

ROBERT CHARLES DAVIS
City of Marine City Attorney

ATTORNEY CLIENT COMMUNICATION

TO: City Manager / City Clerk
FROM: Robert Charles Davis
RE: 2nd Supplemental Memorandum on
Sale of Guy Center / Park Property
DATE: August 16, 2022

I. INTRODUCTION

The purpose of this second supplemental memorandum is to supplement and amend the documents dated July 25, 2022 and August 11, 2022. ("Prior Memos") It is clear action was taken by removing the Guy Center Property from the most recent Plan.

II. ANALYSIS

It is now clear that the Guy Center property was removed from the Master Plan as park property. That is evidenced by the controlling minutes and a comparison of the 2018-2022 Plan versus the 2021-2025 Plan as previously provided to you in the Prior Memos.


The Guy Center property, as confirmed at a meeting at the County Register of Deeds and as confirmed by the City Engineer, John Monte, is defined by the Plat as Plat Lot 138. (See Attached) Thus, the Guy Center property extends, as a box, from the right of way road to the water's edge. At the County, there was a discussion about the dimension because the water's edge, historically, is not fixed. Regardless, the County confirms the Plat, confirms the Guy Center is Plat Lot 138, and confirms that Plat Lot 138 extends to the water's edge.

The Guy Center property, as described above, was removed as park property from the Master Plan and the City Commission voted to sell the Guy Center Property after it was removed from the Master Plan as park property.

Currently, the sale includes less than the total Plat Lot 138, leaving the valuable land nearest the waterline in the ownership of the City. That unsold portion of Plat Lot 138 can be returned to the Plan as Park Property after the sale is negotiated and completed. This will prevent any new owner of the Guy Center property as defined by the sale, from having legal Riparian Rights to the water's edge and such rights will remain with the City.

III. CONCLUSIONS

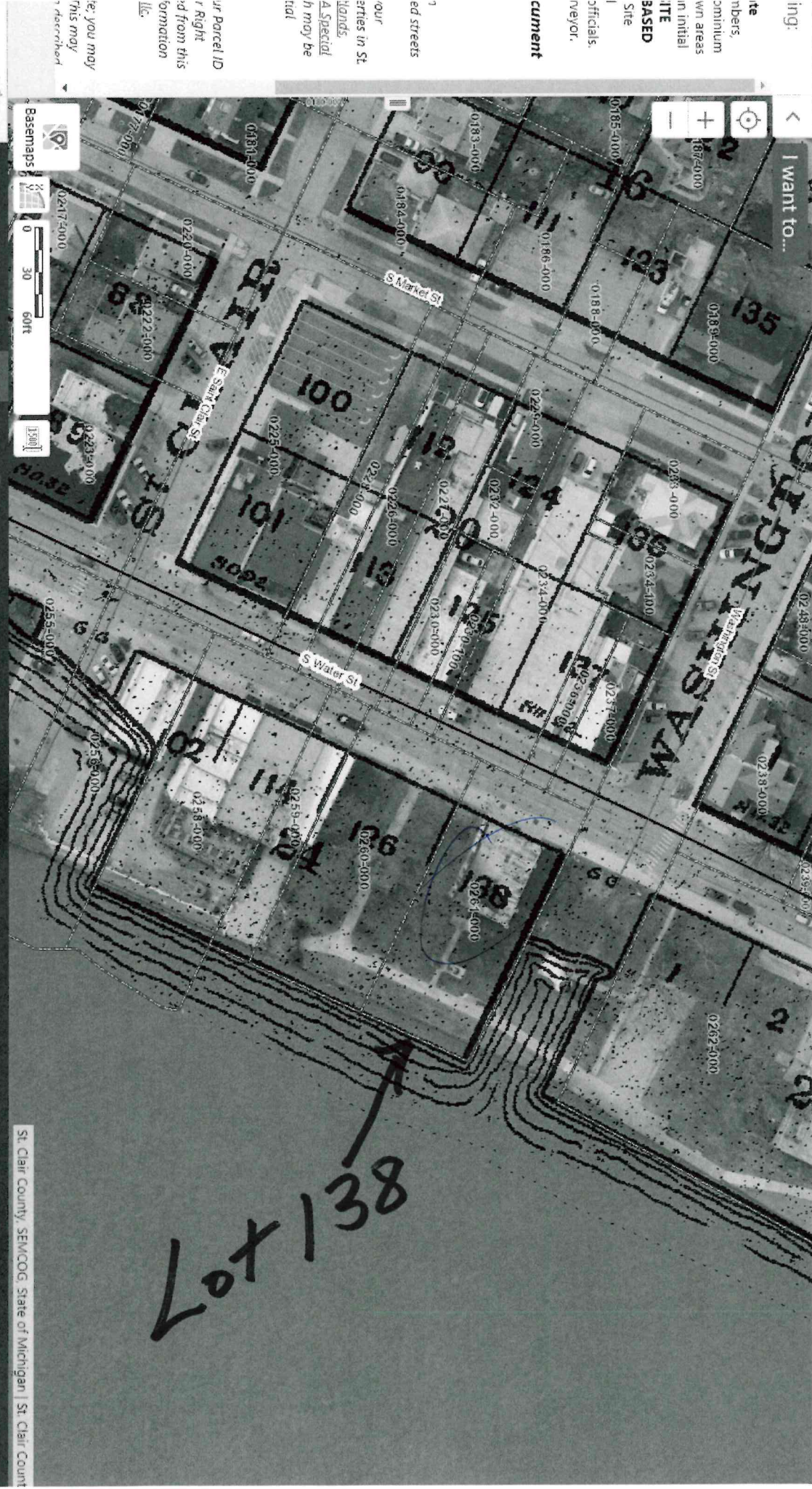
1. The Guy Center property is Plat Lot 138.
2. Plat Lot 138 extends from the Road Right of Way to the water's edge as evidenced by the Plat, as confirmed by the County and as confirmed by the City Engineer.
3. The sale of the Guy Center property should reserve to the City -- and then to the park system -- the property that abuts the water's edge so as to preserve the riverfront Riparian Rights to the City and not any new property owner.
4. The proposed sale extends the Guy Center property only in the dimensions presented by the most recent surveys. Those surveys accomplish a defined sale that is consistent with paragraph # 3 above.
5. No further action by the Planning Commission or the City Commission is required except the City Commission is required to review and approve a purchase agreement to effectuate the sale.
6. The unsold Riverfront property of Plat Lot 138 should be returned to the Plan as Park property.


