

Martin Site Plan Review Packet

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Item 1a

Applicant **Jeffery G. and Ruth E. Martin**
(Property Owner)

Address **312 Logan Street SE,**

City – State – Zip Code **Grand Rapids MI 49503**

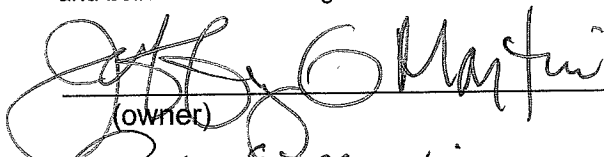
Phone / Cell **616-915-2107**


Email: **jeffmartin2107@gmail.com** Email: ruthmartinesg@gmail.com

OWNER AFFIDAVIT

The undersigned acknowledges that if a change is granted or other decisions affecting the property represented by the undersigned are reached by the Planning Commission, the said decision does not relieve the applicant from compliance with all other provisions of the Township Zoning Ordinance. The undersigned further affirms that he/she is or they are the:

Owners of the property involved in the appeal, (**owners MUST sign**) and that the answers and statements herein contained, and the information herewith submitted are in all respects true and correct to the best of the knowledge and belief of the undersigned.

 12/6/2021
(owner) (date)

 12/6/2021
(owner) (date)

Property Information

Present Zoning Classification **R1**
Property Tax # **05-06-225-035-00**
Present Use **Vacant Lot**
Physical Address: **Not yet assigned**
Name of Plat and Lot #: **Birch Lake Subdivision, Lot #35**
Legal Description: **LOT 35 BIRCH LAKE SUBDIVISION. SEC 3 T29N R9W**

Project Title: Re-establish protected zone

Project Description: To re-establish protected zone vegetation on a vacant residential area lot as prescribed by Planning Commission Administrator letter of determination.

Item 1b

PROJECT TIMELINE

10/1/2021 Notification of non-compliance from Elk Rapids Township Planning Commission Administrator

10/1/2021 Stop work order issued by Antrim County Soil Erosion Officer

10/6/2021 Antrim County Erosion permit applied for and issued

10/12/2021 Initial meeting with Administrator and Township Supervisor

10/15/2021 Administrator letter of determination issued

10/15/2021 Design Start

10/28/2021 On site initial design review with Antrim County Soil Erosion Officer

10/28/2021 Antrim County Erosion permit issued (based on current design)

12/10/21 Planning Commission Site Plan Review Application submitted

TBD Public Hearing/Site Plan Review

TBD Site Plan Approval

Spring 2022 Site Preparation

Spring 2022 Planting

Spring 2022 On-site final approval

Spring 2023 One-year follow-up review

Item 2a

ELK RAPIDS TOWNSHIP 2021 SUMMER TAX BILL
ANTRIM COUNTY MICHIGAN

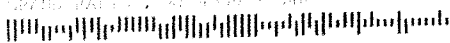


ELK RAPIDS TOWNSHIP
TOWNSHIP CLERK, ELK RAPIDS, MICHIGAN
PO BOX 107
ELK RAPIDS MI 49729
PHONE 231-338-0333

This tax is due by: 09/14/2021	
After 09/14/2021 interest of 1% per month is added	
Amount due on 09/15/21.....	4,720.67
Amount due on 10/01/21.....	4,766.95
Amount due on 11/01/21.....	4,813.23
Amount due on 12/01/21.....	4,859.51
Amount due on 01/01/22.....	4,905.80
Amount due on 02/01/22.....	4,952.08
Amount due on 02/15/22.....	5,090.92
OR CALL YOUR LOCAL TREASURER	
MARCH 1ST TAXES BECOME DELINQUENT CALL ANTRIM COUNTY TREASURER FOR CORRECT PAYOFF AMOUNT	

Property Value:

09-14-2021 10:00 AM Bill # 00113
PROPERTY TAX FOR 2021
MAY 15 2021 BY 10:00 AM
TOWNSHIP CLERK
ELK RAPIDS, MI 49729-0107



09-14-2021 10:00 AM Bill # 00113

TOTAL AMOUNT DUE BY 09/14/2021 4,674.39

Amount Paid: 4674.39

Please detach along perforation. Keep the bottom portion.

Item 2b

THIS IS A FUTURE ADVANCE MORTGAGE

This instrument was prepared by JEAN VANSLAMBROUCK, ALDEN STATE BANK, 641 ALDEN STREET, BELLAIRE, MI 49615
MAXIMUM PRINCIPAL AMOUNT: [REDACTED]

Return To: JEAN VANSLAMBROUCK , ALDEN STATE BANK, 641 ALDEN STREET, BELLAIRE, MI 49615

DATE AND PARTIES. The date of this Mortgage (Security Instrument) is December 16, 2020. The parties and their addresses are:

MORTGAGOR:

JEFFERY G MARTIN
312 LOGAN ST SE
GRAND RAPIDS, MI 49503

RUTH E MARTIN
312 LOGAN ST SE
GRAND RAPIDS, MI 49503

LENDER:

ALDEN STATE BANK
Organized and existing under the laws of Michigan
641 ALDEN ST
BELLAIRE, MI 49615

