



# Lenawee County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)

120 W. Michigan Avenue • Jackson, MI 49201

Phone (517) 788-4426 • Fax (517) 788-4635

## MEETING NOTICE

FOR FURTHER INFORMATION, CONTACT:

Grant E. Bauman

R2PC Principal Planner

(517) 768-6711

[gbauman@co.jackson.mi.us](mailto:gbauman@co.jackson.mi.us)

DATE: November 19, 2020

TIME: 6:30 p.m.

PLACE:



## MEETING AGENDA

1. Call to Order and Pledge of Allegiance
2. Public Comment [3-MINUTE LIMIT]
3. Approval of Agenda [ACTION]
4. Meeting Minutes
- Approval of the Minutes of the August 20, 2020, Meeting [ACTION] ..... 3
5. Request(s) for Review, Comment, and Recommendation
  - a. Consideration of Township Zoning Amendment(s)
    - (1) #20-12 — Rollin Township [ACTION] ..... 5
    - (2) #20-13 — Fairfield Township [ACTION] ..... 33
    - (3) #20-14 — Riga Township [ACTION] ..... 49
    - (4) #20-15 — Macon Township [ACTION] ..... 57
  - b. Consideration of PA 116 Farmland Agreement(s)
    - (1) #20-13 — Macon Township [ACTION] ..... 71
    - (2) #20-14 — Adrian Township [ACTION] ..... 83
    - (3) #20-15 — Adrian Township [ACTION] ..... 93
    - (4) #20-16 — Adrian Township [ACTION] ..... 141
  - c. Consideration of Master Plan(s)
    - (1) Hillsdale County NOI [INFORMATION] ..... 153
6. Other Business
  - a. Old Business — None
  - b. New Business — None
7. Public Comment [2 MINUTE LIMIT]
8. Commissioner Comment
9. Adjournment

Please note that the meeting will take place via [zoom](#).

The login information is provided on the next page.

The next meeting of the Lenawee County Planning Commission is scheduled for October 15, 2020

[www.region2planning.com/lenawee-county-planning-commission](http://www.region2planning.com/lenawee-county-planning-commission)



Join Zoom Meeting

<https://zoom.us/j/98549564366?pwd=Q0FIWXFyN3lKSXMxcjVrNXUvRTRIUT09>

Meeting ID: 985 4956 4366

Passcode: 607358

One tap mobile

+13126266799,,98549564366#,,,,,0#,,607358# US (Chicago)

+16468769923,,98549564366#,,,,,0#,,607358# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 646 876 9923 US (New York)

Meeting ID: 985 4956 4366

Passcode: 607358

Find your local number: <https://zoom.us/u/aelFAFAv3B>



# Lenawee County Planning Commission

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120 W. Michigan Avenue • Jackson, MI 49201

Phone (517) 788-4426 • Fax (517) 788-4635

## MEETING MINUTES

Thursday, September 17, 2020

**zoom** • Meeting ID: 958 0105 8321 • Passcode: 617380

Members Present: Mr. Bob Behnke, Education Representative; Mr. Keith Dersham, LCPC Secretary; Ms. Rebecca Liedel, LCPC Chair; Mr. Bruce Nickel; and Mr. Dale Witt

Members Absent: Ms. Karol (KZ) Bolton, Lenawee County Commission, and Mr. Ralph Tillotson, Lenawee County Commission

Others Present: Mr. Grant Bauman, LCPC Staff/Recording Secretary

Item 1 **Call to order.** Chair Liedel called the meeting to order at 6:36 p.m.

Item 2 **Public comment.** None.

Item 3 **Approval of Agenda.** Staff submitted the 09/17/2020 meeting agenda for approval. Comm. Nickel made a motion, seconded by Comm. Witt, to approve the September 17, 2020, meeting agenda as presented. *The motion passed unanimously.*

Item 4 **Approval of Minutes.** Staff submitted the 08/20/2020 meeting minutes for approval. Comm. Behnke made a motion, seconded by Comm. Dersham, to approve the August 20, 2020, meeting minutes as presented. *The motion passed unanimously.*

Item 5 **Request(s) for Review, Comment, and Recommendation**

a. **Consideration of Township Zoning Amendment(s)** None.

- (1) **#20-10 | Madison Charter Township.** Commissioners reviewed the proposed 'medical marihuana facilities overlay (MMFO)' rezoning—which will retain the underlying 'light industrial (I-1)' zoning—of a property (ID# MD0-101-4795-00) located on Maumee Street in Section 1 (T7S-R3E) of the Township, east of the City of Adrian. Staff summarized his report advising Commissioners to recommend approval of the proposed 'MMFO' rezoning of the subject parcel for the reasons listed in his memo (see the staff report).

