

GENOA CHARTER TOWNSHIP
Special Meeting of the Election Commission
October 20th, 2008
6:25 p.m.
AGENDA

1. Consideration of officials scheduled to work the Nov. 4th, 2008 General Election.
 - A. Recommendation to the Township Board

2. Request to authorize Township Clerk Paulette Skolarus and Deputy Clerk Mary Krencicki to conduct the public accuracy test on Thursday, October 23rd, 2008 at 10:00 a.m. at the Genoa Charter Township Hall.
 - A. Recommendation to the Township Board

GENOA CHARTER TOWNSHIP
Regular Meeting and Public Hearing
October 20th, 2008
6:30 P.M.
AGENDA

Call to Order

Pledge of Allegiance

Call to the Public

Approval of Consent Agenda:

1. Payment of Bills

2. Request to approve minutes: 10-6-08

3. Request from the Election Commission to approve workers scheduled to work the Nov. 4, 2008 general election.

4. Request to reaffirm the authorization of Skolarus and Krencicki to conduct the public accuracy test on Oct. 23, 2008.

Approval of Regular Agenda:

5. Public Hearing on the Challis Ct. Road Improvement Project.
 - A. Call to the property owners
 - B. Call to the public

6. Request for approval of Resolution No. 4(Confirming the Special Assessment Roll) for the Challis Ct. Road Improvement Project.

7. Discussion regarding riparian access for tax parcel #'s: 11-11-304-010 and 11-11-304-011. (Hughes Road and Lake Chemung)

Correspondence
Member Discussion
Adjournment

GENOA TOWNSHIP ELECTION OFFICIALS

November 4, 2008 (General Election)

Polly Skolarus (Clerk) & Mary Krencicki (Deputy Clerk)

Cindi Howard (Assistant)

810-227-5225

10/08/08

Precinct 1 Cleary University- 1023

Judi Ross, Co-Chair- R
Joyce Matevia, Co- Chair- D
Toni Rynicke – D
Margaret Whithorn – R
Kenneth Frasheski – D
John Vetraino – R

Precinct 2 Three Fires School – 863

Eva Swihart, Co-Chair – R
John Oglesbee, Co- Chair – R
Mary Scheloske - D
Shawn Collins – D ***
Pat Despot -D
Stacey Quarrels - D

Precinct 3 Community Bible – 1689

Kristen Sapienza, Co- Chair – D
Betty Hogle, Co-Chair – R
Joni Risto – R
Richie Tank – D-
Clementine Billel – R
Steve Lizak – R
Michelle Maher – R

Precinct 5 Chilson Hills – 1574

Janet Adamski, Co- Chair –D
Mary Conricode - R
Paul Spangler - R
Diana Beach – R
Barbara Lewis – R
Janine Yanick-Warner – R
Marie Guerriero – R ***

Precinct 9 Cleary University- 2140

Ann Brennan, Co-Chair- R
Gerald Matevia, Co-Chair –D
Deborah Brennan – R
Cheryl Fracheski – D
Bonnie Steele – D
Kathryn Schreyer-Poppy – R
Ida Bourdeau – R
Moshoula Yaksich- R ***

Precinct 10 Three Fires School – 1310

Edith Salyer, Co- Chair –D
Bill Swihart, Co-Chair – R
Lynette Hodge – D
Claudette Wilkenson – R
Pat Newton – D
William Despot -D

Precinct 11 Community Bible – 699

P.J. Sapienza, Co-Chair – D
Don Binder, Co-Chair – R
Joan Hipple – R
John Saunders – R
John Hogle – R
Karen Brender – R ***

Precinct 12 Chilson Hills –132

Pam Rietsch, Co-Chair – R
Theodore Hysen - D
Paul Sebastian – R

Precinct 4 Church of the Nazarene – 1312

Diane Goodall, Co – Chair –R
Danielle Howard, Co-Chair –D
Carolyn Mahalak – R
Kay Spangler –R
Thomas Holmes –R
Mandy DeRoy Thames– R
Jenna Kyle – D ***
Carol Godwin - D

Precinct 7 Hornung Elementary – 802

Richard Bodalski, Co-Chair –R
Donna Nelson, Co-Chair –R
Donald Baughn – D
Bob Assenemacher – R
Janet Laduke – R
Tom Kolinski – R

Absent Voter Counting Board

Mary Lynn Bodalski, Co-Chair – R
Cecelia McClure, Co-Chair – R
Shelagh Davis, - D
Jennifer Wagner – D
Louis Doucette – R
Nancy Battiata – R
Henrietta I Rutkowski – D
Adrienne Gates – D
Janet Cooley – R

Alternates:

Shirley Beesley – R ***
Richard Davis – R
Virginia Wennerberg ***

Precinct 6 Church of the Nazarene – 2089

Victor Watson, Co-Chair – R
Keith Mahalak, Co-Chair – R
Carol McGrath - D
Arnie Messing – D
Cyndi Beauchamp – D ***
Connie Jones - D
Erika Flammersfeld – R
Vera Bennett – R ***

Precinct 8 Hornung Elementary - 1212

Diane Assenmacher, Co-Chair - R
Barb Ross, Co-chair - D
Ann Jackson - R
Glenn Nelson – R
Jack Laduke – R
Miriam Kolinski – R

Karen Witek, Co-Chair – R
Mary Ann Lazzari, Co-Chair - D
Jean Lizak – R
Lisa Whitelaw – D
Janet Cooley - R
Mary Burgner – D ***
Joseph Orczyk – I
Connie Ruff – D
Daena Nicholas – R ***

Tom McFarland –R ***

Judith Traynoff – R ***

*****Class required for certification, all other persons have been certified*****

Elections/officials November General

CHECK REGISTERS FOR TOWNSHIP BOARD MEETING

DATE: October 20, 2008

TOWNSHIP GENERAL EXPENSES; Thru October 20, 2008	\$209,157.24
October 17, 2008 Bi Weekly Payroll	\$36,375.05
OPERATING EXPENSES; Thru October 20, 2008	\$189,030.35
TOTAL:	<u>\$ 434,562.64</u>

<u>Check Number</u>	<u>Vendor No</u>	<u>Vendor Name</u>	<u>Check Date</u>	<u>Check Amount</u>
24622	BODALSKI	Mary Lynn Bodalski	10/06/2008	319.00
24623	BodalskR	Richard Bodalski	10/06/2008	189.75
24624	HOWARDD	Danielle HOWARD	10/06/2008	66.00
24625	KIRSCH H	Hilda Kirsch	10/06/2008	88.00
24626	Ross	Judi A. Ross	10/06/2008	88.00
24627	RYNICKE	Antoinette Rynicke	10/06/2008	49.50
24628	WHITELAW	LISA WHITELAW	10/06/2008	66.00
24629	Witek	Karen Witek	10/06/2008	297.00
24630	Administ	Total Administrative Services	10/17/2008	357.67
24631	Equitabl	Equivest Unit Annuity Lock Box	10/17/2008	620.00
24632	FIRST NA	First National Bank	10/17/2008	25,303.26
24633	COOPERST	Cooper's Turf Management LLC	10/13/2008	316.00
24634	E.T. MAC	E.T. MACKENZIE COMPANY	10/13/2008	162.61
24635	PETTYCAS	Petty Cash	10/13/2008	67.97
24636	WALSH	MIKE WALSH	10/13/2008	80.00
24637	BUS IMAG	Business Imaging Group	10/13/2008	33.75
24638	ADT	ADT Security Services, Inc.	10/20/2008	347.22
24639	AMER IMA	American Imaging, Inc.	10/20/2008	120.00
24640	ATT& IL	AT&T	10/20/2008	687.71
24641	BLUE CRO	Blue Cross & Blue Shield Of Mi	10/20/2008	10,401.94
24642	CONSUMER	Consumers Energy	10/20/2008	16.00
24643	CONTINEN	Continental Linen Service	10/20/2008	66.71
24644	DTE ENER	DTE Energy	10/20/2008	4,032.73
24645	ECO DEV	Economic Development Council	10/20/2008	8,000.00
24646	EHIM	EHIM, INC	10/20/2008	2,494.67
24647	FED EXPR	Federal Express Corp	10/20/2008	25.96
24648	FIRST IM	First Impression Print & Marketing	10/20/2008	198.96
24650	G2CONSUL	G2 Consulting Group, LLC	10/20/2008	250.00
24651	HEIKKINE	Heikkinen Law Firm	10/20/2008	412.50
24652	HWL PARK	Howell Parks And Recreation	10/20/2008	28,990.00
24653	J.J.JINK	J.J. Jinkleheimer & Co.	10/20/2008	61.50
24654	LANGWORT	Langworthy Strader Leblanc	10/20/2008	372.53
24655	Lazzari	Mary Ann Lazzari	10/20/2008	165.00
24656	LEO'S CU	Leo's Custom Sprinkler Service	10/20/2008	495.00
24657	LIVCP&A	LIVINGSTON CTY PRESS & ARGUS	10/20/2008	755.00
24658	LivCTrea	Livingston County Treasurer	10/20/2008	276.91
24659	Lollo K	Kelly Lollo	10/20/2008	55.00
24660	MASTER M	Master Media Supply	10/20/2008	535.32
24661	Mcclure	Cecelia McClure	10/20/2008	136.95
24662	MichMuni	Michigan Municipal Risk Mngmt	10/20/2008	46,345.00
24663	Miller C	Miller,Canf,Paddock,&Stone,PLC	10/20/2008	2,943.20
24664	Net serv	Network Services Group, L.L.C.	10/20/2008	45.00
24665	PEBBCRE	Pebble Creek Services	10/20/2008	385.00
24666	Perfect	Perfect Maintenance Cleaning	10/20/2008	923.00
24667	RUFFC	Connie Ruff	10/20/2008	223.00
24668	WASTE MA	Waste Management	10/20/2008	69,852.00
24669	US POSTA	US Postal Service	10/14/2008	1,438.92

Report Total: 209,157.24

**First National
Direct Deposit
OCTOBER 17, 2008
Bi-Weekly Payroll**

<u>Employee Name</u>	<u>Debit Amount</u>	<u>Credit Amount</u>
Adam Van Tassell		\$1,003.67
Amy Ruthig		\$940.06
Angela Williams		\$608.85
Barb Kries		\$961.57
Carol Hanus		\$1,176.68
Cinthia Howard		\$751.53
Dave Estrada		\$1,112.27
Deborah Rojewski		\$2,170.87
Genoa Township	\$25,303.26	
Greg Tatara		\$2,199.48
Judith Smith		\$1,121.24
Karen J. Saari		\$902.85
Kelly VanMarter		\$1,899.34
Laura Mroczka		\$1,219.09
Mary Krencicki		\$938.72
Michael Archinal		\$2,386.41
Renee Gray		\$900.85
Robin Hunt		\$1,223.69
Susan Sitner		\$732.00
Tammy Lindberg		\$919.57
Tesha Humphriss		\$2,134.52
Total Deposit		\$25,303.26

EFT #: _____
INTERNET: _____
CHECK BOOK: _____

Accounts Payable
Computer Check Register



User: sue
Printed: 10/14/2008 - 09:59
Bank Account: 101CH

Check	Vendor No	Vendor Name	Date	Invoice No	Amount
24630	Administ	Total Administrative Services	10/17/2008		357.67
			Check 24630 Total:		357.67
9602	AETNA LI	Aetna Life Insurance & Annuity	10/17/2008		25.00
			Check 9602 Total:		25.00
9603	EFT-FED	EFT- Federal Payroll Tax	10/17/2008		4,070.20 2,155.83 2,155.83 504.18 504.18
			Check 9603 Total:		9,390.22
9604	EFT-PENS	EFT- Payroll Pens Ln Pyts	10/17/2008		678.90
			Check 9604 Total:		678.90
24631	Equitabl	Equivest Unit Annuity Lock Box	10/17/2008		620.00
			Check 24631 Total:		620.00
24632	FIRST NA	First National Bank	10/17/2008		275.00 2,395.00 22,633.26

EFT
9605

Check 24632 Total:

25,303.26

Report Total:

36,375.05

3:17 PM
10/15/08

#503 DPW UTILITY FUND
Payment of Bills
September 30 through October 15, 2008

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
Check	10/01/2008	1125	void	VOID: VOID	0.00
Check	10/01/2008	1126	TESHA HUMPHRISS	Reimbursement	-221.26
Check	10/08/2008	1127	CAVALIER	Acct#2119355	-25.44
Check	10/08/2008	1128	Greg Tarara	Reimbursement for Airfare NaTa	-249.00
Check	10/15/2008	1129	U.S. POSTMASTER	Lake Edgewood & Pine Creek Qtr Billing	-1,232.26
Total					-1,727.96

3:19 PM
10/15/08

#504 DPW RESERVE FUND
Payment of Bills
September 30 through October 15, 2008

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
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no checks issued

3:30 PM
10/15/08

#593 LAKE EDGEWOOD W/S FUND
Payment of Bills
September 30 through October 15 2008

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
Check	10/03/2008	1387	AT&T	09/09 thru 10/06/08	-245.56
Check	10/07/2008	1388	City Of Brighton	07/01/08 - 09/30/08	-25,631.20
Check	10/07/2008	1389	Consumers Energy	Electric Service09/05 - 10/02/08	-18.03
Check	10/07/2008	1390	DTE Energy	Electric Service08/29 - 09/30/08	-981.21
Check	10/08/2008	1391	GORDON FOOD SERVICE	Customer# 980150001	-53.98
Check	10/08/2008	1392	GEOTRANS, INC.	Inv#0000378067	-1,280.50
Check	10/08/2008	1393	SEVERN TRENT ENVIRONMENTAL SERVICES,	Inv#STES2038362	-7,973.99
Total					-36,184.47

3:21 PM
10/15/08

#592 OAK POINTE WATER/SEWER FUND

Payment of Bills

September 30 through October 15, 2008

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
Check	10/08/2008	1175	CONSUMERS ENERGY	Acct#100017767318 & 7650 98	-60.56
Check	10/10/2008	1176	TETRA TECH, INC.	Inv#50188215	-6,143.76
Check	10/10/2008	1177	DTE ENERGY	08/29/08-09/30/08	-8,244.33
Check	10/10/2008	1178	GEO TRANS, INC	INV#0000378068	-2,559.11
Check	10/10/2008	1179	PEBBLE CREEK SERVICES	Lawn Maintenance September 08	-905.00
Check	10/10/2008	1180	PVS Nolwood Chemicals, Inc	Chemicals/Sewer Inv#268363	-1,139.60
Check	10/10/2008	1181	TETRA TECH, INC.	VOID: Inv#50188215	0.00
Check	10/10/2008	1182	SEVERN TRENT ENVIRONMENTAL SERVICES,	Supplies	-30,115.72
Check	10/10/2008	1183	TRI SQUARE CONSTRUCTION LLC	Contract #2472	-875.00
Total					-50,043.08

3:22 PM
10/15/08

#592 OAK POINTE WATER/SEWER FUND

Capital Improvement

Payment of Bills

September 30 through October 15, 2008

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
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no checks issued

3:24 PM
10/15/08

#595 PINE CREEK W/S FUND

Payment of Bills

September 30 through October 15, 2008

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
Check	10/02/2008	2030	City of Brighton	Acct# 003054-000	-101,074.84
Total					-101,074.84

GENOA CHARTER TOWNSHIP
Public Hearing and Regular Meeting
October 6th, 2008
6:30 P.M.

MINUTES

Supervisor McCririe called the regular meeting of the Genoa Charter Township Board to order at 6:30 p.m. The Pledge of Allegiance was then said. The following persons were present constituting a quorum for the transaction of business: Gary McCririe, Paulette Skolarus, Robin Hunt, Todd Smith, Jean Ledford, Steve Wildman and Jim Mortensen. Also present were Township Manager Michael Archinal and approximately fifteen persons in the audience.

A Call to the Public was made with the following response: Donna Anderson introduced herself to the board and is running for 66th district state legislature. Ms. Anderson provided a personal history of her qualifications for this position and asked the boards support during the election.

Approval of Consent Agenda:

Moved by Smith, supported by Wildman, to approve all items listed under the consent agenda as presented. The motion carried unanimously.

1. Payment of Bills

2. Request to approve minutes: 9-15-08

Approval of Regular Agenda:

Moved by Ledford, supported by Smith, to approve for action all items listed under the regular agenda with Skolarus abstaining from discussion regarding the Challis Road Improvement Project. The motion carried unanimously.

3. Public Hearing on the Challis Ct. Road Improvement Project.

A call to property owners and the public was made with the following response: Ton Flasz – I have a copy of a private drive maintenance agreement that was signed by Mr. Bray. Since 2004 he has failed to meet his obligations by not contributing to road maintenance expenses. I am in favor of this project going forward. No verbal or written response was received from other property owners.

4. Request for approval of Resolution No.2 (To proceed with the project, approve the plans and details and direct the preparation of the special assessment roll) for the Challis Road Improvement Project.

Moved by Smith, supported by Mortensen, to approve Resolution No. 2 as provided. The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Hunt, Wildman, Mortensen and McCririe. Nays – None. Abstain – Skolarus.

5. Request for approval of Resolution No.3 (Acknowledging the Filing of the Special Assessment Roll, Scheduling the Second Hearing, and Directing the Issuance of Statutory Notices) for the Challis Court Road Improvement project.

Moved by Smith, supported by Ledford, to approve Resolution No. 3 as presented. The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Hunt, Wildman, Mortensen and McCririe. Nays – None. Abstain – Skolarus.

6. Request for approval of Resolution No.1 (To Proceed with the project and direct preparation of the plans and cost estimates) for the Round Lake Aquatic Plant Control Program.

Moved by Ledford, supported by Skolarus, to approve Resolution No. 1 as presented. The motion was withdrawn after discussion. A call to the public was made with the following response: Frank Castle – It was my understanding that we would not have to re-petition for this project. McCririe – We could have an informational meeting at the township and have residents sign petitions with the higher cost. We just want to be sure that everyone is aware of the increased cost of this project. Sharon Davies - It was very clear at the last meeting that we were going to use the existing petitions and that the board would initiate this project considering the amount of work that is involved with obtaining petitions. Moved by Skolarus, supported by Ledford, to approve Resolution No. 1 as presented. The motion failed as follows: Ayes – Ledford and Skolarus. Nays – Smith, Hunt, Wildman, Mortensen and McCririe. Absent – None.

