

S T A T E O F M I C H I G A N

BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEGAN

**ADMINISTRATION-AUTHORIZE QUIT CLAIM DEED**

**WHEREAS**, Otsego sold property located at 301 Helen Avenue (54-022-006-00) adjacent to the Rock Tenn property; and

**WHEREAS**, an overlap of 25' between the properties has been identified; and

**WHEREAS**, to complete the sale the City of Otsego has requested the County authorize a Quit Claim Deed to resolve the overlap.

**THEREFORE BE IT RESOLVED** that the County Administrator is authorized to work in conjunction with the County Treasurer and Corporation Counsel to establish the Quit Claim Deed; and

**BE IT FINALLY RESOLVED** that the County Administrator (Robert J. Sarro) is fully authorized to sign any necessary documents to complete this action.



# CITY OF OTSEGO

117 E. ORLEANS ST. OTSEGO, MI 49078

269-692-3391

269-692-2643 (F)

[WWW.CITYOFOTSEGO.ORG](http://WWW.CITYOFOTSEGO.ORG)

October 19, 2020

**Dan Wedge, Executive Director of Services**  
750 Airway Drive  
Allegan, MI 49010

**RE: 301 Helen Ave.**

Dear Mr. Wedge and Allegan County Administration,

The City of Otsego has recently sold a piece of property at 301 Helen Ave. (54-022-006-00) within the City of Otsego. This property borders a parcel that is commonly referred to as Rock-Tenn at 431 Helen Ave. (54-015-006-00). From our previous conversations it has been discussed that there is a small strip of land 25' wide overlap between the properties along the border between the two parcels.

As we plan to close on this property sale in the coming weeks. This is an issue that will have to be resolved quickly for the new buyer to rightfully take possession of it. Considering the uncertainty of the Rock-Tenn piece of property and the irrelevance of this strip of contested property; I would like to request for Allegan County to remove their ownership of this small strip of property. I am under the assumption that there are a couple of ways this could be accomplished. I am guessing a "Quit Claim Deed" filed with the County Clerk will suffice and be the easiest and simplest resolution. The City of Otsego is open to any method that accomplishes this goal. Please feel free to reach out to me via phone at 269-694-6146 or email at [amitchell@cityofotsego.org](mailto:amitchell@cityofotsego.org). Thank you for your consideration.