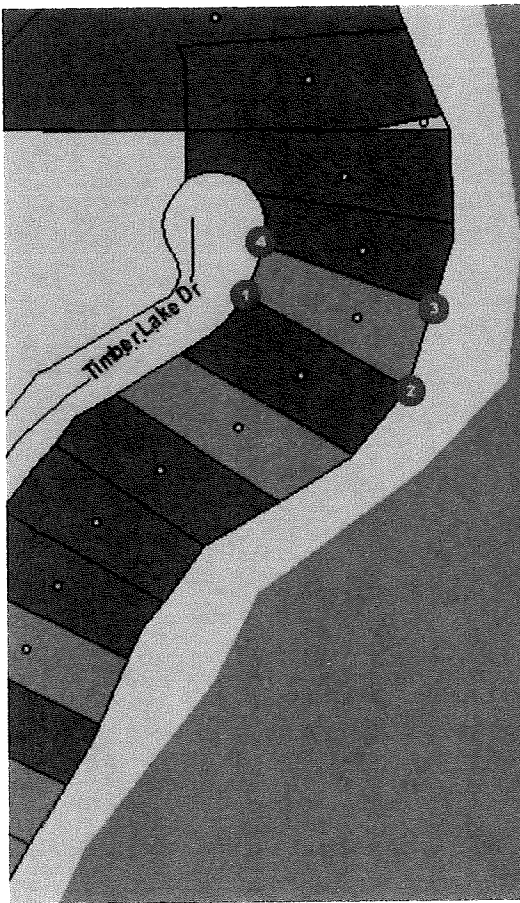
1. **DEFINITIONS.** For the purposes of this document, the following term has the following meaning.
 - A. **Loan.** "Loan" refers to this transaction generally, including obligations and duties arising from the terms of all documents prepared or submitted for this transaction.
2. **MAXIMUM OBLIGATION LIMIT.** The maximum principal amount, excluding protective advances, secured by this Security Instrument at any one time and from time to time will not exceed [REDACTED]. Any limitation of amount does not include interest and other fees and charges validly made pursuant to this Security Instrument. Protective advances are defined by law and include an expenditure or expenditures such as advances made under the terms of this Security Instrument to protect Lender's priority and advances made to fulfill or perform an obligation of the Mortgagor under this Security Instrument, with respect to the mortgaged property, that the Mortgagor has failed to fulfill or perform.

JEFFERY G MARTIN
Michigan Mortgage
MI:AXXXXJEAN0000000002375049N

Wolters Kluwer Financial Services ©1996, 2020 Bankers Systems™

Initials [REDACTED]
Page 1

Item 2c



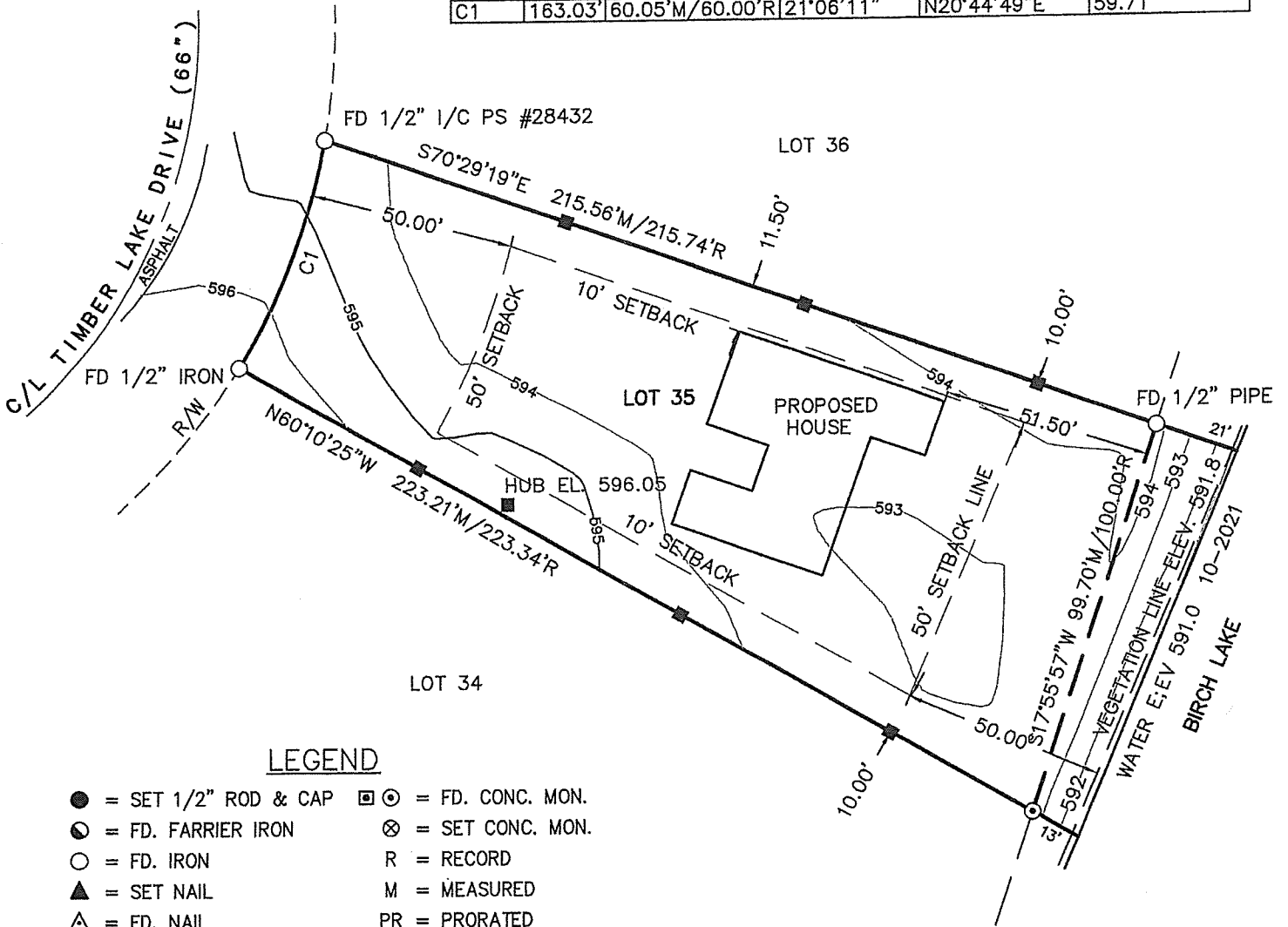
AREA:
0.406 Acres
-or-
0.164 Hectares

NOTE:
- This area is only accurate if a line connecting all points does not cross itself.
- This area is approximate.

