

ORDINANCE NO. 129

AN ORDINANCE TO AUTHORIZE THE PRIVATE SALE OF CERTAIN REAL ESTATE OWNED BY THE VILLAGE OF DECATUR, VAN BUREN COUNTY, MICHIGAN.

THE VILLAGE OF DECATUR, MICHIGAN ORDAINS:

Section 1: STATUTORY AUTHORITY FOR PRIVATE SALE. Pursuant to the provisions of M.S.A. 5.1288 (MCL 67.4) the Village Council of the Village of Decatur, Michigan hereby determines that it is in the best interest of the Village of Decatur, Van Buren County, Michigan to make a private sale of certain Village owned real estate, hereinafter described, to Robert W. Flory Sr. and Debora L. Haefner as Joint Tenants and Not as Tenants in Common, of 85085 Harrison Street, Decatur MI 49045, pursuant to the terms hereinafter set forth.

Section 2: DESCRIPTION OF REAL ESTATE. The real estate hereby authorized to be sold is a vacant parcel of real estate situated in the Village of Decatur, Van Buren County, Michigan, viz:

PARCEL NO. 1: Part of Lots 9 and 10, Block 16, of the Village of Decatur, Van Buren County, Michigan, according to the 1905 recorded Plat thereof as recorded in Liber 2 of Plats, page 31, Van Buren County MI Register of Deed Records, being part of the Northeast Quarter of Section 20, Town 4 South, Range 14 West, and more particularly described as: Commencing at the East Quarter post of Section 20, Town 4 South, Range 14 West; thence West along the East and West Quarter line of said Section, 2006.50 feet to the West line of Harrison Street as monumented, being in the Plat of Harrison's Addition to the Village of Decatur as recorded in Liber 10 on page 238 of Van Buren County Records; thence North 00 degrees 48' 42" West, along the West line of Harrison Street as monumented, 989.32 feet to the South line of Block 16 as monumented, occupied and shown on a survey by T. A. Smith, County Surveyor dated November 24, 1944 with an addition on April 4, 1950 and with additions by W. Q. Smith County Surveyor on November 5, 1952 and September 4, 1964 and the point of beginning of the land herein described; thence North 00 degrees 48' 42" West, along the East line of the West Half of Lot 10 of said Block 16 a distance of 148.50 feet; thence North 89 degrees 59' 38" West a distance of 99.00 feet to the West line of said Lot 9; thence South 00 degrees 48' 42" East, along the West line of said Lot 9 a distance of 148.50 feet to the South line of Block 16 as monumented, occupied and shown on a survey by T. A. Smith, County Surveyor dated November 24, 1944 with an addition on April 4, 1950 and with additions by W. Q. Smith County Surveyor on November 5, 1952 and September 4, 1964; thence South 89 degrees 59' 38" East, along said South line 99.00 feet to the place of beginning, according to a Survey by Southwest Survey & Engineering Co., Inc. of Paw Paw MI, dated May 24, 1999.

PARCEL NO. 2: Part of Lots 9 and 10, Block 16, of the Village of Decatur, Van Buren County Michigan, according to the 1905 recorded Plat thereof as recorded in Liber 2 of Plats, page 31, Van Buren County MI Register of Deed Records, being part of the Northeast Quarter of Section 20, Town 4 South, Range 14 West, and more particular described as: Commencing at the East Quarter post of Section 20, Town 4 South, Range 14 West; thence West along the East and West Quarter line of said Section, 2006.50 feet to the West line of Harrison Street as monumented, being in the plat of Harrison's Addition to the Village of Decatur as recorded in Liber 10 on page 238 of Van Buren County Records; thence North 00 degrees 48' 42" West, along the West line of Harrison Street as monumented, 989.32 feet to the South line of Block 16 as monumented, occupied and shown on a survey by T. A. Smith, County Surveyor dated November 24, 1944 with an addition on April 4, 1950, and with additions by W. Q. Smith County Surveyor on November 5,

1952 and September 4, 1964; thence North 00 degrees 48' 42" West, along the East line of the West Half of Lot 10 of said Block 16 a distance of 148.50 feet to the point of beginning of the land herein described; thence continuing North 00 degrees 48' 42" West, along the East line of the West Half of Lot 10 of said Block 16 a distance of 148.50 feet to the North line of said Lot 10, said North line also being the South line of Michigan Avenue; thence North 89 degrees 59' 38" West, along the North line of Lot 10 and Lot 9 of said Block 16 a distance of 99.00 feet to the Northwest corner of Lot 9 of Block 16; thence South 00 degrees 48' 42" East, along the West line of said Lot 9 a distance of 148.50 feet; thence South 89 degrees 59' 38" East 99.00 feet to the place of beginning, according to a Survey by Southwest Survey & Engineering Co., Inc. of Paw Paw MI, dated May 24, 1999.

Section 3: TERMS OF SALE. The sales price is the sum of \$5,500.00, payable in cash, upon execution of a Warranty Deed conveying title to said real estate to Robert W. Flory Sr. and Debora L. Haefner. The Village of Decatur further agrees to pay all State and County Transfer taxes and to furnish a policy of Title Insurance showing good and marketable title in its name.

Section 4: AUTHORITY TO EXECUTE DOCUMENTS. Upon payment of the aforesaid sales price, David D. Moormann and Norma Strickler the Village President and Clerk respectively, are hereby authorized and directed to execute on behalf of the Village of Decatur, a Warranty Deed conveying said real estate to Robert W. Flory Sr. and Debora L. Haefner as Joint Tenants and Not as Tenants in Common, together with any and all other documents that may be required or necessary.

Section 5: EFFECTIVE DATE. This Ordinance shall become effective the 13th day of September, 1999.

Adopted by the Village Council of the Village of Decatur, Michigan on this 13th day of September, 1999.