Recording Return To and Send Subsequent Bills to:
David M. Revore, City Attorney. McGinty, Hitch, Person, Anderson & Revore P.C. Attorneys for City of Marshall 2900 West Road, Suite 500 PO Box 2502 East Lansing, MI 48826	Grantee: KINDERHAUS MONTESSORI PRESCHOOL 701 N. Linden Street Marshall, MI 49068

“Exhibit C”

QUIT CLAIM DEED

The City of Marshall, a Michigan city organized and operating under the provisions of the Home Rule City Act, MCL 117.1, *et seq.*, as amended, whose address is 323 W. Michigan Avenue, Marshall, Michigan 49068 (the "Grantor") Quit Claims to BROWN FAMILY TRUST, RICHARD J. BROWN & MARY E. BROWN, whose address is 703 N. Linden Street, Marshall, MI 49068 (the "Grantees") for the transfer of real property the following described premises situated in the City of Marshall, County of Calhoun, State of Michigan:

A parcel of land located in the Southeast 1/4 of Section 23, Town 2 South, Range 6 West, City of Marshall, Calhoun County, Michigan being described as: Commencing at the West 1/4 Corner of Section 23, T2S, R6W; thence S89°24'33"E, 3282.16 feet along the East-West 1/4 line of said Section 23 (as monumented) to the Northeast Corner of Pristanchia No. 2 as recorded in Liber 22 of Plats, pages 41-44, in the Office of the Register of Deeds of Calhoun County, Michigan; thence S06°33'58"W, 200.82 feet (recorded as (S06°46'17"W, 201.01 feet) along the Easterly line of Pristanchia No. 2; thence S04°06'18"E, 34.41 feet (recorded as S04°00'11"E) along said Easterly line; thence S79°11'29"E, 284.89 feet; thence S85°53'51"E, 204.57 feet; thence S89°24'19"E, 1.28 feet to the point of beginning of the following described parcel; thence N00°08'05"E, 33.00 feet; thence S89°24'19"E, 198.03 feet to the Westerly right-of-way line of Linden Street; thence S00°08'19"W, 33.00 feet along said right-of-way-line; thence N89°24'19"W, 198.03 feet to the point of beginning; said parcel contains 0.15 acres, more or less; said parcel being subject to any easements or restrictions of use or record.

(the "Property")

for the full consideration of: \$1.00.

This transaction is exempt from real estate transfer tax pursuant to MCL 207.505(h)(i) and MCL 207.526(h)(i).

The Property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act, MCL 286.471, *et seq.*, as amended.

This deed is subject to the agreements, conditions, restrictions, easements, and reservations contained in the City of Marshall Resolution 2022-027, dated October 17th, 2022.

This transaction is exempt from real estate transfer tax pursuant to MCL 207.505(h)(i) and MCL 207.526(h)(i).

Grantor conveys and transfers the Property "AS IS" to Grantee without warranty and Grantee acknowledges that Grantor has made no representation or warranty whatsoever, express or implied, as to the condition, quantity or quality of the Property, or any portion thereof, and Grantee agrees to accept the Property and all portions thereof in "AS IS" condition and without warranty and Grantee hereby waives and releases Grantor of all claims, now and forever, with regard to the Property, its condition, and said conveyance and transfer of the Property.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

GRANTOR:

CITY OF MARSHALL
a Michigan city,

Dated: _____, 2022

By: _____

Michelle Eubank
Its: City Clerk

And

GRANTEE:

BROWN FAMILY TRUST, RICHARD
J. BROWN & MARY E. BROWN,

Dated: _____, 2022

By: _____

Its: _____

STATE OF MICHIGAN

COUNTY OF Calhoun

Acknowledged before me in Calhoun County, Michigan, this _____ day of _____, 2022, by _____.

(signature)

(printed)
Notary Public, _____ County, Michigan
My Commission Expires: _____
Acting in the County of _____

Prepared By (w/o opinion as to Tax, Division Rights, or Title Matters):	After Recording Return To and Send Subsequent Bills to:
David M. Revore, City Attorney. McGinty, Hitch, Person, Anderson & Revore P.C. Attorneys for City of Marshall 2900 West Road, Suite 500 PO Box 2502 East Lansing, MI 48826	Grantees: BROWN FAMILY TRUST, RICHARD J. BROWN & MARY E. BROWN 703 N. Linden Street Marshall, MI 49068

“Exhibit D”

QUIT CLAIM DEED

The City of Marshall, a Michigan city organized and operating under the provisions of the Home Rule City Act, MCL 117.1, *et seq.*, as amended, whose address is 323 W. Michigan Avenue, Marshall, Michigan 49068 (the "Grantor") Quit Claims to KINDERHAUS MONTESSORI PRESCHOOL, whose address is 701 N. Linden Street, Marshall, MI 49068 (the "Grantee") for the transfer of real property the following described premises situated in the City of Marshall, County of Calhoun, State of Michigan:

A parcel of land located in the Southeast 1/4 of Section 23, Town 2 South, Range 6 West, City of Marshall, Calhoun County, Michigan being described as: Commencing at the West 1/4 Corner of Section 23, T2S, R6W; thence S89°24'33"E, 3282.16 feet along the East-West 1/4 line of said Section 23 (as monumented) to the Northeast Corner of Pristanchia No. 2 as recorded in Liber 22 of Plats, pages 41-44, in the Office of the Register of Deeds of Calhoun County, Michigan; thence S06°33'58"W, 200.82 feet (recorded as (S06°46'17"W, 201.01 feet) along the Easterly line of Pristanchia No. 2; thence S04°06'18"E, 34.41 feet (recorded as S04°00'11"E) along said Easterly line; thence S79°11'29"E, 137.66 feet to the point of beginning of the following described parcel; thence continuing S79°11'29"E, 147.23 feet; thence S85°53'51"E, 76.83 feet; thence S04°06'09"W, 32.89 feet; thence N85°53'51"W, 77.91 feet; thence N79°11'29"W, 143.89 feet to the point of beginning; said parcel contains 0.17 acres, more or less; said parcel being subject to any easements or restrictions of use or record.

