

---

# WEXFORD COUNTY ROAD COMMISSION

*OUR MISSION IS TO IMPROVE AND MAINTAIN A SAFE AND EFFICIENT ROAD SYSTEM*

## Organizational Meeting

January 2, 2020

The meeting was called to order by the Clerk, Andrea Herman, at 7:30 a.m.

### Present:

Commissioners: Messrs. Haase, Falan, Jurik, and Leggett

Manager: Alan Cooper

Finance and Business Manager: Andrea Herman

Engineer: Karl Hanson

Superintendent: Mark Hurlburt

Fleet & Facilities Manager: Travis Smith

Visitor(s): None.

A motion was made by Commissioner Jurik and seconded by Commissioner Leggett to nominate Mr. Haase as Chairman and Mr. Falan as Vice Chairman for 2020. Roll call on the motion: Commissioner Falan, yes; Commissioner Jurik, yes; Commissioner Leggett, yes; Commissioner Haase, yes. Motion unanimously approved.

A motion was made by Commissioner Leggett and seconded by Commissioner Jurik to approve the minutes from the Budget Hearing of December 18, 2019 and the regular meeting of December 18, 2019, as presented. Roll call on the motion: Commissioner Jurik, yes; Commissioner Falan, yes; Commissioner Leggett, yes; Commissioner Haase, yes. Motion unanimously approved.

Addition to the Agenda: None.

Public Comment: None.

Previous Business: None.

### New Business:

A motion was made by Commissioner Jurik and seconded by Commissioner Falan to set the last Wednesday of each month, at 7:30 a.m., as the regular meeting of the Wexford County Road Commission, and set the December meeting and budget hearing on December 16, 2020 at 8:00 a.m. Roll call on the motion: Commissioner Falan, yes; Commissioner Leggett, yes; Commissioner Jurik, yes; Commissioner Haase, yes. Motion unanimously approved.

January 2, 2020

Page 2

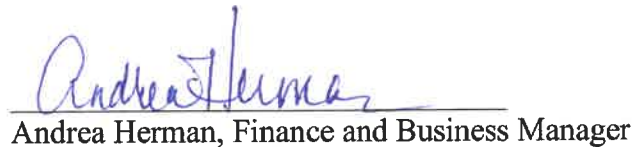
A motion was made by Commissioner Falan and seconded by Commissioner Jurik to pass the resolution approving acceptance of assignment of purchase agreement relating to real property as presented. Roll call on the motion: Commissioner Leggett, yes; Commissioner Jurik, yes; Commissioner Falan, yes; Commissioner Haase, yes. Motion unanimously approved.

A motion was made by Commissioner Leggett and seconded by Commissioner Jurik to purchase a 2020 Ford F550 from the MiDeal purchasing program. Roll call on the motion: Commissioner Falan, yes; Commissioner Jurik, yes; Commissioner Leggett, yes; Commissioner Haase, yes. Motion unanimously approved.

Mr. Hurlburt thanked the Board for cooking breakfast for the crew last month, it was appreciated.

There being no further business, the meeting was adjourned at 7:44 a.m.

  
Lorne Haase, Chairman

  
Andrea Herman, Finance and Business Manager

**ASSIGNMENT OF PURCHASE AGREEMENT**

The undersigned, GWSH, LLC, f/k/a GWSH, PC, of PO Box 537, Manistee, MI 49660 (“Assignor”), for value received, hereby sells, assigns and sets over to the BOARD OF COUNTY ROAD COMMISSIONERS FOR WEXFORD COUNTY, a public body corporate organized and existing under the laws of the State of Michigan, of 85 West M-115, Boon, MI 49618, (“Assignee”), all of Assignor’s right, title and interest in and to that certain Purchase Agreement between Assignor, as Purchaser, and LESLIE KIRK RAWLINGS, as Seller, dated November 28, 2019, and relating to those premises described on Exhibit A, attached hereto and incorporated herein by reference (the “Purchase Agreement”).