7. Request for approval for Resolution No. 2 (To approve the project, schedule the first hearing and direct the issuance of statutory notices) for the Round Lake Aquatic Plant Control Program.

Moved by Smith, supported by Mortensen, to table Resolution No. 2. The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Hunt, Wildman, Mortensen, Skolarus and McCririe. Nays – None. Absent – None.

8. Request for approval of the 2008/2009 standard agreement for the services between the Economic Development Council of Livingston County and Genoa Charter Township.

Moved by Smith, supported by Mortensen, to renew the agreement with EDC and to adjust the amount of that agreement to \$8,000.00. The motion carried unanimously.

9. Discussion of the Athletic Field Lease.

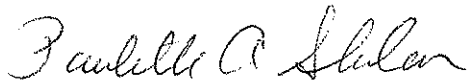
GENOA CHARTER TOWNSHIP BOARD – Regular Meeting and Public Hearing –
October 6, 2008

No action was taken on the draft version of the lease. The administrative committee and the township attorney will work out a second draft for review by the board. No further action was taken.

Skolarus advised the board that the American Red Cross formally thanked the township for hosting the blood drives in 2007 and 2008.

Board members expressed concern with the township web site and asked that a remedy be found allowing access.

The regular meeting and public hearing of the Genoa Charter Township Board was adjourned at 7:20 p.m.



Paulette A. Skolarus
Genoa Township Clerk

(press/argus 10/10/2008)

[Resolution No. 4 – Challis Ct. Road Improvement Project
Reimbursement Special Assessment Project (2008)]

TOWNSHIP OF GENOA

At a regular meeting of the Township Board of the Township of Genoa, Livingston County, Michigan, (the “Township”) held at the Township Hall on Oct. 20, 2008, at 6:30 p.m., there were

PRESENT: McCririe, Skolarus, Hunt, Wildman, Mortensen, Smith and Ledford.

ABSENT: None.

The following preamble and resolution were offered by _____, and seconded by _____.

Resolution Confirming Special Assessment Roll

WHEREAS, the Board of Trustees of the Township has determined to proceed with the Road Improvement Project within the Township as described in Exhibit A (the “Project”);

WHEREAS, the Board of Trustees of the Township has determined to proceed with the Project in accordance with Act No. 188, Michigan Public Acts of 1954, as amended;

WHEREAS, the Board of Trustees of the Township has determined to advance the costs of the Project from Township funds and to use special assessments to raise the money necessary to reimburse the Township for the advance of such funds;

WHEREAS, the Township Supervisor has prepared the Special Assessment Roll entitled “Special Assessment Roll for the Challis Ct. Road Improvement Project Reimbursement Special Assessment Project (2008)” (the “Proposed Roll”) and has filed the Proposed Roll with the Township Clerk;

WHEREAS, the Township Board has scheduled a public hearing on the Proposed Roll and notice of the hearing has been properly provided;

WHEREAS, the Township Board conducted the public hearing on the Proposed Roll on Oct. 20, 2008.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Roll Confirmed. In accordance with Act No. 188, Michigan Public Acts of 1954, as amended, and the laws of the State of Michigan, the Township Board hereby confirms the special assessment roll for the Genoa Township Challis Ct. Road Improvement Project Reimbursement Special Assessment Project (2008) (the “Roll”).
2. Future Installments - Principal. The Township Board determines that each special assessment may be paid in one installments. The first installment shall be due July 1, 2009.
3. Future Installments - Interest. All unpaid installments shall not bear interest.

4. Warrant. The Township Clerk is hereby directed to attach a warrant (in the form of Exhibit B to this resolution) to the Roll and to deliver such warrant and the Roll to the Township Treasurer, who shall thereupon collect the special assessments in accordance with the terms of this resolution, the Clerk's warrant and the statutes of the State of Michigan.

5. Inconsistent Prior Resolutions. All previously adopted resolutions that are in conflict with this resolution are repealed to the extent of such conflict.

A vote on the foregoing resolution was taken and was as follows:

YES: Ledford, Smith, Hunt, Wildman, Mortensen and McCririe.

NO: None.

ABSTAIN: Skolarus.

CLERK'S CERTIFICATE

The undersigned, being the duly qualified and acting Clerk of the Township, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Township Board at a meeting of the Township Board, at which meeting a quorum was present and remained throughout; (2) the original thereof is on file in the records in my office; (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended); and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

Paulette A. Skolarus, Genoa Charter Township Clerk

EXHIBIT A

DESCRIPTION OF PROJECT
SPECIAL ASSESSMENT DISTRICT
WITH ANNUAL PROJECTED COSTS AS FOLLOWS:

The project (the "Project") will consist of:

The project (the "Project") will consist of the crack sealing and slurry coat of CHALLIS CT. approximately (1,667 lineal feet along the existing private roadway).

Exhibit B

Warrant

WARRANT

TO: Treasurer
Genoa Township
Livingston County, Michigan

I certify that attached to this Warrant is a true copy of the special assessment roll for the Genoa Township Challis CT. Road Improvement Project Reimbursement Special Assessment District (2008) confirmed by the Township Board on Oct. 20, 2008 (the "Confirming Resolution"). You are hereby directed to proceed to collect the amounts due on such roll in accordance with this Warrant, the Confirming Resolution and the statutes of the State of Michigan.

Paulette A. Skolarus,
Genoa Charter Township Clerk

The Heikkinen Law Firm, P.C.

110 North Michigan Avenue
Howell, Michigan 48843

Richard A. Heikkinen
Peter M. Neu, of Counsel

(517) 546-1434
Fax: 546-6775

September 15, 2008

Board of Trustees
Genoa Charter Township
2911 Dorr Road
Brighton, Michigan 48116

Re: Easement Lot 2 Long Lake Shores

Attention: Board of Trustees;

Daniel and Lisa Grassi have requested that the Township grant to them an easement for recreational activities and access to Chemung Lake over Lot 2 of Long Lake Shores. They purchased Lots 4 and 5 of Long Lakes Shores from David C. Horne and Dorothy Horne, on June 10, 2005.

Mr. and Mrs. Horne did not participate in the lawsuit but they did, enter into a Consent Order partially quieting title to real property. The Hornes sold Lots 4 & 5 of Long Lake Shores to Mr. and Mrs. Grassie on June 10, 2005. The lawsuit was filed on September 2004 and the Hornes were named as one of the party defendants.

It appears based on statements made by Mr. and Mrs. Grassi that the Hornes did not inform the Grassis that they had entered into the consent order on June 24, 2005. The Order partially quieted title to Lot 2 clearing title to O'Keefes as pertaining to claims made by persons owning Lots 4 and 5 of Long Lake Shores. There was no reservation of a recreational easement over Lot 2 for the benefit of the Hornes.

The Township purchased Lot 2 from John O'Keefe and Linda O'Keefe on April 10, 2006 and the deed was recorded June 29, 2006.

The Township also entered into an Easement Agreement dated April 5, 2006 with several other parties who claimed rights over Lot 2 for recreational purposes. The parties and the Township entered into the Easement Agreement for the purposes of clarifying their rights over Lot 2.

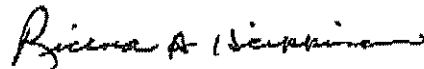
The Township Board should review the terms of the final Order and the Easement Agreement. The decision to be made is whether or not the Easement Agreement can be interpreted to allow the grant of other easement rights

September 15, 2008
Board of Trustees
Genoa Charter Township
Page 2

over Lot 2 for the benefit of the Grassis. The Township will also have to determine whether or not it desires to grant an easement to the Grassis subject to the same terms as are described in the Easement Agreement, to be appurtenant to one or both Lots owned by the Grassis. The final Order reserved jurisdiction in the circuit court to interpret the Easement Agreement, if necessary.

Very truly yours,

THE HEIKKINEN LAW FIRM, P.C.




Richard A. Heikkinen

GENOA CHARTER TOWNSHIP
Regular Meeting
August 4th, 2008
6:30 P.M.

MINUTES

Supervisor McCririe called the regular meeting of the Genoa Charter Township Board to order at 6:30 p.m. The Pledge of Allegiance was then said. The following persons were present constituting a quorum for the transaction of business: Gary McCririe, Paulette Skolarus, Robin Hunt, Jean Ledford, Steve Wildman and Jim Mortensen. Also present were Township Manager Michael Archinal and approximately twenty persons in the audience.

 A Call to the Public was made with the following response: David Cary – I am here to discuss the township's action in granting the right to a boat dock for the Grassis. A deal was negotiated without prior knowledge and Heikkinen recommended acceptance of the agreement and that is a problem with the title. We would never have approved that agreement. We certainly didn't get everything we wanted and, yes, we did settle but the easements granted to the Grassi's are against our agreement. McCririe – The Grassis approached the township after that agreement was finalized. The previous owner defaulted or opted out of the law suit. The Grassis have the same easements as you and they believe the same rights. Their title work showed easements across the same property. They were not included in the law suit. The township felt it appropriate to allow two easements - one with a boat slip and the other without. I understand that you disagree; however, we made our decision based upon the data received at that time. We are now waiting for data from the Grassis before any further decision is made.

Cary – Dorothy Horn sold that property with the understanding that there was no access to the lake. The consent order was completed before the Grassi property was sold. They knew that a law suit was pending. Their title company should have known. We sued for riparian rights and adverse possession. McCririe – We are waiting for the Grassis to provide the necessary chronological data. I would ask what harm is it if the Grassis have one boat slip and easement? Cary – The harm is that there is no room at the dock and it is already too crowded. Carol Cary – Five owners paid between \$12,000.00 and \$15,000.00 for attorney fees and for them to get in free is unacceptable.

McCririe – We felt that this was a win-win situation. The township gets its drainage and you get your access. It seemed like a reasonable resolution at the time. The minutes of our meeting direct that an allowance be made for the Grassi property; however, but that action was not concluded. Dave Cary – We felt that the board went behind our back and the township did not clear the title. Your assessor said that the lot was worth \$6,000.00 and not the \$115,000.00 that you paid. McCririe – The drainage issue that was settled benefited the township at large, specifically the future development along Grand River and Dorr Roads (History Town).

Cary – We expected to receive that property by adverse possession and there is case law in Michigan that would have allowed this. McCririe – We thought this would work for everyone. Wade Ortwine – The judge signed the agreement. Why should someone else be able to get in free? McCririe – It is our understanding that the circumstances regarding access were not completely represented to the Grassis and we felt it was fair at that time given the circumstances presented.

Approval of Consent Agenda:

Moved by Ledford, supported by Mortensen, to approve all items listed under the consent agenda as requested. The motion carried unanimously.

1. Payment of Bills

2. Request to approve minutes: 7-21-08

3. Request to amend the existing “Investment Policy Depository Resolution” as requested by the Township Treasurer.

4. Request to approve installation and repair of sidewalk at Genoa Charter Township Hall for the cost of \$975.00.

5. Request for approval for adjustment to the Lake Edgewood and Pine Creek water and sewer rates.

6. Request to authorize a publication and set public hearing for August 18th, 2008 at 6:30 p.m. for an update to the Ordinance addressing Floodplain Management Provisions of the State Code.

Approval of Regular Agenda:

Moved by Mortensen, supported by Wildman, to approve for action all items listed under the regular agenda. The motion carried unanimously.

7. Request for approval of Resolution No. 1 (to Proceed with the Project and Direct Preparation of the Plans and Costs Estimates and authorize the mailing of the notices for the first public hearing) for aquatic weed control to Round Lake.

Skolarus – The original petitions that were issued included the Tri-Lakes area and not just Round Lake. East and West Crooked Lakes were not able to obtain the petitions necessary to go forward with a project. The residents of Round Lake then made a determination to proceed with a project specifically for Round Lake. The original petitions included an annual fee of \$55.00 when in fact the final determination for Round Lake will cost \$115.00 annually for five years. We have reviewed and accepted the petitions for Round Lake; however, if 20% of the property owners choose to stop this project, they may do so with petitions opposing the aquatic weed control program. I am asking that the board go forward with this proposal and that our mailing include information to that effect.

Moved by Skolarus, supported by Hunt, to approve Resolution No. 1, scheduling the first public hearing for Monday, August 18, 2008 at 6:30 p.m. The motion carried by roll call

vote as follows: Ayes – Ledford, Hunt, Wildman, Mortensen, Skolarus and McCririe.
Nays – None. Absent – Smith.

8. Request for approval of special use application, impact assessment and sketch plan for a proposed contractors yard with outdoor storage located at 1088 Victory Drive, Howell, Sec. 5, petitioned by Ken Culver.

A. Disposition of special use permit

Moved by Ledford, supported by Wildman, to approve the special use permit for outdoor storage with the following conditions:

1. The materials stored outside will not exceed a height of 6 feet above grade.
2. The outside storage area is approved for a gravel base however the limits of the proposed gravel area shall be shown on the plan.
3. The special use is made because it is consistent with the industrial use in the area and with the requirements contained in Section 19.03 of the Township Ordinance.

The motion carried unanimously.

B. Disposition of Impact assessment (dated 7-28-08)

Moved by Skolarus, supported by Hunt, to approve the impact assessment as presented. The motion carried unanimously.

C. Disposition of Site Plan (dated 7-28-08)

Moved by Ledford, supported by Hunt, to approve the site plan with the following conditions:

1. The materials stored outside will not exceed a height of 6 feet above grade.
2. The limits of the proposed gravel area shall be shown on the plan and approved by Township staff prior to issuance of a land use permit.
3. The location of the natural sediment basin(s) will be shown on the plans and approval from the Township Engineer will be obtained prior to land use permit.
4. An approval from the Brighton Area Fire Department addressing the items in their July 9, 2008 letter shall be submitted prior to issuance of a land use permit.

The motion carried unanimously.

9. Request for approval of special use application, impact assessment and sketch plan for a proposed worship facility to occupy 7181 Grand River, Brighton, Sec. 13, petitioned by Lindhout Associates.

A. Disposition of Special Use Permit

Moved by Hunt, supported by Wildman, to approve the special sue permit because the use is compatible with the use of the building and meets the general requirements of Section 19.03 of the Zoning Ordinance. The motion carried unanimously.

B. Disposition of Impact assessment (dated 7-28-08)

Moved by Skolarus, supported by Ledford, to approve the impact assessment as presented. The motion carried unanimously.

C. Disposition of Site Plan (dated 7-28-08)

Moved by Ledford, supported by Hunt, to approve the site plan with the following conditions:

1. Services provided by the church beyond those envisioned in the Impact Assessment will require a parking space review by the Township Staff;
2. The waste receptacle enclosure will be constructed of a treated wood resembling a privacy fence and shall be approved by Township staff prior to issuance of a Land Use Permit;
3. Item number 2 from the Township Engineer's July 8, 2008 letter will be addressed on the plan;
4. Approval from the Brighton Area Fire Department regarding the requirements in their letter dated June 17, 2008 will be obtained prior to issuance of a Land Use Permit.

The motion carried unanimously.

10. Discussion regarding clarification of the Township per diem policy.

It was the consensus of the board to clarify the per diem policy, allowing a ½ rate for meetings on days of regular meetings and full per diem for other days. Archinal will have Heikkinen prepare the document for review.

A letter dated August 1, 2008 was received from Judith Tolles concerning the consent order partially quieting title to real property that was filed on June 24, 2005. Tolles objected to the granting of the easement to the Grassi family.

The regular meeting of the Genoa Charter Township Board was adjourned at 7:30 p.m.



Paulette A. Skolarus
Genoa Township Clerk

(Press/argus 08/08/08)

4. Request for approval for a proposal from ADT for the purchase of one (1) DVR security camera system at \$3,885.00.

Moved by Hunt, supported by Mortensen, to table until the next meeting of the board.
The motion carried unanimously.

5. Request for approval for the purchase of a wide format plotter at a cost of \$10,884.00 and a color printer at a cost of \$3,357.00

Moved by Mortensen, supported by Ledford, to table until the next meeting of the board.
The motion carried unanimously.

6. Request for approval of a contract extension with Waste Management.

Moved by Skolarus, supported by Wildman, to table and schedule a meeting with Waste Management, Ken Palka, Rick Heikkinen and the Administrative Committee to discuss the agreement and make recommendation to the Township Board. The motion carried unanimously.

7. Request for approval of a contract with Fonson Construction for work to be done on Whitehorse Drive at the cost of \$35,467.00.

Moved by Ledford, supported by Hunt, to approve the contract with Fonson as requested.
The motion carried unanimously.

8. Request for approval of a contract with Scodeller Construction for crack sealing on Township roads as described in the May 15, 2008 correspondence from Archinal with the cost not to exceed \$50,000.00.

Moved by Mortensen, supported by Ledford, to approve the crack sealing with Scodeller Construction as requested. Further, with final review and approval by the Township Attorney. The motion carried unanimously.

A call to the public was made with the following response: Daniel Grassi – I owned three parcels of land and combined them and split them into two buildable parcels. The township only granted one riparian right and I would like to appeal that decision. Mr. Grassi will provide a copy of his file, the township attorney will review that file along with township records and a formal request will be presented to the board at an upcoming meeting. Mr. & Mrs. Grassi will be informed of that meeting.

The regular meeting of the Genoa Charter Township Board was adjourned at 7:30 p.m.



Paulette A. Skolarus
Genoa Township Clerk

(Press/argus 07/11/08)

5. B. Request for approval of a resolution regarding Herbst Road and a subsequent request to the Livingston County Road Commission.

A call to the public was made with the following response: Wayne Clayton – I have lived in Genoa Township, off Herbst Road, for 39 years. The traffic is traveling too fast on Herbst (un-posted 55 m.p.h.) while Grand River with four lanes of blacktop has speeds of 25 to 55 m.p.h. The dust on Herbst has been terrible this past few weeks. The road commission graded one day and I bought chloride the next and put down an application. The next day the road was graded again. I am asking this board's support to reduce the speed and address the dust issue.

Moved by Skolarus, supported by Wildman, to approve the resolution with minor changes and forward that request to the L.C.R.C. The motion carried by roll call vote as follows: Ayes – Ledford, Hunt, Wildman, Mortensen, Skolarus and McCririe. Nays – None. Absent – Smith.


6. Request to approve a revised construction agreement with Corrigan Construction for the construction of the BAFD Station 35 in the amount of \$1,081,383.19, which exceed the original budget by \$24,106.02.

Moved by Ledford, supported by Mortensen, to approve the budget amendment as requested. The motion carried unanimously.