(the "Property")

for the full consideration of: \$1.00.

This transaction is exempt from real estate transfer tax pursuant to MCL 207.505(h)(i) and MCL 207.526(h)(i).

The Property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act, MCL 286.471, *et seq.*, as amended.

This deed is subject to the agreements, conditions, restrictions, easements, and reservations contained in the City of Marshall Resolution 2022-027, dated October 17th, 2022.

This transaction is exempt from real estate transfer tax pursuant to MCL 207.505(h)(i) and MCL 207.526(h)(i).

Grantor conveys and transfers the Property "AS IS" to Grantee without warranty and Grantee acknowledges that Grantor has made no representation or warranty whatsoever, express or implied, as to the condition, quantity or quality of the Property, or any portion thereof, and Grantee agrees to accept the Property and all portions thereof in "AS IS" condition and without warranty and Grantee hereby waives and releases Grantor of all claims, now and forever, with regard to the Property, its condition, and said conveyance and transfer of the Property.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

GRANTOR:

CITY OF MARSHALL
a Michigan city,

Dated: _____, 2022

By: _____
Michelle Eubank
Its: City Clerk

And

GRANTEE:

KINDERHAUS MONTESSORI
PRESCHOOL

Dated: _____, 2022

By: _____
Its: _____

STATE OF MICHIGAN

COUNTY OF Calhoun

Acknowledged before me in Calhoun County, Michigan, this _____ day of _____, 2022, by _____ who is the authorized agent of the entity KINDERHAUS MONTESSORI PRESCHOOL.

(signature)
(printed)
Notary Public, _____ County, Michigan
My Commission Expires: _____
Acting in the County of _____

Prepared By (w/o opinion as to Tax, Division Rights, or Title Matters):	After Recording Return To and Send Subsequent Bills to:
David M. Revore, City Attorney. McGinty, Hitch, Person, Anderson & Revore P.C. Attorneys for City of Marshall 2900 West Road, Suite 500 PO Box 2502 East Lansing, MI 48826	Grantee: KINDERHAUS MONTESSORI PRESCHOOL 701 N. Linden Street Marshall, MI 49068

“Exhibit E”

QUIT CLAIM DEED

The City of Marshall, a Michigan city organized and operating under the provisions of the Home Rule City Act, MCL 117.1, *et seq.*, as amended, whose address is 323 W. Michigan Avenue, Marshall, Michigan 49068 (the "Grantor") Quit Claims to GLOTFELTY MARLENE J. TRUST, whose address is 635 N. Linden Street, Marshall, MI 49068 (the "Grantee") for the transfer of real property the following described premises situated in the City of Marshall, County of Calhoun, State of Michigan:

A parcel of land located in the Southeast 1/4 of Section 23, Town 2 South, Range 6 West, City of Marshall, Calhoun County, Michigan being described as: Commencing at the West 1/4 Corner of Section 23, T2S, R6W; thence S89°24'33"E, 3282.16 feet along the East-West 1/4 line of said Section 23 (as monumented) to the Northeast Corner of Pristanchia No. 2 as recorded in Liber 22 of Plats, pages 41-44, in the Office of the Register of Deeds of Calhoun County, Michigan; thence S06°33'58"W, 200.82 feet (recorded as (S06°46'17"W, 201.01 feet) along the Easterly line of Pristanchia No. 2; thence S04°06'18"E, 34.41 feet (recorded as S04°00'11"E) along said Easterly line; thence S79°11'29"E, 284.89 feet; thence S85°53'51"E, 76.82 feet to the point of beginning of the following described parcel; thence S85°53'51"E, 127.75 feet; thence S89°24'19"E, 199.31 feet to the Westerly right-of-way line of Linden Street; thence S00°08'19"W, 33.05 feet along said right-of-way-line; thence N89°24'19"W, 198.00 feet; thence N85°53'51"W, 131.34 feet; thence N04°06'09"E, 32.89 feet to the point of beginning; said parcel contains 0.25 acres, more or less; said parcel being subject to any easements or restrictions of use or record.

(the "Property")

for the full consideration of: \$1.00.

This transaction is exempt from real estate transfer tax pursuant to MCL 207.505(h)(i) and MCL 207.526(h)(i).

The Property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act, MCL 286.471, *et seq.*, as amended.

This deed is subject to the agreements, conditions, restrictions, easements, and reservations contained in the City of Marshall Resolution 2022-027, dated October 17th, 2022.

This transaction is exempt from real estate transfer tax pursuant to MCL 207.505(h)(i) and MCL 207.526(h)(i).

Grantor conveys and transfers the Property “AS IS” to Grantee without warranty and Grantee acknowledges that Grantor has made no representation or warranty whatsoever, express or implied, as to the condition, quantity or quality of the Property, or any portion thereof, and Grantee agrees to accept the Property and all portions thereof in “AS IS” condition and without warranty and Grantee hereby waives and releases Grantor of all claims, now and forever, with regard to the Property, its condition, and said conveyance and transfer of the Property.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

GRANTOR:

CITY OF MARSHALL
a Michigan city,

Dated: _____, 2022

By: _____

Michelle Eubank
Its: City Clerk

And

GRANTEE:

GLOTFELTY MARLENE J. TRUST,

Dated: _____, 2022

By: _____

Its: _____

STATE OF MICHIGAN

COUNTY OF Calhoun

Acknowledged before me in Calhoun County, Michigan, this ____ day of _____, 2022, by _____.

