



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

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3133
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Dated: June 27, 2013

ORDER NO. S-291

RE: Approve lot split PF-13-48 for 14-18-100-005 (Hawthorn/Kennett Road Landfill).

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 in Parcel A, B, C, and D below and subject to the recordation of all temporary and permanent public utility and access easements and dedication of all necessary public rights-of-way is approved and the City Planner is instructed to record all documentation as required by law:

LEGAL DESCRIPTION- OVERALL PARCEL

LAND IN THE NW, NE AND SW 1/4 OF SECTION 18, TOWN 3 NORTH, RANGE 10 EAST, CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS:

BEGINNING AT THE NW CORNER OF SAID SECTION 18, THENCE S89°31'59"E, ALONG THE NORTH LINE OF SECTION 18, 1714.13 FEET (RECORDED AS S85°49'34"W, 1714.51 FEET); THENCE S00°43'25"W, 1194.60 FEET (RECORDED AS N04°10'26"W, 1193.64 FEET); THENCE N49°56'18"E, 1777.80 FEET (RECORDED AS S45°02'27"W, 1777.80 FEET); THENCE ALONG THE ARC OF A CURVE TO THE LEFT 48.67 FEET, SAID CURVE HAVING A RADIUS OF 1849.86 FEET (M&R), A CENTRAL ANGLE OF 01°30'27", LONG CHORD BEARS N49°18'09"E (RECORDED AS S44°17'14"W), 48.67 FEET (M&R) TO A FOUND MONUMENT ON THE NORTH LINE OF SECTION 18; THENCE S89°23'27"E, ALONG SAID

NORTH LINE, 172.24 FEET (RECORDED AS 183.48 FEET); THENCE ALONG THE ARC OF A CURVE TO THE RIGHT 180.38 FEET, SAID CURVE HAVING A RADIUS OF 1970.08 FEET (M&R), A CENTRAL ANGLE OF 05°14'45", LONG CHORD BEARS S47°15'54"W, 180.31 FEET (RECORDED AS N45°35'38"E, 180.37 FEET) TO A FOUND MONUMENT; THENCE S49°53'16"W, 260.00 FEET (RECORDED AS N48°13'00"E, 260 FEET); THENCE S27°55'16"W, 967.00 FEET (RECORDED AS N27°15'00"E, 967 FEET) TO A POINT ON THE WESTERLY LINE OF THE GRAND TRUNK WESTERN RAILROAD RIGHT OF WAY; THENCE ALONG SAID RAILROAD RIGHT OF WAY, S50°11'21"W, 917.12 FEET (RECORDED AS N45°09'07"E, 924.48 FEET); THENCE CONTINUING ALONG SAID RAILROAD RIGHT OF WAY, ALONG THE ARC OF A CURVE TO THE LEFT 926.88 FEET, SAID CURVE HAVING A RADIUS OF 988.00 FEET (M&R), A CENTRAL ANGLE OF 53°45'05", LONG CHORD BEARS S24°25'22"W, 893.26 FEET (RECORDED AS 881.91 FEET) TO A POINT ON THE EAST & WEST 1/4 LINE OF SECTION 18; THENCE CONTINUING ALONG SAID RAILROAD RIGHT OF WAY, S01°25'21"W, 1593.59 FEET (RECORDED AS 1592.70 FEET) TO A POINT ON THE CENTERLINE OF KENNETT ROAD (43 FEET HALF WIDTH) AS ESTABLISHED IN VACATED "WOODWARD GARDENS SUBDIVISION", AS RECORDED IN LIBER 49 OF PLATS, PAGE 19, OCR; THENCE ALONG THE SAID CENTERLINE OF KENNETT ROAD, N81°45'44"W, 1481.69 FEET (RECORDED AS 1477 FEET) TO A POINT ON THE WEST LINE OF SECTION 18; THENCE ALONG THE SAID WEST LINE, N01°23'08"E, 1347.80 FEET TO THE WEST 1/4 CORNER OF SECTION 18, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF "OAKWOOD MANOR SUBDIVISION", AS RECORDED IN LIBER 39 OF PLATS, PAGE 28, OCR ; THENCE CONTINUING ALONG THE WEST LINE OF SECTION 18 AND THE EAST LINE OF "OAKWOOD MANOR SUBDIVISION", N01°22'15"E, 2613.33 FEET (THE TWO COURSES ALONG THE WEST LINE OF SECTION 18 RECORDED AS 3944.92 FEET) TO THE POINT OF BEGINNING.