Sincerely,

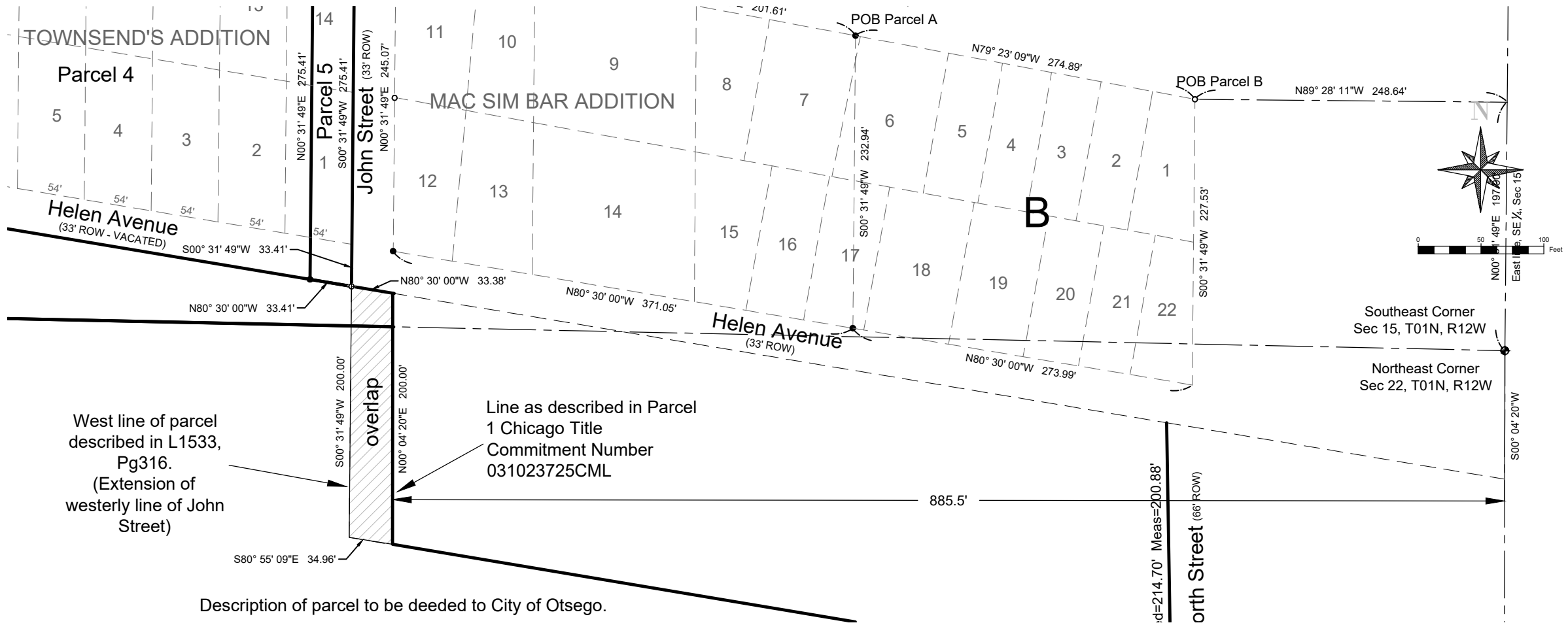
  
Aaron Mitchell  
City Manager

CC: Rob Sarro  
Brad Boone

Date	Drawn	Job Number
11/07/2017	tdb	2341703

P.O. Box 410 Phone (616) 895-7190  
 Allendale, MI 49401 Fax (616) 895-7191

Scale 1" = 100'  
 ● = Set iron stake  
 ○ = Found iron stake



West line of parcel described in L1533, Pg316. (Extension of westerly line of John Street)

Line as described in Parcel 1 Chicago Title Commitment Number 031023725CML

Description of parcel to be deeded to City of Otsego.

Part of the Northeast 1/4 of Section 22 and part of the Southeast 1/4 of Section 15, Town 01 North, Range 12 West, City of Otsego, Allegan County, Michigan described as: Commencing at the Southeast corner of Lot 1, Townsend's Addition To The Village (now City) Of Otsego thence South 00°31'49" West 33.41 feet along the extension of the West line of John Street to the South line of Helen Avenue and the Point of Beginning; thence continuing South 00°31'49" West 200.00 feet along the extension of the West line of John Street; thence South 80°55'09" East 34.96 feet to a point being 885.50 feet West of the East line of Section 22; thence North 00°04'20" East 200.00 feet parallel to the East line of Section 22 to the South line of Helen Avenue; thence North 80°30'00" West 33.38 feet along the South line of Helen Avenue to the Point of Beginning.

Note: This drawing was made from the description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions.