7. Request for approval of a Request for Change Authorization with Tetra Tech for 2008 Grand River Sidewalks in the amount of \$9,500.00.

Moved by Hunt, supported by Ledford, to authorize the change with the understanding that the cad work will be done by Tetra Tech and all other work related to this change will be performed by Tesha at such time as she is employed with Genoa Township on a full time basis. The motion carried unanimously.

The State of Michigan Department of Treasury provided an evaluation of Genoa Charter Township with a fiscal indicator score of zero (the best score attainable) and with an estimate of population of 20,114 (an increase of 32% since the 2000 census).

 A letter received from Daniel and Lisa Grassi determined that docking rights would be granted to 1843 Hughes Road. McCririe will make the correct recordings with regard to this property.

The regular meeting of the Genoa Charter Township was adjourned at 7:05 p.m.



Paulette A. Skolarus
Genoa Township Clerk

(Press/argus 05/09/08)

2. Approval of Minutes: 12-17-07

3. Consideration of a recommendation from the Election Commission for approval for all officials scheduled to work the Presidential Primary.

4. Request for approval to purchase a work truck for the Utility Director.

5. Approval of meeting schedule for the 2008-2009 fiscal year.

6. Request for approval of conference fees relating to the MTA conference in Detroit as submitted by McCririe.

Approval of Regular Agenda:

Moved by Ledford, supported by Hunt, to approve for action all items listed under the regular agenda with the addition of a contract for professional planning with LSL. The amended agenda was approved unanimously.

7. Request for approval of a fence contract award for the Township Athletic Complex.

Moved by Mortensen, supported by Smith, to award the contract for construction of the fence to Security Access Control & Fence in the amount of \$11,466.00 for the installation of a permanent netting system and chain link fence on the township hall property as outlined in the memorandum dated 12/14/07 by Archinal. The motion carried unanimously.

8. Request for approval of a resolution authorizing execution of a Livingston Wireless Internet Service Contract with Michtel Communications, L.L.C. as provided.

Moved by Smith, supported by Wildman to approve the resolution with the following changes or considerations to the contract: 1. The public assets license agreement will include an inventory of all buildings we own. 2. This agreement will provide a correct address for the Genoa Township Hall. 3. Section 8.15.1 will delete the word *not* from the second sentence and will add *on the* township's website. 4. Section 5.5 of the Exhibit III (Public Assets License Agreement) will be reviewed by Heikkinen to determine that there is not a blanket policy for an open end use of all facilities and that each provision will be considered by the township board. The motion carried unanimously.

9. Consideration of granting a non-exclusive easement agreement for lot 2 Long Lake Shores Subdivision.

Moved by Ledford, supported by Skolarus, to approve the agreement with the following stipulation: The original parcel will be allowed one dock and since the split of that parcel

didn't exist at the time of the lawsuit, the second parcel will be allowed access for recreational use but will not be allowed boat access. The motion carried unanimously.

10. Request for approval of a final PUD site plan application, impact assessment, and PUD agreement for a proposed 5,200 sq. ft. retail/office building located at 2160 E. Grand River, for the Sherston Office Center as petitioned by William Colley Architect.

A. Disposition of PUD agreement.

Moved by Hunt, supported by Ledford, to approve the PUD agreement, subject to approval by the Township Attorney, both as to this agreement, as well as the underlying easement agreement.

B. Disposition of Impact assessment.

Moved by Ledford, supported by Smith, to approve the Environmental Impact Assessment as revised 10/31/07.

C. Disposition of final PUD site plan.

Moved by Ledford, supported by Wildman, to approve the final PUD site plan subject to the following:

1. The bike path will be installed (at the property owner's expense) along the frontage or alternative agreeable location at a time to be decided by the township and property owners. This agreement will be reviewed by the township attorney and be in recordable form. Further, the sidewalk from the front of the building will be eliminated from the plan;
2. The lighting plan will be as depicted on sheet L-1 and not A-1 and the fixtures will be full cut off and downward directed;
3. The requirements of the Brighton Area Fire Department, as addressed in their November 11, 2007 letter, with a potential revision to paragraph 1-A will be complied with;
4. The requirements of the township engineer as spelled out in their letter dated December 5, 2007 will be complied with and with regard to that letter, particular attention will be paid to paragraph four regarding creation of a maintenance agreement satisfactory to the Township Engineer and Township Attorney. Further, particular attention will be paid to paragraph five regarding channeling storm water overflow to the parking lot. Also, particular attention will be given regarding item seven regarding the proposed sanitary lead connecting into the manhole with an external drop connection;
5. Further notes will be added to the site plan indicating potential permission for the public to use the pavement around the site in lieu of potential addition of the sidewalk from the west end of the driveway to the western end of the property line;

Moved by Hunt, supported by Wildman, to approve for action all items listed under the Regular agenda. The motion carried unanimously.

6. Request for approval of a grant of easement to Mrs. Grassi for vacant land located on Hughes Road.

Supervisor McCririe provides a background and explains that Mrs. Grassi has title work showing rights to the easement that the Township was unaware of when the original easement was granted. Mr. Heikkinen states that Cathy Riesterer has contacted him and she has indicated that there is a quitclaim deed showing that the original owner of Mrs. Grassi's property transferred the easements to the O'Keefe's. Mr. McCririe requests that Mr. Heikkinen perform additional research to determine whether or not this quitclaim deed exists. Mrs. Grassi agrees to submit a copy of her title work to the Township attorney for his review.

7. Consideration of request from Livingston County Economic Development Council for renewal of contract between EDC and Genoa Charter Township.

Mr. Dillingham apologizes for not being able to attend the last meeting. He presents that economic development is an investment and he explains that projects have regional impact. The greatest strength offered to Genoa Charter Township is retention of business and their work with commercial and retail businesses. Jean Ledford asked for a list of projects that were done within Genoa Township. Mr. Dillingham references the report that was provided and states that he is currently working with someone looking at the old Kaleidoscope and Kraft Automotive Buildings. They are currently working with the Old Brighton Athletic Club property to attract tenants to that development. Mr. Dillingham states that property values and access are negatives that hurt the ability to attract major manufacturing uses to Genoa Township. The EDC tries to use the communities existing assets to attract and retain business. Jean Ledford asks if tax abatement is involved. Mr. Dillingham indicates that the EDC does work with businesses looking for tax abatements however, they are aware that Genoa Township does not offer tax abatements. Robin Hunt states that she wanted to see a report showing the benefit that Genoa Township receives from the EDC before she approved another contract renewal. In the report that was provided, Robin Hunt states that she recognizes a number of names of businesses that are struggling and she is glad to see retention of existing businesses on the list of services.

Moved by Mortensen, Supported by Hunt to approve renewal of the contract between EDC and Genoa Charter Township. The motion carried unanimously.

8. Consideration of approval for new and transferring on premises Class C license to be located at 4313 Grand River per request by the Bluefin Japanese Steakhouse.

Moved by Ledford, supported by Wildman, to approve for new and transferring on premises Class C license to be located at 4313 Grand River per request by Bluefin Japanese Steakhouse. The motion carried by roll call vote as follows: Ayes – Ledford, Hunt, Wildman, Mortensen, and McCririe. Nays – None. Absent – Skolarus, Smith.

9. Public hearing for approval of amendments to Zoning Ordinance Articles 9, 11, 16, 18, & 22. (07-16)

A call to the public was opened at 7:22 p.m. with no response. The call to the public was closed at 7:23 p.m.

5. Request for review of sketch plan and impact assessment for a proposed 1170 sq. ft. addition to Brighton Nazarene Church, located at 7679 Brighton Road, Sec. 25, petitioned by Brighton Nazarene Church and reviewed by the Planning Commission 09/12/2006.

Moved by Ledford, supported by Wildman, to approve the impact assessment dated 03/26/06, corresponding to the sketch plan with the following conditions:

1. The plan will be modified to include calculations for building addition and impervious surface, prior to a land use permit being issued.
2. The materials for the proposed expansion will match the existing church recently expanded.
3. Landscaping will be completed prior to the land use permit being issued.
4. Signs will be consistent with the township ordinance.
5. The dumpster will be located as previously approved in the original site plan for the church expansion with split face block to be used and should be completed prior to occupancy permit.

The motion carried unanimously.

6. Consideration of a request for support of the Brighton Senior Center as tabled from the February regular meeting of the board.

Moved by Skolarus, supported by Ledford, to approve the request for financial support of the Brighton Senior Center. The motion failed as follows: Ayes – Skolarus and Ledford. Nays – McCririe, Mortensen, Wildman and Hunt. Absent – Smith.

7. Request for approval of a resolution to purchase lot #2 on Long Lake Shores Drive and the accompanying easement agreement.

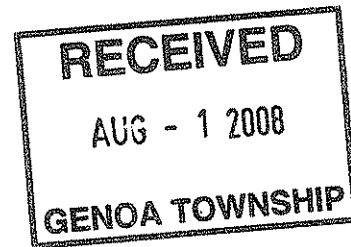
Moved by Mortensen, supported by Hunt, to approve the resolution for the purchase of Lot No. 2 at a cost of \$115,000.00 and the granting of the easement according to the terms set forth in said easement – correcting all reference to Genoa Township as a General Law Township to read Charter Township. The motion carried by roll call vote as follows: Ayes – Ledford, Hunt, Wildman, Mortensen, Skolarus and McCririe. Nays – None. Absent – Smith.

8. Discussion of potential summer 2006 road projects.

The board discussed potential road projects with no formal action taken by the board for the approval of any project. It was determined, however, that a preliminary evaluation of the Challis/Conrad paving be approved. Moved by Skolarus, supported by Hunt, to approve a contract with Tetra Tech, Inc. in the amount of \$3,000.00 as referenced in their letter of 03/29/06 in which the services associated with the preliminary evaluation were outlined. The motion carried unanimously.

Moved by Wildman, supported by Mortensen, to establish a \$100.00 non-refundable fee for persons requiring a vending/soliciting permit in the township. The motion carried unanimously.

August 1, 2008



Dear Township Board Members:

Item 6 of the Aug. 6, 2007 township board meeting minutes state:

“Supervisor McCririe provides a background and explains that Mrs. Grassi has title work showing rights to the easement that the Township was unaware of when the original easement was granted. Mr. Heikkinen states that Cathy Riesterer has contacted him and she has indicated that there is a quitclaim deed showing that the original owner of Mrs. Grassi’s property transferred the easements to the O’Keefe’s. Mr. McCririe requests that Mr. Heikkinen perform additional research to determine whether or not this quitclaim deed exists. Mrs. Grassi agrees to submit a copy of her title work to the Township attorney for his review.”

Questions:

1. What actual information did Attorney Heikkinen’s research provide the township to lead to the Jan. 7, 2008 approval of “granting a non- exclusive easement agreement for Lot 2 Long Lake Shores Subdivision “- to parties not named in the original easement agreement?

Minutes read: “ Moved by Ledford, supported by Skolarus, to approve the agreement with the following stipulation: The original parcel will be allowed one dock and since the split of that parcel didn’t exist at the time of the lawsuit, the second parcel will be allowed access for recreational use but will not be allowed boat access. The motion carried unanimously.”

Was the township feeling that the Hornes were overlooked some how in this?

Because they were not. They were invited to be part of the lawsuit and did not want to, and that is why they are not named with the group in the Easement Agreement dated April 5, 2006.

2. Are you aware of the “CONSENT ORDER PARTIALLY QUIETING TITLE TO REAL PROPERTY” filed on June 24, 2005? (Case No.04-20986-CH, 44th Circuit Court of Livingston County). This document appears to record that the Hornes relinquished all present and future interests in the lake access lot, known as Lot 2 Lake Shore Subdivision. Therefore the Grassi’s purchase from the Hornes of Lots 4 and 5 of Chemung Lake View Subdivision, after June 24 2005, did not include any interests in Lot 2 Lake Shore Subdivision (the lake access lot).

3. If my interpretation of this CONSENT ORDER is accurate, and you were aware of it, then can you explain your decision to grant an easement agreement with the Grassi’s? If you were NOT aware of this CONSENT ORDER, then the township should feel no obligation to provide easement with their property and could rescind the motion.

I would appreciate a response to all my questions. Please include in the minutes of your meeting.

I find it very disheartening that the township leadership lacked the desire and courtesy to inform the grantees of the original easement agreement concerning the changes being discussed and acted upon.

A handwritten signature in cursive script, appearing to read "Judy Tolles".

Judy Tolles
7831 Debora Drive
Brighton, MI
Owner of 1797 Hughes Road



Genoa Township

2911 Dorr Road • Brighton, Michigan 48116 • (810) 227-5225 • Fax (810) 227-3420 • Email: www.genoa.org

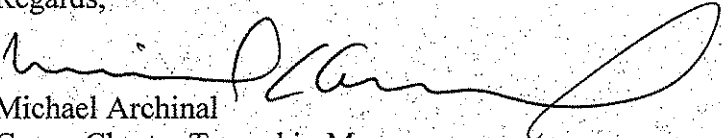
August 8, 2008

Mr. And Mrs. Grassi
769 Pathway Drive
Howell, MI 48843

Mr. And Mrs. Grassi,

According to the August 4th, 2008 Genoa Charter Township Board meeting, where you addressed some concerns you have regarding the issuance of an easement located on Hughes Road, you were to supply the Township with documents in regards to the above mentioned. The Township has not received any information to this date. Please forward any information to the Township at your earliest convenience so that I may place this matter on an upcoming Board agenda.

Regards,


Michael Archinal
Genoa Charter Township Manager

Cc: Correspondence
Township Board

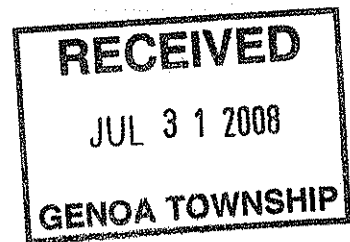
Supervisor
Gary T. McCririe

Clerk
Paulette A. Skolarus

Treasurer
Robin L. Hunt

Manager
Michael C. Archinal

Trustees
H. James Mortensen • Jean W. Ledford • Todd W. Smith • Steven Wildman



Date: 2008.07.29

To: Genoa Township Board of Trustees

From: David and Carol Cary, Wade Ortwine, Craig and Judith Tolles, Ralph and Laura Christensen, Russell and Phillis Thomas, Tim Brown

Subject: Lot 2 Long Lake Shores Access

It has come to our attention that Daniel and Lisa Grassi are claiming access to Lot 2 Long Lake Shores. We have reviewed the board minutes of August 06, 2007, May 05, 2008 and July 07, 2008.

The facts as we know them:

1. We filed suit in Circuit Court against O'Keefe to secure our rights to use of Lot 2 of Long Lake Shores on 9/24/04.
2. We recorded a Lis Pendens against Lot 2 to notify the public that a lawsuit was in progress regarding this property on 9/28/04. See attached document.
3. A Consent Order on this case to partially quiet the deed to Lot 2 was made by Judge Reader on 6/24/05. The order among other things quieted "any present or future interests" by David and Dorothy Horne (owners of record of Lot 4 & 5 Chemung Lakeview), their heirs or assigns, grantors that the Horne's agreed to on 5/17/05. . See attached document, pgs 3 & 4.
4. We settled the case 4/3/06. The attached "Stipulation" listed the parties involved in the case, the requirement of and easement agreement between those parties and Genoa Township. The attached "Order" again indicates the creation of an easement agreement between the parties and Genoa Township and a statement that the Court retains jurisdiction in disputes between the parties and Genoa Township. The attached "Easement Agreement" lists the parties this agreement pertains to. The Hornes/Grassi's are not listed. Agreement item 2 states that the grant is for those listed. Item 4 states that this grant supercedes any prior grant of easement by anyone in the chain of title. Item 6 states that the township cannot prohibit our listed uses. Item 9 states that the township cannot allow the public to use the premises. Item 12 states that the township will not disturb or otherwise interfere with our use of the premises as outlined nor eliminate or terminate this grant.
5. The Lis Pendens still remains recorded against Lot 2 LLS.

Based on the above facts we believe that the Horne's did relinquish their easement rights to Lot 2 prior to the sale of the property. We have been told by Dorothy Horne and the selling agent (see the listing attached) that this property was marketed as a "Lakeview" property and that "a public access boat ramp is ½ mile away". They have told us that they did not knowingly convey access to Lot 2 and in any case they did not have a right to pass this grant on due to the Consent Order.

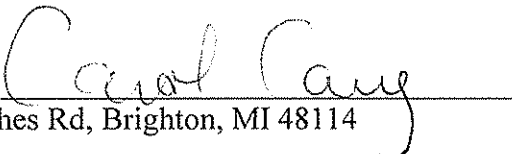
We strongly object to any additional grants and intend to defend our rights as necessary.