Robert Charles Davis

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303 S WATER ST MARINE CITY, MI 48039 (Property Address)

Parcel Number: 02-475-0261-000



Item 1 of 2 2 Images / 0 Sketches

Property Owner: CITY OF MARINE CITY-GUY CENTER**Summary Information**

> Commercial/Industrial Building Summary

- Yr Built: N/A
- # of Buildings: 1
- Total Sq Ft.: 2,400

> Property Tax information found

> Assessed Value: \$0 | Taxable Value: \$0

Owner and Taxpayer Information**Owner**

**CITY OF MARINE CITY-GUY
CENTER**
260 S PARKER
MARINE CITY, MI 48039

Taxpayer**SEE OWNER INFORMATION****General Information for Tax Year 2022**

Property Class	201 COMMERCIAL-IMPROVED	Unit	02 CITY OF MARINE CITY
School District	EAST CHINA TWP SCHOOL DIST	Assessed Value	\$0
MAP #	No Data to Display	Taxable Value	\$0
STATUS	0	State Equalized Value	\$0
REVISED	Not Available	Date of Last Name Change	04/06/2022
AERIAL	Not Available	Notes	Not Available
Historical District	Not Available	Census Block Group	Not Available
YR APPR	Not Available	Exemption	No Data to Display

Principal Residence Exemption Information**Homestead Date** No Data to Display

Principal Residence Exemption	June 1st	Final
2022	0.0000 %	0.0000 %

Previous Year Information

Year	MBOR Assessed	Final SEV	Final Taxable
2021	\$0	\$0	\$0
2020	\$0	\$0	\$0
2019	\$0	\$0	\$0

Land Information

Zoning Code		Total Acres	0.307
Land Value	\$0	Land Improvements	\$0
Renaissance Zone	No	Renaissance Zone Expiration Date	No Data to Display
ECF Neighborhood	EXEMPT PARCELS	Mortgage Code	No Data to Display
Lot Dimensions/Comments	No Data to Display	Neighborhood Enterprise Zone	No

Lot(s)	width	Frontage	Depth
Lot 1		80.92 ft	165.00 ft
		Total Frontage: 80.92 ft	Average Depth: 165.00 ft

Legal Description

LOT 138 BLK 24 MAP OF THE VILLAGE OF MARINE T3N R16E SEC 01

Land Division Act Information

Date of Last Split/Combine	<i>No Data to Display</i>	Number of Splits Left	0
Date Form Filed	<i>No Data to Display</i>	Unallocated Div.s of Parent	0
Date Created	01/01/0001	Unallocated Div.s Transferred	0
Acreage of Parent	0.00	Rights Were Transferred	<i>Not Available</i>
Split Number	0	Courtesy Split	<i>Not Available</i>
Parent Parcel	<i>No Data to Display</i>		

Sale History

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms of Sale	Liber/Page
10/04/1973	\$46,000.00	WD			03-ARM'S LENGTH	1009/0873

Building Information - 2400 sq ft Governmental - Community Service Buildings (Commercial)

Floor Area	2,400 sq ft	Estimated TCV	\$145,469
Occupancy	Governmental - Community Service Buildings	Class	C
Stories Above Ground	1	Average Story Height	14 ft
Basement Wall Height	<i>Not Available</i>	Identical Units	<i>Not Available</i>
Year Built	<i>No Data to Display</i>	Year Remodeled	<i>No Data to Display</i>
Percent Complete	100%	Heat	Package Heating & Cooling
Physical Percent Good	40%	Functional Percent Good	100%
Economic Percent Good	100%	Effective Age	53 yrs

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Records Per Page:

1		Displaying items 1 - 2 of 2	
Address	Reference #	Name	
303 S WATER ST	02-999-0085-050 (Parcel Number)	US BANK NATIONAL ASSOC	**Personal Property
303 S WATER ST	02-475-0261-000 (Parcel Number)	CITY OF MARINE CITY-GUY CENTER	
1		Displaying items 1 - 2 of 2	

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