



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

47450 Woodward Avenue  
Pontiac, Michigan 48342  
Telephone: (248) 758-3133  
Fax: (248) 758-3292

Dated: June 27, 2013

ORDER NO. S-292

RE: Approve lot split PF-13-49 for Centerpoint Parkway right-of-way vacation

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 street vacation.

It is hereby ordered the street vacation request for PF-13-49 Centerpoint Parkway as legally described herein based on ownership control of parcel number 14-34-454-002 and subject to dedication and recordation of any and all necessary utility easements being reserved in the vacated right-of-way for public utility purposes is approved and the City Planner is instructed to record all documentation as required by law:

**PONTIAC CITY PLANNING COMMISSION**  
**REQUEST FOR STREET VACATION—CENTERPOINT PARKWAY**  
**RESOLUTION OF APPROVAL**

A Public Hearing was held on June 27, 2013, by the City of Pontiac Emergency Manager on a request submitted by Ultimate Soccer Arenas LLC, 867 South Boulevard Pontiac, MI 48341; for abandonment of the City's interest in a portion of Centerpoint Parkway from Meadow Drive to an area west of Enterprise Drive approximately 1,062 feet in length. Property is between parcel 14-34-453-013 and parcel 14-34-454-002;

**WHEREAS**, the City of Pontiac Emergency Manager is in receipt of the Planning Department report relative to the request submitted by Ultimate Soccer Arenas LLC, 867 South Boulevard Pontiac, MI 48341; for abandonment of the City's interest in a portion of Centerpoint Parkway from Meadow Drive to an area west of Enterprise Drive approximately 1,062 feet in length. Property is between parcel 14-34-453-013 and parcel 14-34-454-002;

#### CENTERPOINT PARKWAY R.O.W. VACATION

##### Legal Description - R.O.W. Vacation Parcel

Parts of Lots 87 and 88 inclusive of "Oaklawn Farms" Subdivision as recorded in Liber 20 of Plats, Page 23 of Oakland County Records; and Part of Lot 9 and 10 of Assessor's Plat No. 141 as recorded in Liber 54 of Plats, Pages 99 and 99A of Oakland County Records, all being part of the SE 1/4 of Section 34, T.3N., R.10E., City of Pontiac, Oakland County, Michigan, and being more particularly described as follows:

Commencing at the Southeast property controlling corner of Section 34, T.3N., R.10E., City of Pontiac, Oakland County, Michigan, thence due West along the South line of said Section 34 and centerline of South Boulevard (120 feet right-of-way), a distance of 2,301.80 feet to the point of intersection of the Southerly extension of East line of Meadow street (50 feet right-of-way), as shown in said plat of "Oaklawn Farms" Subdivision, with said South line of Section 34; thence N.00°30'09"E., along the extended East line of Meadow Street, a distance of 282.98 feet to a point on the East line of Centerpoint Parkway North (width varies); thence following three (3) courses along said East line of Centerpoint Parkway: (1) 84.23 feet along an arc of a curve to the left (radius 219.00 feet, central angle 22°02'14", long chord bears N.11°31'16"E., 83.71 feet) to a point of tangency, and (2) N.00°30'09"E., a distance of 216.30 feet to a point of curvature, and (3) 242.00 feet along an arc of a curve to the right (radius 264.00 feet, central angle 52°31'12", long chord bears N.26°45'46"E., 233.61 feet) to the POINT OF BEGINNING; thence N.36°58'38"W., a distance of 66.00 feet to a point on the Northwest line of said Centerpoint Parkway (120 feet right-of-way); thence following two (2) courses along said Northwest line of Centerpoint Parkway: (1) 212.97 feet along an arc of a curve to the right (radius 330.00 feet, central angle 36°58'38", long chord bears N.71°30'41"E., 209.30 feet) to a point of tangency, and (2) due East, a distance of 1062.56 feet; thence due South, a distance of 66.00 feet to a point on the Southeast line of said Centerpoint Parkway; thence following two (2) courses along said Southeast line of Centerpoint Parkway: (1) due West, a distance of 1062.56 feet to a point of curvature, and (2) 170.38 feet along an arc of a curve to the left (radius 264.00 feet, central angle 36°58'38", long chord bears S.71°30'41"W., 167.44 feet) to the point of beginning.

Contains 82,779 square feet or 1.900 acres.

**WHEREAS**, the City of Pontiac Emergency Manager finds that the proposed street vacation will not restrict / hinder access and service to surrounding properties; and

**WHEREAS**, the City of Pontiac Emergency Manager finds that the proposed street vacation shall be conditioned upon Ultimate Soccer Arenas LLC obtaining ownership control of the property known as 14-34-454-002; and

**WHEREAS**, the City of Pontiac Emergency Manager finds that the proposed street vacation shall be conditioned upon maintaining existing underground utilities and easements and construction of an approved soccer facility expansion for Ultimate Soccer Arenas LLC at this location; and

**WHEREAS**, the City of Pontiac Emergency Manager finds that the appropriate public utility or public authority shall assume responsibility for maintenance of the water lines and sanitary lines within the vacated portion of the right of way described herein; and

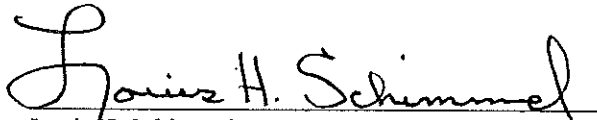
**WHEREAS**, the City of Pontiac Emergency Manager finds that maintaining a full-width easement for the maintenance of utilities for the proposed street vacation would not adversely affect surrounding properties.

**NOW, THEREFORE, BE IT RESOLVED**, that the request submitted by Ultimate Soccer Arenas LLC, 867 South Boulevard Pontiac, MI 48341; for abandonment of the City's interest in a portion of Centerpoint Parkway from Meadow Drive to an area west of Enterprise Drive approximately 1,062 feet in length. Property is between parcel 14-34-453-013 and parcel 14-34-454-002; is hereby **APPROVED** by the City of Pontiac Emergency Manager on this 27<sup>th</sup> day of June, 2013, subject to the retention of a full-width public utility easement for maintenance of any and all public utilities.

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