(signature)

(printed)
Notary Public, _____ County, Michigan
My Commission Expires: _____
Acting in the County of _____

Prepared By (w/o opinion as to Tax, Division Rights, or Title Matters):	After Recording Return To and Send Subsequent Bills to:
David M. Revore, City Attorney. McGinty, Hitch, Person, Anderson & Revore P.C. Attorneys for City of Marshall 2900 West Road, Suite 500 PO Box 2502 East Lansing, MI 48826	Grantee: GLOTFELTY MARLENE J. TRUST 635 N. Linden Street Marshall, MI 49068

“Exhibit F”

QUIT CLAIM DEED

BROWN FAMILY TRUST, RICHARD J. BROWN & MARY E. BROWN, whose address is 703 N. Linden Street, Marshall, MI 49068 (the "Grantor") whose address is 703 N. Linden Street, Marshall, MI 49068, Quit Claims to KINDERHAUS MONTESSORI PRESCHOOL, whose address is 701 N. Linden Street, Marshall, MI 49068 (the "Grantee") for the transfer of real property the following described premises situated in the City of Marshall, County of Calhoun, State of Michigan:

A parcel of land located in the Southeast 1/4 of Section 23, Town 2 South, Range 6 West, City of Marshall, Calhoun County, Michigan being described as: Commencing at the West 1/4 Corner of Section 23, T2S, R6W; thence S89°24'33"E, 3282.16 feet along the East-West 1/4 line of said Section 23 (as monumented) to the Northeast Corner of Pristanchia No. 2 as recorded in Liber 22 of Plats, pages 41-44, in the Office of the Register of Deeds of Calhoun County, Michigan; thence S06°33'58"W, 200.82 feet (recorded as (S06°46'17"W, 201.01 feet) along the Easterly line of Pristanchia No. 2; thence S04°06'18"E, 34.41 feet (recorded as S04°00'11"E) along said Easterly line; thence S79°11'29"E, 284.89 feet; thence S85°53'51"E, 204.57 feet; thence S89°24'19"E, 1.28 feet to the point of beginning of the following described parcel; thence N00°08'05"E, 33.00 feet; thence S89°24'19"E, 198.03 feet to the Westerly right-of-way line of Linden Street; thence S00°08'19"W, 33.00 feet along said right-of-way-line; thence N89°24'19"W, 198.03 feet to the point of beginning; said parcel contains 0.15 acres, more or less; said parcel being subject to any easements or restrictions of use or record.

(the "Property")

for the full consideration of: \$1.00.

This transaction is exempt from real estate transfer tax pursuant to MCL 207.505(h)(i) and MCL 207.526(h)(i).

The Property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act, MCL 286.471, et seq., as amended.

This deed is subject to the agreements, conditions, restrictions, easements, and reservations contained in the City of Marshall Resolution 2022-027, dated October 17th, 2022.

This transaction is exempt from real estate transfer tax pursuant to MCL 207.505(h)(i) and MCL 207.526(h)(i).

Grantor conveys and transfers the Property "AS IS" to Grantee without warranty and Grantee acknowledges that Grantor has made no representation or warranty whatsoever, express or implied, as to the condition, quantity or quality of the Property, or any portion thereof, and Grantee agrees to accept the Property and all portions thereof in "AS IS" condition and without warranty and Grantee hereby waives and releases Grantor of all claims, now and forever, with regard to the Property, its condition, and said conveyance and transfer of the Property.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

GRANTOR:

**BROWN FAMILY TRUST, RICHARD J.
BROWN & MARY E. BROWN,**

Dated: _____, 2022

By: _____

Its: _____

And

GRANTEE:

**KINDERHAUS MONTESSORI
PRESCHOOL,**

Dated: _____, 2022

By: _____

Its: _____

STATE OF MICHIGAN

COUNTY OF Calhoun

Acknowledged before me in Calhoun County, Michigan, this _____ day of _____,
2022, by _____.

(signature)

(printed)

Notary Public, _____ County, Michigan

My Commission Expires: _____

Acting in the County of _____

Prepared By (w/o opinion as to Tax, Division Rights, or Title Matters):	After Recording Return To and Send Subsequent Bills to:
At Request of Grantor: David M. Revore, City Attorney. McGinty, Hitch, Person, Anderson & Revore P.C. Attorneys for City of Marshall 2900 West Road, Suite 500 PO Box 2502 East Lansing, MI 48826	Grantees: KINDERHAUS MONTESSORI PRESCHOOL 701 N. Linden Street Marshall, MI 49068

“Exhibit G”

QUIT CLAIM DEED

GLOTFELTY MARLENE J. TRUST, whose address is 635 N. Linden Street, Marshall, MI 49068 (the "Grantor") Quit Claims to KINDERHAUS MONTESSORI PRESCHOOL, whose address is 701 N. Linden Street, Marshall, MI 49068 (the "Grantee") for the transfer of real property the following described premises situated in the City of Marshall, County of Calhoun, State of Michigan:

A parcel of land located in the Southeast 1/4 of Section 23, Town 2 South, Range 6 West, City of Marshall, Calhoun County, Michigan being described as: Commencing at the West 1/4 Corner of Section 23, T2S, R6W; thence S89°24'33"E, 3282.16 feet along the East-West 1/4 line of said Section 23 (as monumented) to the Northeast Corner of Pristanchia No. 2 as recorded in Liber 22 of Plats, pages 41-44, in the Office of the Register of Deeds of Calhoun County, Michigan; thence S06°33'58"W, 200.82 feet (recorded as (S06°46'17"W, 201.01 feet) along the Easterly line of Pristanchia No. 2; thence S04°06'18"E, 34.41 feet (recorded as S04°00'11"E) along said Easterly line; thence S79°11'29"E, 284.89 feet; thence S85°53'51"E, 76.82 feet to the point of beginning of the following described parcel; thence S85°53'51"E, 127.75 feet; thence S89°24'19"E, 199.31 feet to the Westerly right-of-way line of Linden Street; thence S00°08'19"W, 33.05 feet along said right-of-way-line; thence N89°24'19"W, 198.00 feet; thence N85°53'51"W, 131.34 feet; thence N04°06'09"E, 32.89 feet to the point of beginning; said parcel contains 0.25 acres, more or less; said parcel being subject to any easements or restrictions of use or record.