Date: 2008.07.29

To: Genoa Township Board of Trustees

SIGNATURE PAGE

David Cary 
1813 S Hughes Rd, Brighton, MI 48114


Carol Cary 
1813 S Hughes Rd, Brighton, MI 48114

Wade Ortwine 
1835 S Hughes Rd, Brighton, MI 48114

Craig Tolles _____
7831 Debora Dr, Brighton, MI 48114

Judith Tolles _____
7831 Debora Dr, Brighton, MI 48114

Ralph Christensen 
1789 S Hughes Rd, Brighton, MI 48116

Laura Christensen 
1789 S Hughes Rd, Brighton, MI 48116

Russell Thomas _____
22246 Virginia St. Eastpointe, MI 48021

Phillis Thomas _____
22246 Virginia St. Eastpointe, MI 48021

Tim Brown _____
1785 Hughes Rd, Brighton, MI 48114

Date: 2008.07.29

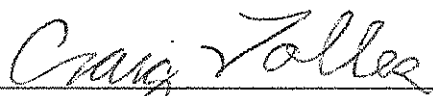
To: Genoa Township Board of Trustees

SIGNATURE PAGE

David Cary _____
1813 S Hughes Rd, Brighton, MI 48114

Carol Cary _____
1813 S Hughes Rd, Brighton, MI 48114

Wade Ortwine _____
1835 S Hughes Rd, Brighton, MI 48114

Craig Tolles  _____
7831 Debora Dr, Brighton MI 48114

Judith Tolles  _____
7831 Debora Dr Brighton, MI 48114

Ralph Christensen _____
1789 S Hughes Rd, Brighton, MI 48116

Laura Christensen _____
1789 S Hughes Rd, Brighton, MI 48116

Russell Thomas _____
22246 Virginia St. Eastpointe, MI 48021

Phillis Thomas _____
22246 Virginia St. Eastpointe, MI 48021

Tim Brown _____
1785 Hughes Rd, Brighton, MI 48114

Date: 2008.07.29

To: Genoa Township Board of Trustees

SIGNATURE PAGE

David Cary _____
1813 S Hughes Rd, Brighton, MI 48114

Carol Cary _____
1813 S Hughes Rd, Brighton, MI 48114

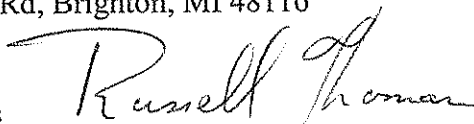
Wade Ortwine _____
1835 S Hughes Rd, Brighton, MI 48114

Craig Tolles _____
7831 Debora Dr, Brighton, MI 48114

Judith Tolles _____
7831 Debora Dr, Brighton, MI 48114

Ralph Christensen _____
1789 S Hughes Rd, Brighton, MI 48116

Laura Christensen _____
1789 S Hughes Rd, Brighton, MI 48116

Russell Thomas  _____
22246 Virginia St. Eastpointe, MI 48021

Phillis Thomas  _____
22246 Virginia St. Eastpointe, MI 48021

Tim Brown _____
1785 Hughes Rd, Brighton, MI 48114

Date: 2008.07.29

To: Genoa Township Board of Trustees

SIGNATURE PAGE

David Cary _____
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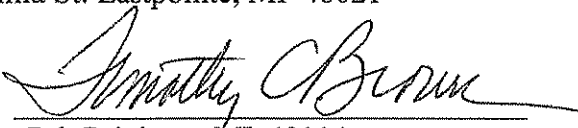
Judith Tolles _____
7831 Debora Dr, Brighton, MI 48114

Ralph Christensen _____
1789 S Hughes Rd, Brighton, MI 48116

Laura Christensen _____
1789 S Hughes Rd, Brighton, MI 48116

Russell Thomas _____
22246 Virginia St. Eastpointe, MI 48021

Phillis Thomas _____
22246 Virginia St. Eastpointe, MI 48021

Tim Brown  _____
1785 Hughes Rd, Brighton, MI 48114

STATE OF MICHIGAN JUDICIAL DISTRICT 44th JUDICIAL CIRCUIT COUNTY PROBATE	SUMMONS AND COMPLAINT	CASE NO. 04-20986-CH Judge
-----------------------------------------------------------------------------------	------------------------------	----------------------------------

Court address 204 S. Highlander Way, Howell MI 48843

Court Telephone no. (517) 546-9816

Plaintiff name(s), address(es), and telephone no(s).
 David V. Cary, Carol E. Cary, Wade Ortwine,
 Craig Tolles, Judith Tolles, Steven
 Zemper, Alicia Zemper and Timothy Brown
 c/o 110 North Michigan Avenue
 Howell MI 48843

Defendant name(s), address(es), and telephone no(s).
 John Dennis O'Keefe
 PO Box 60241, Boulder City, NV 89006

 Linda Kristine O'Keefe
 PO Box 60241, Boulder City, NV 89006

V

Plaintiff attorney, bar no., address, and telephone no.
 Richard A. Heikkinen P-14835
 THE HEIKKINEN LAW FIRM, P.C.
 110 North Michigan Avenue
 Howell MI 48843
 (517) 546-1434

JUDGE BURRESS
P-11445

SUMMONS NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. YOU HAVE 21 DAYS after receiving this summons to file an answer with the court and serve a copy on the other party or to take other lawful action (28 days if you were served by mail or you were served outside this state).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.

Issued 9/24/04	This summons expires 12/24/04	Court clerk MARGARET M. DUNLEAVY Clerk of Circuit Court Howell, Michigan 48843
-------------------	----------------------------------	-----------------------------------------------------------------------------------------

*This summons is invalid unless served on or before its expiration date.

COMPLAINT Instruction: The following is information that is required to be in the caption of every complaint and is to be completed by the plaintiff. Actual allegations and the claim for relief must be stated on additional complaint pages and attached to this form

Family Division Cases

- There is no other pending or resolved action within the jurisdiction of the family division of circuit court involving the family or family members of the parties.
- An action within the jurisdiction of the family division of the circuit court involving the family or family members of the parties has been previously filed in _____ Court.
- The action remains is no longer pending. The docket number and the judge assigned to the action are:

Docket no.	Judge	Bar no.
------------	-------	---------

General Civil Cases

- There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
- A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has been previously filed in _____ Court.
- The action remains is no longer pending. The docket number and the judge assigned to the action are:

Docket no.	Judge	Bar no.
------------	-------	---------

VENUE

Plaintiff(s) residence (include city, township, or village) Howell, Livingston County, Michigan	Defendant(s) residence (include city, township, or village) Howell, Livingston County, Michigan
Place where action arose or business conducted Howell, Livingston County, Michigan	

September __, 2004

Date _____
 Signature of attorney/plaintiff Richard A. Heikkinen

If you require special accommodations to use the court because of disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

(RETURN)

546-9816

COPY

STATE OF MICHIGAN

IN THE 44TH CIRCUIT COURT FOR THE COUNTY OF LIVINGSTON

DAVID V. CARY, CAROL E.
CARY, WADE ORTWINE,
CRAIG TOLLES, JUDITH
TOLLES, STEVEN ZEMPER,
ALICIA ZEMPER, and
TIMOTHY BROWN,

Plaintiffs,

Case. No. 04- 20986 -CH

vs.

Hon. Daniel A. Burress

JOHN DENNIS O'KEEFE and LINDA
KRISTINE O'KEEFE,

Defendants.

Richard A. Heikkinen P-14835

Attorney for Plaintiffs
110 North Michigan Avenue
Howell MI 48843
(517) 546-1434

Notice of Lis Pendens

Notice is given that an action has been commenced and is pending in court on a complaint filed by Plaintiff against Defendant for (1) the right of ingress and egress over the entire Lot 2 of Long Lake Shores for the purposes of recreational activities, swimming in the lake and erecting a dock and mooring boats and other normal

THE HEIKKINEN LAW FIRM
PROFESSIONAL CORPORATION
110 NORTH MICHIGAN AVE.
HOWELL, MI 48843-2298

(517) 546-1434
(517) 546-6775

and customary Riparian Rights, and (2) to confer title of Lot 2 of Long Lake Shores to the Plaintiffs.

Notice is also given that the premises to be affected by this action is located in Genoa Township, Livingston County, Howell, Michigan and is described as follows:

Section 11, T2N-R5E, "Long Lake Shores", Lot 2 (0.17 acres more or less)

Tax Id No. 4711-11-305-002

Respectfully submitted,

THE HEIKKINEN LAW FIRM, P.C.

Richard A. Heikkinen

By:

Richard A. Heikkinen P-14835
Attorney for Plaintiffs

Dated: September 28, 2004

RL

*Recorded
9/28/04*

THE HEIKKINEN LAW FIRM
PROFESSIONAL CORPORATION
110 NORTH MICHIGAN AVE.
HOWELL, MI 48843-2298

(517) 546-1434

(517) 546-6775

Upon Recording Return To: The Heikkinen Law Firm,
110 N. Michigan Avenue
Howell, MI 48843

JUN 24 2005

STATE OF MICHIGAN
IN THE 44TH CIRCUIT COURT FOR THE COUNTY OF LIVINGSTON

DAVID V. CARY, CAROL E. CARY,
WADE ORTWINE,
CRAIG TOLLES, JUDITH TOLLES,
STEVEN ZEMPER, ALICIA ZEMPER and
TIMOTHY BROWN

Plaintiffs/Counter Defendants,

v

Case No. 04- 20986 -CH
Hon. David J. Reader

JOHN DENNIS O'KEEFE &
LINDA KRISTINE O'KEEFE

Defendants/Counter Plaintiffs

AND

JOHN DENNIS O'KEEFE &
LINDA KRISTINE O'KEEFE

**CONSENT ORDER PARTIALLY
QUIETING TITLE TO REAL
PROPERTY**

Third Party Plaintiffs

v

DAVID C. HORNE, DOROTHYJ. HORNE,
JACK C. WEIMEISTER, MARY LOUISE WEIMEISTER,
LEGACY XIII LIMITED PARTNERSHIP, a MI Ltd. Partnership,
RUSSELL J. THOMAS, PHILLIS SUSAN THOMAS,
ROBERT M. REID, Trustee U/T/A dated
05/11/67 as amended 04/29/88
ROBERT E. STRONG, ELSIE STRONG,
HAGOP S. DERDERIAN and SIRAN DERDERIAN
And any and all lot owners in Chemung Lakeview Subdivision
and/or their unknown heirs, successors
and assigns of all parties listed herein,
Jointly and severally,

Third Party Defendants.

FILED
LIVINGSTON COUNTY CLERK
05 JUN 24 PM 3: 07

Richard A. Heikkinen (P14835)
 Attorney for Plaintiff
 110 North Michigan Ave.
 Howell, MI 48843
 Tel (517)546-1434
 Fax (517) 546-6775

David T. Bittner (P44948)
 BARLEY & BITTNER, P.C.
 Attorney for O'Keefe
 213 E. Grand River
 Howell, MI 48843
 Tel (517) 546-7363
 Fax (517) 546-5860

CONSENT ORDER PARTIALLY QUIETING TITLE TO REAL PROPERTY

AT A SESSION OF SAID COURT HELD IN THE
 COURTHOUSE IN THE CITY OF HOWELL,
 COUNTY OF LIVINGSTON AND STATE OF
 MICHIGAN THIS 24 DAY OF June 2005

PRESENT: HONORABLE DAVID J. READER
 44TH CIRCUIT COURT JUDGE

This matter having come before the Court on the consent of the undersigned parties and the Court being otherwise fully advised in the premises;

IT IS HEREBY ORDERED: That the real property that is the subject matter of this action is located in Genoa Township, Livingston County, Michigan and is more particularly described as:

Lot 2, Long Lake Shores, according to the plat thereof as recorded in Liber 2 of Plats, page 7, Livingston County Records.

IT IS HEREBY FURTHER ORDERED: That title to the above referenced real property is quieted in John Dennis O'Keefe and Linda Kristine O'Keefe, husband and wife, grantee, with respect to any present or future interest of Jack C. Weimeister and Mary Louise Weimeister, their heirs or assigns, grantors, by virtue of grantors' ownership interest in real property located in Genoa Township, Livingston County, Michigan more particularly described as:

Lots 5 and 8, Long Lake Shores, according to the plat thereof as recorded in Liber 2 of Plats, page 7, Livingston County Records.

IT IS HEREBY FURTHER ORDERED: That title to the above referenced real property is quieted in John Dennis O'Keefe and Linda Kristine O'Keefe, husband and wife, grantee, with respect to any present or future interest of Robert M. Reid, Trustee under Trust Agreement Dated May 11, 1967 as amended April 29, 1988, his heirs or assigns, grantor, by virtue of grantor's ownership interest in real property located in Genoa Township, Livingston County, Michigan more particularly described as:

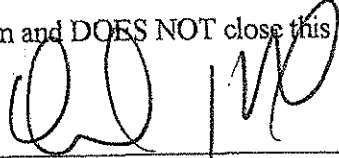
Lot 7, Long Lake Shores, according to the plat thereof as recorded in Liber 2 of Plats, page 7, Livingston County Records.

IT IS HEREBY FURTHER ORDERED: That title to the above referenced real property is quieted in John Dennis O'Keefe and Linda Kristine O'Keefe, husband and wife, grantee, with respect to any present or future interest of David C. Horne and Dorothy J. Horne, husband and wife, their heirs or assigns, grantors, by virtue of grantors' ownership interest in real property located in Genoa Township, Livingston County, Michigan more particularly described as:

Lots 4 and 5, Long Lake Shores, according to the plat thereof as recorded in Liber 2 of Plats, page 7, Livingston County Records.

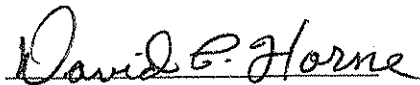
IT IS HEREBY FURTHER ORDERED: That no costs or attorney fees are awarded to any party as a result of entry of this Order.

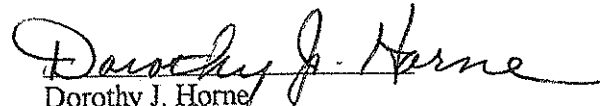
This order does NOT resolve the last pending claim and DOES NOT close this case




HON DAVID J. READER
44TH CIRCUIT COURT JUDGE

I HEREBY CONSENT TO ENTRY OF THIS ORDER WHICH IS APPROVED AS TO FORM AND CONTENT.


David C. Horne


Dorothy J. Horne

Subscribed and sworn to before me this 17 day of May, 2005 by David C. Horne and Dorothy J. Horne.


_____, Notary Public
Garland County,
Acting in Garland County
My Commission Expires: Nov 22, 2006

KERRI M. NORMAN
NOTARY PUBLIC - ARKANSAS
MY COMMISSION EXPIRES NOV. 22, 2006
GARLAND COUNTY

03 2006

STATE OF MICHIGAN
IN THE 44TH CIRCUIT COURT FOR THE COUNTY OF LIVINGSTON

DAVID V. CARY, CAROL E. CARY,
WADE ORTWINE, CRAIG TOLLES,
JUDITH TOLLES, STEVEN ZEMPER,
ALICIA ZEMPER, and TIMOTHY
BROWN,

Plaintiffs/Counter-Defendants

Case. No. 04-20986-CH

vs.

Hon. David J. Reader

JOHN DENNIS O'KEEFE and
LINDA KRISTINE O'KEEFE,

Defendants/Counter-Plaintiffs,

AND

JOHN DENNIS O'KEEFE and
LINDA KRISTINE O'KEEFE,

Third Party Plaintiffs,

vs.

DAVID C. HORNE, DOROTHY HORNE,
JACK C. WEIMEISTER, MARY LOUISE WEIMEISTER,
LEGACY XIII LIMITED PARTNERSHIP, a MI Ltd.
Partnership, RUSSELL J. THOMAS, PHILLIS
SUSAN THOMAS, ROBERT M. REID, Trustee
U/T/A dated 05/11/67 as amended 04/29/88,
ROBERT E. STRONG, ELSIE STRONG, HACOP S.
DERDERIAN and SIRAN DERDERIAN,
And any and all lot owners in Chemung Lakeview
Subdivision and/or their unknown heirs, successors
and assigns of all parties listed herein,
Jointly and severally,

Third Party Defendants.

FILED
LIVINGSTON COUNTY CLERK
06 APR - 3 11:10:38

Richard A. Heikkinen P-14835
Attorney for Plaintiffs
110 North Michigan Avenue
Howell MI 48843
(517) 546-1434

David T. Bittner (P-44948)
Attorney for Defendants
213 E. Grand River
Howell MI 48843
(517) 546-7363

THE HEIKKINEN LAW FIRM
PROFESSIONAL CORPORATION
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HOWELL, MI 48843-2298

(517) 546-1434
(517) 546-6775

STIPULATION

STIPULATION

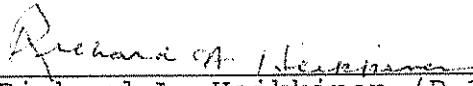
NOW COMES Plaintiffs and Defendants and do hereby stipulate and agree as follows:


1. JOHN DENNIS O'KEEFE and LINDA KRISTINE O'KEEFE are the owners of Lots 2 of Long Lake Shores.
2. The Genoa Township desires to acquire Lot 2 for the purpose of constructing an expansion of the existing open drain for stormwater discharge into Lake Chemung that is located on Lot 2 Long Lake Shores.
3. The Township of Genoa and the parties who claim a right to use the said Lot 2 for recreational purposes and access to Lake Chemung will execute an easement agreement clarifying the rights of Genoa Township and the parties desiring to use the said Lot 2.
4. Genoa Township and JOHN DENNIS O'KEEFE and LINDA KRISTINE O'KEEFE have agreed upon a consideration for the purchase.
5. JOHN DENNIS O'KEEFE and LINDA KRISTINE O'KEEFE, covenant that they have not encumbered the title to the said Lot 2 Long Lake Shores with any liens or mortgages or other encumbrances.
6. That JOHN DENNIS O'KEEFE and LINDA KRISTINE O'KEEFE will upon payment of the agreed upon consideration deliver to Genoa Township a duly executed Quit Claim Deed conveying title to the property to Genoa Township and they shall pay the County of Livingston and State of Michigan transfer taxes.
7. That upon completion of the foregoing items contained herein, the parties agree to execute through their attorneys, a Dismissal with Prejudice of the within litigation.
8. Ralph Christensen and Laura Christensen shall be added as party Plaintiffs for the reason that they purchased the real estate formerly owned by Steven Zemper and Alicia Zemper.

THE HEIKKINEN LAW FIRM
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(517) 546-1434

(517) 546-6775


Richard A. Heikkinen (P-14835)
Attorney for Plaintiffs
Dated: March , 2006
April 3rd


David T. Bittner (P-44948)
Attorney for Defendants
Dated: March 3rd, 2006
April

APR 03 2006

LIVINGSTON COUNTY CLERK
06 APR -3 10:38

STATE OF MICHIGAN
IN THE 44TH CIRCUIT COURT FOR THE COUNTY OF LIVINGSTON

DAVID V. CARY, CAROL E. CARY,
WADE ORTWINE, CRAIG TOLLES,
JUDITH TOLLES, STEVEN ZEMPER,
ALICIA ZEMPER, and TIMOTHY
BROWN,

Plaintiffs/Counter-Defendants

Case. No. 04-20986-CH

vs.

Hon. David J. Reader

JOHN DENNIS O'KEEFE and
LINDA KRISTINE O'KEEFE,

Defendants/Counter-Plaintiffs,

AND

JOHN DENNIS O'KEEFE and
LINDA KRISTINE O'KEEFE,

Third Party Plaintiffs,

vs.

DAVID C. HORNE, DOROTHY HORNE,
JACK C. WEIMEISTER, MARY LOUISE WEIMEISTER,
LEGACY XIII LIMITED PARTNERSHIP, a MI Ltd.
Partnership, RUSSELL J. THOMAS, PHILLIS
SUSAN THOMAS, ROBERT M. REID, Trustee
U/T/A dated 05/11/67 as amended 04/29/88,
ROBERT E. STRONG, ELSIE STRONG, HACOP S.
DERDERIAN and SIRAN DERDERIAN,
And any and all lot owners in Chemung Lakeview
Subdivision and/or their unknown heirs, successors
and assigns of all parties listed herein,
Jointly and severally,

Third Party Defendants.

