

Examined and Approved

Dec 22 1920
J. L. Hunter
Deputy Auditor General

MARQUETTE SUB-DIVISION

42-43-54 OF ENTIRE BLOCKS
21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100

VIRGINIA COMPANY ADDITION

TO THE
VILLAGE OF NEW BUFFALO
NEW BUFFALO TWP.
BERRIEN COUNTY Y, MICH.

The land comprised in the certificate of the Virginia Company Addition is situated in the Village of New Buffalo, Berrien County, Michigan, and is divided into blocks as follows: Block 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

COUNTY TREASURER'S CERTIFICATE

I hereby certify that the above described land is a correct one and that permanent monuments consisting of iron pipes, one inch in diameter and two feet long have been placed at intervals in the boundaries of the land, and that the sections or streets of said land shown thereon are correct.

Witness my hand and seal of office at Berrien County, Michigan, this 22nd day of December, 1920.

James Blampton - Register

SURVEYOR'S CERTIFICATE

I hereby certify that the plat hereto attached is a correct one and that permanent monuments consisting of iron pipes, one inch in diameter and two feet long have been placed at intervals in the boundaries of the land, and that the sections or streets of said land shown thereon are correct.

Witness my hand and seal of office at Berrien County, Michigan, this 22nd day of December, 1920.

James Blampton - Register

DEDICATION

KNOW ALL MEN BY THESE PRESENTS: That we, Fred Matthews, and Anne Matthews his wife, of E. Irving, and Anne Irving, his wife, and Henry Gents and Elizabeth Gents, his wife, and their heirs, do hereby dedicate to the Village of New Buffalo, Berrien County, Michigan, the land and premises shown on the plat hereto attached, to be used as a public street, and that the streets and alleys shown thereon are hereby dedicated to the use of the public.

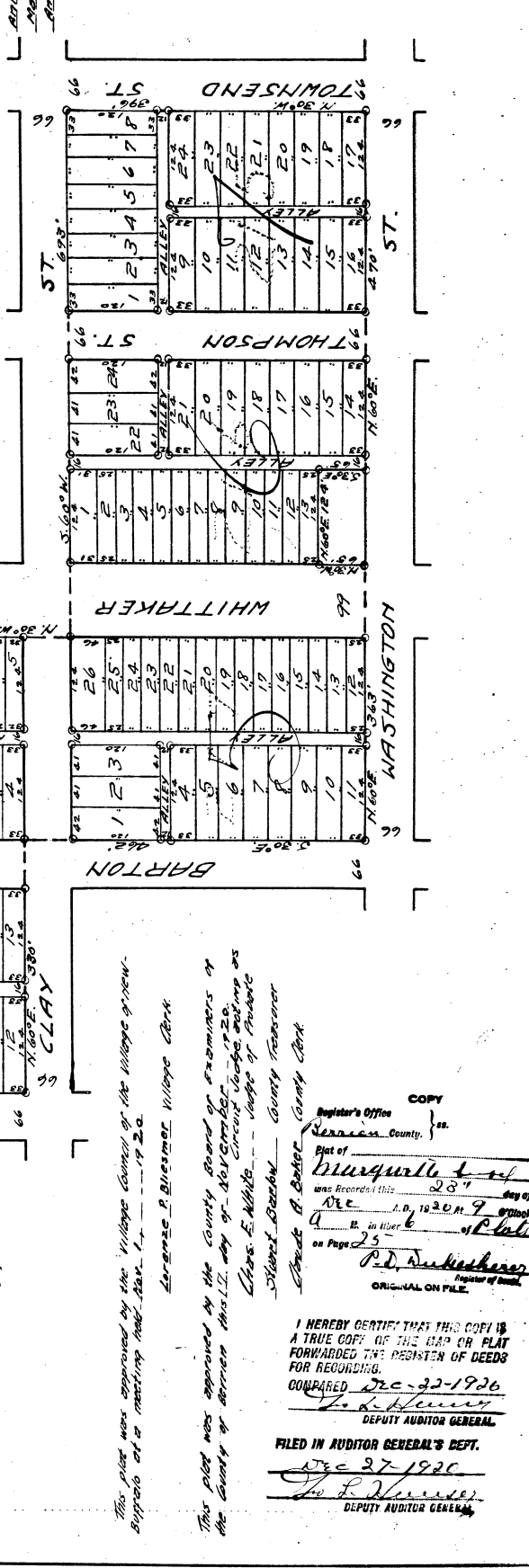
Witness my hand and seal of office at Berrien County, Michigan, this 22nd day of December, 1920.

Fred L. Matthews (Seal)
Anne Matthews (Seal)
Anne Irving (Seal)
Henry Gents (Seal)
Elizabeth Gents (Seal)

On this 22nd day of December, 1920, before me a Notary Public, in and for said county, personally appeared the above named Fred Matthews, Anne Irving, Henry Gents, and Elizabeth Gents, his wife, and they acknowledged to me that the persons who executed the above dedication are and acknowledge the same to be their free act and deed.

My Commission expires Aug. 13, 1922.

Charles C. O'Connor
Notary Public
Berrien Co., Mich.



This plat was approved by the Village Council of the Village of New Buffalo at a meeting held Nov. 1, 1920.

Lorraine P. Blumenthal Village Clerk

This plat was approved by the County Board of Examiners of the County of Berrien this 11th day of December, 1920.

Charles E. White - Judge of Probate
Edward Beeson - County Treasurer
Charles R. Baker - County Clerk

REGISTERED IN THE REGISTER OF DEEDS FOR RECORDING.