(the "Property")

for the full consideration of: \$1.00.

This transaction is exempt from real estate transfer tax pursuant to MCL 207.505(h)(i) and MCL 207.526(h)(i).

The Property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act, MCL 286.471, et seq., as amended.

This deed is subject to the agreements, conditions, restrictions, easements, and reservations contained in the City of Marshall Resolution 2022-027, dated October 17th, 2022.

This transaction is exempt from real estate transfer tax pursuant to MCL 207.505(h)(i) and MCL 207.526(h)(i).

Grantor conveys and transfers the Property "AS IS" to Grantee without warranty and Grantee acknowledges that Grantor has made no representation or warranty whatsoever, express or implied, as to the condition, quantity or quality of the Property, or any portion thereof, and Grantee agrees to accept the Property and all portions thereof in "AS IS" condition and without warranty and Grantee hereby waives and releases Grantor of all claims, now and forever, with regard to the Property, its condition, and said conveyance and transfer of the Property.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

GRANTOR:

GLOTFELTY MARLENE J. TRUST,

Dated: _____, 2022

By: _____

Its: _____

And

GRANTEE:

**KINDERHAUS MONTESSORI
PRESCHOOL**

Dated: _____, 2022

By: _____

Its: _____

STATE OF MICHIGAN

COUNTY OF Calhoun

Acknowledged before me in Calhoun County, Michigan, this ____ day of _____, 2022, by _____, its acting agent for the entity KINDERHAUS MONTESSORI PRESCHOOL.

Notary Public, _____ County, Michigan
My Commission Expires: _____
Acting in the County of _____

Prepared By (w/o opinion as to Tax, Division Rights, or Title Matters):	After Recording Return To and Send Subsequent Bills to:
At Request of Grantor: David M. Revore, City Attorney. McGinty, Hitch, Person, Anderson & Revore P.C. Attorneys for City of Marshall 2900 West Road, Suite 500 PO Box 2502 East Lansing, MI 48826	Grantee: KINDERHAUS MONTESSORI PRESCHOOL 701 N. Linden Street Marshall, MI 49068



ITEM 12A

TO: Honorable Mayor and City Council

FROM: Derek N. Perry, City Manager

DATE: October 17, 2022

SUBJECT: **P.A. 425 CONDITIONAL LAND TRANSFER REQUEST
1201 EAST MICHIGAN AVE. -SET PUBLIC HEARING**

We have received a request from the developer of the property at 1201 East Michigan Avenue (Parcel ID 15-302-003-00) to enter into a Public Act 425 Conditional Land Transfer between Marengo Township and the City of Marshall. A Public Act 425 agreement brings an existing property into the City of Marshall to receive city services and provides for a portion of the collected taxes to be shared with the Township transferring the parcel.

The proposed development is a Dollar General store, and they are requesting City water for the proposed new building. A site plan is attached for your review.

Unlike Marshall Township, we do not have a Master 425 Agreement in place and must utilize individual agreements on a case-by-case basis for each property transfer. We have used this model several times in the past with success with the Hi Lite Cruz restaurant in 2017 and the Loves Travel Stop in 2004. Upon approval of the recommendation to proceed, we will work with Marengo Township on an agreement for the property transfer.

BUDGET IMPACT: Based on the property's current taxable value, and current City of Marshall millage rates, the City would collect approximately \$257 in additional General Fund operating revenue. The Township would receive \$55 from those collections based on previous agreements. These estimates do not take into account the future development project.

RECOMMENDATION: Authorize staff to proceed with the acceptance of the property into the City and schedule a public hearing for November 7, 2022, to hear comments on a Public Act 425 Conditional Land Transfer for property located at 1201 East Michigan Avenue, Marshall, Michigan (Parcel ID 15-302-003-00).



1435 Fulton Street – 2nd Floor / Grand Haven, MI 49417 / 616-842-2030

September 8, 2022

Mr. Derek Perry
323 W. Michigan Ave.
Marshall, MI 49068

RE: Request to Complete the 425 process for public water service

Mr. Perry,

Please accept this letter as a request to complete the 425 process in order to provide public water service to our proposed commercial development located in Marengo Township. The property address of the proposed development is 1201 East Michigan Avenue, Marshall, MI 49068.

Enclosed you will find the description for the subject parcel. If you need any additional documentation or have any questions, please do not hesitate to contact me at 616-843-7380 or jared@westwind.build.

Sincerely,

Jared DeVoursney
Senior Project Manager
616-843-7380
jared@westwind.build

LEGAL DESCRIPTION

PARCEL #: 15-302-003-00

A PARCEL OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 30, TOWN 2 SOUTH, RANGE 5 WEST, MARENGO TOWNSHIP, CALHOUN COUNTY, MICHIGAN BEING DESCRIBED AS:
COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 30, T2S, R5W; THENCE S89°23'10"W, 136.62 FEET; THENCE S00°36'50"E, 10.20 FEET TO THE CENTERLINE OF MICHIGAN AVENUE; THENCE S72°17'41"W, 151.06 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE S00°36'50"E, 413.00 FEET, PARALLEL WITH THE NORTH-SOUTH 1/4 LINE OF SAID SECTION 30; THENCE S72°17'41"W, 272.00; THENCE N00°36'50"W, 413.00 FEET, PARALLEL WITH THE NORTH-SOUTH 1/4 LINE OF SAID SECTION 30 TO THE CENTERLINE OF MICHIGAN AVENUE; THENCE N72°17'41"E, 272.00 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING; SAID PARCEL CONTAINS 2.46 ACRES, MORE OR LESS; SAID PARCEL BEING SUBJECT TO THE RIGHTS OF THE PUBLIC OVER AND ACROSS THAT PORTION CURRENTLY BEING USED FOR ROAD PURPOSES; SAID PARCEL BEING SUBJECT TO ANY EASEMENT OR RESTRICTIONS OF USE OR RECORD.