Richard A. Heikkinen P-14835
Attorney for Plaintiffs
110 North Michigan Avenue
Howell MI 48843
(517) 546-1434

David T. Bittner (P-44948)
Attorney for Defendants
213 E. Grand River
Howell MI 48843
(517) 546-7363

THE HEIKKINEN LAW FIRM
PROFESSIONAL CORPORATION
110 NORTH MICHIGAN AVE.
HOWELL, MI 48843-2298

(517) 546-1434
(517) 546-6775

ORDER

ORDER

A at session of said Court held in the City of
Howell, County of Livingston, State of Michigan
on this 3 day of ~~March~~ ^{April}, 2006

PRESENT: HON. DAVID J. READER, ^{April} CIRCUIT COURT JUDGE

Upon the agreement of the parties to entry of this Order
and the Court being fully advised in the premises,

IT IS HEREBY ORDERED that all claims made by the parties
in the above captioned case are dismissed with prejudice.

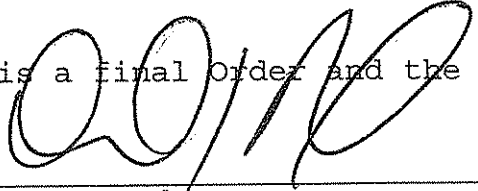
IT IS FURTHER ORDERED that the rights of the parties and
Genoa Township regarding the use of Lot 2 Long Lake Shores are
memorialized in the Easement Agreement executed by the
parties.

IT IS FURTHER ORDERED that the Easement Agreement be
recorded with the Livingston County Register of Deeds.

IT IS FURTHER ORDERED that the Court shall retain
jurisdiction to settle any dispute between Genoa Township and
the parties regarding the interpretation of the Easement
Agreement.

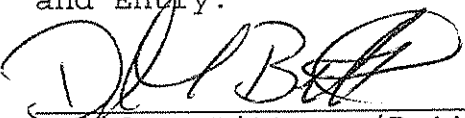
IT IS FURTHER ORDERED THAT Ralph Christensen and Laura
Christensen shall be added as party Plaintiffs for the reason
that they purchased the real estate formerly owned by Steven
Zemper and Alicia Zemper.

IT IS HEREBY ORDERED that this is a final Order and the
case is closed.



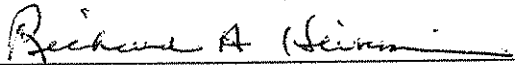
David J. Reader
Circuit Court Judge

Approved as to Form and Content
and Entry:



David T. Bittner (P-44948)
Attorney for Defendants

Prepared By:



Richard A. Heikkinen P-14835
Attorney for Plaintiffs

THE HEIKKINEN LAW FIRM
PROFESSIONAL CORPORATION
110 NORTH MICHIGAN AVE.
HOWELL, MI 48843-2298

(517) 546-1434

X (517) 546-6775



* 2 0 0 6 R - 0 0 9 9 1 6 *

2006R-009916

RECORDED ON

06/29/2006 11:01:51AM

SALLY REYNOLDS

REGISTER OF DEEDS

LIVINGSTON COUNTY, MI 48843

RECORDING: 25.00

RENON: 4.00

PAGES: 6

6

HE

COPY

EASEMENT AGREEMENT

This Easement Agreement is made this 5th day of April, 2006, by and between Genoa Township, a charter township, with offices located at 2911 Dorr Road, Brighton, Michigan 48116, hereinafter referred to as "Grantor", and David V. Cary and Carol E. Cary, his wife, of 1813 Hughes Road, Brighton, Michigan 48114, Wade Ortwine, a single man, of 1835 Hughes Road, Brighton, Michigan 48114, Craig Tolles and Judith Tolles, his wife, of 7831 Debora, Brighton, Michigan 48114, Ralph Christensen and Laura Christensen, his wife, of 1789 Hughes Road, Brighton, Michigan 48114, Russell J. Thomas and Phillis Susan Thomas, his wife, 22246 Virginia Avenue, Eastpointe, Michigan 48021 and Timothy Brown, a single man, of 1785 Hughes Road, Brighton, Michigan 48114, hereinafter referred to as "Grantees",

RECITALS

WHEREAS, the Grantor is a charter township owning Lot 2 of Long Lake Shores located in Genoa Township, Livingston County, State of Michigan, which property is legally described as follows:

Lot 2 of Long Lake Shores, being a part of the Southwest quarter of Southwest quarter of Section 11, T2N, R5E, Michigan, as duly laid out, platted and recorded in Liber 2 of Plats, page 7, Livingston County Records, and

WHEREAS, David V. Cary and Carol E. Cary are the owners of Lots 1 and 2 of Chemung Lakeview, which property is legally described as follows:

Lots 1 and 2 of Chemung Lake View Subdivision as duly laid out, platted and recorded, Liber 7 of Plats, page 44, Livingston County Records, and

WHEREAS, Wade Ortwine is the owner of Lot 3 of Chemung Lakeview, which property is legally described as follows:

Lot 3 of Chemung Lake View Subdivision as duly laid out, platted and recorded, Liber 7 of Plats, page 44, Livingston County Records, and

WHEREAS, Craig Tolles and Judith Tolles are the owners of the following described property,

A part of the Southwest 1/4 of the Southwest 1/4 of Section 11, T2N, R5E, Genoa Township, Livingston County, Michigan described as follows: Beginning at a point South 00*20'00" East 228.97 feet (recorded as South 00*18" West) from the Northeast corner of the Southwest 1/4 of the Southwest 1/4 of said Section; thence continuing South 00*20'00" East 51.17 feet to the Northeast corner of Lot 1 of "Chemung Lakeview" a subdivision as duly laid out, platted and recorded in Liber 7 of Plats, page 44, Livingston County Records; thence North 71*13'00" West along the North line of said Lot; 329.69 feet (recorded as 329.55 feet) to the Northwest corner of said Lot; thence continuing North 71*13'00" West 33.87 feet to the centerline of Hughes Road; thence North 29*24'40" East 50.16 feet; thence South 71*03'59" East 337.20 feet to the Point of Beginning, containing 0.39 acres more or less and subject to the rights of the public over the existing Hughes Road. (Symbol * = degrees)

WHEREAS, Ralph Christensen and Laura Christensen are owners of the following described property,

Part of the Southwest 1/4 of Section 11, T2N, R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at a point distant North 00 degrees 17 minutes 19 seconds East 279.28 feet (previously recorded as North 00 degrees 20 minutes 00 seconds East 280.14 feet) from the Northeast corner of Lot 1 of Chemung Lakeview (Liber 7, page 44, Livingston County Records) to the Northeast corner of the Southwest 1/4 of the Southwest 1/4 of said Section 11; thence continuing from said point, South 00 degrees 17 minutes 19 seconds West (previously recorded as South 00 degrees 20 minutes 00 seconds West) 80.00 feet to the point of beginning of the parcel to be described; thence South 00*17'19" West (previously recorded as South 00*20'00" West), 148.11 feet; thence North 71 degrees 06 minutes 14 seconds West 337.12 feet (previously recorded as North 71 degrees 03 minutes 59 seconds West, 337.20 feet); thence along the

centerline of Hughes Road (66 foot wide Right-of-Way) north 30 degrees 14 minutes 12 seconds East (previously recorded as North 29 degrees 24 minutes 40 seconds East) 74.79 feet; thence North 88 degrees 48 minutes 22 seconds East 47.66 feet; thence South 88 degrees 51 minutes 07 seconds East 93.36 feet; thence South 81 degrees 27 minutes 29 seconds East 56.01 feet; thence South 79 degrees 06 minutes 29 seconds East 87.25 feet to the point of beginning. Also a non-exclusive 12 foot right of way across the North side of Lot 2 of Long Lake Shores, as recorded in Liber 2 of Plats, page 7, Livingston County Records. (Symbol * = degrees)

WHEREAS, Russell J. Thomas and Phillis Susan Thomas are the owners of Lot 6 of Chemung Lakeview, which property is legally described as follows:

Lot 6 of Chemung Lake View Subdivision as duly laid out, platted and recorded, Liber 7 of Plats, page 44, Livingston County Records, and

WHEREAS, Timothy Brown is the owner of the following described property.

Part of the Southwest 1/4 of Section 11, T2N, R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at a point distant North 00 degrees 17 minutes 19 seconds East 279.28 feet (previously recorded as North 00 degrees 20 minutes 00 seconds East 280.14 feet) from the Northeast corner of Lot 1 of "Chemung Lakeview" (Liber 7, page 44, L.C.R.) to the Northeast corner of the Southwest 1/4 of the Southwest 1/4 of said Section 11, and the Point of Beginning of the Parcel to be described; thence continuing from said point South 00 degrees 17 minutes 19 seconds West (previously recorded as South 00 degrees 20 minutes 00 seconds West) 80.00 feet; thence North 79 degrees 06 minutes 29 seconds West 87.25 feet; thence North 81 degrees 27 minutes 29 seconds West 56.01 feet; thence North 88 degrees 51 minutes 07 seconds West 93.36 feet; thence South 88 degrees 48 minutes 22 seconds West 47.65 feet; thence along the centerline of Hughes Road (66 foot wide Right-of-Way) North 30 degrees 14 minutes 12 seconds East (previously recorded as North 29 degrees 24 minutes 40 seconds East) 75.13 feet; thence South 87 degrees 31 minutes 09 seconds East 244.83 feet (previously recorded as 244.89 feet) to the Point of Beginning. Also a 12 foot Right of Way across the North side of Lot 2 of Long Lake Shores as recorded in Liber 2, page 7 of plats, Livingston County Records. (Symbol * = degrees)

WHEREAS, John Dennis O'Keefe and Linda Kristine O'Keefe, his wife were the owners of Lot 2 of Long Lake Shores, and

WHEREAS, a lawsuit in Livingston County Circuit Court wherein the above named persons have sued Dennis O'Keefe and Linda Kristine O'Keefe to obtain a Judgment establishing their right to go on Lot 2 of Long Lake Shores for recreational purposes, and

WHEREAS, the above named Grantees or their predecessors in interest have either erected or used a dock for mooring of boats that extends into Lake Chemung from Lot 2 Long Lake Shores, and

WHEREAS, a 10 foot wide open drain for storm water runoff as located on the North 10 feet of Lot 2 Long Lake Shores, and

WHEREAS, Lot 2 Long Lake Shores is 58 feet wide on the East boundary adjoining Hughes Road and 50 feet wide on the West boundary, and

WHEREAS, the Grantor desires to expand the storm water drain and increase the width of the drain by 12 feet, and

WHEREAS, Genoa Township has acquired the said Lot 2 Long Lake Shores from John Dennis O'Keefe and Linda Kristine O'Keefe and agrees to allow Grantees and their successors in interest to continue to use the remainder of Lot 2 Long Lake Shores for recreational purposes subject to the terms of this agreement.

WHEREAS, the Grantor and Grantees desire to establish and redefine the rights and duties of the Grantor and the Grantees vis a vis the subject Lot 2 of Long Lake Shores.

NOW THEREFORE, in consideration of the benefits received by all of the parties, IT IS AGREED as follows:

1. The Grantees shall dismiss their lawsuit filed in the 44th Circuit Court for the County of Livingston, State of Michigan, Circuit Court Case No.04-20986-CH.
2. The Grantor does hereby grant to the Grantees, their heirs, assigns and successors in interest shall have the right to use Lot 2 Long Lake Shores, except for the area taken by the open drain, as modified, for recreational purposes. This Grant of Easement shall run with the lands owned by the Grantees as hereinabove set forth.
3. Recreational purposes shall include sunbathing, game playing, picnicing, fishing, erecting a dock with seven slips (one per each of the owners of the seven parcels of real estate above described) for mooring of boats and in general obtaining access to Lake Chemung. Boats owned by persons other than the Grantees and their successors in interest shall not be launched or moored from the said Lot 2 Long Lake Shores. Boats owned by third parties may be temporarily docked but shall not remain overnight. Automobiles shall not be parked on the said Lot 2 Long Lake Shores. Boats and trailers may not be stored on Lot 2 Long Lake Shores except during the boating season. The invitees of the Grantees may, in conjunction with the Grantees' use of the property, use the property for recreational purposes excepting launching and overnight docking of boats.

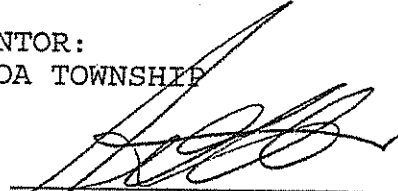
4. This agreement granting an easement and defining Grantees' rights shall supersede any prior grant of easement made by person(s) in the chain of title granting rights to use the said Lot 2 Long Lake Shores or any part thereof for recreational purposes.
5. The Township hereby agrees, as fee title owner of the said Lot 2 Long Lake Shores to expand the width of the existing open storm water drain no more than an additional twelve feet.
6. The Township acknowledges that Grantees and their successors in interest may continue to use Lot 2 Long Lake Shores for recreational purposes as above described in perpetuity because the Grantees used Lot 2 Long Lake Shores for such purposes and such use was continual and uninterrupted for 30 years or more. Further, the Township acknowledges and agrees that it cannot prohibit the Grantees and their successor in interest from using Lot 2 Long Lake Shores for recreational purposes as herein defined.
7. The Township agrees that no structure shall be erected above ground on Lot 2 Long Lake Shores except for a storm water drainage apparatus to be located within the twenty-two foot (22') wide drainage area.
8. Grantees acknowledge, in connection with the construction and periodic maintenance of the expanded storm water drain, that the surface of Lot 2 Long Lake Shores may be disturbed by construction activity. The Township agrees to return any and all areas disturbed to a reasonable likeness of their condition prior to the beginning of the work.
9. The Township covenants and agrees that it will not, due to the location of the easement premises, permit the public to use the premises for recreational uses as defined herein and for any other use which inhibits the recreational uses enjoyed by the Grantees.
10. The Grantees acknowledge that the Township will not maintain the said Lot 2 Long Lake Shores and that the Livingston County Drain Commission shall have access over the lot for the purposes of maintaining the drain.
11. The Township agrees that the Grantees may maintain Lot 2 Long Lake Shores by mowing the grass areas of the lot and otherwise keep the premises free of debris and trash.
12. The Township does hereby covenant and agree that it will not disturb or otherwise interfere with the Grantees use of the remainder of Lot 2 Long Lake Shores and that their rights to continue the recreational uses on the remainder of Lot 2 Long Lake Shores shall not be hereafter eliminated or terminated.

13. The Grantees hereto do hereby acknowledge and agree that the Grantees and the Grantor have each received valuable consideration for the execution of this agreement.

The Grantor and the Grantees hereto have executed this Easement Agreement on the day and year as set forth.

GRANTOR:
GENOA TOWNSHIP

Dated:
April 5, 2006

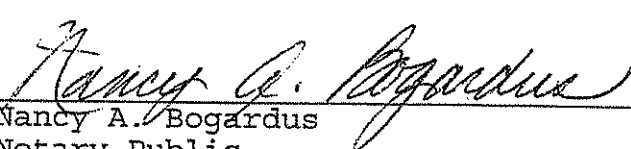
By: 
Gary T. McCririe
Its Supervisor

Dated:
April 5, 2006

By: 
Robin Lynn Hunt
Its Treasurer

STATE OF MICHIGAN]
] ss
COUNTY OF LIVINGSTON]

The foregoing instrument was acknowledged before me this 5th day of April, 2006, by Gary T. McCririe, Supervisor and Robin Lynn Hunt, Treasurer, -----on behalf of Genoa Township, a charter township, full authority to do so.

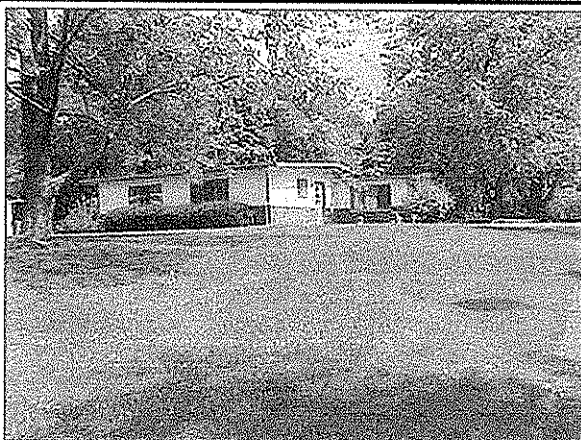

Nancy A. Bogardus
Notary Public
Livingston County, Michigan
My commission expires: 6/26/2011
Acting in Livingston County, Michigan

DRAFTED BY and RETURN TO:

Richard A. Heikkinen
THE HEIKKINEN LAW FIRM, P.C.
110 North Michigan Avenue
Howell MI 48843

Property Detail - Full Listing Report W/ Photo

[Back to List](#) [Select different flyer format](#)
[Mortgage](#) [Printable View](#) [Map Property](#) [Start CMA](#) [Start Transaction](#)
[Previous](#) [Next](#)



front

Click photograph to view all available photographs

#25024647 Ad: 1847 HUGHES RD RES SOLD ERTS/FS \$ 166,666 S
 T: GENOA 48114 Map: N 16 Loc: N GRAND RIVER E Area: 01111
 TWP HUGHES

Dir: FROM BRIGHTON, GO W ON GRAND RIVER TO HUGHES, N Prot
 HUGHES Period: 180
 Lot Acr: 0 Front Ft: BR: 2 Bath: 2 Lavs: 0

Size: 70X74X489X452
 Prop ID: 1111304004 Sch: HOWELL MBR: 17x11 E LR: 24x12 E
 Legal: SEC. 11 T2N, R5E, CHEMUNG LAKEVIEW LOT 4 BR2: 10x11 E GR:
 Tax: Sum: \$560Win: \$560Assoc. Homestead: N BR3: FR: 19x11 E
 Fee: \$

Year Oth/Spc: 2625 SEWER/340 WEED BR4: LB:
 Built: 1950

Water Nm: CHEMUNG Adl Doc: N Pos: IMMED BR5: DR:
 Sq Ft: 1460 LSF: Src: MEAS BFT: KT: 16x14 E
 Comp Arr: Sub Agency: Y 3 Buyer Agency: Y 3 Transaction Coord.: Y 3
 185563 PREVIEW PROPERTIES.COM 810-220-0000 Cnt: BILL LANE Ph: 810-220-0000
 BILL LANE Agt: 810-220-1487 LD: 2/28/2005
 Co-List: Co-List Ph: Acc: LOCKBOX Gar: Y Ba: N FP: N

Agent Only Remarks

This recently refurbished 2 bedroom, 2 bath ranch home has 1,460 sq ft & is on 1.25 acres of wooded & rolling land. This Lakeview property overlooks the southern end of Lake Chemung. A public access boat ramp is 1/2 mile away. Travel 1.5 miles to I 96. Also included is a 22x24 garage & 12x10 shed. Also PIN #111304005 (68x68x325x325).
 LC: N
 DWP:
 PAY:
 INT:
 TRM:

Features

Exterior: BRICK, Architecture: 1-ST Style: RANCH
 VINYL
 Site Desc: IRREG, Terms: CONV, CASH Heating: FRCD AIR
 WOODED
 Fuel Type: GAS Water Heater: GAS Interior Feat: CABLE AVL

8/21/08

Adam

Sorry I didn't get this in sooner -
I had it ready on July 29, 08. I was
going to drop it off on Weds July 30, 08.
However my mother passed away on
July 29th.