Assignor represents and warrants that (1) the Purchase Agreement is free, marketable, and clear of all liens, judgments, levies, trusts, security interests, taxes and encumbrances of any kind or nature; (2) that it has not sold, assigned or hypothecated the Purchase Agreement, or any interest therein and has full power and authority to execute, acknowledge and deliver this instrument; and, (3) that no action, demand or proceeding or investigation of any kind is pending or threatened against it to enjoin or prevent the assignment of the Purchase Agreement to Assignee in accordance with this instrument.

IN WITNESS WHEREOF, the undersigned has hereunto set its hand this 27<sup>th</sup> day of December, 2019.

GWSH, LLC

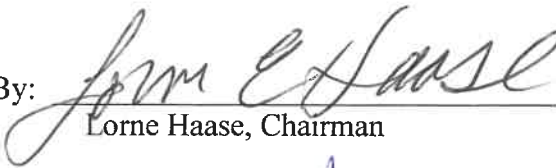
By: 


Richard M. Wilson, Jr., Member

**ACCEPTANCE OF ASSIGNMENT**

The undersigned, BOARD OF COUNTY ROAD COMMISSIONERS FOR WEXFORD COUNTY, Assignee, hereby **ACCEPTS** the foregoing Assignment this 2nd day of January, 2020 and agrees to perform all obligations of the Assignor thereunder.

BOARD OF COUNTY ROAD  
COMMISSIONERS FOR WEXFORD COUNTY

By:   
Lorne Haase, Chairman

By:   
Andrea Herman, Board Secretary

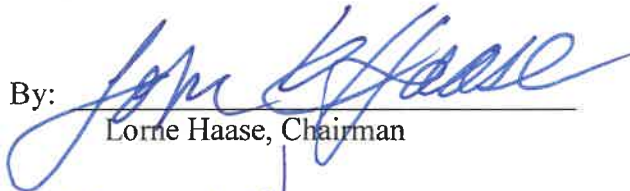
**NOTICE OF ASSIGNMENT**

TO: LESLIE KIRK RAWLINGS  
BETSY KIRBY, ERA Greater Northern Properties  
LAKESIDE TITLE, LLC

PLEASE TAKE NOTICE that GWSH, LLC, f/k/a GWSH, PC, has assigned to the BOARD OF COUNTY ROAD COMMISSIONERS FOR WEXFORD COUNTY, a public body corporate organized and existing under the laws of the State of Michigan, pursuant to the foregoing Assignment, all of its right, title and interest in and to that certain Purchase Agreement between GWSH, PC, as Purchaser, and LESLIE KIRK RAWLINGS, as Seller, dated November 28, 2019. The undersigned has accepted such assignment and agrees to perform all of the Assignor's obligations thereunder.

Dated: January 2, 2020

BOARD OF COUNTY ROAD  
COMMISSIONERS FOR WEXFORD COUNTY

By:   
Lorne Haase, Chairman


By:   
Andrea Herman, Board Secretary

EXHIBIT "A"  
LEGAL DESCRIPTION

Situated in the Township of Wexford, County of Wexford, and State of Michigan, and further described as:

A part of the Southeast quarter (SE 1/4) of Section Thirty-four (34), Township Twenty-Two (22) North, Range Twelve (12) West, Wexford Township, Wexford County, Michigan, being more particularly described as commencing at the East quarter (E1/4) corner of said section, thence North 88°51'00" West along the East-West quarter (E-W 1/4) line, 669.64 feet, thence North 88°50'53" West along said line 636.13 feet to point of beginning, thence South 01°47'27" West 1303.44 feet to the South One-sixteenth (S 1/16) line, thence North 89°01'31" West along said One-sixteenth (1/16) line 667.94 feet to the West line of the East One-half (E 1/2) of the Northwest quarter (NW 1/4) of the Southeast quarter (SE 1/4), thence North 01°47'27" East along said line 1305.50 feet to said East-West quarter (E-W 1/4) line, thence South 88°50'53" East along said line 667.91 feet to the point of beginning, containing 20.00 acres.