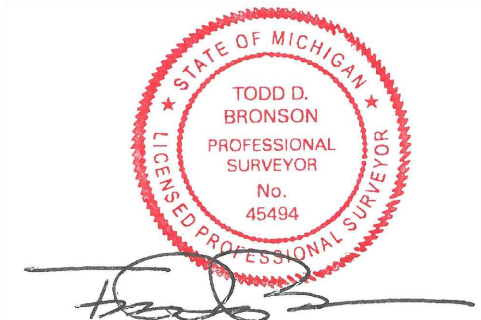


Date	Drawn	Job Number
08/28/2017	tdb	2211603

P.O. Box 410 Phone (616) 895-7190  
 Allendale, MI 49401 Fax (616) 895-7191

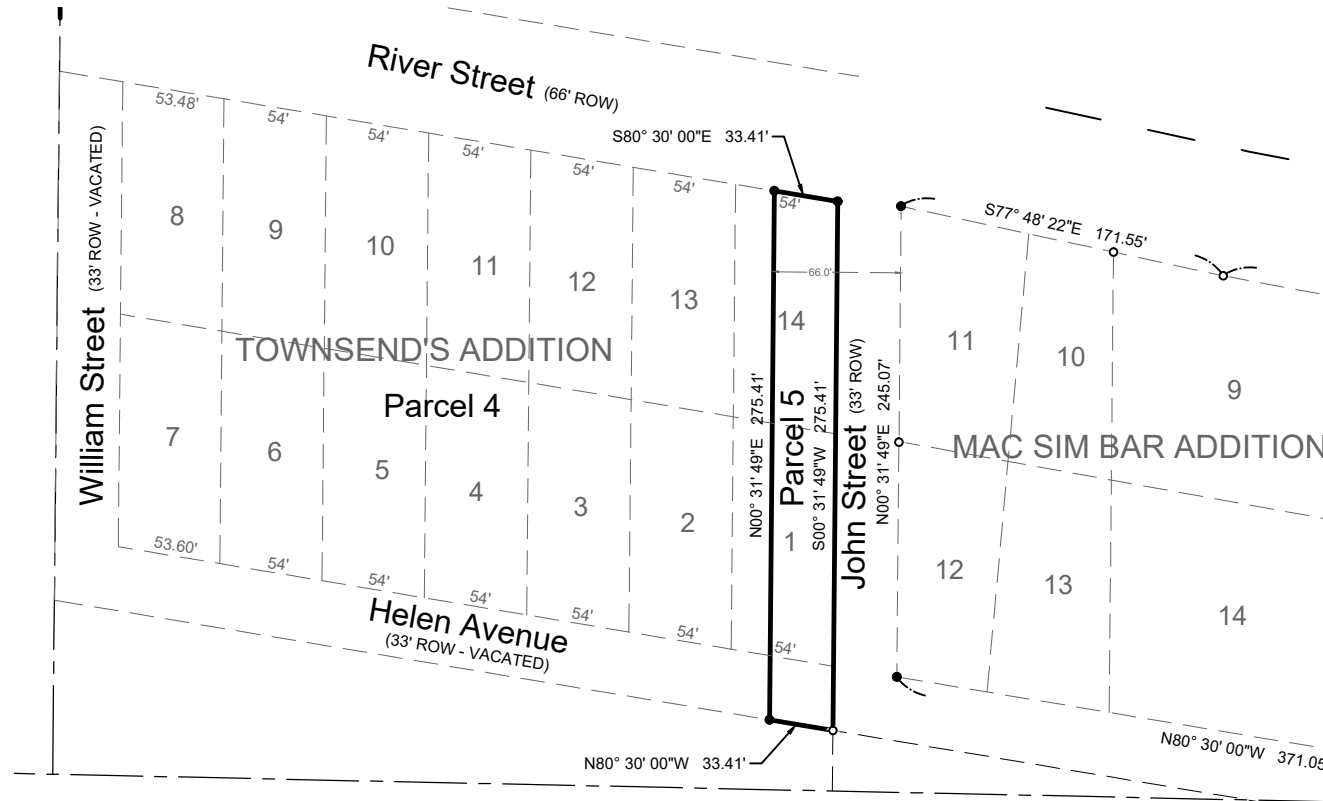
**SURVEYOR'S CERTIFICATE**

I hereby certify that this survey has been prepared in conformance with the requirements of Act No. 132, P.A. 1970, as amended and that the error of closure is less than 1 in 5000.

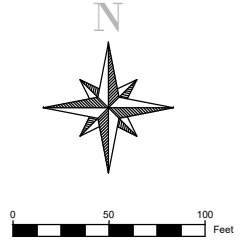


Todd D. Bronson

RLS No.: 45494



Scale 1" = 100'  
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**Parcel 4:**

Lots 1 through 14, inclusive of Townsends Addition to the Village (now City) of Otsego, including that part of vacated William Street and vacated Helen Avenue appertaining thereto; EXCEPT commencing at the northeast corner of Lot 14 thence South 00°31'49" West 275.41 feet along the east line of Lots 1 and 14 and the extension thereof to the south line of Helen Avenue; thence North 80°30'00" West 33.41 feet along the south line of Helen Avenue; thence North 00°31'49" East 275.41 feet to the north line of Lot 14; thence South 80°30'00" East 33.41 feet along the north line of Lot 14 to the Point of Beginning, according to the recorded plat thereof on file and of record in the Office of the Register of Deeds in and for Allegan County, Michigan as recorded in Liber 2 of Plats on page 59.

**Parcel 5:**

That part of Lots 1 and 14, of Townsends Addition to the Village (now City) of Otsego, including that part of vacated Helen Avenue appertaining thereto described as; Commencing at the northeast corner of Lot 14 thence South 00°31'49" West 275.41 feet along the east line of Lots 1 and 14 and the extension thereof to the south line of Helen Avenue; thence North 80°30'00" West 33.41 feet along the south line of Helen Avenue; thence North 00°31'49" East 275.41 feet to the north line of Lot 14; thence South 80°30'00" East 33.41 feet along the north line of Lot 14 to the Point of Beginning, according to the recorded plat thereof on file and of record in the Office of the Register of Deeds in and for Allegan County, Michigan as recorded in Liber 2 of Plats on page 59.



