

# TUSCOLA COUNTY BOARD OF COMMISSIONERS

125 W. Lincoln Street  
Suite 500  
Caro, MI 48723

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At a regular meeting of the Board of Commissioners for the County of Tuscola, State of Michigan, on the 24<sup>th</sup> day of November, 2021 with the meeting called to order at 8:00 a.m.

Commissioners Present: *Thomas Young, Thomas Bardwell, Kim Vaughan,  
Doug De Russel*

Commissioners Absent: *Dan Grimshaw*

The following resolution was offered by Commissioner *Young*, seconded by Commissioner *Vaughan*.

## RESOLUTION NUMBER 2021-16

### RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF TUSCOLA DIRECTING THOMAS BARDWELL, ON BEHALF OF THE COUNTY OF TUSCOLA, TO PETITION THE CHARTER TOWNSHIP OF ALMER AND THE CITY OF CARO TO ANNEX CERTAIN REAL PROPERTY UNDER MCL 117.9(8)

**WHEREAS**, MCL 117.9(8) permits the owner of real property where no qualified electors reside that is located in a township and adjacent to a city to petition the city and the township to annex the real property by a majority vote of the legislative body of the city and the township;

**WHEREAS**, the County of Tuscola ("County") owns certain property located in Almer Charter Township ("Township") and contiguous to the City of Caro ("City"), which is legally described in the attached **Exhibit A** ("Annexed Property") and, for reference purposes only, is labeled as "State Police" on the diagram attached as **Exhibit B**;

**WHEREAS**, no qualified electors reside on the Annexed Property and it is currently leased to the State Police;

**WHEREAS**, the County is the sole owner of all the land in the territory to be annexed;

**WHEREAS**, the Annexed Property is tax exempt;

**WHEREAS**, the Board of Commissioners believes it is in the best interest of the County to petition the legislative bodies of the Township and the City to annex the Annexed Property into the City;

**WHEREAS**, the Board of Commissioners believes it is in the best interest of the County to waive the notice required under Section 9(8) of the Home Rule City Act, Public Act 279 of 1909 (MCL 117.9(8), as amended);

**WHEREAS**, a proposed petition is attached as **Exhibit C**;

**WHEREAS**, a proposed waiver of notice is attached as **Exhibit D**.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. That the Board of Commissioners hereby authorizes Tuscola County to petition the legislative bodies of the Charter Township of Almer and the City of Caro to adopt resolutions annexing the property described in attached Exhibit A from the Charter Township of Almer to the City of Caro;
2. Thomas Bardwell, Chairman of the Board of Commissioners, or his designee, is directed to execute a petition and waiver of notice in substantially the forms attached as Exhibit C and Exhibit D, and to take any other action necessary to petition the legislative bodies of the City of Caro and Charter Township of Almer consistent with this Resolution;
3. All other resolutions or parts of resolutions insofar as they conflict with this resolution are rescinded.

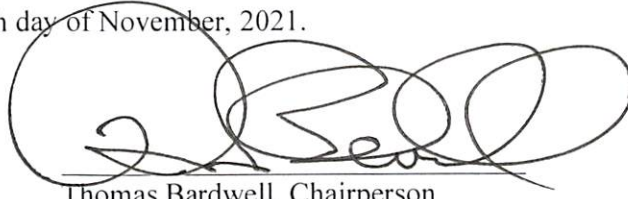
Ayes: Young, Bardwell, Vaughan

Nays: Du Russel

Absent: Grimsaw

Resolution declared approved dated this 24th day of November, 2021.

Date 11-24-21



Thomas Bardwell, Chairperson  
Tuscola County Board of Commissioners

**CERTIFICATE**

STATE OF MICHIGAN )  
                                  ) ss  
COUNTY OF TUSCOLA )

I, the undersigned, the duly qualified County Clerk of the County of Tuscola, Michigan, do hereby certify that the foregoing is a true and complete copy of proceedings taken at a regular meeting of the Board of Commissioners of the County of Tuscola held on the 24th day of November, 2021, insofar as the same relate to the Resolution of the Board of Commissioners of the County of Tuscola Directing Thomas Bardwell, On Behalf of the County of Tuscola, to Petition the Charter Township of Almer and the City of Caro to Annex Certain Real Property Under MCL 117.9(8), the original of which is on file in my office. Public notice of said meeting was given pursuant to and in full compliance with Act 267, Public Acts of 1976, as amended.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 24<sup>th</sup> day of November, 2021.