So I am now back on track.
I have enclosed complete copy packages
for everyone.

Thanks

Ruxi

Please notify of the meeting date -

My cell is easiest
way to get me. 517-402-2011.
You can leave a message

RECORDED

LIBER 4 6 5 6 PAGE 0 3 7 1

2005 JUL 18 P 3:43

SALLY REYNOLDS
REGISTER OF DEEDS
LIVINGSTON COUNTY, MI
48843

JTA

LIVINGSTON COUNTY TREASURER'S CERTIFICATE
I hereby certify that there are no TAX
LIENS or TITLES held by the state or any
individual against the within description,
and all TAXES are same as paid for five
years previous to the date of this instrument
or appear on the records in this
office except as noted. 10838
7-1-05 *John A. Hardy*
John A. Hardy, Treasurer
Sec. 135 Act 205, 1933 as Amended
Taxes not examined

HOMESTEAD DENIALS NOT EXAMINED

WARRANTY DEED

13/4 177.10
1207.50

The Grantor(s) David C. Horne and Dorothy J. Horne, husband and wife,
whose address is 1847 Hughes Road, Brighton, MI 48114
convey(s) and warrant(s) to Daniel E. Grassi and Lisa L. Grassi, husband and wife,
whose address is 769 Pathway Drive, Howell, MI 48843

the following described premises situated in the Township Of Genoa, County of Livingston and State of Michigan:

See attached Legal Description.

This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan right to farm act.

The grantor grants to the grantee the right to make 4 division(s) under Section 108 of the Land Division Act, Public Act 591 of 1996.

for the sum of One Hundred Sixty-One Thousand And 00/100 (\$161,000.00)

together with all and singular the tenements, hereditaments and appurtenances thereto belonging or otherwise pertaining, subject to existing building and use restrictions, if any, easements of record, and zoning ordinances.

Effective date 15th day of June, 2005.

Signed by:

David C. Horne
David C. Horne
Dorothy J. Horne
Dorothy J. Horne

State of Arkansas
County of Garland } ss

The foregoing instrument was acknowledged before me this 10 th day of June, 2005, by David C. Horne and Dorothy J. Horne, husband and wife.

My commission expires:

Nov 22, 2006

KERRI M. NORMAN
NOTARY PUBLIC - ARKANSAS
MY COMMISSION EXPIRES NOV. 22, 2006
GARLAND COUNTY

Kerri M. Norman

Notary Public
County, Garland
County, _____

When Recorded Return To:
Daniel E. Grassi
1847 Hughes Rd. 769 Pathway Dr.
Brighton, MI 48114
Howell, MI 48843

Send Subsequent Tax Bills To: Grantee
File No. 112517

Drafted By:
Nancy Bohlen
130 W. Grand River Avenue
Brighton, MI 48116

17+17 177.10 + 1207.50

STATE OF
MICHIGAN
Dept of Taxation
Livingston County
0159545 19 Jul 2005



REAL ESTATE *
TRANSFER TAX *
\$177.10-C *
\$1,207.50-S *
P0065223 *

Provided by

11-11-304-004
11-11-304-005

Revised 05/12/2005

PROPERTY DESCRIPTION

Land situated in the Township of Genoa, County of Livingston, State of Michigan, described as:

Lots 4 and 5 of Chemung Lakeview, as duly laid out, platted and recorded in Liber 7 of Plats, page 44, Livingston County Records.

Also, conveying the right to use the joint driveway as now located between Lots 3 and 4 of said subdivision.

Also, conveying a right of way across Lot 2 of Long Lake Shores, as duly laid out, platted and recorded in Plat Liber 2, page 7, Livingston County Records, for the purpose of ingress and egress from Hughes Road to the Shore of Lake Chemung.

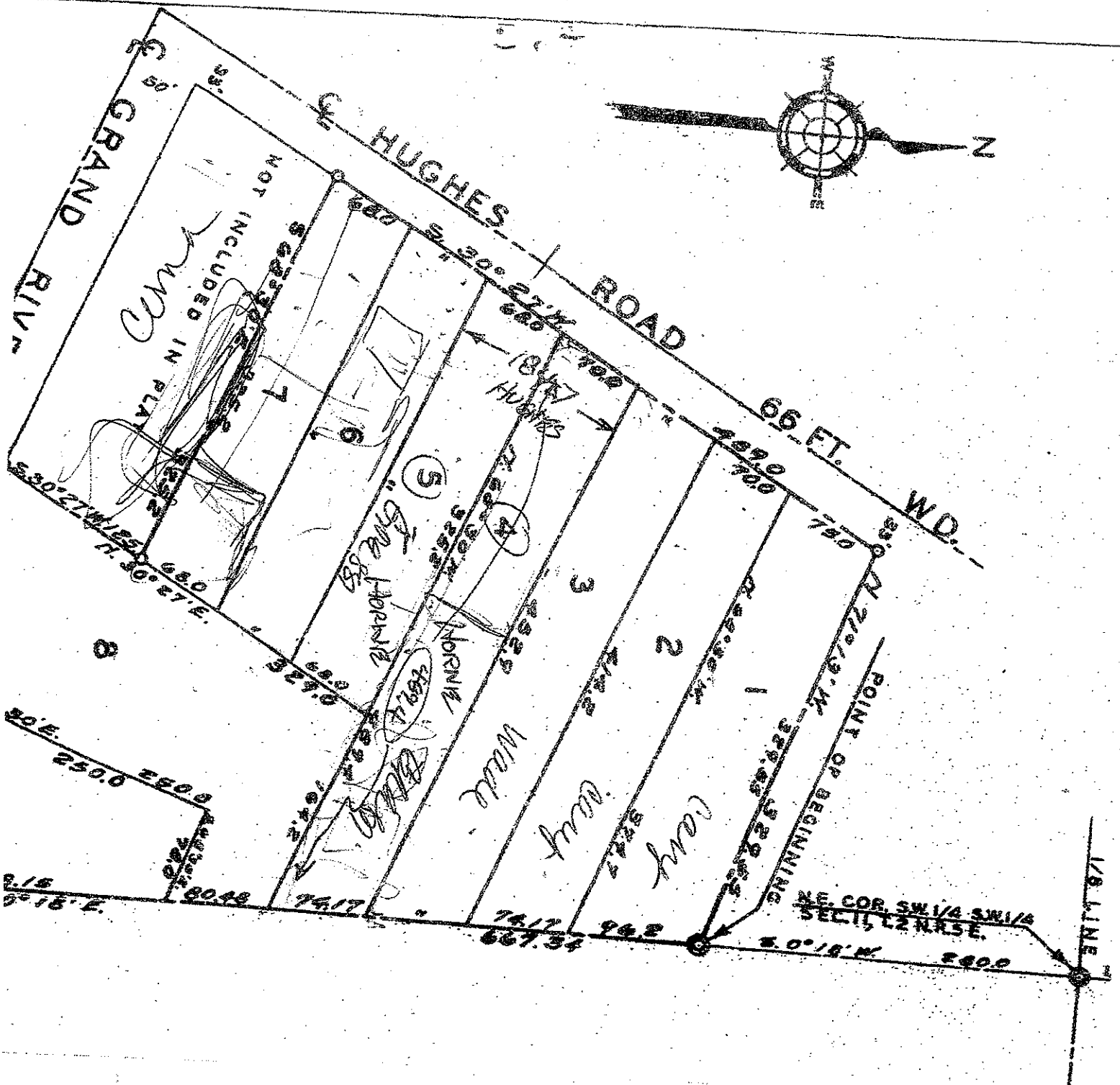
Tax Identification No: 11-11-304-004 & 005
Common Address: 1847 Hughes Road

TAX CODE NUMBER: 11-11-304-004 (lot 4)
11-11-304-005 (lot 5)

EXHIBIT A

Land in the TOWNSHIP OF GENOA, COUNTY OF LIVINGSTON, State of Michigan described as follows:

Lots 4 and 5 of Chemung Lakeview, a subdivision of part of the SW 1/4 of the SW 1/4 of Section 11, T2N, R5E, Michigan, as duly laid out, platted and recorded in Liber 7 of Plats, Page 44, Livingston County Records. Also, conveying the right to use the joint driveway as now located between lots 3 and 4 of said subdivision. Also, conveying a right-of-way across Lot 2 of Long Lake Shores, a Subdivision of part of the SW 1/4 of the SW 1/4 of Section 11, T2N, R5E, Michigan, as duly laid out, platted and recorded in Liber 2 of Plats, page 7, Livingston County Records, for the purpose of ingress and egress from Hughes Road to the Shore of Lake Chemung.



July 26, 2008

Genoa Township Board
2911 Dorr Rd.
Brighton, MI 48116

Re: 1843 and 1847 Hughes Rd Easements.

Dear Board Members:

Per your request at the board meeting on July 7, 2008 we have enclosed in chronological order the activity regarding the purchase, the new split approval and the rest of the information for the easement of Lot 2 Long Lake Shores.

As you will see we purchased 2 separate parcels and paid taxes on both. The Hornes never signed away their lake access to Lot 2 of Long Lake Shores. We were never notified of any legal action regarding our property either by Genoa Township or the neighbors suing the O'Keefe's or Genoa Township. We were approved to build the house now know as 1843 before the easements were granted.

We would appreciate it if you would review the information enclosed and grant us the same REPARIAN RIGHT easements as David Cary of 1813 Hughes Rd. was granted on the lot with his home and his vacant lot "Lots 1 and 2 of Chemung Lake View Subdivision."

We are requesting that we be advised of the date the board will discuss this at their meeting so we may attend.

Thank you for taking the time to review the provided information.

Sincerely,



Daniel E. Grassi



Lisa L. Grassi

GENOA TOWNSHIP
LAND DIVISION APPLICATION

PA 10/28/05

NAME: Lisa Grassi Dan Grassi

ADDRESS: 1847 N. Hughes Rd. Brighton 48116

TELEPHONE: 517-4022077 cell

TAX ID#: 11-11-304-0047005 CURRENT ZONING: LRR

W-810-2250800

YOU MUST HAVE THE FOLLOWING IN ORDER TO HAVE A COMPLETED APPLICATION:

- A. NAME & SIGNATURES OF ALL OWNERS OR AUTHORIZED AGENTS
- B. A COPY OF THE RECENT TAX BILL PAID IN FULL
- C. A LEGAL DESCRIPTION OF EACH PARCEL INTO WHICH THE PROPERTY IS TO BE DIVIDED PERPARED BY A REGISTERED LAND SURVEYOR SHOWING:
 - 1. ALL DIMENSIONS OF THE EXISTING AND PROPOSED PARCELS.
 - 2. LOCATION OF ALL BUILDINGS AND SETBACKS FROM LOT LINES (THIS MUST MEET CURRENT ZONING SETBACKS).
 - 3. PROPOSED SETBACK LIMITS WITHIN EACH PARCEL WITH DEMENSIONS (ENVELOPE).
 - 4. A QUALIFID WETLAND CONSULTANT SHALL ILLUSTRATE BOUNDARIES OF ANY WATER BODY OR WETLAND, WHICH MAY BE REGULATED BY THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY, WITH SUPPORTING DOCUMENTATION.
 - 5. PROPOSED PUBLIC UTILITIES AND ACCESS EASEMENT LOCATIONS, WITH DIMENSIONS.
- D. APPROVED SIGHT DISTANCE REVIEW FROM THE LIVINGSTON COUNTY ROAD COMMISSION. 546-4250
- E. DOCUMENTATION OF A PERK TEST FOR EACH NEWLY CREATED PARCEL BY THE LIVINGSTON COUNTY HEALTH DEPT. 546-9858 *NOT APPLICABLE* *engineer.* *#30-* *#185- legal Desc* *cert survey.*
- F. ARE THERE ANY SPECIAL ASSESSMENTS ON THE PARENT PARCEL?

YES NO

IF YES, HAS THAT ASSESSMENT BEEN PAID IN FULL?

YES NO

G. \$100.00 FEE PER APPLICATION (UP TO 4 SPLITS)

\$ 25.00 PER PARCEL AFTER 4 PARCELS

[Signature]
OWNERS SIGNATURE

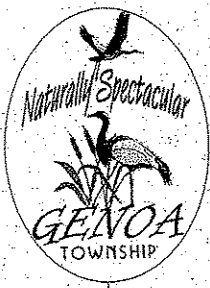
10/28/05
DATE

[Signature]
CO-OWNERS SIGNATURE

10/28/05
DATE

Daniel E. Grassi

Lisa L. Grassi



Genoa Township

2911 Dorr Road • Brighton, Michigan 48116 • (810) 227-5225 • Fax (810) 227-3420 • Email: www.genoa.org

December 13, 2005

Dan & Lisa Grassi
1847 N. Hughes Rd.
Brighton MI 48114

Re: Split Application

Dear Mr. & Mrs. Grassi,

I have enclosed a copy of the split application showing that the split has been approved. I will not place the new parcels on the assessment roll until the 2005 Winter taxes have been paid. Once you have paid them please notify me and I will place the splits on the assessment roll.

If you have any further questions or concerns please feel free to contact me at anytime.

Sincerely,

Debra L. Rojewski
Assessor

Supervisor
Gary T. McCririe

Clerk
Paulette A. Skolarus

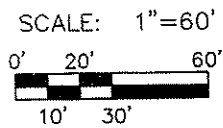
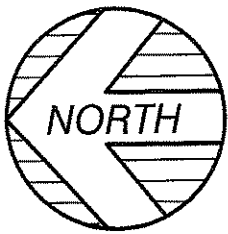
Treasurer
Robin L. Hunt

Manager
Michael C. Archinal

Trustees
H. James Mortensen • Jean W. Ledford • Todd W. Smith • Steven Wildman

#2

CERTIFIED SURVEY

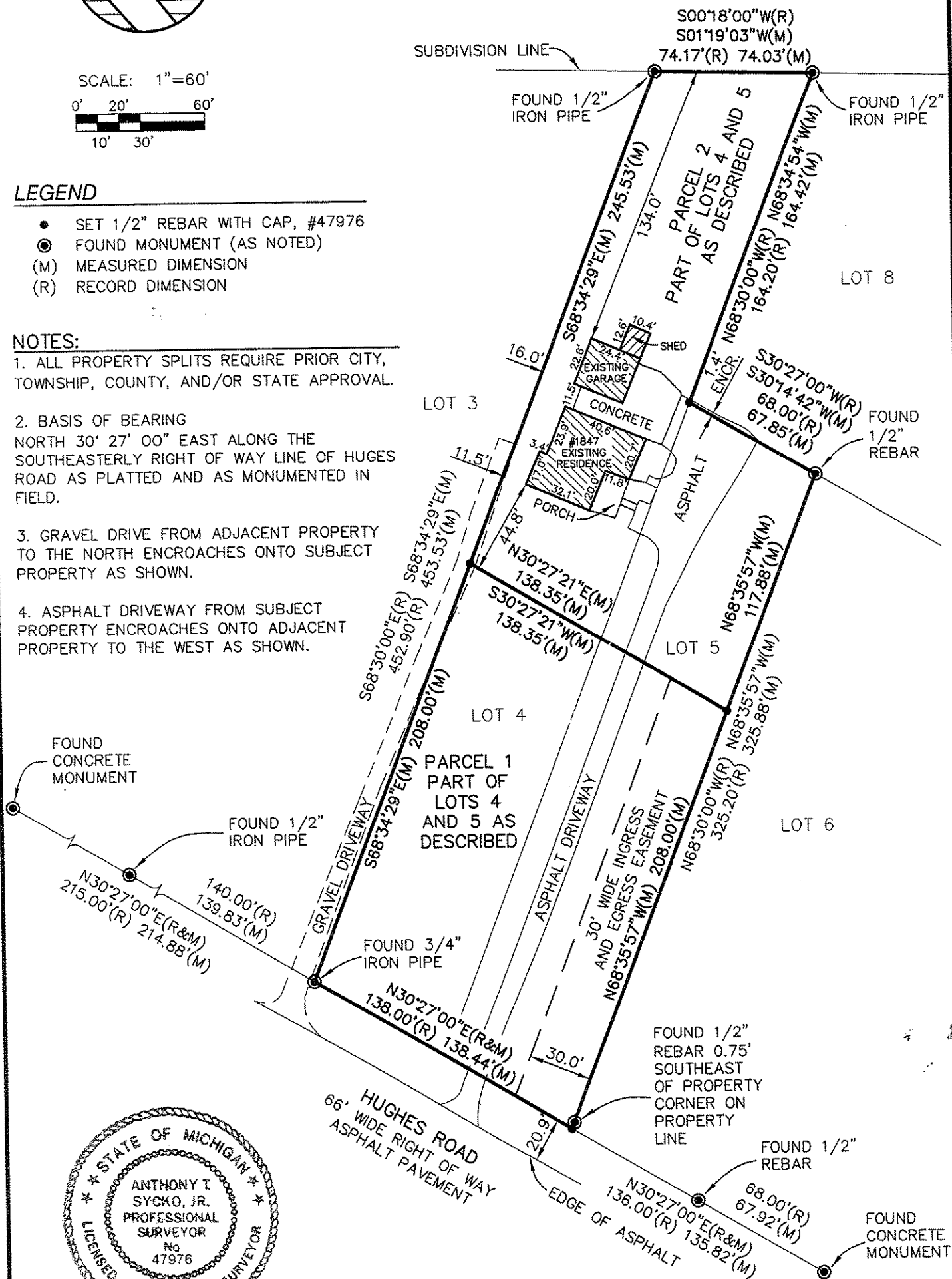


LEGEND

- SET 1/2" REBAR WITH CAP, #47976
- ⊙ FOUND MONUMENT (AS NOTED)
- (M) MEASURED DIMENSION
- (R) RECORD DIMENSION

NOTES:

1. ALL PROPERTY SPLITS REQUIRE PRIOR CITY, TOWNSHIP, COUNTY, AND/OR STATE APPROVAL.
2. BASIS OF BEARING
NORTH 30° 27' 00" EAST ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF HUGES ROAD AS PLATTED AND AS MONUMENTED IN FIELD.
3. GRAVEL DRIVE FROM ADJACENT PROPERTY TO THE NORTH ENCROACHES ONTO SUBJECT PROPERTY AS SHOWN.
4. ASPHALT DRIVEWAY FROM SUBJECT PROPERTY ENCROACHES ONTO ADJACENT PROPERTY TO THE WEST AS SHOWN.