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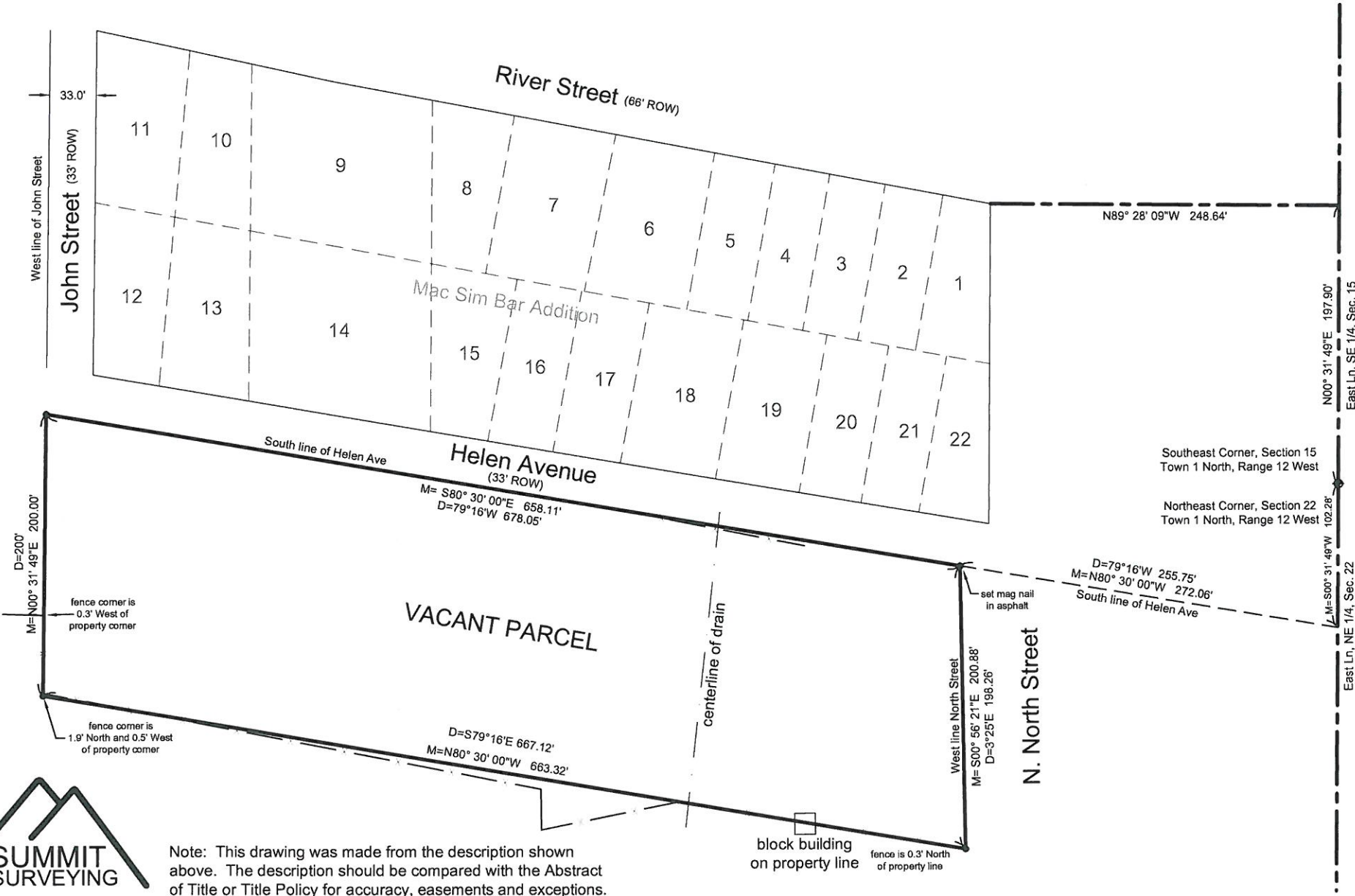
Date	Drawn	Job Number
10/26/16	tdb	2211603

P.O. Box 410 Phone (616) 895-7190  
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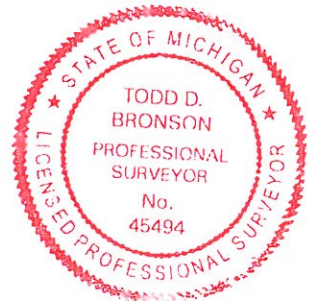
We certify that we have examined the premises described, that buildings and improvements are within the property lines, and that there are no visible encroachments except as shown or noted below.