AS PROVIDED IN CERTIFICATE OF SURVEY DATED 4-12-22

SITE MATERIALS & CONSTRUCTION NOTES

- SOILS EXPOSED IN THE BASE OF ALL SATISFACTORY FOUNDATION EXCAVATIONS SHOULD BE PROTECTED AGAINST ANY DETRIMENTAL CHANGES IN CONDITION SUCH AS FROM DISTURBANCE, RAIN AND FREEZING. SURFACE RUN-OFF WATER SHOULD BE DRAINED AWAY FROM THE EXCAVATION AND NOT ALLOWED TO POND. IF POSSIBLE, ALL FOOTING CONCRETE SHOULD BE POURED THE SAME DAY THE EXCAVATION IS MADE. IF THIS IS NOT PRACTICAL, THE FOOTING EXCAVATIONS SHOULD BE ADEQUATELY PROTECTED.
- REMOVE ALL SUBGRADE GRADE MATERIAL THAT MAY BE SOFTENED BY RAINS, FREEZING, OR CONSTRUCTION TRAFFIC, ETC. AND REPLACE WITH COMPACTED GRANULAR FILL.
- STORM SEWER SHALL BE CORRUGATED HDPE PIPE WITH SMOOTH INTERIOR WALL. BY ADS OR EQUAL. LEACHING BASINS AND MANHOLES ARE TO BE REINFORCED CONCRETE WITH RIM AND SLOTTED GRATING (AS SHOWN). STORM SEWER & LEACHING BASINS ARE TO BE WRAPPED WITH FILTER FABRIC.
- SANITARY SEWER PIPE MAY BE PVC SDR 3034 MATERIAL.
- ALL WATER SERVICE LINES SHALL BE 1" SDR 9 PE PIPE OR 1" TYPE K COPPER PIPE IF CONTAMINATED SOILS ARE ENCOUNTERED IN THE AREA AND SHALL BE BROUGHT TO WITHIN 5' OF BUILDING, WITH COMPRESSION FITTINGS OR MECHANICAL FITTINGS OTHER THAN FLARED ENDS.
- PROVIDE MINIMUM 5' COVER FROM FINISHED GRADE FOR ALL WATER SERVICE LINES. IF COVER CANNOT BE MAINTAINED DUE TO SITE CONDITIONS OR INVERT ELEVATIONS THE ENTIRE LENGTH OF THE EXTERIOR PIPE MUST BE PROTECTED WITH 2" RIGID INSULATION BOARD ON THE TOP AND SIDES.
- PROVIDE MINIMUM 5' COVER FROM FINISHED GRADE FOR ALL SANITARY SEWER LINES. IF COVER CANNOT BE MAINTAINED DUE TO SITE CONDITIONS OR INVERT ELEVATIONS THE ENTIRE LENGTH OF THE EXTERIOR PIPE MUST BE PROTECTED WITH 2" RIGID INSULATION BOARD ON THE TOP AND SIDES.
- MAINTAIN 10 FOOT MINIMUM HORIZONTAL SEPARATION BETWEEN THE SEWER AND WATER MAIN UTILITIES. PROVIDE 18" MINIMUM VERTICAL SEPARATION WHERE UTILITIES CROSS.
- THE CONTRACTOR SHALL INSTALL A PEDESTRIAN FENCE AROUND ALL EXCAVATIONS TO BE LEFT OPEN OVERNIGHT AS REQUIRED.
- EXTERIOR CONCRETE SHALL HAVE A COMPRESSIVE STRENGTH OF 4000 PSI AND SHALL HAVE LIMESTONE AGGREGATE AND SHALL HAVE 4 - 6 % AIR ENTRAINMENT WITH A BROOM FINISH.
- EXPANSION JOINTS IN CONCRETE PAVEMENT AND WALLS SHALL BE 1/2" ASPHALT IMPREGNATED FULL DEPTH 40" O.C. MAXIMUM & AT SIDEWALK INTERSECTIONS. CRACK CONTROL SCORING AT SIDEWALK WIDTH DIMENSION AND @ 10'-0" O.C. IN DRIVES.