I HEREBY CERTIFY THAT I HAVE SURVEYED THE LAND HEREIN PLATTED AND DESCRIBED AND THAT THE RATIO OF CLOSURE MEETS THE REQUIREMENTS OF PUBLIC ACT 132 OF 1970.

Anthony T. Sycko, Jr.

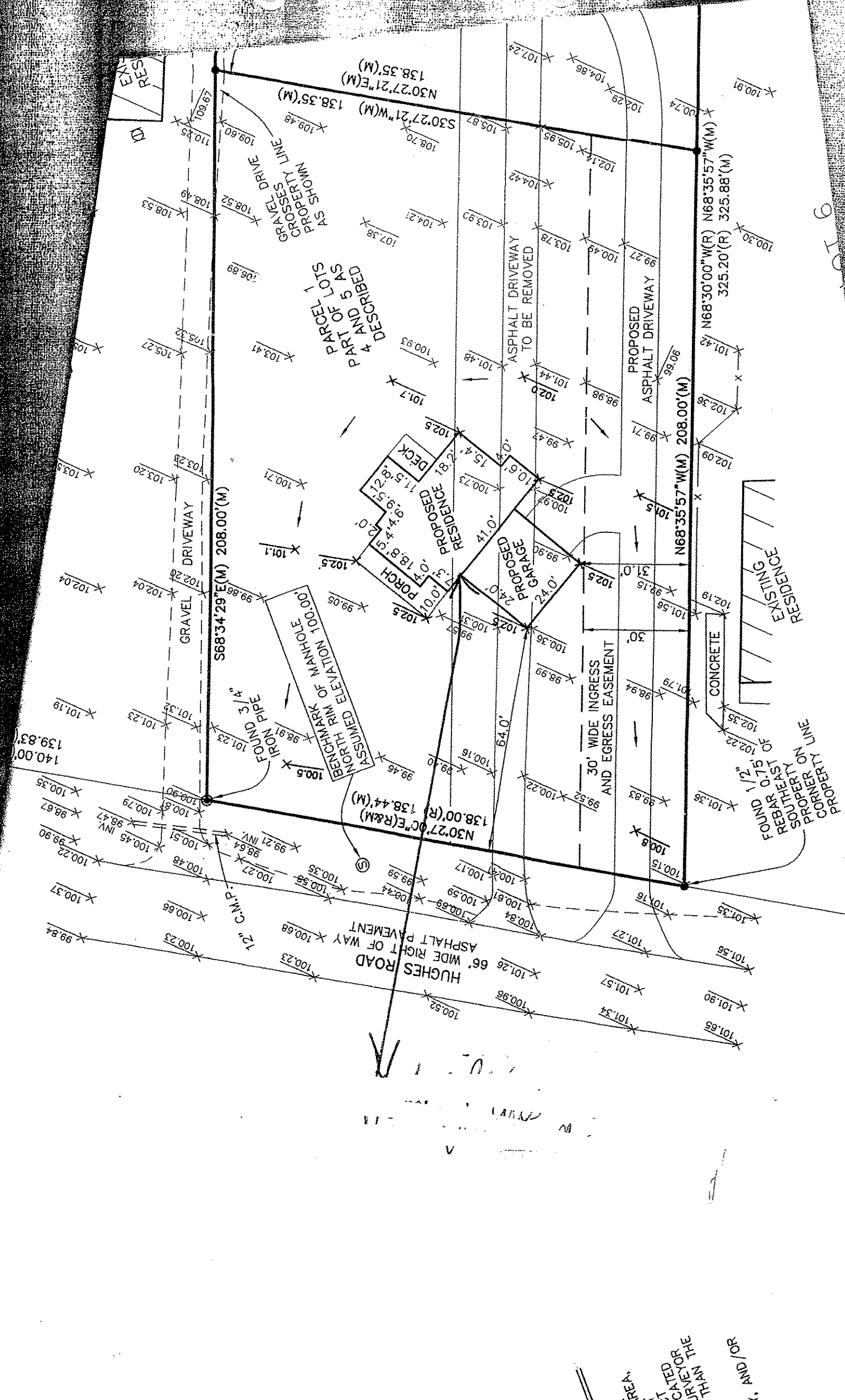
ANTHONY T. SYCKO, JR., P.S. NO. 47976



KEM-TEC & ASSOCIATES

22556 GRATIOT AVE. EASTPOINTE, MI 48021
(586)772-2222 * FAX (586)772-4048

CERTIFIED TO: LISA GRASSI	
FIELD SURVEY: TP RE	DATE: OCTOBER 28, 2005
DRAWN BY: SA	SHEET: 1 OF 2
SCALE: 1" = 60'	JOB NO.: 05-31548



ANY AND/OR
 SURFACE
 OCCUPY
 MORE THAN THE
 AREA

140.00'
 139.83'

HUGHES ROAD
 66' WIDE RIGHT OF WAY
 ASPHALT PAVEMENT
 12" C.M.P.

30' WIDE INGRESS
 AND EGRESS EASEMENT
 CONCRETE
 FOUND 1/2" REBAR 0.75' EAST OF PROPERTY LINE
 COORNER ON PROPERTY LINE
 EXISTING RESIDENCE

24' PROPOSED GARAGE
 11.5' x 12.5' PROPOSED RESIDENCE DECK
 18.8' x 12.0' PORCH
 18.8' x 12.0' ASSUMED ELEVATION 100.00'
 NORTH RIM OF MANHOLE
 FOUND 3/4" IRON PIPE
 208.00'(M) S68°34'29"E

4 PARTS OF LOTS 1 AND 5 DESCRIBED AS SHOWN
 GRAVEL DRIVE CROSSES PROPERTY LINE AS SHOWN
 138.35'(M) S30°27'21"W
 138.35'(M) N30°27'21"E

208.00'(M) N68°35'57"W
 325.20'(R) N68°30'00"W
 325.88'(M) N68°35'57"W

TITLE REPORT NOTE

ONLY THOSE EXCEPTIONS CONTAINED WITHIN THE LAWYERS TITLE INSURANCE CORPORATION FILE No. 112517, DATED 1/15/95, WERE CONSIDERED FOR THIS SURVEY. NO OTHER RECORDS RESEARCH WAS PERFORMED BY THE CERTIFYING SURVEYOR.

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY HEREIN DESCRIBED. THE ELEVATIONS SHOWN HEREON ARE BASED ON A FIELD SURVEY AND THE DRAWING HEREON DELINEATED IS A CORRECT REPRESENTATION OF THE SAME.



ANTHONY T. SYCKO, JR., P.S.
PROFESSIONAL SURVEYOR
MICHIGAN LICENSE NO. 47976



S0018'00"W(R)
S0119'03"W(M)
74.17'(R) 74.03'(M)



KEM-TEC & ASSOCIATES

PROFESSIONAL SURVEYORS
22556 GRATIOT AVE * EASTPOINTE, MICHIGAN 48021.
(586)772-2222 * (800)295-7222 * FAX (586)772-4048

PREPARED FOR: LISA GRASSI

DATE: NOVEMBER 15, 2005

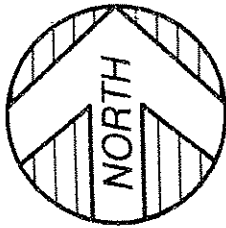
JOB #: 05-31548

SCALE: 1" = 30'

SHEET: 1 OF 1

DRW. BY: TS

REV.: JANUARY 12, 2006



GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

PROPERTY DESCRIPTION

(AS FURNISHED BY CLIENT)

LOTS 4 AND 5, "CHEMUNG LAKEVIEW", A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 11, TOWN 2 NORTH, RANGE 5 EAST, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, AS RECORDED IN LIBER 7 OF PLATS, PAGE 44 OF LIVINGSTON COUNTY RECORDS.

(AS SURVEYED)

PARCEL 1

THE WESTERLY 208 FEET OF LOTS 4 AND 5 AS MEASURED ALONG THE NORTH LINE OF LOT 4 AND SOUTH LOT LINE OF LOT 5, "CHEMUNG LAKEVIEW", A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 11, TOWN 2 NORTH, RANGE 5 EAST, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, AS RECORDED IN LIBER 7 OF PLATS, PAGE 44 OF LIVINGSTON COUNTY RECORDS.

ALSO SUBJECT TO A 30 FOOT WIDE INGRESS AND EGRESS EASEMENT DESCRIBED AS;

THE SOUTHERLY 30 FEET OF THE WESTERLY 208 FEET OF LOT 5 AS MEASURED PERPENDICULAR TO THE SOUTHERLY LINE OF LOT 5, "CHEMUNG LAKEVIEW", A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 11, TOWN 2 NORTH, RANGE 5 EAST, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, AS RECORDED IN LIBER 7 OF PLATS, PAGE 44 OF LIVINGSTON COUNTY RECORDS.

PARCEL 2

ALL OF LOTS 4 AND 5, EXCEPT THE WESTERLY 208 FEET OF SAID LOTS AS MEASURED ALONG THE NORTH LINE OF LOT 4 AND SOUTH LOT LINE OF LOT 5, "CHEMUNG LAKEVIEW", A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 11, TOWN 2 NORTH, RANGE 5 EAST, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, AS RECORDED IN LIBER 7 OF PLATS, PAGE 44 OF LIVINGSTON COUNTY RECORDS.

ALSO TOGETHER WITH A 30 FOOT WIDE INGRESS AND EGRESS EASEMENT DESCRIBED AS;

THE SOUTHERLY 30 FEET OF THE WESTERLY 208 FEET OF LOT 5 AS MEASURED PERPENDICULAR TO THE SOUTHERLY LINE OF LOT 5, "CHEMUNG LAKEVIEW", A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 11, TOWN 2 NORTH, RANGE 5 EAST, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, AS RECORDED IN LIBER 7 OF PLATS, PAGE 44 OF LIVINGSTON COUNTY RECORDS.

TITLE REPORT NOTE

ONLY THOSE EXCEPTIONS CONTAINED WITHIN THE LAWYERS TITLE INSURANCE CORPORATION FILE No. 112517, DATED 1/15/95, WERE CONSIDERED FOR THIS SURVEY. NO OTHER RECORDS RESEARCH WAS PERFORMED BY THE CERTIFYING SURVEYOR.

DISCHARGE OF MORTGAGE (PARTIAL)

Know all Men by These Presents, that a certain Indenture Mortgage, bearing date

The 17th, Day of June A.D. 2005

Made and executed by Daniel E. Grassi and Lisa L. Grassi, Husband and Wife

Of the first part, to First Franklin, A Division of Nat. City Bank of Ind

Of the second part, and recorded in the Register's Office for the County of Livingston, State of Michigan, in Liber 4856, on Pages 373 through 392.

For property described as: Township of Genoa, County of Livingston, State of Michigan

The Westerly 208 feet of Lots 4 and 5 as measured along the North Line of Lot 4 and South Lot Line of Lot 5, "Chemung Lakeview", a Subdivision as Recorded in Liber 7 of Plats, Page 44 of Livingston County Records.

Also subject to a 30 Foot Wide Ingress and Egress Easement described as: The Southerly 30 Feet of the Westerly 208 Feet of Lot 5 as Measured perpendicular to the Southerly Line of Lot 5 "Chemung Lakeview" Subdivision as recorded in Liber 7 of Plats, Page 44 of Livingston County Records.

C.K.A. 1847 Hughes Rd.

Item No. 11-11-304-010 (Part Of Old Item No. 11-11-304-004)

is partially paid, satisfying and discharging above property from lien

Signed, sealed and delivered the 5th day of APRIL, 2006

Signed in the presence of

Heather Hoak
ATTEST, HEATHER HOAK

Gary S. Fedoranko

GARY S. FEDORANKO
ASST. VICE PRESIDENT

STATE OF PENNSYLVANIA }
COUNTY OF ALLEGHENY } ss.

The foregoing instrument was acknowledged before me this 5th day of APRIL

2006, By GARY S. FEDORANKO, ASSISTANT VICE PRESIDENT,

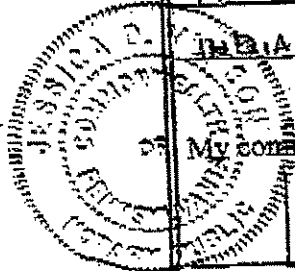
FIRST FRANKLIN, A DIVISION OF NATIONAL CITY BANK OF

INDIANA

My commission expires: April 7 2006

Jessie D. A...

Notary Public
County, Michigan



Notarial Seal
Jessica D. Vukson, Notary Public
City Of Pittsburgh, Allegheny County
My Commission Expires Apr. 7, 2007

Member, Pennsylvania Association Of Notaries

When recorded return to:

Drafted by:

WHEREAS, the above named Grantees or their predecessors in interest have either erected or used a dock for mooring of boats that extends into Lake Chemung from Lot 2 Long Lake Shores, and

WHEREAS, a 10 foot wide open drain for storm water runoff as located on the North 10 feet of Lot 2 Long Lake Shores, and

WHEREAS, Lot 2 Long Lake Shores is 58 feet wide on the East boundary adjoining Hughes Road and 50 feet wide on the West boundary, and

WHEREAS, the Grantor desires to expand the storm water drain and increase the width of the drain by 12 feet, and

WHEREAS, Genoa Township has acquired the said Lot 2 Long Lake Shores from John Dennis O'Keefe and Linda Kristine O'Keefe and agrees to allow Grantees and their successors in interest to continue to use the remainder of Lot 2 Long Lake Shores for recreational purposes subject to the terms of this agreement.

WHEREAS, the Grantor and Grantees desire to establish and redefine the rights and duties of the Grantor and the Grantees vis a vis the subject Lot 2 of Long Lake Shores.

NOW THEREFORE, in consideration of the benefits received by all of the parties, IT IS AGREED as follows:

1. The Grantees shall dismiss their lawsuit filed in the 44th Circuit Court for the County of Livingston, State of Michigan, Circuit Court Case No.04-20986-CH.
2. The Grantor does hereby grant to the Grantees, their heirs, assigns and successors in interest shall have the right to use Lot 2 Long Lake Shores, except for the area taken by the open drain, as modified, for recreational purposes. This Grant of Easement shall run with the lands owned by the Grantees as hereinabove set forth.
3. Recreational purposes shall include sunbathing, game playing, picnicing, fishing, erecting a dock with seven slips (one per each of the owners of the seven parcels of real estate above described) for mooring of boats and in general obtaining access to Lake Chemung. Boats owned by persons other than the Grantees and their successors in interest shall not be launched or moored from the said Lot 2 Long Lake Shores. Boats owned by third parties may be temporarily docked but shall not remain overnight. Automobiles shall not be parked on the said Lot 2 Long Lake Shores. Boats and trailers may not be stored on Lot 2 Long Lake Shores except during the boating season. The invitees of the Grantees may, in conjunction with the Grantees' use of the property, use the property for recreational purposes excepting launching and overnight docking of boats.

4. This agreement granting an easement and defining Grantees' rights shall supersede any prior grant of easement made by person(s) in the chain of title granting rights to use the said Lot 2 Long Lake Shores or any part thereof for recreational purposes.
5. The Township hereby agrees, as fee title owner of the said Lot 2 Long Lake Shores to expand the width of the existing open storm water drain no more than an additional twelve feet.
6. The Township acknowledges that Grantees and their successors in interest may continue to use Lot 2 Long Lake Shores for recreational purposes as above described in perpetuity because the Grantees used Lot 2 Long Lake Shores for such purposes and such use was continual and uninterrupted for 30 years or more. Further, the Township acknowledges and agrees that it cannot prohibit the Grantees and their successor in interest from using Lot 2 Long Lake Shores for recreational purposes as herein defined.
7. The Township agrees that no structure shall be erected above ground on Lot 2 Long Lake Shores except for a storm water drainage apparatus to be located within the twenty-two foot (22') wide drainage area.
8. Grantees acknowledge, in connection with the construction and periodic maintenance of the expanded storm water drain, that the surface of Lot 2 Long Lake Shores may be disturbed by construction activity. The Township agrees to return any and all areas disturbed to a reasonable likeness of their condition prior to the beginning of the work.
9. The Township covenants and agrees that it will not, due to the location of the easement premises, permit the public to use the premises for recreational uses as defined herein and for any other use which inhibits the recreational uses enjoyed by the Grantees.
10. The Grantees acknowledge that the Township will not maintain the said Lot 2 Long Lake Shores and that the Livingston County Drain Commission shall have access over the lot for the purposes of maintaining the drain.
11. The Township agrees that the Grantees may maintain Lot 2 Long Lake Shores by mowing the grass areas of the lot and otherwise keep the premises free of debris and trash.
12. The Township does hereby covenant and agree that it will not disturb or otherwise interfere with the Grantees use of the remainder of Lot 2 Long Lake Shores and that their rights to continue the recreational uses on the remainder of Lot 2 Long Lake Shores shall not be hereafter eliminated or terminated.

13. The Grantees hereto do hereby acknowledge and agree that the Grantees and the Grantor have each received valuable consideration for the execution of this agreement.

The Grantor and the Grantees hereto have executed this Easement Agreement on the day and year as set forth.