- Scale 1" = 100'
- = Concrete
  - D = Description dimension
  - M = Measured dimension
  - P = Platted dimension
  - = Set iron stake
  - = Found iron stake
  - = Fence

Sheet 1 of 2



Prepared for: City of Otsego  
 RE: 301 Helen Ave. (03-54-022-006-00)



By:   
 Todd D. Bronson  
 Licensed Professional Surveyor No. 45494



Note: This drawing was made from the description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions.

Date	Drawn	Job Number
10/26/16	tdb	2211603

P.O. Box 410 Phone (616) 895-7190  
 Allendale, MI 49401 Fax (616) 895-7191

We certify that we have examined the premises described, that buildings and improvements are within the property lines, and that there are no visible encroachments except as shown or noted below.

Description (per Warranty Deed L1533, Pg 316): A parcel of land situated in Section 22 and 15, town 1 north, range 12 west, and more particularly described as follows: Commencing at the northeast corner, section 22, town 1 north, range 12 west, thence south along the east line of section 22 103.4 feet to intersection of south line of Helen Avenue, thence north 79 degrees 16' west along the south line of Helen Avenue to west line of North Street 255.75 feet to place of beginning, thence continuing north 79 degrees 16' west along the south line of Helen Avenue 678.05 feet to the intersection of the southerly extension of the westerly line of Johns Street, thence South 200.00 feet, thence south 79 degrees 16' east parallel with south line of Helen Avenue 667.12 feet to the west line of North Street, thence north 3 degrees 25' east along the west line of North Street 198.26 feet to the place of beginning.

Subject, however, to an exception and reservation of right of ingress and egress from Helen Avenue to property formerly owned by Babcock's Tissue Paper Company as granted by deed Liber 192, Page 205, and exception of that part now occupied by side tracks crossing the premises, all as more fully recited in the exceptions and reservations contained in the deed given by Mac Sim Bar Paper Company to Allied Paper Company, dated April 29, 1928, and recorded June 14, 1928, in Liber 180 of Deeds, at Page 554.

The above described parcel is also described as follows: Commencing at the southeast corner of Section 15, town 1 north, range 12 west, and running thence north 200.50 feet, thence west 245.42 feet to the northeast corner of the recorded plat of Mac Sim Bar Addition, thence south 228.41 feet to the southeast corner of said plat, thence north 80 degrees 23' 41" west along the southerly line of said plat, 3.63 feet, thence south 02 degrees 20' 04" west along the northerly extension of the west line of North Street, 33.24 feet to the point of intersection of the west line of North Street and the south line of Helen Street said point being the point of beginning of this description, thence north 80 degrees 23' 41" west along said south line, 678.86 feet to the southerly extension of the west line of John Street, thence south 01 degree 07' 41" east 199.40 feet, thence south 80 degrees 19' 40" east 666.82 feet to the west line of north street, thence north 02 degrees 20' 04" east along said line, 198.28 feet to beginning.

Survey Description: Part of the Northeast ¼ of Section 22 and part of the Southeast ¼ of Section 15, Town 1 North, Range 12 West, City of Otsego, Allegan County, Michigan, described as: Commencing at the Northeast corner of said Section 22 thence South 00°31'49" West 102.28 feet along the East line of said Northeast ¼ to the South line of Helen Avenue, thence North 80°30'00" West 272.06 feet along said South line of Helen Avenue to the West line of North Street and the Point of Beginning; thence South 00°56'21" West 200.88 feet along said West line of North Street; thence North 80°30'00" West 663.32 feet parallel with the South line of Helen Avenue to the West line of John Street extended south; thence North 00°31'49" East 200.00 feet along the extension of the West line of John Street to the South line of Helen Avenue; thence South 80°30'00" East 658.11 feet along the South line of Helen Avenue to the Point of Beginning.

Prepared for: City of Otsego

RE: 301 Helen Ave. (03-54-022-006-00)



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Sheet 2 of 2



By:

Todd D. Bronson  
 Licensed Professional Surveyor No. 45494