BOARD OF COUNTY ROAD COMMISSIONERS  
FOR  
WEXFORD COUNTY, MICHIGAN

RESOLUTION OF BOARD OF COUNTY ROAD COMMISSIONERS  
APPROVING ACCEPTANCE OF ASSIGNMENT OF PURCHASE AGREEMENT  
RELATING TO REAL PROPERTY; APPROVING PURCHASE OF REAL PROPERTY  
AND  
DESIGNATING OFFICERS TO ACT IN CONNECTION THEREWITH

WHEREAS, GWSH, LLC f/k/a GWSH, PC, a Michigan limited liability company, has entered into a Purchase Agreement dated November 28, 2019, between GWSH, PC, as Purchaser and LESLIE KIRK RAWLINGS, as Seller (the "Purchase Agreement") for the purchase and sale of the real property more fully described on Exhibit A attached hereto (the "Property"); and,

WHEREAS, GWSH, LLC, has agreed to assign the Purchase Agreement to the Board of County Road Commissioners for Wexford County (the "Board"); and,

WHEREAS, the Board desires to accept the assignment and fulfill the obligations of the Purchaser thereunder; and,

WHEREAS, the Board finds that acquisition of the Property is for the public purpose of securing quantities of sand, gravel and other minerals that may be on and under the surface of the Property and that are useful in the construction, repair and maintenance of public roads and other facilities under the jurisdiction of the Board;

NOW THEREFORE, on the motion of HAROLD FALAN, seconded by DEAN JUEK,

IT IS RESOLVED that the Board hereby approves the acceptance of the assignment from GWSH, LLC, and the purchase of the Property according to the Purchase Agreement and authorizes Lorne Haase, Chairman, and Andrea Herman, Board Secretary, to accept the assignment, sign, execute, acknowledge and deliver the same and give due notice thereof to the Seller, in accordance with the form of assignment presented to the Board.

IT IS FURTHER RESOLVED that the Board hereby approves the purchase of the Property according to the Purchase Agreement and authorizes Alan Cooper, Manager, and Andrea Herman, Board Secretary, or either of them acting independently, to sign, acknowledge and deliver all funds, documents, instruments, affidavits or other records reasonable or necessary to fully effectuate the Purchase Agreement on behalf of the Board and to acquire the Property in accordance with the Purchase Agreement.


BE IT FURTHER RESOLVED that all resolutions of the Board in conflict herewith are hereby rescinded to the extent of the conflict.

THOSE VOTING IN FAVOR: LEGGETT, JURIK, FALAN, HARSE

THOSE VOTING AGAINST: \_\_\_\_\_

THOSE ABSENT OR ABSTAINING: HAGSTROM

RESOLUTION DECLARED PASSED

  
\_\_\_\_\_  
Andrea Herman, Board Secretary

CERTIFICATION

The undersigned, Board Secretary of the Board of County Road Commissioners for Wexford County, hereby certifies that the foregoing is a true and correct copy of the resolution adopted by the Board at a regular meeting duly called, noticed and held in accordance with the Open Meetings Act on the 2nd day of January, 2020, and that a quorum of the Board was present and voting at that meeting.

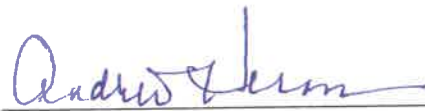
  
\_\_\_\_\_  
Andrea Herman, Board Secretary



EXHIBIT "A"  
LEGAL DESCRIPTION

Situated in the Township of Wexford, County of Wexford, and State of Michigan, and further described as:

A part of the Southeast quarter (SE 1/4) of Section Thirty-four (34), Township Twenty Two (24) North, Range Twelve (12) West, Wexford Township, Wexford County, Michigan, being more particularly described as commencing at the East quarter (E 1/4) corner of said section, thence North 88°51'00" West along the East-West quarter (E-W 1/4) line, 669.64 feet, thence North 88°50'53" West along said line 636.13 feet to point of beginning, thence South 01°47'27" West 1303.44 feet to the South One-sixteenth (S 1/16) line, thence North 89°01'31" West along said One-sixteenth (1/16) line 667.94 feet to the West line of the East One-half (E 1/2) of the Northwest quarter (NW 1/4) of the Southeast quarter (SE 1/4), thence North 01°47'27" East along said line 1305.50 feet to said East-West quarter (E-W 1/4) line, thence South 88°50'53" East along said line 667.91 feet to the point of beginning, containing 20.00 acres.

Subject to easements, restrictions and reservations of record.