

TO THE HONORABLE BOARD OF COMMISSIONERS OF BERRIEN COUNTY, MICHIGAN: Your County Personnel Committee respectfully recommends approval of the following:

**ORDER AND DETERMINATION BY THE BERRIEN COUNTY
BOARD OF COMMISSIONERS
TO ANNEX CERTAIN LANDS TO THE
VILLAGE OF EAU CLAIRE, MICHIGAN**

WHEREAS, the Village Council of the Village of Eau Claire, Michigan has, by resolution, determined to petition the Board of Commissioners of Berrien County to annex certain lands located in the Township of Pipestone, Berrien County, Michigan, identified by Property Tax Identification Numbers 11-16-0033-0007-04-0 and 11-16-0033-0007-05-0 and legally described in Exhibit A attached hereto and incorporated herein and also as described in said resolution, to the Village of Eau Claire; and

WHEREAS, the petition and resolution give as a reason for said proposed annexation that it is to the mutual advantage and benefit of the people in the Village of Eau Claire to promote business and industrial development and to attract business and industry to create payrolls and improve the general economic condition of the Village of Eau Claire; and

WHEREAS, the resolution as presented was duly signed by the President and the Clerk of the Village of Eau Claire; and

WHEREAS, notice of the hearing to be held by the Berrien County Board of Commissioners on the question of such proposed annexation was published or posted as required by the statute, as appears by the affidavit of Shawn Foster, Village of Eau Claire in the files of this matter; and

WHEREAS, the notice also contained a description of the premises to be annexed; and

WHEREAS, all persons interested have been given an opportunity to be heard at a public meeting of the Berrien County Board of Commissioners; and

WHEREAS, all proceedings pursuant to Section 6, Chapter 14, of Act 3 of the Public Acts of 1895 of the State of Michigan (MCL 74.6; MSA 5.1470), have been complied with.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Berrien County Board of Commissioners hereby orders and determines that the properties located in Pipestone Township, as described in Exhibit A, are hereby annexed to the Village of Eau Claire, Berrien County, Michigan, and the lands shall be considered to be included within the corporate limits of said Village, as described in the annexation petition submitted by the Village.

BE IT FURTHER ORDERED that this resolution shall serve and stand as an Order of Determination, which shall be certified by the Berrien County Clerk and then transmitted to the Clerk of the Village of Eau Claire and the Secretary of State, State of Michigan and shall include a map of the Village and the Township, showing the portion of the Township which has hereby been annexed to the Village. a copy of this Order and Determination to annex territory to the Village of Eau Claire, Michigan.

Respectfully submitted,
BERRIEN COUNTY PERSONNEL & HUMAN SERVICES COMMITTEE

Robert P. Harrison, Chairperson

Michael J. Majerek, Vice-Chairperson

Rayonte D. Bell

RESOLUTION APPROVED AS TO FORM	
Administrator <u>BH</u>	Date <u>1-19-22</u>
Comments Attached _____	
Corporate Counsel <u>JN</u>	Date <u>1/26/22</u>
Comments Attached _____	

EXHIBIT A

9-21-20

PETITION

VILLAGE OF EAU CLAIRE

The Village of Eau Claire, Berrien County, Michigan, having heretofore adopted a resolution determining the desirability of annexing to the Village of Eau Claire, Berrien County, Michigan, all of the following described lands located in the Township of Pipestone, to-wit:

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 5 SOUTH, RANGE 17 WEST, PIPESTONE TOWNSHIP, BERRIEN COUNTY, MICHIGAN, DESCRIBED AS BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SECTION 33; THENCE NORTH 87 DEGREES 51 MINUTES 42 SECONDS WEST ON THE SOUTH LINE OF SAID SECTION 33 A DISTANCE OF 567.88 FEET; THENCE NORTH 01 DEGREE 02 MINUTES 11 SECONDS EAST PARALLEL WITH AND 90.00 FEET EAST OF THE WEST LINE OF THE EAST 1/2 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 33 A DISTANCE OF 1423.58 FEET; THENCE SOUTH 87 DEGREES 51 MINUTES 42 SECONDS EAST PARALLEL WITH SAID SOUTH SECTION LINE 568.42 FEET TO THE NORTH AND SOUTH 1/4 LINE OF SAID SECTION 33; THENCE SOUTH 01 DEGREE 03 MINUTES 28 SECONDS WEST ON SAID NORTH AND SOUTH 1/4 LINE 1423.57 FEET TO THE POINT OF BEGINNING. Containing 18.56 acres, more or less. Parcel ID: 11-16-0033-0007-04-0

and,

THE EAST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 5 SOUTH, RANGE 17 WEST, PIPESTONE TOWNSHIP, BERRIEN COUNTY, MICHIGAN. EXCEPTING THEREFROM: BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 33; THENCE NORTH 87° 51' 42" WEST ON THE SOUTH LINE OF SAID SECTION 33 A DISTANCE OF 567.88 FEET; THENCE NORTH 01° 02' 11" EAST PARALLEL WITH AND 90.00 FEET EAST OF THE WEST LINE OF THE EAST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 33 A DISTANCE OF 1423.58 FEET; THENCE SOUTH 87° 51' 42" EAST PARALLEL WITH SAID SOUTH SECTION LINE 568.42 FEET TO THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 33; THENCE SOUTH 01° 03' 28" WEST ON SAID NORTH AND SOUTH QUARTER LINE 1423.57 FEET TO THE POINT OF BEGINNING. CONTAINING 21.33 ACRES MORE OR LESS. Parcel ID: 11-16-0033-0007-05-0

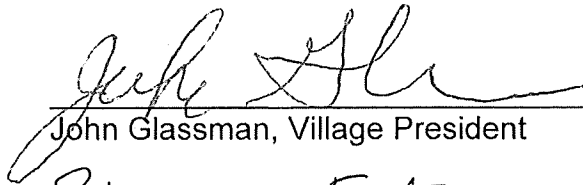
Pursuant to Section 6, Chapter 14, Act 3 of 1895 of the Public Acts of the State of Michigan (MCL 74.6; MSA 5.1470) petitions the Board of Commissioners of Berrien County, Michigan to order the annexation in accordance with the resolution and this petition. A copy of the resolution is attached and made a part hereof.

The reasons for the annexation are fully set forth in the resolution of the Village Council of the Village of Eau Claire, Berrien County, Michigan, attached hereto. The annexation is necessary to help support the Village of Eau Claire and the services it provides its residents through the payment of real property taxes, and, for public safety, make the site eligible to receive municipal water.

Petitioner prays that the Board of Commissioners set a date for the hearing of this petition and that on the date of the hearing of the petition, the Board of Commissioners order and determine that the annexation, as proposed, be approved and that the lands above described be annexed and be incorporated within the corporate limits of the Village of Eau Claire, Berrien County, Michigan.

Signed at Village of Eau Claire this 16th day of August 2021.

VILLAGE COUNCIL OF THE VILLAGE OF
EAU CLAIRE



John Glassman, Village President



Shawn Foster, Village Clerk