

CHARTER TOWNSHIP OF SOUTH HAVEN

RESOLUTION NO. 13-12

RESOLUTION RESCINDING PORTION OF 2013-2017 RECREATION PLAN

At a regular meeting of the Township Board (the "Township Board") of the Charter Township of South Haven, Van Buren County, Michigan (the "Township") held at the Township Offices on the 13th day of November, 2013 at 7:30 p.m.

PRESENT: Bertorelli, Fisher, DeGrandchamp, Kiry and Jessup

ABSENT: Stein and Dopp

The following preamble and resolution was offered by Bertorelli and seconded by Jessup.

WHEREAS, the South Haven Recreation Authority ("SHARA") and South Haven Charter Township published a 2013-2017 Recreation Plan.

WHEREAS, on February 13, 2013, the Township Board voted in favor of adopting the 2013-2017 Recreation Plan.

WHEREAS, the 2013-2017 Recreation Plan identifies a 14th Avenue Park at the end of 14th Avenue where it intersects with 77th Street.

WHEREAS, the 2013-2017 Recreation Plan includes an overview of 14th Avenue Park which erroneously states that "The beach is approximately 132 feet in width . . .".

WHEREAS, the 2013-2017 Recreation Plan includes an aerial photograph of the 14th Avenue Park which includes a visual depiction of erroneous boundaries of 14th Avenue Park.

WHEREAS, the Township has jurisdiction and a lawful right to reasonable control over the 66 foot wide 14th Avenue public highway from the intersection of 14th Avenue and 77th Street to the shores of Lake Michigan.

WHEREAS, the Township desires to clarify to the public that the Township does not assert any ownership interest in, or the existence of a public highway over, the lands immediately to the north and south of the 66 foot wide 14th Avenue public highway from the intersection of 14th Avenue and 77th Street to the shores of Lake Michigan.

NOW, THEREFORE, the Township Board resolves as follows:

1. The Township rescinds that portion of the 2013-2017 Recreation Plan which describes and visually depicts a 132 foot wide beach as part of 14th Avenue Park.

2. The Township rescinds the February 13, 2013 decision by the Township Board adopting the description and visual depiction of a 132 foot wide beach at 14th Avenue Park.

3. The Township does not assert any ownership interest in the lands immediately to the north and south of the 14th Avenue 66 foot wide public highway from 77th Street to Lake Michigan.

4. The Township does not assert that a public highway exists immediately to the north and south of the 14th Avenue 66 foot wide public highway from 77th Street to Lake Michigan.

5. The Township shall continue to exercise its right to reasonable control of the 66 foot wide 14th Avenue public highway for all purposes permitted by law.

6. Any and all resolutions that are in conflict with this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

A vote on the foregoing resolution was taken and was as follows:

YEAS: 5

NAYS: 0

STATE OF MICHIGAN)
)
COUNTY OF VAN BUREN)

I, the undersigned, the duly qualified and acting Township Clerk of the Charter Township of South Haven, Van Buren County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Township Board of said Township at a regular meeting held on November 13, 2013.

Brenda Bertorelli, South Haven Township Clerk