

COLFAX TOWNSHIP
OCEANA COUNTY, MICHIGAN

(RESOLUTION NO. 24-5)

RESOLUTION 2024 Lakeview St Abandonment

WHEREAS, the Oceana County Board of Road Commissioners passed Resolution No. 1 "Lakeview Drive (Colfax Township) Abandonment" at its regular Board meeting on September 25, 2024, to absolutely abandon and discontinue Lakeview Drive in the Plat of Wenonah, Colfax Township, Section 15, T16N – R15, from 186th Avenue West to the dead end for a total of .40 miles; and,

WHEREAS, pursuant to MCL 224.18(3), upon absolute abandonment of a county road, the road ceases to exist as a public highway, unless the local unit of government that acquires the property or control of the property permits use as a public highway; and

WHEREAS, Colfax Township does not intend to maintain Lakeview Drive in the Plat of Wenonah, Colfax Township, Section 15, T16N – R15, from 186th Avenue West to the dead end for a total of .40 miles as a public highway; and

WHEREAS, pursuant to *Dalton Township v Muskegon County Bd of Com'rs*, 223 Mich App 53 (1997), where a county absolutely abandons a road or right-of-way, the ownership and control of the road or right-of-way reverts to the abutting property owners; and

NOW THEREFORE BE IT HEREBY RESOLVED that the Township Board determines that it will not exercise jurisdiction or control over Lakeview Drive in the Plat of Wenonah, Colfax Township, Section 15, T16N – R15, from 186th Avenue West to the dead end for a total of .40 miles, for use as a public road.

BE IT FURTHER HEREBY RESOLVED that Lakeview Drive, as described herein, shall, pursuant to law, revert to the ownership and control of the abutting property owners who shall be responsible for the maintenance and control of the road.

BE IT FURTHER HEREBY RESOLVED that the Township reserves a utility easement to access Lakeview Drive in the Plat of Wenonah, Colfax Township, Section 15, T16N – R15, from 186th Avenue West to the dead end for a total of .40 miles.

All resolutions or parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded to the extent of the conflict. All prior actions taken regarding the loan are hereby ratified.

Motion was made by Shelby Branch, seconded by Bird Norton, to adopt the foregoing resolution.

Upon roll call vote the following voted "aye":

Brad Norton, Shelby Branch, David Leonard, Corinne Norton

The following voted "nay":

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The following were absent:

Strip Overway

The Supervisor declared the Motion carried and the Resolution duly adopted.

COLFAX TOWNSHIP

David Leonard
David Leonard
Colfax Township Supervisor
5594 N 192nd Ave
Walkerville MI 49459
(616)824-8867

STATE OF MICHIGAN)
)ss.
COUNTY OF OCEANA)

I, Corinne Norton., Colfax Township Clerk, hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of the Township of Colfax at a regular meeting held on November 6, 2024, in compliance with law.

IN WITNESS WHEREOF, I have affixed my official signature this 6th day of
November, 2024.

Corinne Norton
Treasurer, Jr.
Charter Township of Niles Clerk