Close

PROPERTY SKETCH

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	163.03'	60.05'M/60.00'R	21°06'11"	N20°44'49"E	59.71'

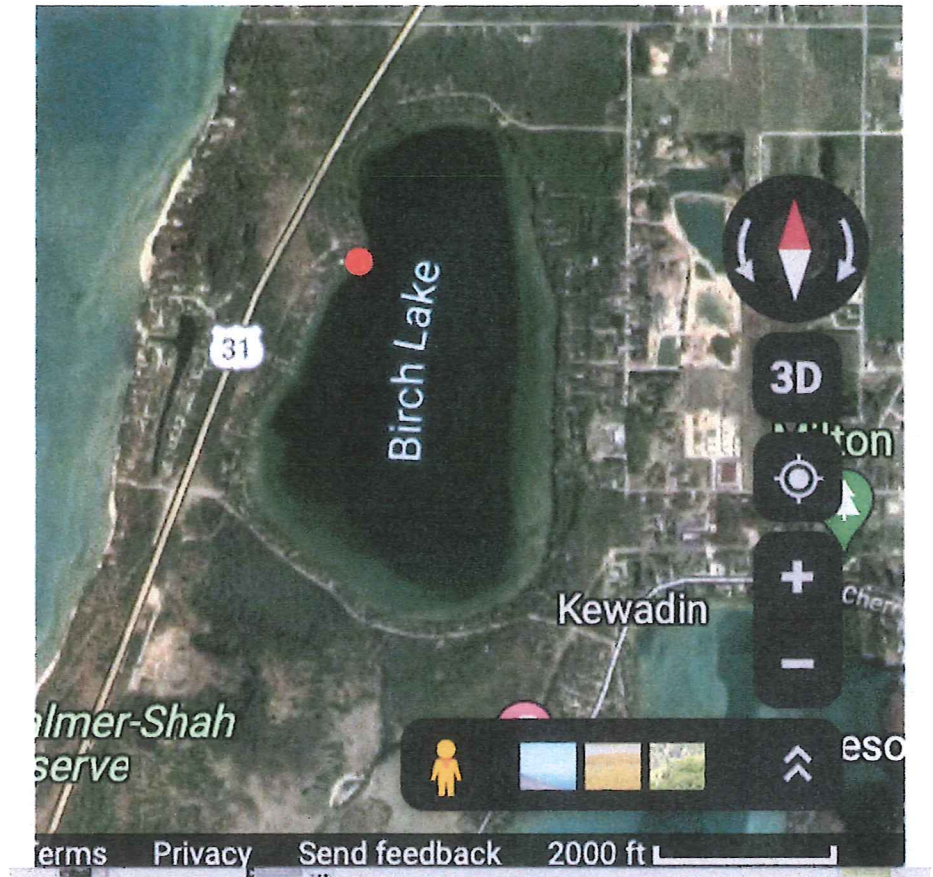


LEGEND

- = SET 1/2" ROD & CAP
- = FD. FARRIER IRON
- = FD. IRON
- ▲ = SET NAIL
- △ = FD. NAIL
- ⊙ = FD. CONC. MON.
- ⊗ = SET CONC. MON.
- R = RECORD
- M = MEASURED
- PR = PRORATED
- = SET PROPERTY LINE STAKES