GRANTOR:
GENOA TOWNSHIP

Dated:
April 5, 2006

By: [Signature]
Gary T. McCririe
Its Supervisor

Dated:
April 5, 2006

By: [Signature]
Robin Lynn Hunt
Its Treasurer

STATE OF MICHIGAN |
 | ss
COUNTY OF LIVINGSTON |

The foregoing instrument was acknowledged before me this 5th day of April, 2006, by Gary T. McCririe, Supervisor and Robin Lynn Hunt, Treasurer, -----on behalf of Genoa Township, a charter township, full authority to do so.

[Signature]
Nancy A. Bogardus
Notary Public
Livingston County, Michigan
My commission expires: 6/26/2011
Acting in Livingston County, Michigan

DRAFTED BY and RETURN TO:

Richard A. Heikkinen
THE HEIKKINEN LAW FIRM, P.C.
110 North Michigan Avenue
Howell MI 48843



* 2006R-009915 *
2006R-009915
RECORDED ON
06/29/2006 11:01:50AM
SALLY REYNOLDS
REGISTER OF DEEDS
LIVINGSTON COUNTY, MI 48849
RECORDING: 10.00
RENO: 4.00
PAGES: 1

QUIT CLAIM DEED

COPY

KNOW ALL MEN BY THESE PRESENTS: That John Dennis O'Keefe and Linda Kristine O'Keefe, husband and wife whose address is 834 Sandstone Court, Boulder City, Nevada 89005 Quit Claims to Genoa Township, a Michigan Municipality whose address is 2911 Dorr Road, Brighton, MI 48116 the following described premises situated in the Township of Genoa, County of Livingston, and State of Michigan, to wit:

Lot 2 of Long Lake Shores as duly laid out, platted and recorded.

together with all singular the tenements, hereditament and appurtenances thereunto belonging or in anywise appertaining, for the sum of One Dollar and NO/100***(\$1.00) Exempt from County Transfer and State Transfer Tax: M.S.A. Section 7.456(5)(j) and MCL 207.526(1)

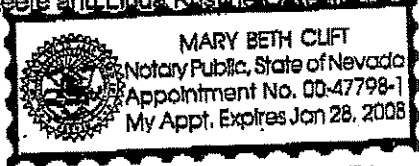
Dated this 10th day of April, 2006

Signed by:

John Dennis O'Keefe
John Dennis O'Keefe
Linda Kristine O'Keefe
Linda Kristine O'Keefe

STATE OF NEVADA }
COUNTY OF CLARK } ss.

The foregoing instrument was acknowledged before me this 10th day of APRIL, 2006, by John Dennis O'Keefe and Linda Kristine O'Keefe, husband and wife.



Mary Beth Clift
Notary Public, CLARK County, Nevada
My commission expires: JAN 28, 2008

When Recorded Return To: Grantee	Send Subsequent Tax Bills To: Grantee	Drafted By: David T. Bittner, P44948 Business Address: 213 E. Grand River Howell, MI 48843
Tax Parcel # 4711-11-305-002	Recording Fee \$	Revenue Stamps

OFFICIAL RECEIPT

Genoa Township
2911 Dorr Road
Brighton, MI 48116

Wednesday April 19, 2006 3:19 PM
Receipt No. 0087091

GO2MU
GO 2 NEW USER 11-11-304-01
0 9,750.00

RESIDE
RESIDENTIAL PERMIT 06-58 75.00
GRNUTA
GR NEW USER TAP FEE LIVE T
AP 1847 HUGHES RD LOT 1 375.00

Total 10,200.00

Payment: Check # 1025 10,200.00

Cash: 0.00
Change: 0.00

Customer: GRASSI
Cashier: JUDI
Station: FRT



Livingston County Building & Safety Engineering Department
2300 E. Grand River Ave.
Howell, MI 48843-7580
517.546.3240 * 517.546.3000 * 517.546.3290
517.546.7461 FAX

CERTIFICATE OF OCCUPANCY

This certificate is issued pursuant to the requirements under the Michigan State Construction code:

Permit numbers over 103213 and
All Permit numbers over 2001-00000:

Michigan Building Code 2000
Michigan Residential Code 2000
Michigan Building Code 2003
Michigan Residential Code 2003

and other applicable codes and ordinances certifying that at the time of issuance is in compliance with the above mentioned codes and ordinances. It is specifically understood that this certificate becomes null & void when changes in construction, occupancy or use are made without department approval.

Use Class: **NEW RES**

Bldg. Permit No: **BLD2006-00656**

Use Group: **R3**

Type Construction: **5B**

Occupancy Load:

Automatic Sprinkler System:

Desc. of Work: **TWO STORY SINGLE FAMILY DWELLING. TWO CAR ATTACHED GARAGE. 10" POURED CRAWLSPACE FOUNDATION. WOOD DECK**

Owner: **DANIEL & LISA GRASSI
769 PATHWAY DR
HOWELL, MI 48843**

Contractor: **OWNER**

Parcel Number: **11-11-304-010**

Building Address: **1843 S HUGHES RD BRIGHTON 48114**

Building Official:

Robert Z. Kohler

Date: 1/29/2007

April 21, 2008

Mr. Gary McCririe
Mr. Rick Heikkinen
Genoa Township
2911 Dorr Road
Brighton, MI 48116

Re: 1843 and 1847 Hughes Rd Easements
Dear Gentlemen:

During the January 7, 2008 Board of Trustees meeting the board granted a non exclusive easement for lot 2 Long Lake shores. It allowed for 1 docking rights and one 1 for recreational use only.

I have contacted Mr. McCririe and asked that the docking rights be given to 1843 Hughes Rd. The recreational use would then go to 1847 Hughes Rd.

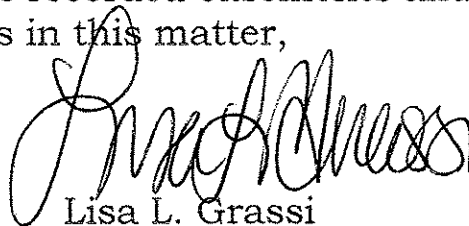
To date nothing has yet to be recorded granting us these easements.

I am requesting that you take care of this matter promptly. You increased my tax bill as if we were already granted them; now that we are paying extra for it we would appreciate it if you could record it legally. It should not be that hard of a task as the verbiage should be the same as granted to the other 7 parcels on June 29, 2006.

We look forward to receiving the recorded easements and
Thank You for your promptness in this matter,



Daniel E. Grassi



Lisa L. Grassi

cc: Paulette Skolarus, Jean Ledford, Steve Wildman, Todd Smith, Robin Hunt, Jim Mortensen

Handwritten: 08-15-07, 15671, Harv

RECORDED

INDEX: 856 PAGE 0371

2005 JUL 18 P 3 43

SALLY REYNOLDS
REGISTER OF DEEDS
LIVINGSTON COUNTY, MI
48843

LIVINGSTON COUNTY TREASURER'S OFFICE
I have verified this instrument as being
correctly recorded and the tax
stamp is valid. This instrument is
correctly recorded with description
and all taxes are paid as of the day
of recording. It is the duty of the
recorder to file this instrument
or copies of this instrument in the
public records as soon as possible.
7-1-05
Sally Reynolds, Treasurer
Sec. 107 (MCL) 207.1753 as Amended
10833

MA

HOHESTEAD DETAILS NOT EXAMINED

13/4 177.10
12.07.05

WARRANTY DEED

The Grantor(s) David C. Horne and Dorothy J. Horne, husband and wife,
whose address is 1847 Hughes Road, Brighton, MI 48114
convey(s) and warrant(s) to Daniel E. Grassi and Lisa L. Grassi, husband and wife,
whose address is 769 Pathway Drive, Howell, MI 48843
the following described premises situated in the Township Of Genoa, County of Livingston and State of Michigan:

See attached Legal Description.

This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and
management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected
by the Michigan right to farm act.

The grantor grants to the grantee the right to make 5 division(s) under Section 108 of the Land Division Act,
Public Act 391 of 1996.

for the sum of One Hundred Sixty-One Thousand And 00/100 (\$161,000.00)

together with all and singular the tenements, hereditaments and appurtenances thereto belonging or otherwise pertaining, subject to
existing building and use restrictions, if any, easements of record, and zoning ordinances.

Effective date 15th day of June, 2005.

Signed by:

Handwritten signatures of David C. Horne and Dorothy J. Horne.

State of Arkansas
County of Garland

The foregoing instrument was acknowledged before me this 10 th day of June, 2005, by David C. Horne and Dorothy J. Horne,
husband and wife.

My commission expires:

Nov 22, 2006

KEPPI M. NORMAN
NOTARY PUBLIC - ARKANSAS
MY COMMISSION EXPIRES NOV. 22, 2006
GARLAND COUNTY

Handwritten signature of Notary Public and "Ail" initials.

Notary Public
County Garland
County.

When Recorded Return To:

Daniel E. Grassi
769 Pathway Dr.
Brighton, MI 48114
Ho 4811 48843

Send Subsequent Tax Bills To: Grantor

File No. 112517

Drafted By:

Nancy Bohlen
130 W. Grand River Avenue
Brighton, MI 48116

17-13-177.10 + 1207.50

STATE OF MICHIGAN
Dept of Taxation
LIVINGSTON COUNTY
6155545 15 JUL 2005



REAL ESTATE
TRANSFER TAX
\$277.10-0
\$1,207.50-0
76085223

11-11-304-004
11-11-304-005

Revised 05/12/2005

PROPERTY DESCRIPTION

Land situated in the Township of Genoa, County of Livingston, State of Michigan, described as:

Lots 4 and 5 of Chemung Lakeview, as duly laid out, platted and recorded in Liber 7 of Plats, page 44, Livingston County Records.

Also, conveying the right to use the joint driveway as now located between Lots 3 and 4 of said subdivision.

Also, conveying a right of way across Lot 2 of Long Lake Shores, as duly laid out, platted and recorded in Plat Liber 2, page 7, Livingston County Records, for the purpose of ingress and egress from Hughes Road to the Shore of Lake Chemung.

Tax Identification No: 11-11-304-004 & 005
Common Address: 1847 Hughes Road



Genoa Township

2911 Dorr Road, Brighton, Michigan 48116 (810) 227-5225

Paulette A. Skolarus, Genoa Township Clerk

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Board of Trustees

Special Meeting
January 07, 2008
6:25 P.M.
AGENDA

1. Consideration and recommendation of election officials scheduled to work the Presidential Primary on January 15, 2008.

Adjournment

Genoa Charter Township Board
Regular Meeting and Public Hearing
January 7, 2008
6:25 P.M.

AGENDA

Call to order

Pledge of Allegiance

Call to the Public

Approval of Consent Agenda:

1. Payment of Bills
2. Approval of Minutes: 12-17-07
3. Consideration of a recommendation from the Election Commission for approval for all officials scheduled to work the Presidential Primary.
4. Request for approval to purchase a work truck for the Utility Director.
5. Approval of meeting schedule for the 2008-2009 fiscal year.
6. Request for approval of contract for Professional Planning Services.

Approval of Regular Agenda:

7. Request for approval of a fence contract award for the Township Athletic Complex.
8. Request for approval of a resolution authorizing execution of a Livingston Wireless Internet Service Contract.
9. Consideration of granting a non-exclusive easement agreement for lot 2 Long Lake Shores Subdivision.
10. Request for approval of a final PUD site plan application, impact assessment, and PUD agreement for a proposed 5,200 sq. ft. retail/office building located at 2160 E. Grand River, petitioned by William Colley Architect.

7. Request for approval of a fence contract award for the Township Athletic Complex.

Moved by Mortensen, supported by Smith, to award the contract for construction of the fence to Security Access Control & Fence in the amount of \$11,466.00 for the installation of a permanent netting system and chain link fence on the township hall property as outlined in the memorandum dated 12/14/07 by Archinal. The motion carried unanimously.

8. Request for approval of a resolution authorizing execution of a Livingston Wireless Internet Service Contract with Michtel Communications, L.L.C. as provided.

Moved by Smith, supported by Wildman to approve the resolution with the following changes or considerations to the contract: 1. The public assets license agreement will include an inventory of all buildings we own. 2. This agreement will provide a correct address for the Genoa Township Hall. 3. Section 8.15.1 will delete the word not from the second sentence and will add on the township's website. 4. Section 5.5 of the Exhibit III (Public Assets License Agreement) will be reviewed by Heikkinen to determine that there is not a blanket policy for an open end use of all facilities and that each provision will be considered by the township board. The motion carried unanimously.

9. Consideration of granting a non-exclusive easement agreement for lot 2 Long Lake Shores Subdivision.

Moved by Ledford, supported by Skolarus, to approve the agreement with the following stipulation: The original parcel will be allowed one dock and since the split of that parcel didn't exist at the time of the lawsuit, the second parcel will be allowed access for recreational use but will not be allowed boat access. The motion carried unanimously.

10. Request for approval of a final PUD site plan application, impact assessment, and PUD agreement for a proposed 5,200 sq. ft. retail/office building located at 2160 E. Grand River, for the Sherston Office Center as petitioned by William Colley Architect.

A. Disposition of PUD agreement.

Moved by Hunt, supported by Ledford, to approve the PUD agreement, subject to approval by the Township Attorney, both as to this agreement, as well as the underlying easement agreement.

B. Disposition of Impact assessment.

Moved by Ledford, supported by Smith, to approve the Environmental Impact Assessment as revised 10/31/07.

C. Disposition of final PUD site plan.

Moved by Ledford, supported by Wildman, to approve the final PUD site plan subject to the following:

1. The bike path will be installed (at the property owner's expense) along the frontage or alternative agreeable location at a time to be decided by the township and property owners. This agreement will be reviewed by the township attorney and be in recordable form. Further, the sidewalk from the front of the building will be eliminated from the plan;
2. The lighting plan will be as depicted on sheet L-1 and not A-1 and the fixtures will be full cut off and downward directed;
3. The requirements of the Brighton Area Fire Department, as addressed in their November 11, 2007 letter, with a potential revision to paragraph 1-A will be complied with;
4. The requirements of the township engineer as spelled out in their letter dated December 5, 2007 will be complied with and with regard to that letter, particular attention will be paid to paragraph four regarding creation of a

Carol-



Thank you so much for
all of your assistance with my
"water issues" at the beginning
of my move to Howell. I really
appreciate it. Sincerely,
Debi Connce

To Board 10/20/08



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING



REBECCA A. HUMPHRIES
DIRECTOR

September 18, 2008

Paulette Skolarus, Clerk
Genoa Charter Township
2911 Dorr Road
Brighton, Michigan 48116-9436

Dear Ms. Skolarus:

SUBJECT: Watercraft Control Hearing – Clark Lake- Genoa Charter Township, Livingston County

The Michigan Department of Natural Resources (DNR) has, as requested by resolutions of the Genoa Charter Township and Brighton Charter Township, investigated the need for a special watercraft control.

On August 13, 2008, a public hearing was held at the Genoa Township Hall. Nine (9) people attended. On August 14, 2008 a public hearing was held at the Brighton Township Hall as well and Twenty-four (24) people attended. Also in attendance at both hearings were DNR Conservation Officer Pete Purdy and the hearing officer Sgt. Al Bavarskas.

The purpose of the hearing was to take public comment on the need for a special watercraft control on the body of water known as Clark Lake.

Clark Lake is a kettle lake and is oblong in shape, located in Brighton Township and Genoa Township, T2N, R6E, Section 7, Livingston County. Clark Lake is approximately 24.6 acres with 95 percent of the water surface within the jurisdiction of Brighton Township and 5 percent within the jurisdiction of Genoa Township. The water depth ranges from 5 to 40 feet. Boating traffic on Clark Lake is minimal. There is no State boating public access site on Clark Lake. There are 6 lakefront residences in Genoa Township and 69 lakefront residences in Brighton Township. The main recreational usage on Clark Lake is swimming, fishing, and boating. Currently, Clark Lake has in effect a Local Watercraft Control WC-47-98-001 that prohibits 'High-speed Boating'. This rule has been effective since March 2, 1998.

All testimony given regarding safety concerns were in response to confrontations between neighbors and a single lakefront homeowner who operated a personal watercraft on the lake.

Other testimony given was related to the possibility of unforeseen problems and issues. The concerns were as follows:

1. Lake too small
2. Water quality
3. Noise
4. Pollution from gas motors.

NATURAL RESOURCES COMMISSION
Keith J. Charters, Chair • Mary Brown • Hurley J. Coleman, Jr. • Darnell Earley • John Madigan • J. R. Richardson • Frank Wheatlake
STEVENS T. MASON BUILDING • P.O. BOX 30028 • LANSING, MICHIGAN 48909-7528
www.michigan.gov/dnr • (517) 373-2329

Great Lakes, Great Times, Great Outdoors!

Paulette Skolarus, Clerk
September 18, 2008
Page 2

There is a gentleman's agreement prohibiting gas motors on Clark Lake, and residents have always complied with that.

As part of the fact-finding process, all testimony was carefully reviewed and an investigation was conducted, including personal observation of Clark Lake. Also, consideration was given to the fact that no complaints or violations were reported for Clark Lake to the city, county or state. Further, there is an absence of compelling evidence of any violation of the Marine Safety Act.

After taking testimony, along with written letters and signatures, it appeared that many of the concerns, such as speed, noise, and failure to adhere to the 100-foot slow—no wake rule, could be addressed by existing State law.

Special local regulations must meet certain criteria. They are authorized only when necessary to assure compatible use and best protect the public safety, where enforcement of existing statutes cannot address safety issues. Ongoing safety problems for Clark Lake in Genoa Township were not documented at this time. However, in the future, if conditions exist that would warrant a local watercraft control, re-evaluation of this matter should be pursued.

Based on the investigation and public hearing, the Department of Natural Resources, Law Enforcement Division, does not feel there is a need for any additional special local watercraft control for the regulation of boating on Clark Lake within the Township of Genoa, Livingston County, State of Michigan.

Thank you for your interest in safe boating in Michigan. If you have any questions or require additional information regarding the afore-mentioned, please contact me by mail at DNR-Law Enforcement Division, P. O. Box 30031, Lansing, Michigan 48909, or by telephone at the number below.

Sincerely,



Lt. Andrew Turner
Law Enforcement Division
Recreational Safety, Education and Enforcement Section
517-373-7109

cc: Gary McCririe, Supervisor, Genoa Township
Sheriff Robert Bezotte, County of Livingston
Lt. Jane Gordon, DNR
Sgt. Al Bavarskas, DNR
CO Pete Purdy, DNR