CONTAINS 7,207,509.06 SQUARE FEET OR 165.462 ACRES.

LEGAL DESCRIPTION- PARCEL A .

LAND IN THE NW, NE AND SW 1/4 OF SECTION 18, TOWN 3 NORTH, RANGE 10 EAST, CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS:

COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 18, THENCE S01°23'08"W, ALONG THE WEST LINE OF SECTION 18, 288.88 FEET TO THE POINT OF BEGINNING; THENCE THE FOLLOWING NINE COURSES ALONG THE SOUTHERLY LINE OF TELEGRAPH ROAD (WIDTH VARIES); 1) ALONG THE ARC OF A CURVE TO THE LEFT 347.51 FEET, SAID CURVE HAVING A RADIUS OF 1077.00 FEET, A CENTRAL ANGLE OF 18°29'14", LONG CHORD BEARS N33°57'42"E, 346.00 FEET; 2) N24°43'11"E, 283.13 FEET; 3) ALONG THE ARC OF A CURVE TO THE RIGHT 751.17 FEET, SAID CURVE HAVING A RADIUS OF 817.00 FEET, A CENTRAL ANGLE OF 52°40'45", LONG CHORD BEARS N51°03'33"E, 724.99 FEET; 4) N77°23'56"E, 531.88 FEET; 5) ALONG THE ARC OF A CURVE TO THE LEFT 458.96 FEET, SAID CURVE HAVING A RADIUS OF 967.00 FEET, A CENTRAL ANGLE OF 27°11'39", LONG CHORD BEARS N63°48'06"E, 454.67 FEET; 6) N50°12'16"E, 592.37 FEET; 7) ALONG THE ARC OF A CURVE TO THE LEFT 582.85 FEET, SAID CURVE HAVING A RADIUS OF 2033.00 FEET, A CENTRAL ANGLE OF 16°25'35", LONG CHORD BEARS N41°59'26"E, 580.86 FEET; 8) N33°46'36"E, 94.98 FEET; 9) ALONG THE ARC OF A CURVE TO THE RIGHT 482.44 FEET, SAID CURVE HAVING A RADIUS OF 2856.96 FEET, A CENTRAL ANGLE OF 09°40'31", LONG CHORD BEARS N39°42'20"E, 481.87 FEET; THENCE S27°55'16"W, 967.00 FEET TO A POINT ON THE WESTERLY LINE OF THE GRAND TRUNK WESTERN RAILROAD RIGHT OF WAY; THENCE ALONG SAID RAILROAD RIGHT OF WAY, S50°11'21"W, 917.12 FEET; THENCE CONTINUING ALONG SAID RAILROAD RIGHT OF WAY, ALONG THE ARC OF A CURVE TO THE LEFT 926.88 FEET, SAID CURVE HAVING A RADIUS OF 988.00 FEET, A CENTRAL ANGLE OF 53°45'05", LONG CHORD BEARS S24°25'22"W, 893.26 FEET TO A POINT ON THE EAST & WEST 1/4 LINE OF SECTION 18; THENCE CONTINUING ALONG SAID RAILROAD RIGHT OF WAY, S01°25'21"W, 1550.28 FEET TO A POINT ON THE NORTH LINE OF KENNETT ROAD (86 FEET WIDE); THENCE ALONG THE NORTH LINE OF SAID KENNETT ROAD, N81°45'44"W, 1481.72 FEET TO A POINT ON THE WEST LINE OF SECTION 18; THENCE ALONG THE SAID WEST LINE, N01°23'08"E, 1015.61 FEET TO THE POINT OF BEGINNING.

CONTAINS 3,197,518.77 SQUARE FEET OR 73.405 ACRES.

LEGAL DESCRIPTION- PARCEL B

LAND IN THE SW 1/4 OF SECTION 18, TOWN 3 NORTH, RANGE 10 EAST, CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS:

COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 18, THENCE S01°23'08"W, ALONG THE WEST LINE OF SECTION 18, 1304.49 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE NORTH RIGHT OF WAY LINE OF KENNETT ROAD (86 FEET WIDE), S81°45'44"E, 1481.72 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF GRAND TRUNK WESTERN RAILROAD; THENCE S01°25'21"W, 43.31 FEET TO A POINT ON THE CENTERLINE OF KENNETT ROAD (43 FEET HALF WIDTH) AS ESTABLISHED IN VACATED "WOODWARD GARDENS SUBDIVISION", AS RECORDED IN LIBER 49 OF PLATS, PAGE 19, OCR; THENCE ALONG THE SAID CENTERLINE OF KENNETT ROAD, N81°45'44"W, 1481.69 FEET TO A POINT ON THE WEST LINE OF SECTION 18; THENCE ALONG THE SAID WEST LINE, N01°23'08"E, 43.31 FEET TO THE POINT OF BEGINNING.