DESCRIPTION

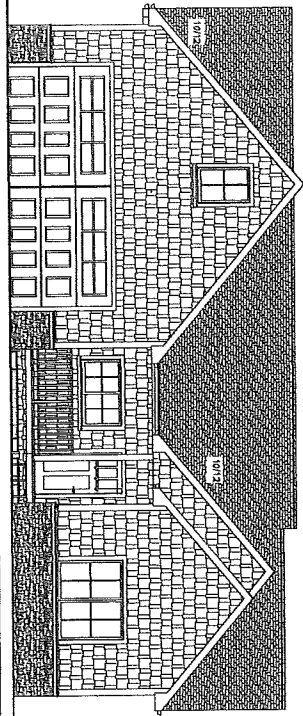
Item 3b



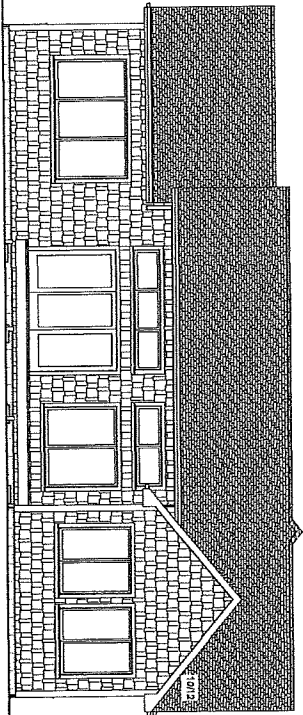
Vicinity Map 1"=2000ft



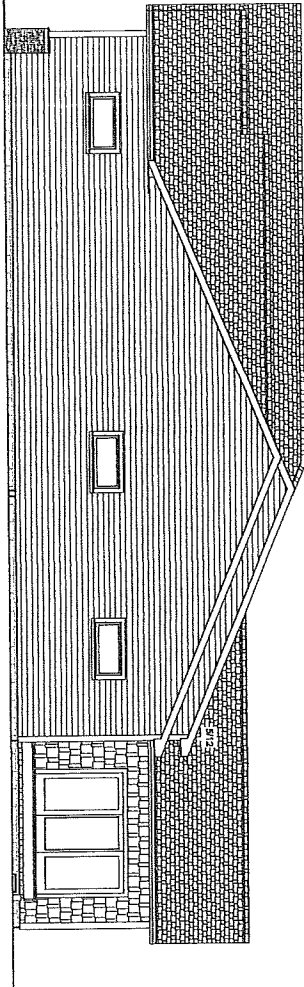
Adjoining Parcels with Structures Depicted



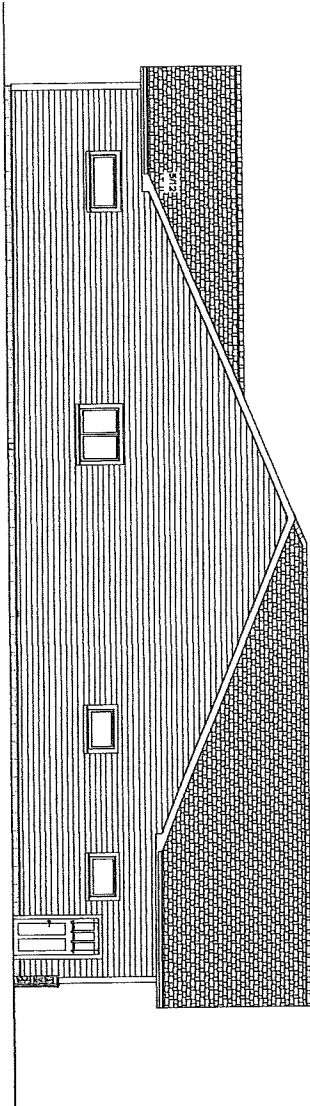
Front Elevation



Side Elevation



Back Elevation



Front Elevation

Item 3d



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
GAYLORD DISTRICT OFFICE

Item 4a



LIESL EICHLER CLARK
DIRECTOR

November 10, 2020

VIA EMAIL

Mr. Jeff Martin
312 Logan Street SE
Grand Rapids, Michigan 49503

Dear Mr. Martin:

SUBJECT: Preapplication Meeting; Submission Number HP3-Z7BS-7P9XY

This letter is a follow-up to our November 6, 2020, preapplication meeting regarding the proposed project on Lot 35 Timber Lake Drive, Kewadin, Antrim County. The purpose of a preapplication meeting is to provide you with information that will clarify the permit process, answer preliminary questions about your specific project in order to avoid delays at a later date, and to determine, if possible, the need for wetland or inland lakes and streams permits.

During this meeting we reviewed the need to obtain a permit under Part 301, Inland Lakes and Streams; and Part 303, Wetlands Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). The review was based on discussion of the proposed project, the proposed site, and potential modifications to the project discussed during our meeting.

During the review of the project site, the Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division (WRD) has determined that a permit is not required under Part 303 of the NREPA. This determination is based on the enclosed information provided at the time of this meeting only. Provided that the proposed project and location are not altered, this determination is binding on EGLE for a period of two years from the date of this meeting.

During the meeting, we also discussed a number of issues related to the project, including the following:

1. A Part 301 permit for inland lakes and streams will be required for any work affecting Birch Lake bottomlands, including shoreline modifications waterward of the ordinary high-water mark (OHWM).
2. Creation of a beach area, landward from the water's edge does not require a permit per Section 324.30103 of Part 301. The reasonable sanding to the waters edge shall not alter the shoreline contour or shift the location of the OHWM.
3. EGLE does not regulate the removal of vegetation for this parcel. However, the WRD does strongly recommend maintaining the natural woody material submerged in the water and overhanging trees as they provide important structure and support natural processes for the aquatic resource.
4. Removal of material embedded within the lake bottom may be considered dredging and may require a permit.

Please note that this is not a permit. The WRD cannot indicate during a preapplication meeting whether or not a permit will be issued. The WRD cannot make a decision regarding a permit until it has considered all of the information provided in the final permit application, and, in some instances, has also considered comments received in response to a public notice of the project. Therefore, the WRD cannot legally tell you whether the project will be permitted in advance of a permit application being submitted and reviewed.

The EGLE submission number assigned to this project is HP3-Z7BS-7P9XY. Please keep a record of this submission number and use it when submitting a final application or otherwise corresponding with our office on this project.

We appreciate the opportunity to meet with you or your representative to address these concerns. We have established a submission for this project, and the information submitted to date will be used to facilitate processing of the final application. If you should have follow-up questions before then, please contact me at 989-619-2443; KentK4@Michigan.gov; or EGLE, WRD, Gaylord District Office, 2100 West M-32, Gaylord, Michigan 49735-9282.

