

ELK RAPIDS TOWNSHIP
Parcel Division Application

You MUST answer all questions and include all attachments, or this will be returned to you. Bring or mail to:

Elk Rapids Township Clerk, P.O. Box 365, 315 Bridge St., Elk Rapids, MI 49629

Approval of a Division of Land is required when the new parcel is less than 40 acres and not just a property line adjustment [§102(e & f)].

This form is designed to comply with applicable local zoning, land division ordinances and § 109 of the Michigan Land Division Act [formerly the subdivision control act. P.A. 288 of 1967, as amended (particularly by P.A. 591 of 1996) MCL 560.101 et.seq.

Fill in where you want this form sent when the review is completed.

Name **Kuhn Rogers PLC** Email: **msmckekellar@krlawtc.com**

Address **412 South Union Street**

City - State - Zip- **Traverse City, MI 49684**

1. LOCATION OF PARENT PARCEL TO BE SPLIT:

Address: **Orchard View Drive**

Road Name: **Orchard View Drive**

Parent parcel Property Tax number: **05-06-033-002-52**

Legal Description of Parent Parcel (or may be attached):

Part of Government Lot 1 of Section 33, Town 29 North, Range 9 West, Elk Rapids Township, Antrim County, Michigan, more fully described as follows:

BEGINNING at the North 1/4 corner of said Section 33; thence N 89°57'33" E, 1050.21 feet along the North line of said Section; thence S 05°33'59" E, 1190.71 feet; thence N 89°45'01" W, 877.36 feet; thence S 02°03'11" E, 152.77 feet; thence S 89°48'41" W, 317.82 feet to a point on the North - South 1/4 line of said Section; thence N 01°01'48" E, 1334.45 feet along said North - South 1/4 line to the POINT OF BEGINNING.

Containing 31.46 acres, more or less.

Subject to and together with a 66 foot wide easement over the Southerly portion thereof as occupied by Orchard View Drive.

Subject to a clear vision easement (A) located in part of Government Lot 1 of Section 33, Town 29 North, Range 9 West, Elk Rapids Township, Antrim County, Michigan, more fully described as follows:

Commencing at the North 1/4 corner of said Section 33; thence S 01°01'48" W, 1268.44 feet along the North - South 1/4 line of said Section; thence N 89°48'41" E, 248.23 feet; thence N 02°03'11" W, 153.29 feet; thence S 89°45'00" E, 551.29 feet to the POINT OF BEGINNING of said

easement; thence N 89°45'00" W, 25.00 feet; thence N 42°20'30" E, 33.52 feet; thence S 05°33'59" E, 25.00 feet to the POINT OF BEGINNING.

Subject to a clear vision easement (B) located in part of Government Lot 1 of Section 33, Town 29 North, Range 9 West, Elk Rapids Township, Antrim County, Michigan, more fully described as follows:

Commencing at the North 1/4 corner of said Section 33; thence S 01°01'48" W, 1268.44 feet along the North - South 1/4 line of said Section; thence N 89°48'41" E, 248.23 feet; thence N 02°03'11" W, 153.29 feet; thence S 89°45'00" E, 617.63 feet to the POINT OF BEGINNING of said easement; thence N 05°33'59" W, 25.00 feet; thence S 47°39'30" E, 37.10 feet; thence N 89°45'00" W, 25.00 feet to the POINT OF BEGINNING.

Subject to and together with agreements, covenants, easements, and restrictions of record.

2. PROPERTY OWNER INFORMATION:

Name: C Farm, LLC

Phone: Email:

Address: **10260**

Road Name: **Elk Lake Road**

City: **Williamsburg** State: **Michigan** Zip Code: **49690**

3. APPLICANT INFORMATION (if not the property owner):

Contact Person's Name: **Marc S. McKellar II**

Business Name: **Kuhn Rogers PLC**

Phone: **231-947-7900 ext. 106** Email: **Elk Lake Road**

Address: **412**

Road Name: **South Union Street**

City: **Traverse City** State: **Michigan** Zip Code: **49690**

4. PROPOSAL: Describe the division(s) being proposed:

A. Number of new Parcels: **9 total lots will result from this condominium**

B. Intended use (residential, commercial, etc.) **Residential**

C. Divided parcels have access to an existing public road by: (check one)

A yet to be named private road will connect with Orchard View Drive as depicted in the attached. Various proposed road names have been supplied to the equalization office for review.