COMPARED Dec 22 1920
J. L. Hunter
DEPUTY AUDITOR GENERAL

FILED IN AUDITOR GENERAL'S DEPT.
Dec 27 1920
J. L. Hunter
DEPUTY AUDITOR GENERAL

ORIGINAL ON FILE.

County Board of Berrien County.

Rec \$25.00
Remon \$4.00
Tax Crt \$0.00

Recorded
October 05, 2007 11:13:29 AM

Liber 2813 Page 645-650
Receipt # 39840 DO #2007073607



Liber 2813 Page 645

Richard F. Ruby

STATE OF MICHIGAN
CIRCUIT COURT FOR THE 2ND JUDICIAL CIRCUIT
BERRIEN COUNTY

ROBERT L. COOK and NORMA COOK)
Plaintiffs,)
v.)
CITY OF NEW BUFFALO;)
INDIANA MICHIGAN POWER)
COMPANY; SEMCO ENERGY GAS)
COMPANY, JAY B. RISING,)
Treasurer for State of Michigan;)
ROGER H. ZILKE, Drain Commissioner)
for Berrien County Drain Commission;)
GLORIA J. JEFF,)
Director of Michigan Department of)
Transportation; and Property Owners)
Within Three Hundred feet (300') as)
shown on Exhibit A,)
Defendants.)

File No. 2006-2900-CH-T

Honorable Lynda A. Tolen

DANIEL P. DONNELLY (P12875)
RICHARD F. RUBY (P42645)
Richard F. Ruby, P.C.
Attorneys for Plaintiffs
P.O. Box 177
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(269) 469-0082

BARBARA A. SCHMIDT (P40530)
Michigan Department of Attorney General
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R. MCKINLEY ELLIOTT (P34337)
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St. Joseph, MI 49085
(269) 983-7111 ext. 8416

JOHN E. DEWANE (P12735)
Dewane, Peterson & Cullitan, PLC
Attorneys for Defendant IMPC
811 Ship Street, Suite 301
St. Joseph, MI 49085
(269) 983-0191

11-62

RECEIVED OCT - 5 2007

SECOND AMENDMENT TO CONSENT JUDGMENT TO VACATE
A PORTION OF A 16 FOOT PUBLIC ALLEY IN BLOCK 5 OF
MARQUETTE SUBDIVISON OF ENTIRE BLOCKS 42, 43, 54, 215, 217 AND PART OF
BLOCKS 53 AND 216 VIRGINIA COMPANY ADDITION TO THE VILLAGE OF NEW BUFFALO

NOW COMES Plaintiffs, ROBERT L. COCK and NORMA COOK, by and through their attorneys, RICHARD

F. RUBY, P.C., and states as follows:

1. On June 22, 2007, the Court entered a Consent Judgment in this matter.
2. While the amended plat was being prepared, an error was discovered in the legal description of the easement to Indiana Michigan Power Company.
3. The legal description in Paragraph 3 of the original Consent Judgment incorrectly stated the point of beginning of the easement as 201.47 feet when it should be 135.13 feet.
4. The legal description regarding the easement to Indiana Michigan Power Company shall be amended to read as follows:

Being 10.00 feet on each side and perpendicular to the following described centerline:
That part of Block 5, Marquette Sub-Division of Entire Blocks 42, 43, 54, 215, 217 and Part of Blocks 53 and 216 Virginia Company Addition to the Village of New Buffalo, which is described as: Beginning at a point on the Southerly line of Clay Street which is 135.13 ft. S. 60 Deg. 00' 00" W. of the Northeasterly corner of said Block 5, thence S. 65 Deg. 13' 26" E., 25.00 feet to the point of ending.
5. All other terms of the original Consent Judgment shall remain in full force and effect.

Dated: 9/5/07

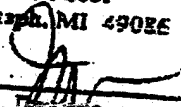
APPROVED AS TO FORM AND CONTENT:

Honorable Lynda A. Tolen
Circuit Court Judge

Barbara A. Schmidt (P40530)
Attorney for Defendants MDLEG and MDOT
Michigan Department of Attorney General
525 West Ottawa
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Richard F. Ruby (P42645)
Richard F. Ruby, P.C.
425 West Buffalo/P.O. Box 177
New Buffalo, MI 49117


John E. Peterson
Dewane Peterson & Cullitan PLC
Attorneys for Defendant IMPC
811 Ship Street, Suite 301
St. Joseph, MI 49085

C:\Data\Files\NB Elected Variance, Vacating Alley\Amended Consent Judgment.wpd

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 Deg. 13' 26" E., 25.00 feet to the point of ending.

3. All other terms of the original Consent Judgment shall remain in full force and effect.

Dated: 9/5/07

APPROVED AS TO FORM AND CONTENT:

Barbara A. Schmidt

Barbara A. Schmidt (P40530)
 Attorney for Defendants MDLEG and MDOT
 Michigan Department of Attorney General
 525 West Ottawa
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Honorable Lynda A. Tolon
 Circuit Court Judge

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C:\Dose\Fishe\ND Electric\Variance, Vazating Alley\Amendments Consent Judgment.wpd

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Dated: 9/5/07

LYNDA A. TOLEN

Honorable Lynda A. Tolen
 Circuit Court Judge

APPROVED AS TO FORM AND CONTENT:

see attached signature page
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CIRCUIT COURT OF BERRIEN
 I certify that I have compared this copy with the original on file in
 this court & that it is a true and correct copy of the whole of such original

SEP 7 2007

By *Deanna H. [Signature]*
 Deputy Clerk

Tom Johnson, City Mgr.
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New Buffalo, MI 49117

Jack Kennedy, Mayor
City Hall
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New Buffalo, MI 49117

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