Sincerely,

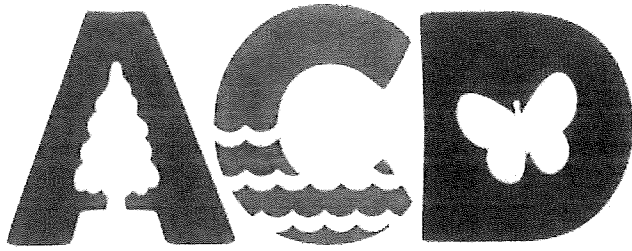
Keri Kent

Digitally signed by: Keri Kent
DN: CN = Keri Kent email = KentK4@Michigan.
gov C = US O = EGLE OU = WRD
Date: 2020.11.10 07:51:36 -05'00'

Keri Kent
Gaylord District Office
Water Resources Division

Enclosure

cc: Helga K. Tramosch Trust, Property Owner



Item 4b-1

Antrim County Soil Erosion Program
Antrim Conservation District
4820 STOVER RD
BELLAIRE, MI 49615
(231) 533 8363
(231) 533 6388 fax

Soil Erosion Permit

Under the provisions of Part 91 of PA 451 1994, authority is hereby granted to the owner:

Property Owner (Permittee): MARTIN, JEFFERY & RUTH
Mailing Address: 312 LOGAN ST SE
City, State, Zip: Grand Rapids, MI 49503
Phone: 616-915-2107

Permit #: 2021-249
Date Issued: 10/06/2021
Permit Expires: 06/01/2023

to undertake the following earth changes in Antrim County:

CLEARED BUILD SITE FOR NEW HOME CONSTRUCTION, DIG FOOTING FOR HOME AND GARAGE, DRIVEWAY AND TURN AROUND

PROJECT LOCATION

Site Address: LOT 35 BIRCHLAKE SUBDIVISION Township: Elk Rapids
Tax Number: 05-06-225-035-00 Section: 3 Town: 29 Range: 9 Zoned

Work to be done under authority of this permit is subject to the following special restrictions, limitations, and instructions:

- Follow standard instructions on the back of permit, post the site plan, permit and permit conditions. No sediment to move off-site during permitted activity.
- INSTALL STRAW WATTLE INSTEAD OF A SILT FENCE IF THE PROPERTY IS FLAT AND PERMEABLE OR AS A DIVERSION IN CONJUNCTION WITH A SILT FENCE.
- SEED THE FIRST 30' FROM THE SHORELINE WITH ANNUAL RYE FOR TEMPORARY COVER OR PLANT A PERMANENT GRASS MIX APPROPRIATE FOR THE SITE. STRAW MULCH IS STRONGLY RECOMMENDED TO HOLD IN MOISTURE, REDUCE EROSION, AND HELP WITH SEED GERMINATION.
- PLAN FOR A 4" RAIN EVENT OVER THE CONTRIBUTING AREA TO CONTROL STORMWATER DURING CONSTRUCTION TO REDUCE SOIL EROSION. Place stone at drip line to encourage runoff to soak into the ground. CONTROL MEASURES MUST BE IN PLACE TO HANDLE A 4" RAIN DURING OPEN CONSTRUCTION.
- ANY VEGETATION SHALL BE WELL ESTABLISHED AND SHOW SIGNIFICANT GROWTH IN ORDER TO FINAL THIS PERMIT OR REMOVE SILT FENCE.
- A SILT FENCE MAY BE NEEDED ALONG BOTH SIDES OF THE PROPERTY TO ENSURE SEDIMENT DOES NOT WASH

(NOTE - STANDARD INSTRUCTIONS ON BACK OF PERMIT)

IT IS PROPERTY OWNER'S RESPONSIBILITY TO DETERMINE IF OTHER PERMITS ARE NEEDED

THIS PERMIT DOES NOT ALLEVIATE THE NEED FOR OTHER FEDERAL, STATE OR LOCAL PERMITS

Project Type: Soil Erosion

Permit Fee: \$425.00

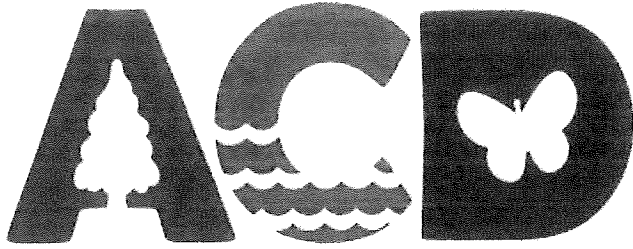
Responsible Party:

Name: SUNSET CONSTRUCTION

Phone: 231-649-5374

Heidi Shaffer
Soil Erosion Officer

Email: SBACRANDALL@YAHOO.COM



Item 4b-2

Antrim County Soil Erosion Program
Antrim Conservation District
4820 STOVER RD
BELLAIRE, MI 49615
(231) 533 8363
(231) 533 6388 fax

Soil Erosion Permit

Under the provisions of Part 91 of PA 451 1994, authority is hereby granted to the owner:

Property Owner (Permittee): MARTIN, JEFFERY & RUTH
Mailing Address: 312 LOGAN ST SE
City, State, Zip: Grand Rapids, MI 49503
Phone: 616-915-2107

Permit #: 2021-249
Date Issued: 10/06/2021
Permit Expires: 06/01/2023

to undertake the following earth changes in Antrim County:

PERMIT MODIFICATION: 10/28/21 CLEANING UP THE 25' BUFFER ZONE: NO ADDITIONAL TREES TO BE CUT, STUMPS FROM PAST WORK CUT FLUSH, DEAD MATERIAL HANGING REMOVED, AREA BETWEEN LAKE AND 25' MARK SMOOTHED AND MULCHED WITH WOOD MULCH TO READY FOR REPLANT

PROJECT LOCATION

Site Address: LOT 35 BIRCHLAKE SUBDIVISION Township: Elk Rapids
Tax Number: 05-06-225-035-00 Section: 3 Town: 29 Range: 9 Zoned

Work to be done under authority of this permit is subject to the following special restrictions, limitations, and instructions:

- Follow standard instructions on the back of permit, post the site plan, permit and permit conditions. No sediment to move off-site during permitted activity.
- AFTER BUFFER AREA IS CLEANED UP AND SMOOTHED - APPLY WOOD MULCH TO PROTECT THE AREA UNTIL PLANTED
- INSTALL STRAW WATTLE INSTEAD OF A SILT FENCE IF THE PROPERTY IS FLAT AND PERMEABLE OR AS A DIVERSION IN CONJUNCTION WITH A SILT FENCE. A WATTLE MAY NEED TO BE INSTALLED WATERWARD OF LAST BERM AT LAKE.