GENERAL NOTES

- ALL WORK SHALL CONFORM TO ALL LOCAL, STATE AND FEDERAL LAWS, RULES AND REGULATIONS IN FORCE AT TIME OF CONSTRUCTION.
- ELECTRICAL WORK SHALL BE PERFORMED BY A STATE OF MICHIGAN LICENSED ELECTRICIAN ACCORDING TO THE N.E.P.A. NATIONAL ELECTRICAL CODE AS MODIFIED BY THE STATE OF MICHIGAN. FURNISH AND INSTALL ALL MATERIALS AND LABOR TO PROVIDE A COMPLETE WORKING SYSTEM.
- ALL PLUMBING WORK SHALL BE PERFORMED BY A STATE OF MICHIGAN LICENSED PLUMBER ACCORDING TO THE INTERNATIONAL PLUMBING CODE AS MODIFIED BY THE STATE OF MICHIGAN AND LOCAL HEALTH DEPARTMENT. FURNISH AND INSTALL ALL MATERIALS AND LABOR TO PROVIDE A FULL WORKING SYSTEM.
- ALL MECHANICAL WORK SHALL BE PERFORMED ACCORDING TO THE INTERNATIONAL MECHANICAL CODE AS MODIFIED BY THE STATE OF MICHIGAN AND THE MICHIGAN ENERGY CODE. FURNISH AND INSTALL ALL MATERIALS AND LABOR TO PROVIDE A FULL WORKING SYSTEM.
- ALL WORK SHALL CONFORM TO THE MICHIGAN HANDICAPPED ACCESSIBILITY CODE AND THE AMERICANS WITH DISABILITIES ACT.
- WATER SERVICE PRESSURE TESTING AND CHLORINATION SHALL BE PER EGLE AND MARENGO TOWNSHIP REQUIREMENTS.
- SANITARY SEWER INSTALLATION AND TESTING MUST MEET THE REQUIREMENTS OF MARENGO TOWNSHIP AND EGLE.
- ALL REGULATORY SIGNAGE (IF SPECIFIED) SHALL BE PER THE MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT).
- THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS, PERMIT COSTS, TAP FEES, METER DEPOSITS, PERMANENT UTILITY APPLICATIONS, BONDS, AND OTHER FEES REQUIRED FOR PROPOSED WORK.
- CONTACT "MISS DIG 811" AT 1-800-482-7171 FOR LOCATION OF UNDERGROUND UTILITIES A MINIMUM OF 48 HOURS BEFORE COMMENCING EXCAVATION WORK. THIS DOES NOT RELIEVE THE CONTRACTOR OF THE RESPONSIBILITY OF NOTIFYING UTILITY OWNERS WHO ARE NOT PART OF THE "MISS DIG" ALERT SYSTEM. THE CONTRACTOR SHALL CONDUCT HIS OPERATIONS IN A MANNER AS TO ENSURE THAT THOSE UTILITIES NOT REQUIRING RELOCATION WILL NOT BE DISTURBED.
- ANY SANITARY SEWER, SANITARY SEWER SERVICE LEADS, WATER MAIN, WATER SERVICES, OR STORM SEWER WHICH IS DAMAGED BY THE CONTRACTOR DURING HIS OPERATIONS SHALL BE REPAIRED TO THE OWNERS SATISFACTION, AND AT THE CONTRACTORS EXPENSE. IF ANY ELEMENTS OF THE SANITARY SEWER SYSTEM ARE DAMAGED AND NEED REPAIRED, IT MUST MEET MARENGO TOWNSHIP SPECIFICATIONS.
- THE ELECTRICAL CONTRACTOR IS RESPONSIBLE FOR THE ELECTRICAL TRANSFORMER PAD PER THE UTILITY COMPANY SPECIFICATIONS.
- THE TELEPHONE UTILITY COMPANY SHALL PROVIDE UNDERGROUND TELEPHONE TO THE BUILDING AT THE OWNERS EXPENSE.
- REFER TO ELECTRICAL DRAWINGS FOR UNDERGROUND ELECTRICAL REQUIREMENTS FOR SITE LIGHTING & SITE DETAILS SHEETS FOR THE FUTURE AND & POLE SPECIFICATIONS.
- DESIGN, INSTALLATION AND SPECIFICATION FOR IMPROVEMENTS RELATED TO GAS, TELEPHONE, ELECTRIC AND CABLE TELEVISION SERVICES SHALL BE COORDINATED BY THE CONTRACTOR.
- CONTRACTOR SHALL COORDINATE TELEPHONE, ELECTRIC, AND CABLE TELEVISION CONDUITS WITH THE APPROPRIATE UTILITY PRIOR TO PAVEMENT INSTALLATION.
- CONTRACTOR IS TO UNCOVER AND CONFIRM ALL TAP LOCATIONS. LOCATION DISCREPANCIES ARE TO BE BROUGHT TO THE ENGINEERS ATTENTION FOR RESOLUTION.
- THE CONTRACTOR IS TO PROVIDE THE WATER SERVICE PIPING FROM THE BUILDING TO THE EXISTING MAIN. THE CONTRACTOR SHALL MAKE THE CONNECTION TO THE SHUT OFF VALVE. THE CONTRACTOR SHALL COORDINATE SERVICES WITH CITY OF MARSHALL.
- CONTRACTOR/OWNER SHALL OBTAIN UTILITY CONNECTION PERMITS AND SETTLE APPLICABLE UTILITY ASSESSMENTS PRIOR TO EXTENSION OF PUBLIC UTILITIES ONSITE.
- MANHOLE AND CATCH BASIN STRUCTURES SHALL BE PRECAST AND HAVE A MAXIMUM OF 2 ADJUSTING RINGS FOR FINISH GRADE ADJUSTMENT. STORM STRUCTURES MUST ALL HAVE A SUMP OF TWO FEET.
- ALL WATER MAIN TO HAVE A BURIAL DEPTH AS REQUIRED BY EGLE FOR THE SPECIFIC REGION OF WORK IN CALHOUN COUNTY.
- DEMOLISH & REMOVE ALL EXISTING SITE FEATURES AS REQUIRED.
- THE CONTRACTOR SHALL REVIEW THE GEOTECHNICAL REPORT PREPARED BY SOILS & STRUCTURES.
- DRIVEWAY LAYOUT AND CONNECTION TO MICHIGAN AVE SHALL COMPLY WITH ALL ASPECTS OF THE DRIVE PERMITS.
- GEOTEXTILE FABRIC SHALL BE PLACED UNDER ALL APPLICATIONS OF RIP RAP OUTFALLS AND SPILLWAYS.