CONTAINS 63,713.38 SQUARE FEET OR 1.463 ACRES.

LEGAL DESCRIPTION- PARCEL C

LAND IN THE NW, NE AND SW 1/4 OF SECTION 18, TOWN 3 NORTH, RANGE 10 EAST, CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS:

COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 18, THENCE S01°23'08"W, ALONG THE WEST LINE OF SECTION 18, 91.92 FEET TO THE POINT OF BEGINNING; THENCE THE FOLLOWING TEN COURSES ALONG THE NORTHERLY LINE OF TELEGRAPH ROAD (WIDTH VARIES); 1) ALONG THE ARC OF A CURVE TO THE LEFT 161.39 FEET, SAID CURVE HAVING A RADIUS OF 957.00 FEET, A CENTRAL ANGLE OF 09°39'45", LONG CHORD BEARS N29°33'04"E, 161.20 FEET; 2) N24°43'11"E, 283.13 FEET; 3) ALONG THE ARC OF A CURVE TO THE RIGHT 861.49 FEET, SAID CURVE HAVING A RADIUS OF 937.00 FEET, A CENTRAL ANGLE OF 52°40'43", LONG CHORD BEARS N51°03'33"E, 831.47 FEET; 4) N77°23'56"E, 473.49 FEET; 5) ALONG THE ARC OF A CURVE TO THE LEFT 387.77 FEET, SAID CURVE HAVING A RADIUS OF 817.00 FEET, A CENTRAL ANGLE OF 27°11'39", LONG CHORD BEARS N63°48'06"E, 384.14 FEET; 6) N50°12'16"E, 701.30 FEET; 7) ALONG THE ARC OF A CURVE TO THE LEFT 491.95 FEET, SAID CURVE HAVING A RADIUS OF 1967.00 FEET, A CENTRAL ANGLE OF 14°19'47", LONG CHORD BEARS N43°02'23"E, 490.67 FEET; 8) N35°53'15"E, 428.31 FEET; 9) N49°56'18"E, 454.97 FEET; 10) ALONG THE ARC OF A CURVE TO THE LEFT 48.67 FEET, SAID CURVE HAVING A RADIUS OF 1849.86 FEET, A CENTRAL ANGLE OF 01°30'27", LONG CHORD BEARS N49°18'09"E, 48.67 FEET TO A POINT ON THE NORTH LINE OF SECTION 18; THENCE S89°23'20"E, ALONG SAID NORTH LINE, 172.24 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF TELEGRAPH ROAD; THENCE THE FOLLOWING NINE COURSES ALONG THE SOUTHERLY LINE OF TELEGRAPH ROAD (WIDTH VARIES); 1) ALONG THE ARC OF A CURVE TO THE RIGHT 180.38 FEET, SAID CURVE HAVING A RADIUS OF 1970.08 FEET, A CENTRAL ANGLE OF 05°14'45", LONG CHORD BEARS S47°15'54"W, 180.31 FEET; 2) S49°53'16"E, 260.00 FEET; 3) ALONG THE ARC OF A CURVE TO THE LEFT 482.44 FEET, SAID CURVE HAVING A RADIUS OF 2856.96 FEET, A CENTRAL ANGLE OF 09°40'31", LONG CHORD BEARS S39°42'20"W, 481.87 FEET; 4) S33°46'36"W, 94.98 FEET; 5) ALONG THE ARC OF A CURVE TO THE RIGHT 582.85 FEET, SAID CURVE HAVING A RADIUS OF 2033.00 FEET, A CENTRAL ANGLE OF 16°25'35", LONG CHORD BEARS S41°59'26"W, 580.86 FEET; 6) S50°12'16"W, 592.37 FEET; 7) ALONG THE ARC OF A CURVE TO THE RIGHT 458.96 FEET, SAID CURVE HAVING A RADIUS OF 967.00 FEET, A CENTRAL ANGLE OF 27°11'39", LONG CHORD BEARS S63°48'06"W, 454.67 FEET; 8) S77°23'56"W, 531.88 FEET; 9) ALONG THE ARC OF A CURVE TO THE LEFT 751.17 FEET, SAID CURVE HAVING A RADIUS OF 817.00 FEET, A CENTRAL ANGLE OF 52°40'45", LONG CHORD BEARS S52°40'45"W, 724.99 FEET; 10) S24°43'11"W, 283.13 FEET; 11) ALONG THE ARC OF A CURVE TO THE RIGHT 347.51 FEET, SAID CURVE HAVING A RADIUS OF 1077.00 FEET, A CENTRAL ANGLE OF 18°29'14", LONG CHORD BEARS