(NOTE - STANDARD INSTRUCTIONS ON BACK OF PERMIT)

IT IS PROPERTY OWNER'S RESPONSIBILITY TO DETERMINE IF OTHER PERMITS ARE NEEDED

THIS PERMIT DOES NOT ALLEVIATE THE NEED FOR OTHER FEDERAL, STATE OR LOCAL PERMITS

Project Type: Soil Erosion

Permit Fee: \$425.00

Responsible Party:

Name: BARKER CREEK

Phone: 231-218-0273

Heidi Shaffer
Soil Erosion Officer

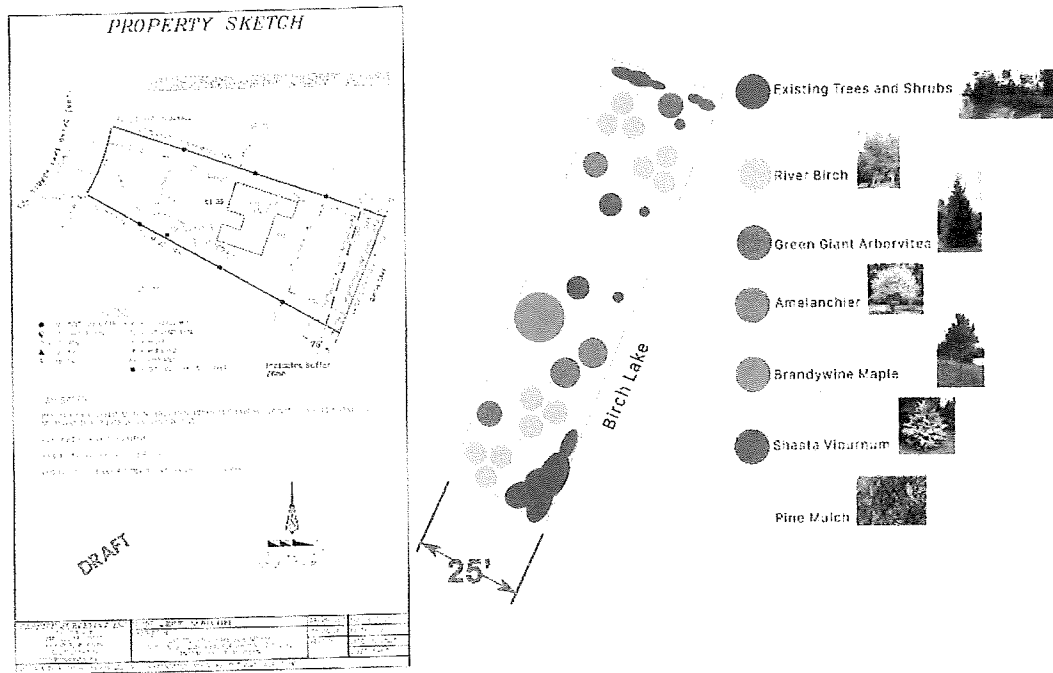
Email: BARKERCREEK@OUTLOOK.COM



Re: approval documentation

Heidi Shaffer <heidi.shaffer@macd.org>
To: jeff martin <jeffmartin2107@gmail.com>, Larry Nix <plannernix@gmail.com>

Wed, Dec 1, 2021 at 1:17 PM



Jeff and Ruth,
 I fully support your efforts to restore the buffer zone on your property in Elk Rapids Township. I have attached your permit and the site plan I currently have for your proposed work.
 I am so sorry Bruce got so carried away with his work. He should have consulted this office and the zoning department before denuding your buffer. He does know better, but is a bit too old school.

Best,
 Heidi

On Wed, Dec 1, 2021 at 12:34 PM jeff martin <jeffmartin2107@gmail.com> wrote:
 Hello Heidi,

In order to comply with the township requirements I have created the attached site plan using Terry's latest hand sketch. Our landscape architect is reviewing it and will add his signature to it.
 What do we need from your office to indicate that you have reviewed the plan and approve our going forward with it.

Jeff and Ruth

Item 4c/ Adjoining Property Owners Statements

Monday November 22, 2021

To the Planning Commission of Elk Rapids Township:

*Jeff and Ruth Martin have shared their Birch Lake restoration plan with us.
The layout of trees along their lakeshore looks extremely well done.*

*Although we are in agreement with the plan it seems significantly in excess of
the standard that other lakefront owners have been held to.*

We are the neighbors to the south of the Martins on Timberlake Drive.