UTILITY PLAN NOTES

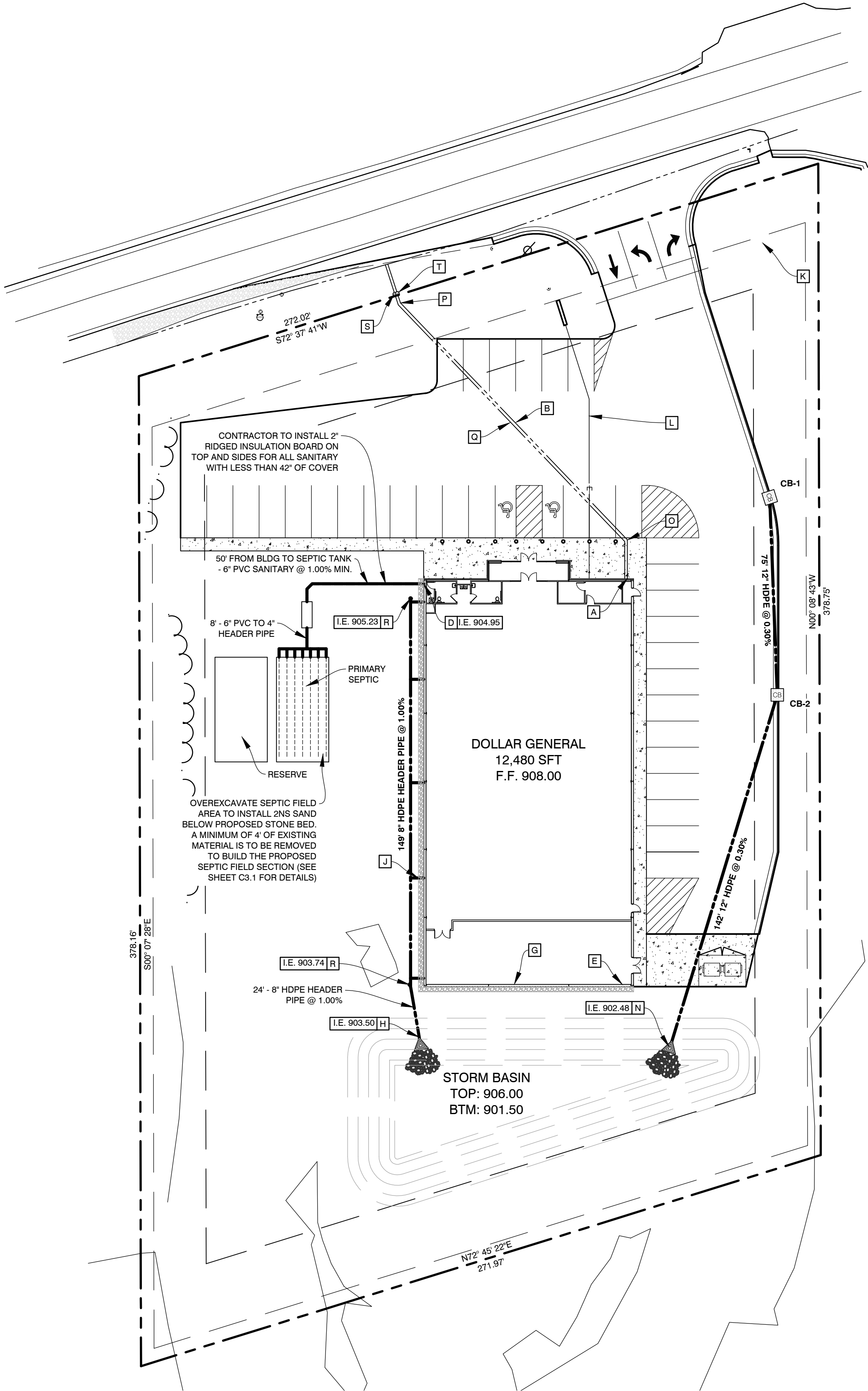
- | | | | |
|----------|--|----------|---|
| A | SEPARATE DOMESTIC AND FIRE SERVICE. INSTALL METER ON 1" DOMESTIC SERVICE. COORDINATE CONNECTION WITH PLUMBING PLANS. COORDINATE WITH CITY OF MARSHALL. | K | 2" IRRIGATION PIPE SLEEVE FOR TELEPHONE SERVICE WITH PULL STRING. PLACE STAKE AT END OF PIPE IN R.O.W. AND MARK AS "TELEPHONE". TIE PULL STRING AROUND STAKE. |
| B | 156 LF - 4" D.I. PIPE FIRE SERVICE, CONNECT TO EXISTING MAIN. COORDINATE WITH CITY OF MARSHALL. | L | CONDUIT FOR ELECTRIC TO SIGN. |
| C | SEWER LATERAL. COORDINATE CONNECTION WITH PLUMBING PLANS. | M | SANITARY CLEAN OUT. |
| D | CONNECT TO PROPOSED SEPTIC SYSTEM. | N | 12" FLARED END SECTION WITH RIP RAP AND REFUSE SCREEN I.E. 902.48 |
| E | ELECTRIC METER AND SERVICE. | O | 4" DUCTILE IRON PIPE 45 DEGREE BEND. |
| F | 3" PVC CONDUIT FOR IRRIGATION LINE. | P | 4" DUCTILE IRON PIPE 22.5 DEGREE BEND. |
| G | GAS METER AND SERVICE. | Q | 156 LF - 1" SDR 9 PE PIPE DOMESTIC SERVICE. COORDINATE SERVICE CONNECTION WITH CITY OF MARSHALL. |
| H | 8" FLARED END SECTION WITH RIP RAP AND REFUSE SCREEN. I.E. 903.50. | R | STORM CLEAN OUT. |
| I | TWO-WAY CLEANOUT, SCHEDULE 40 BACKFLOW DEVICE. | S | CURB STOP INSTALLED AT ROW WITHIN ROW. CONTRACTOR TO INSTALL TRACER WIRE FROM CONNECTION UP TO CURB STOP. COORDINATE WITH CITY OF MARSHALL. |
| J | DOWNSPOUT. CONNECT TO 8" HEADER PIPE (TYP). | T | VALVE AND BOX FOR 4" FIRE SERVICE AT ROW WITHIN ROW. COORDINATE WITH CITY OF MARSHALL. |