S33°57'42"W, 346.00 FEET TO A POINT ON THE WEST LINE OF SECTION 18; THENCE ALONG THE SAID WEST LINE, N01°23'08"E, 196.96 FEET TO THE POINT OF BEGINNING.

CONTAINS 577,961.83 SQUARE FEET OR 13.268 ACRES.

LEGAL DESCRIPTION- PARCEL D

LAND IN THE NW, NE AND SW 1/4 OF SECTION 18, TOWN 3 NORTH, RANGE 10 EAST, CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS:

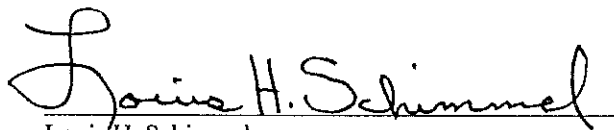
BEGINNING AT THE WEST 1/4 CORNER OF SAID SECTION 18, THENCE N01°22'15"E, ALONG THE WEST LINE OF SECTION 18 ALSO BEING THE EAST LINE OF "OAKWOOD MANOR SUBDIVISION", AS RECORDED IN LIBER 39 OF PLATS, PAGE 28, OCR, 2613.33 FEET TO THE NW CORNER OF SECTION 18; THENCE S89°31'59"E, ALONG THE NORTH LINE OF SECTION 18, 1714.13 FEET; THENCE S00°43'25"W, 1196.60 FEET; THENCE N49°56'18"E, 1322.83 FEET; THENCE THE FOLLOWING EIGHT COURSES ALONG THE NORTHERLY LINE OF TELEGRAPH ROAD (WIDTH VARIES); 1) S35°53'15"W, 428.31 FEET; 2) ALONG THE ARC OF A CURVE TO THE RIGHT 491.95 FEET, SAID CURVE HAVING A RADIUS OF 1967.00 FEET, A CENTRAL ANGLE OF 14°19'47", LONG CHORD BEARS S43°02'23"W, 490.67 FEET; 3) S50°12'16"W, 701.30 FEET; 4) ALONG THE ARC OF A CURVE TO THE RIGHT 387.77 FEET, SAID CURVE HAVING A RADIUS OF 817.00 FEET, A CENTRAL ANGLE OF 27°11'39", LONG CHORD BEARS S63°48'06"W, 384.14 FEET; 5) S77°23'56"W, 473.49 FEET; 6) ALONG THE ARC OF A CURVE TO THE LEFT 861.49 FEET, SAID CURVE HAVING A RADIUS OF 937.00 FEET, A CENTRAL ANGLE OF 52°40'43", LONG CHORD BEARS S51°03'33"W, 831.47 FEET; 7) S24°43'11"W, 283.13 FEET; 8) ALONG THE ARC OF A CURVE TO THE RIGHT 161.39 FEET, SAID CURVE HAVING A RADIUS OF 957.00 FEET, A CENTRAL ANGLE OF 09°39'45", LONG CHORD BEARS S29°33'04"W, 161.20 FEET TO A POINT ON THE WEST LINE OF SECTION 18; THENCE ALONG SAID WEST LINE, N01°23'08"E, 91.92 FEET TO THE POINT OF BEGINNING.

CONTAINS 3,368,315.08 SQUARE FEET OR 77.326 ACRES.

The Order shall have immediate effect.

Copies of the documents referenced in this Order are to be maintained in the offices of the City Clerk and may be reviewed and/or copies may be obtained upon submission of a written request consistent with the requirements of the Michigan Freedom of Information Act and subject to any exemptions contained in that state statute and subject to any exemptions allowed under that statute (Public Act 442 of 1976, MCL 15.231, et. seq.).

This order is effective as indicated and is necessary to carry out the duties and responsibilities required of the Emergency Manager as set forth in the Local Financial Stability and Choice Act (Act 436 of 2012/MCL 141.15411, et. seq.) and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Manager.



Louis H. Schimmel
City of Pontiac
Emergency Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council