Sincerely,

*Kraig and Mary Klynstra
6501 Timberlake Drive
Elk Rapids, Mi 49629*

And

*Hello,
My name is Michael Manzardo living at 6473 Timberlake Drive, Elk Rapids,
Michigan 49629. We are neighbor of Jeff And Ruth Martin. My wife and I have
both reviewed the site plan for replanting of trees on the Martin's lot right next
store, we think their plan is good and will be beautiful.*

*Thank You,
Michael & Janet Manzardo*

Township of Elk Rapids

315 Bridge Street • P.O. Box 365 • Elk Rapids, Michigan 49629
Telephone 231-264-9333 • Fax 231-264-6676

October 15, 2021

Jeff & Ruth Martin
312 Logan St., SE
Grand Rapids, MI 49503

RE: Tree Removal – 25' Protection Zone
Tax Parcel No.: 05-06-225-035-00; Lot 35 Birch Lake Subdivision

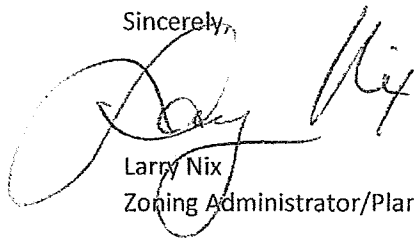
Mr. & Mrs. Martin:

On October 12, 2021, we met at the Township Office with Dorance Amos, Township Supervisor, to discuss the removal of trees on your lot from the 25' Protection Zone adjacent to Birch Lake. I shared documentation with you illustrating the removal of 17 trees adjacent or close to the water's edge in the Protection Zone. Since the contractor had removed all other evidence of trees in the majority of the Protection Zone, I was unable to determine the number of total trees removed. Currently there are only a few trees remaining in this area including the stumps of the trees removed. This was very disturbing since I shared with you on November 24, 2020, via email the Township Zoning provision regarding the removal of trees in the Protection Zone.

Considering this information, you will be responsible to replace all 17 documented trees in the Protection Zone. There will be no consideration given for the removal of 30% of trees for a vacant lot (provision in the Zoning Ordinance) since a comprehensive assessment is not possible. The 17 trees will need to be planted within the Protection Zone as illustrated and specified in a site plan prepared as per Township Zoning Regulations. (See Attached – Section 2.11) All trees will need to be a minimum of 4" in diameter (4" dbh) at planting with a one year guarantee to remain living and maintained in a healthy, living condition. Tree replacement will be required if a tree is determined dead after one year of planting. This site plan will need to be reviewed and approved by the Elk Rapids Township Planning Commission and the Antrim County Soil Erosion Officer prior to the start of any construction on the property.

If you have questions regarding this determination, please contact me.

Sincerely,



Larry Nix
Zoning Administrator/Planner



Terry Bertrand is co-owner of Barker Creek Nursery Incorporated, a Michigan Department of Environment certified farm. Terry is a past Vice Chair for Kalkaska Soil Conservation and is currently on the board of the Kalkaska Parks and Recreation Rugg Pond/Rapid River steering committee and Grand Traverse Butterfly Charities.

In 1994 Terry and his life partner purchased Barker Creek Nursery and, within 5 years purchased the 90 acres adjoining to add Barker Creek Farms, making their operation one of the largest and most successful nursery and landscaping firms in Northwest Michigan. Barker Creek's passion for a healthy environment led them to incorporate sound conservation practices decades before other area landscapers including: sustainable organic growing; extensive native plant offerings; community education initiatives; watershed preservation and shoreline remediation.

Local municipal agencies have had this to say about Terry Bertrand and Barker Creek Nursery,

"They created and maintain the median garden which runs right down the center of River Street as you turn into town. They have also given us recommendations on our gardens for plants and improvements. Terry is passionate about his work and I would recommend Barker Creek"

Sonja Perry

Chair of the Elk Rapids Village Beautification Committee

"Over the past five or six years Lovells Township has experienced two very significant violations within the vegetive strip. With both violations the township was fortunate to have the property owner select Barker Creek Nursery as the remediation firm."

(See full letter attached)

Gary A. Neumann

**Supervisor & Waterfront Protections Officer
Lovells Township, Michigan**

Lovells Township
8405 Twin Bridge Road
Grayling, MI 49738
989-348-9215
lovellstowship@gmail.com
www.lovellstowship.com

November 11, 2021

To Whom It May Concern:

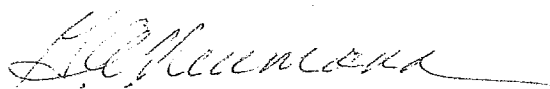
Lovells Township, which is located in the NE corner of Crawford County, is fortunate to have the North Branch of the Au Sable River running, north to south, through the entirety of the township. The North Branch is a pristine blue ribbon trout stream that, in 1987, was designated by the Michigan Department of Natural Resources as "a natural river" under the authority of the Natural River Act. The Act allows for local governments to adopt strict waterfront protection measures, and Lovells Township has done so.

While it is not common, Lovells Township has experienced violations of its waterfront protection measures and zoning regulations along the North Branch of the Au Sable. Most often the violations are within the vegetative strip, which begins at the ordinary highwater mark of the river bank and extends landward 75 feet. Riverfront property owners are keenly aware of disturbances within the strip and any disturbance is promptly reported.

Remediation of a vegetative strip violation is a significant challenge for the individual or firm selected by the property owner to conduct the remediation. There will be adjacent property owners observing the effort and the township monitoring it. Haphazard workmanship or poor planning can't be tolerated. Over the past five or six years Lovells Township has experienced two very significant violations within the vegetative strip. With both violations the township was fortunate to have the property owner select Barker Creek Nursery as the remediation firm. A principal in the firm, Mr. Terry Bertrand, has an outstanding reputation of working closely with both the property owner and the township throughout the remediation process. No details are left to chance, the work is done correctly and on time, and everyone with an interest in the remediations has been very satisfied with the results.

In closing, I recommend Barker Creek Nursery without reservation for any remediation requirement, be it a lake, a river, or a creek. They are the folks to call if you need it done right, on time, and at a fair price.

