STATE OF MICHIGAN
DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES
BEFORE THE STATE BOUNDARY COMMISSION

In the matter of:

Boundary Commission
Docket # 99-AP-12

The proposed annexation of territory in Williamstown Township and Wheatfield to the City of Williamston.

_____/

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter of the proposed annexation, consisting of the following territory in Williamstown Township and Wheatfield Township into the City of Williamston, is described as follows:

A parcel of land in Section 34, Town 4 North, Range 1 East, Williamstown Township, and Section 3, Town 3 North, Range 1 East, Wheatfield Township, Ingham County, Michigan, beginning at the Northeast corner of said Section 3, Town 3 North, Range 1 East, Wheatfield Township, Ingham County, Michigan; thence Southerly along the East line of said Section 3 to the North right-of-way line of the C & O railroad (100 feet wide); thence Westerly along said Northerly C & O Railroad right-of-way line to a point on the said Northerly right-of-way that is S 89°52′28″ E 1884.95 feet (measured along the North line of said Section 3) and S 03°16′36″ E 171.25 feet from the North ¼ corner of said Section 3, which is S 89°52′28″ E 1884.95 feet (measured along the North line of said Section 3) from the North ¼ corner of said Section 3; thence Easterly along the said North Section line to the Northeast corner of said Section 3 and the Point of Beginning. ALSO, Beginning at the Southeast corner of said Section 34; thence N 85°46′10″ W 520.0 feet on the South line of Section 34; thence N 16°16′10″ E to the South right-of-way line of Grand River Avenue; thence Southeasterly along the said South right-of-way line to the East line of Section 34; thence S 03°38′00″ E along the East line of said Section 34 to the Point of Beginning, with the EXCEPTION of the following described parcel: Beginning at the Southeast corner of said Section 34; thence N 85°46′10″ W 227.5 feet along the South line of said Section 34; thence N 01°24′10″ E to the center line of Grand River Avenue (Highway M-43, 100 ft. wide); thence Southeasterly along said M-43 centerline to the intersection with the East line of said Section 34; thence Southerly along the East line to the Southeast corner of said Section 34 and the Point of Beginning. Also, including that part of Grand River Avenue (100 feet wide) between the East and West parcel lines extended.

SUMMARY OF PROCEEDINGS

On August 27, 1999, a petition was filed by Airport Realty Company asking for the annexation of a portion of Williamstown Township and Wheatfield Township into the City of Williamston.

On September 9, 1999, an adjudicative meeting of the State Boundary Commission was held in Okemos to determine the legal sufficiency of the petition. The petition was declared to be legally sufficient, pursuant to Public Act 191 of 1968, as amended, and Public Act 279 of 1909, as amended.

On January 5, 2000, a public hearing was held in the City of Williamston to receive testimony given pursuant to Public Act 191 of 1968, as amended.

On May 11, 2000, at an adjudicative meeting held in Okemos, State Boundary Commissioners VerBurg, Rutledge and Walker and Ingham County Boundary Commissioners Vigmostad and West voted to postpone adjudication of this docket until July 13, 2000.

On July 13, 2000, at an adjudicative meeting held in Lansing, State Boundary Commissioners VerBurg, Rutledge and Walker and Ingham County Boundary Commissioner Vigmostad voted in favor of a motion to recommend that the Director of the Department of Consumer & Industry Services deny the annexation petition and Ingham County Boundary Commissioner White abstained from voting on the motion.

On August 10, 2000, at an adjudicative meeting held in Lansing, State Boundary Commissioners Rutledge and Walker and Ingham County Boundary Commissioner West voted to recommend approval of the Draft Findings of Fact and Conclusions of Law, and to recommend that the Director of the Department of Consumer & Industry Services issue an Order denying the annexation petition.

INFORMATION FROM THE RECORD

The Petitioner, City of Williamston ,Williamstown Township and Wheatfield Township requested that the State Boundary Commission deny this petition because an Act 425 Agreement had been reached concerning the subject property.

FINDINGS OF FACT

The broader community is better served by the Act 425 Agreement between the City of Williamston and Williamstown Township and Wheatfield Township concerning the subject property than by any decision the State Boundary Commission could make regarding this petition.

CONCLUSIONS OF LAW

The record of this docket, in accordance with the criteria stipulated under Section 9 of the Public Act 191 of 1968, as amended, supports the recommendation of the Commission that the Director of the Department of Consumer & Industry Services sign the attached Order denying the annexation and adopting the Findings of Fact and Conclusions of Law.

David Rutledge, Acting Chairperson
State Boundary Commission

Date

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FINAL ORDER

IT IS ORDERED THAT this petition for annexation of certain territory in Williamstown Township and Wheatfield Township to the City of Williamston be denied.

IT IS FURTHER ORDERED THAT the attached Findings of Fact and Conclusions of Law and this Order shall be effective thirty days after the Director of the Department of Consumer and Industry Services signs the Order.

IT IS FURTHER ORDERED THAT the State Boundary Commission shall transmit a certified copy of this Order and the attached Findings of Fact and Conclusions of Law to the petitioner and to the clerks of the City of Williamston, Williamstown Township, Wheatfield Township and Ingham County.

_____
Kathleen M.Wilbur, Director
Michigan Department of Consumer & Industry Services

_____
Date