



CITY OF PONTIAC
OFFICE OF THE EMERGENCY MANAGER
LOUIS H. SCHIMMEL

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Dated: June 27, 2013

ORDER NO. S-290

RE: Approve lot split PF-13-47 for 14-15-451-002 (Galloway Park).

TO: Sherikia Hawkins, City Clerk
James Sabo, City Planner, Wade Trim

The Local Financial Stability and Choice Act (Act 436 of 2012/MCL 141.15411, et. seq.) in Section 10 empowers an Emergency Manager to issue orders to the appropriate local elected and appointed officials and employees, agents, and contractors of the local government a Manager considers necessary to accomplish the purposes of the Act and any such orders are binding on the local elected and appointed officials and employees, agents, and contractors of the local government to whom they are issued.

Section 12(1) of the Act provides that "[a]n emergency manager may take 1 or more of the following additional actions with respect to a local government that is in receivership, notwithstanding any charter provision to the contrary: "(ee) Take any other action or exercise any power or authority of any officer, employee, department, board, commission, or other similar entity of the local government, whether elected or appointed, relating to the operation of the local government...."

WHEREAS, the Emergency Manager acting as the Planning Commission held a public hearing on June 27, 2013 and thereafter announced that he is approving the proposed lot split.

It is hereby ordered the following lot split as described below and subject to the recordation of all permanent public utility and access easements is approved and the City Planner is instructed to record all documentation as required by law:

LEGAL DESCRIPTION – PARENT PARCEL – 14-15-451-002

LAND IN THE SOUTHEAST 1/4 OF SECTION 15, TOWN 3 NORTH, RANGE 10 EAST, CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 15; THENCE S88°30'22"E, 149.98 FEET TO THE POINT OF BEGINNING; THENCE N00°57'33"E, 220.11 FEET ALONG THE GRAND TRUNK WESTERN RAILROAD RIGHT OF WAY; THENCE N06°52'00"W, 1256.17 FEET CONTINUING ALONG SAID RAILROAD RIGHT OF WAY TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF N. PERRY ST. (120' WIDE); THENCE ALONG SAID ROAD RIGHT OF WAY N57°24'59"E, 250.52 FEET; THENCE S32°35'01"E, 220.19 FEET, THENCE N57°24'59"E, 248.33 FEET; THENCE N32°35'01"W, 220.19 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF N. PERRY STREET. (120' WIDE); THENCE ALONG

LEGAL DESCRIPTION – PERMANENT EASEMENT – 14-15-451-003

A PERMANENT EASEMENT FOR SANITARY SEWER AND INGRESS/EGRESS, WHICH IS DESCRIBED AS BEING LOCATED WITHIN THE SOUTHEAST 1/4 OF SECTION 15, TOWN 3 NORTH, RANGE 10 EAST, CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 15; THENCE N 00°57'30" E, 1477.12 FEET ALONG THE NORTH & SOUTH 1/4 LINE OF SAID SECTION 15 TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF N. PERRY ST. (120 FEET WIDE); THENCE ALONG SAID ROAD RIGHT OF WAY N 57°24'59" E, 473.59 FEET; THENCE S 32°35'01" E, 176.77 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S 32°35'01" E, 43.41 FEET; THENCE S 57°24'59" W, 49.44 FEET; THENCE N 34°15'42" W, 41.94 FEET; THENCE N 55°44'18" E, 50.69 FEET TO THE POINT OF BEGINNING.

CONTAINING: 2,136 SQ.FT. (0.049 ACRES) OF LAND

LEGAL DESCRIPTION – TEMPORARY EASEMENT – 14-15-451-002

A TEMPORARY EASEMENT FOR SANITARY SEWER AND INGRESS/EGRESS, WHICH IS DESCRIBED AS BEING LOCATED WITHIN THE SOUTHEAST 1/4 OF SECTION 15, TOWN 3 NORTH, RANGE 10 EAST, CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NORTHEAST CORNER OF "GALLOWAY PARK", SAID POINT ALSO LYING ON THE SOUTHERLY RIGHT OF WAY LINE OF N. PERRY ST.; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR THE FOLLOWING THREE COURSES, (1) S57°17'53"W 92.89 FEET; (2) N32°35'01"W, 17.00 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF N. PERRY STREET WHERE THE RIGHT OF WAY NARROWS (120' WIDE) AND (3) S57°24'59"W, 8.75 FEET TO THE POINT OF BEGINNING; THENCE S51°20'56"E, 227.74 FEET; THENCE N55°44'18"E, 54.51 FEET; THENCE S34°15'42"E, 186.56 FEET; THENCE S55°44'18"W, 264.65 FEET; THENCE S01°19'56"E, 256.55 FEET; THENCE S88°40'04"W, 257.51 FEET; THENCE S29°27'02"W, 100.57 FEET; THENCE S38°10'17"W, 411.55 FEET; THENCE N06°52'00"W, 91.86 FEET; THENCE N38°10'17"E, 341.68 FEET; THENCE N29°27'02"E, 218.75 FEET; THENCE N01°18'31"W, 19.05 FEET; THENCE N87°14'17"E, 20.47 FEET; THENCE N00°52'52"W, 172.11 FEET; THENCE N57°35'26"E, 69.94 FEET; THENCE N34°15'42"W, 6.35 FEET; THENCE N57°24'59"E, 81.33 FEET; THENCE N32°35'01"W, 43.41 FEET; THENCE N55°44'18"E, 65.21 FEET; THENCE N10°44'18"E, 44.67 FEET; THENCE N34°15'42"W, 127.45 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE ON N. PERRY STREET; THENCE N57°24'59"E ALONG SAID RIGHT OF WAY LINE, 45.02 FEET TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINS ALL LAND CONTAINED THEREON EXCEPT SAID LAND CONTAINED IN THE PERMANENT EASEMENT AND SAID LAND CONTAINED IN THE FEE SIMPLE PARCEL. SAID TEMPORARY CONSTRUCTION EASEMENT SHALL TERMINATE UPON COMPLETION DATE OF CONSTRUCTION.

CONTAINING: 122,533 SQ.FT. (2.813 ACRES) OF LAND

LEGAL DESCRIPTION – TEMPORARY EASEMENT – 14-15-451-003

A TEMPORARY EASEMENT FOR SANITARY SEWER AND INGRESS/EGRESS, WHICH IS DESCRIBED AS BEING LOCATED WITHIN THE SOUTHEAST 1/4 OF SECTION 15, TOWN 3 NORTH, RANGE 10 EAST, CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS:

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