Respectfully submitted,



Gary A. Neumann
Supervisor & Waterfront Protections Officer

Barker Creek Nursery, Inc.

7048 N.W. M-72
 Williamsburg, MI 49690
 Telephone # 1-231-267-5972
 Fax # 1-231-267-9917

Item 5c
Estimate

Date	Estimate #
11/1/2021	102121gc3

Name / Address
Martin Jeff and Ruth 312 Logan Str. SE Grand Rapids, Mi 49503

			Project
Description	Qty	Cost	Total
Clump Heritage River Birch 10-12' bnb / Landscape Materials	12		
Planting / Landscape Labor	4		
4-5' clump Amelanchier aka 'Autumn Brilliance Service Berry' / Landscape Materials	2		
Planting Amelanchier /Landscape Labor	2		
7-8' Clump Amelanchier / Landscape Materials	1		
Planting 7-8' Amelanchier / Landscape Labor	1		
7-8' Giant Green Arborvitae / Landscape Materials	2		
Planting Arborvitae / Landscape Labor	2		
Tree n shrub soils prepped for native plantings and used to plant trees and shrubs / Landscape Materials	5		
Pine Mulch topdress area / Landscape Materials	10		
Irrigation supplies estimated for trickle excludes timer / Landscape Materials	1		
Spreading Mulch installing trickle and soil prep for native plantings / Landscape Labor	8		
'Maries Shasta Doublefile Viburnum' (specimen bnb 46") / Landscape Materials	2		
Planting Viburnum / Landscape Labor	2		
Track Unit Day Use	1		
Delivery	2		
tax collected on equipment	1		
Sales Tax Collected on Landscaping	1		
Brandy Wine Maple	1		
	Total Plantings 20		
		Total	

Customer Signature _____

LIBER 161 PAGE 505

RESTRICTIONS

BIRCH LAKE SUBDIVISION

REGISTER'S OFFICE }
 Antrim County } ss
 Received for record the 10th day of
 Aug. 1967 at 1 o'clock P.M.
 and Recorded in Liber 161 of
 on page 505

Lynne Halstead
 Register of Deeds.

1. All lots shall be used and occupied for residential purposes only, and may not be used for business or commercial purposes.
2. Each lot is limited to one dwelling with a minimum ground floor plan of 800 square feet, exclusive of porches, car-port or garage.
3. Each dwelling must have a sanitary toilet, septic tank, dry-well or drain field as approved by the Michigan Department of Health.
4. Each dwelling must be built of approved building materials, with exterior completed within one year from start of construction, including exterior painting, varnishing or staining.
5. Each dwelling must be built a minimum of forty feet back from front lot line, side line clearances to be at least 10 feet.
6. No trailer, basement, tent shack or garage, shall at any time be used as a residence on any lot, either temporarily or permanently.
7. No boat house shall be erected on any lot.
8. No fences of any type are to be erected higher than four feet and may not extend beyond any lot lines.
9. No animals, livestock or poultry of any kind, shall be raised, bred or kept on any lot, except dogs, cats or other household pets, providing that they are not bred and raised for commercial purposes and do not become a nuisance to adjoining lot owners.
10. Each lot must be kept in a neat and orderly manner, and kept free from unsightly junk, damaged machinery, commercial machinery, rubbish, etc.
11. Each and every lot owner has the right to protest and if necessary is legally empowered to enforce any violations of said restrictions.
12. Invalidation of any of these covenants by judgment or court order shall in no way effect any of the other provisions which shall remain in full force and effect.

Lynn Halstead
 Lynn Halstead

Jeanette Halstead
 Jeanette Halstead

Date August 10, 1967

2-3-9
2-3-289

OF COVENANTS TO RUN WITH THE LAND FOR PROPERTY DESCRIBED AS OUTLOT "A" BIRCH LAKE SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 2 OF PLATS, PAGE 156, ANTRIM COUNTY RECORDS.

RESTRICTIONS FOR OUTLOT "A"

The purpose and intent of these restrictions is to preserve the property in it's natural state, thereby assuring the residents and property owners along Timber Lake Drive the environmental benefits they realized at the time of their purchase.

1. There shall be no removal of trees, shrubs or other growth except as approved by the board of directors.
2. There shall be no burning of leaves, brush or household trash.
3. There shall be no use of motorized vehicles on the property.
4. There shall be no dumping of garbage or trash.
5. There shall be no building of any type erected.
6. There shall be no storage of equipment of any kind.
7. There shall be no camping on the property.
8. Members may dispose of leaves and brush, but they must be placed back from the road, out of sight.

Approved by unanimous vote of members in attendance at the annual meeting of Timber Lake Drive Property Owner's Association held Saturday, May 28, 1988.

Witnesses:

Elaine Glowicki
Elaine Glowicki

Rosanne Blesma
Rosanne Blesma

(ss) Board of Directors
Paul Klassen
Paul Klassen
Ken Smith
Ken Smith
Ed Amann
Ed Amann
Andy Kampo
Andy Kampo
Jack Yencich
Jack Yencich

ANTRIM COUNTY
MICHIGAN
RECEIVED FOR RECORD
MAY 19 1 57 PM '89
Wanda R. Conway
REGISTER OF DEEDS

The foregoing instrument was drafted by the secretary of Timber Lake Drive Property Owner's Association, Kenneth R. Smith.

Kenneth R. Smith
Kenneth R. Smith, Secretary

The foregoing instrument was acknowledged before me this 12 day of May 1989 by the Board of Directors of Timber Lake Drive Property Owner's Association.

My commission expires 8-17-91

Elaine A. Glowicki
Notary Public County Michigan