

## Resolution/Petition for Annexation

Village of Augusta, Kalamazoo County, Michigan (the "Village").

A regular meeting of the Village Council (the "Council") of the Village was held in the Augusta Village Hall, Augusta, Michigan, in the Village, on Monday, the 5<sup>th</sup> day of December, 2005, at 7 o'clock in the p.m.

The meeting was called to order by President James Schultz.

Present: Council Members

Schultz, Thomas, Beatty, Padgett, Crounce, Stephens, Bournay

Absent: Council Members

NONE

The following preamble and resolution were offered by Council Member Beatty and supported by Council Member Padgett:

### WHEREAS:

1. Galesburg-Augusta Community Schools, Kalamazoo County, Michigan (the "District") is the sole owner of, and holds record title to, the parcel of real property described in Exhibit "A" and Exhibit "B", attached hereto and incorporated herein, property located in the Township of Ross, Kalamazoo County, Michigan (the aggregate of which is hereinafter referred to as the "School Property,")
2. No qualified electors reside on the School Property; and
3. The School Property is currently situated within the corporate limits of the Township of Ross (the "Township"), a general law township organized and operating under the laws of the General Law Township Act (MCL 41.1, *et seq.*); and
4. The School Property is contiguous and adjacent to the corporate limits of the Village, which is a general law Village organized and operating under the General Law Village Act, Public Act 3 of 1895, as amended (MCL 61.1, *et seq.*) (the "Village Act"); and
5. The Council finds that the School Property must be detached from the Township and annexed to the Village in order for the District to obtain water, sewer, and other municipal services from the Village for the School Property, such water, sewer, and other municipal services being necessary and advantageous for the welfare of the District, its pupils and the Augusta community; and
6. Section 6 of the Village Act (MCL 74.6) prescribes the procedures and requirements for detaching property from a general law township and annexing that property to a general law village. Specifically, that law provides that the Village Council for the Village may alter the boundaries of the Village by petitioning the Kalamazoo County Board of Commissioners, and that

the Kalamazoo County Board of Commissioners may, after conducting a hearing regarding the proposed annexation, approve the annexation; and

7. The District has requested that the Village approve the detachment of the School Property from the Township and the annexation of that property to the Village pursuant to a resolution adopted by its Board of Education on 08/08, 2005, a copy of which has been filed with the Village. Further, pursuant to a resolution adopted on 03/14, 2006, a copy of which has been filed with the Village, the Township Board for the Township has approved the detachment and annexation of the School Property.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. The Council hereby approves the proposed annexation, and **PETITIONS** the Kalamazoo County Board of Commissioners to take all necessary actions to annex the School Property to the Village pursuant to Section 6 of the Village Act (MCL 74.6). Specifically, the Council requests that the Kalamazoo County Board of Commissioners approve the detachment of the School Property from the Township and the annexation of that property to the Village.

2. The Council further requests that the Kalamazoo County Board of Commissioners, after receiving said petitions/resolutions and conducting the hearing required by Section 6 of the Village Act, find that the proposed annexation is in the best interests of the District, as well as the Augusta community, and approve the annexation of the School Property to the Village pursuant to Section 6 of the Village Act.

3. The Village President, Manager and/or Clerk, or a designee thereof, are hereby authorized to take all necessary and reasonable actions to accomplish the annexation of the School Property to the Village, including, but not limited to, the filing of this petition/resolution with the Kalamazoo County Board of Commissioners.

4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be, and the same are, hereby rescinded.

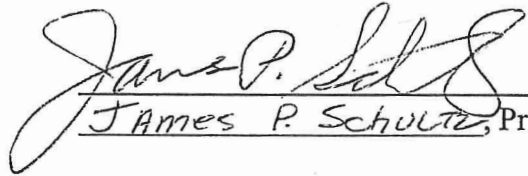
Ayes: Council Members

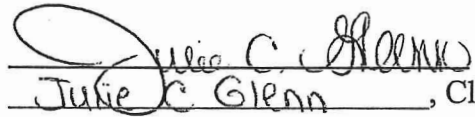
Schultz, Thomas, Beatty, Padgett, Cance, Stephens

Nays: Council Members

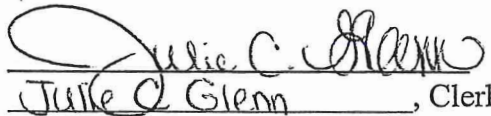
Bournay

Resolution declared adopted.

  
James P. Schultz, President

  
Julie C. Glenn, Clerk

The undersigned duly qualified and acting Clerk of the Village of Augusta, Kalamazoo County, Michigan, hereby certifies that the foregoing is a true and complete copy of a resolution adopted by the Village Council at a regular meeting held on 12/05, 2005, the original of which resolution is a part of the Village Council's minutes, and further certifies that notice of the meeting was given to the public pursuant to the Open Meetings Act, 1976 PA 267, as amended.

  
Julie C. Glenn, Clerk