4A. Write here, or attach, a legal description or the proposed new road, easement or shared driveway.

See attached

4B. Write here, or attach, a legal description of each new parcel:

The legal description will be described as units within the condominium.

5. FUTURE DIVISIONS being reserved? **Yes to the extent they are available** For whom? **Future owners**

(See section 109(2) or the Statute. Make sure your deed includes both statements as required in section 109(3) and 109(4) of the Statute.)

6. DEVELOPMENT SITE LIMITS: Check each which represents a condition that exists on the parent parcel:

- Any part of the parcel is in a DNR-designated critical sand dune area.
- The parcel is riparian or littoral (it is a river or lake front parcel)
- Any part of the parcel is effected by a Lake Michigan High Risk Erosion setback
- Any part of the parcel includes a wetland
- Any part of the parcel includes a beach
- Any part of the parcel is within a flood plain
- Any part of the parcel includes slopes more than twenty five percent (a 1:4 pitch or 14° angle or steeper)

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7. ATTACHMENTS: (all attachments must be included). Letter each attachment as shown here.

A. Map, drawn to scale, of the proposed division(s) of the parent parcel showing:

- (1) current boundaries (as of March 31, 1997) and
- (2) all previous divisions made after March 31, 1997 (indicate when made or *none*) and,
- (3) the proposed division(s), and
- (4) dimensions of the proposed divisions, and
- (5) existing and proposed road/easement right-of-way(s), and
- (6) easements for public utilities from each parcel to existing public utility facilities, and
- (7) any existing improvements (buildings, wells, septic systems, driveways, etc.)
- (8) any of the features checked in question number 6 (development site limits)

- B. Indication of approval, or permit from, County Road Commission, MDOT, or respective township street administrator for each proposed new road, easement or shared driveway. **Submitted waiting approval**
- C. A copy of any reserved division rights [§109(4) of the Act] in the parent parcel
- D. A fee of \$925 (\$700+\$25 per unit@9 units)
- E. Proof of fee ownership of the land
- F. History and specifications of any previous divisions of the Parcel to be divided to establish lawful existence as of March 31, 1997.
- G. Proof all due and payable taxes or installments of special assessments pertaining to the land are paid in full.
- H. Other (please list) proposed by-laws to master deed

8. **IMPROVEMENTS:** Describe any existing improvements (buildings, wells, septic etc.) which are on the parent parcel or indicate NONE.
NONE

9. **AFFIDAVIT** and permission for municipal, county and state officials to enter the property for inspections:

I agree the statements made above are true, and if found not to be true this application and any approval will be void. Further, I agree to comply with the conditions and regulations provided with this parent parcel division. Further, I agree to give permission for officials of the municipality, county, and the State of Michigan to enter the property where this parcel division is proposed for purposes of inspection. Finally, I understand this is only a parcel division which conveys only certain rights under the applicable local land division ordinance and the State Land Division Act (formerly the subdivision control act, P.A. 288 of 1967, as amended (particularly by P.A. 591 of 1996), MCL 560.101 et seq.), and does not include any representation or conveyance of rights in any other statute, building code, zoning ordinance, deed restriction or other property rights. Finally even if this division is approved, I understand zoning, local ordinances, and state Act change from time to time, and if changed the divisions made here must comply with the new requirements (apply for division approval again) unless deeds representing the approved divisions are recorded with the Register of Deeds or the division is built upon before the changes to laws are made.

Applicant's Signature *Tom MTT* Date 8-20-2020

And
 Property Owner's Signature *Doc Kayler* Date 8-20-2020

DO NOT WRITE BELOW THIS LINE

REVIEWER'S ACTIONS: Total Fee \$ _____ Receipt # _____

___ Approved: Conditions, if any: _____

___ Denied: Reason (cite §) _____

Signature and Date: _____

Township Assessor

Township Zoning Administrator