

**TO THE HONORABLE BOARD OF COMMISSIONERS OF BERRIEN COUNTY, MICHIGAN:** Your County Finance Committee respectfully recommends the adoption of the following:

**RESOLUTION**

**WHEREAS**, the Berrien County Board of Commissioners took over the Berrien County Road Commission in September of 2017, departmentalizing it, with their main location being at 2860 E. Empire, in Benton Harbor; and

**WHEREAS**, this property had an established easement that existed since August 20, 1929 for the area that has utility lines running diagonally across it, in the southern corner of the property; and

**WHEREAS**, Indiana and Michigan Electric (I&M), a unit of American Electric Power, has a project scheduled in the near future to upgrade the utility lines for reliability and safety; and

**WHEREAS**, in light of this upcoming project, I & M is updating all of the easements as well; and

**WHEREAS**, the changes to the easements includes updated language which more clearly defines the easement area and more specific language on what type of activities that are allowed in the easement area; and

**WHEREAS**, the Road Department has piles of materials and a structure located within the easement but has agreed to re-locate it for I & M to do the project; and

**WHEREAS**, I & M has agreed to pay \$2,500 to reimburse Berrien County for the costs associated with relocating the structure; and

**WHEREAS**, Corporate Counsel has worked extensively with I & M representatives to reach the agreement before the Berrien County Board of Commissioners.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the Berrien County Board of Commissioners approves the Supplemental Easement and Right of Way for the property described within and authorizes the Chairman of the Board to execute said documents.

**BE IT FURTHER RESOLVED** that County Administration is authorized to accept the \$2,500 payment.

**Respectfully submitted,  
BERRIEN COUNTY FINANCE COMMITTEE**

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Mamie L. Yarbrough, Chairperson

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Robert P. Harrison, Vice Chairman

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Ezra A. Scott

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Jon Hinkelman

RESOLUTION APPROVED AS TO FORM	
Administrator <u>SI</u>	Date <u>10-14-20</u>
Comments Attached _____	
Corporate Counsel <u>P/A</u>	Date <u>10/13/20</u>
Comments Attached _____	