STORM STRUCTURE DATA

CB-1, 4' DIA, EJIW 5105
RIM = 905.88
12" HDPE S 903.13

CB-2, 4' DIA, EJIW 5105
RIM = 906.06
12" HDPE NW 902.91
12" HDPE S 902.91

* ALL STRUCTURES HAVE 2' SUMPS

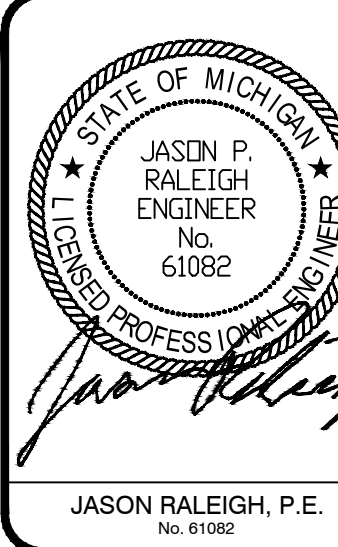


ALL UTILITIES AS SHOWN ARE APPROXIMATE LOCATIONS DERIVED FROM ACTUAL MEASUREMENTS AND AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATION NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THE AREA. FIELD WORK PERFORMED BY: AR ENGINEERING LLC

PLANS PREPARED BY:



DRAWN: BCD
CHECKED: JPR



No.	ISSUED FOR:	DATE	BY
0	ZONING REVIEW / VARIANCE APPLICATION	06/10/2022	BD
1	SITE PLAN APPROVAL	08/16/2022	BD
2	MDOT AND UTILITY REVISIONS	09/19/2022	BD
3			
4			

UTILITY PLAN
MARSHALL MICHIGAN AVE DOLLAR GENERAL
MIDWEST
MICHIGAN AVE
SECTION 30, T2S, R5W

SHEET TITLE:
PROJECT:
CLIENT:
SITE ADDRESS:
SITE SECTION:

JOB NUMBER
22042001
DATE
09/19/2022

SHEET NUMBER
C3.0



ITEM 12B.

TO: Honorable Mayor and City Council

FROM: Derek N. Perry, City Manager
Marguerite Davenport, Director of Public Services

DATE: October 17, 2022

SUBJECT: **CONTRACT ADJUSTMENT**
S MARSHALL AVE WATERMAIN REPLACEMENT

On July 18, 2022, the City Council approved a contract with Quality Excavators Inc for a total funded amount of \$326,301 and a construction engineering contract with Stantec for \$44,238.00 to complete watermain replacement and street reconstruction in the 1000 block of South Marshall Avenue (E Hughes St to Raymond St).

As the project was kicked off, it was discovered that road improvements for 1100 block of S Marshall were in the original 2020 voter approved street millage plan. The construction plans only incorporated the watermain replacement in the 1000 block of S Marshall Ave. At that time, City staff consulted with the engineering and construction teams to add work to the watermain contract. The proposed work is road reconstruction from Raymond Road to the Oakridge Cemetery entrance (374-feet). The construction cost based on previously bid pay items and estimated quantities is \$99,357. The following picture shows the additional work area in yellow.



The work is completely street improvement tasks and will be mostly funded by the municipal street fund, using the bond proceeds that were approved and funded by residents. A portion of the work (75-feet) of road reconstruction between the end of the road segment and the cemetery entrance should be funded by the cemetery trust fund because this portion of the road is **not** a publicly funded, dedicated road on the City's certified Act 51 street map.

In addition to the construction work, additional engineering dollars are needed for the project in the amount of \$12,000. This will cover both additional survey, design, and construction engineering.

BUDGET IMPACT: The municipal street fund will support \$98,000 of the proposed work and the cemetery trust fund will support \$24,000. The cemetery trust fund expense will require a budget amendment for this fiscal year. The cemetery trust fund currently has a balance of \$640,000, and the municipal street fund has a fund balance of \$2,400,000.

RECOMMENDATION: Approve the construction contract change order with Quality Excavators, Inc. in the amount of \$100,000 with \$10,000 in contingency for a total funded amount of \$110,000 and approve the construction engineering services contract amendment with Stantec in the amount of \$12,000.



ITEM 13A

TO: City Council

FROM: Mayor Joe Caron

DATE: October 17, 2022

SUBJECT: **BOARDS & COMMISSIONS APPOINTMENTS**

We currently have several board and commission positions that are up for reappointment.

Scott Southwell and David Mead are both currently on the Airport board. If reappointed, their terms would expire on October 1, 2025.

Scott Wolfersberger is currently on the Northeast Neighborhood Improvement Authority. If reappointed, his term would expire on December 31, 2025.

Lisa McNiff is currently on the Planning Commission. If reappointed, her term would expire on November 1, 2025.

Sue Damron is currently on the Downtown Development Authority and Local Development Finance Authority. If reappointed her term would expire on September 15, 2022.

Ryan Underhill is currently on the South Neighborhood Improvement Authority. If reappointed, his term would expire on December 31, 2025.

Andrei Radulescu, Sally Garman, Sue Rosko, Candi Putnam, and Gabriella Radulescu are currently on the Sister City Committee. Andrei Radulescu and Sally Garman, if reappointed would have terms that expire on October 16, 2024. Sue Rosko, Candi Putnam, and Gabriella Radulescu, if reappointed, would have terms that expire on October 16, 2025.

BUDGET IMPACT: None.

RECOMMENDATION: It is recommended that the City Council approve the following reappointments to their respective boards with the associated term expirations:

Airport Board

Scott Southwell	10/1/2025
David Mead	10/1/2025

Northeast Neighborhood Improvement Authority

Scott Wolfersberger 12/31/2025

Planning Commission

Lisa McNiff 11/1/2025

Downtown Development Authority & Local Development Finance Authority

Sue Damron 09/15/2022

South Neighborhood Improvement Authority

Ryan Underhill 12/31/2025

Sister City Committee

Andrei Radulescu 10/16/2024

Sally Garman 10/16/2024

Sue Rosko 10/16/2025

Candi Putnam 10/16/2025

Gabriella Radulescu 10/16/2025