Date November 24, 2021



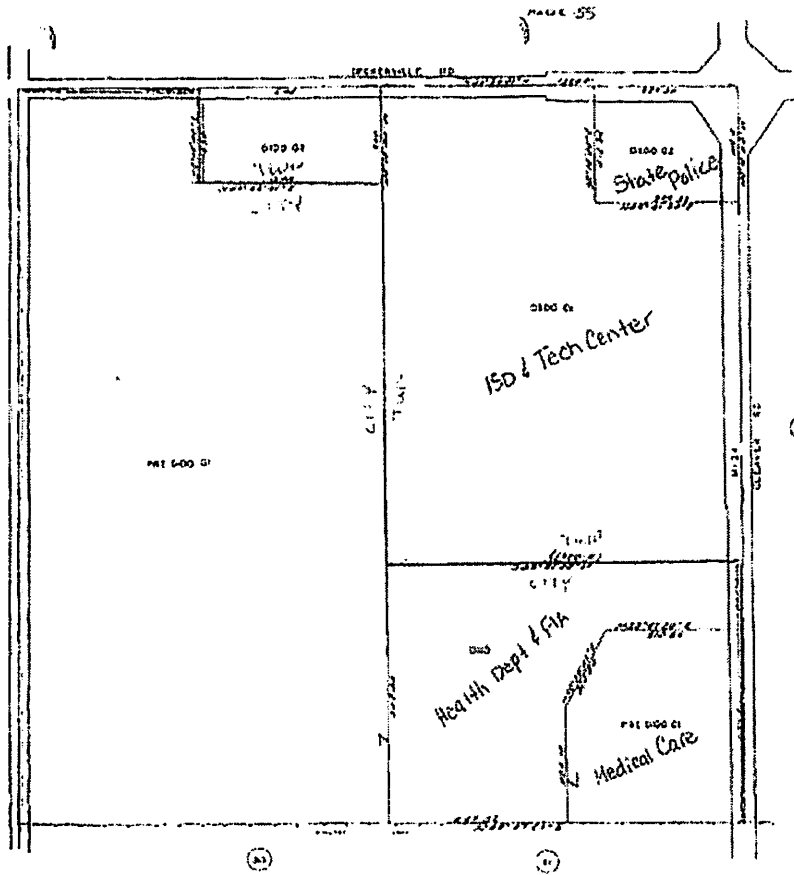
Jodi Fetting  
Tuscola County Clerk

## EXHIBIT A

Property situated in the Township of Aimer, County of Tuscola, State of Michigan, to-wit:

Part of the Northeast quarter of Section 34, Town 13 North, Range 9 East, Aimer Township, Tuscola County, Michigan. Described as beginning at the Northeast corner of said Section 34; thence South 89 degrees 55 minutes 01 seconds West, along the North line of said Northeast quarter, 529.34 feet; thence South 00 degrees 18 minutes 40 seconds East, parallel with the East line of said Northeast quarter, 412.52 feet; thence North 89 degrees 41 minutes 20 seconds East, perpendicular to said East line, 529.33 feet to said East line; thence North 00 degrees 18 minutes 40 seconds West, along said East line, 410.40 feet to the point of beginning. Containing 5.00 acres of land and being subject to all easements, restrictions, and rights-of-way of record.

EXHIBIT B



Return to Index  
N.E.1/4  
Section 34, T.13 N., R.9E.  
TUSCOLA COUNTY, MICHIGAN  
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## EXHIBIT C

### PETITION

To the Honorable Township Board, Charter Township of Aimer, Tuscola County, Michigan, and the Honorable City Council, City of Caro, Tuscola County, Michigan.

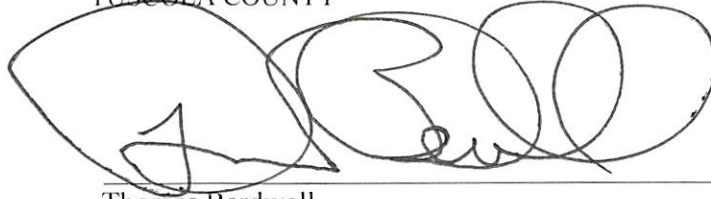
1. The undersigned, County of Tuscola (“Petitioner”), does hereby respectfully petition your honorable bodies that the following described land be detached from the Charter Township of Aimer and annexed to the City of Caro by affirmative majority vote of the City Council of the City of Caro and approval of the Charter Township of Aimer Board of Trustees in accordance with the provisions of Section 9, 1909 PA 279, as amended.
2. The land proposed to be detached from the Charter Township of Aimer and annexed to the City of Caro is land situated in the Charter Township of Aimer, County of Tuscola, State of Michigan, described as follows:

Part of the Northeast quarter of Section 34, Town 13 North, Range 9 East, Aimer Township, Tuscola County, Michigan. Described as beginning at the Northeast corner of said Section 34; thence South 89 degrees 55 minutes 01 seconds West, along the North line of said Northeast quarter, 529.34 feet; thence South 00 degrees 18 minutes 40 seconds East, parallel with the East line of said Northeast quarter, 412.52 feet; thence North 89 degrees 41 minutes 20 seconds East, perpendicular to said East line, 529.33 feet to said East line; thence North 00 degrees 18 minutes 40 seconds West, along said East line, 410.40 feet to the point of beginning. Containing 5.00 acres of land and being subject to all easements, restrictions, and rights-of-way of record.

3. The Petitioners further represent as follows:
  - (a) That the above-described land is adjacent to the corporate limits of the City of Caro.
  - (b) That there are no qualified electors residing on the land proposed to be annexed.
  - (c) That the Petitioners collectively hold the recorded legal title to more than one-half of the area of the land in the territory proposed to be annexed.

[Signature on the following page.]

TUSCOLA COUNTY



Thomas Bardwell  
Chairman, Board of Commissioners

STATE OF MICHIGAN )

) ss.

COUNTY OF TUSCOLA )

Thomas Bardwell, being first duly sworn according to law, says that he signed the foregoing petition for annexation on behalf of the County of Tuscola, for the purposes therein set forth and has knowledge of the facts set forth and believes the same to be true to the best of his knowledge and belief.

Jodi Fetting (Signature Notary)

Jodi Fetting (printed Notary name)

Public, Tuscola County, Michigan

My Commission Expires: 7-29-2022

Acting in the County of: Tuscola