Comm. Dersham made a motion, seconded by Comm. Nickel, to concur with the staff advisement to recommend approval of the proposed 'medical marihuana facilities overlay (MMFO)' rezoning to the Madison Charter Township Board. *The motion passed (Yes = 5 (Behnke, Dersham, Liedel, Nickel, and Witt); No = 0; Abstain = 0; Absent = 2 (Bolton and Tillotson)).*

b. **Consideration of PA 116 Farmland Agreement(s).**

- (1) **#20-12 | Ogden Township.** Commissioners reviewed an application for a 21-acre parcel (ID #OG0-131-4550-00) located in Section 31 (T8S-R4E) of the Township. Staff summarized his memo and advised them to recommend approval with comments of

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the agreement (see the staff report).

Comm. Behnke made a motion, seconded by Comm. Witt, to concur with the staff advisement to recommend approval with comments of the PA 116 agreement to the Lenawee County Board of Commissioners (see the staff report). *The motion passed (Yes = 5 (Behnke, Dersham, Liedel, Nickel, and Witt); No = 0; Abstain = 0; Absent = 2 (Bolton and Tillotson)).*

c. **Consideration of Master Plan(s).** None.

- (1) **#20-01 | Woodstock Township.** Commissioners reviewed the proposed 2019 edition of the *Woodstock Township Master Plan* per Section 41(3) of the Michigan Planning Enabling Act. Staff summarized his memo and advised the Commission to state that, in its opinion, the future land use map contained in the proposed edition of the *Woodstock Township Master Plan* is (see the staff report):

- generally consistent with the *Lenawee County Comprehensive Land Use Plan*,
- generally compliments the master plans of adjacent townships,
- ignores the villages of Addison and Cement City, and
- proposes excess commercial development along US-12.

Commissioners discussed the staff advisement—along with the Woodstock Township Zoning Administrator’s response to his concerns—and modified the final point.

Comm. Behnke then made a motion, seconded by Comm. Dersham, to state that, in the opinion of the Lenawee County Planning Commission, the future land use map contained in the proposed edition of the *Woodstock Township Master Plan*:

- is generally consistent with the *Lenawee County Comprehensive Land Use Plan*,
- generally compliments the master plans of adjacent townships, and
- ignores the villages of Addison and Cement City.

The Commission also recommend that clusters of commercial development be encouraged along US-12 rather than the entire corridor. *The motion passed (Yes = 5 (Behnke, Dersham, Liedel, Nickel, and Witt); No = 0; Abstain = 0; Absent = 2 (Bolton and Tillotson)).*

Item 6 **Other Business.**

- a. **Old Business.** None.  
b. **New Business.** None.

Item 7 **Public Comment.** None.

Item 8 **Commissioner Comment.** None.

Item 9 **Adjournment.** The meeting adjourned at 7:08 pm.

Respectfully submitted,



Grant E. Bauman, LCPC Recording Secretary





# Lenawee County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)

120 W. Michigan Avenue • Jackson, MI 49201

Phone (517) 788-4426 • Fax (517) 788-4635

## Coordinated Zoning Report | #20-12

**To:** County Planning Commissioners

**From:** Grant E. Bauman

**Date:** November 19, 2020

**Proposal:** **The rezoning of a property in Rollin Township**

### Request

The subject property is proposed for rezoning to a 'multiple family residential (RM)' district, from a 'local commercial (C-1)' district.

### Purpose

The rezoning worksheet from identifies 'townhouses' and the background information provides the general plans for a unit.<sup>1</sup>

### Location and Size of the Property

**Location** – The subject property (RL0-685-0431-10) is located in Section 10 (T6S-R1E) of Rollin Township, just south of Devils Lake between Lenawee and Elm Streets (see Figure 1).

**Size** – The subject parcel has an area of approximately 1.7 acres.

### Land Use and Zoning

**Current Land Use** – A grocery store was located on the subject property but the attached U.S. Post Office is all that remains of that development. The parcel is still assessed 'commercial' according to property records (see Figure 2). Staff understands that the post office lease will expire within a few years. 'Residential' is how adjacent properties to the north and east are assessed.

**Future Land Use** – Rollin Township's Future Land Use Map recommends 'local commercial' uses (see Figure 3). 'Medium density residential' is recommended for properties to the north and east.

**Current Zoning** – The subject parcel is currently zoned 'local commercial (C-1)', as are properties to the west and south (see Figure 4). Properties to the east are zoned 'multiple family residential (RM)'.

### Public Facilities and Environmental Constraints

**Public Road/Street Access** – Elm Street, a county local roadway, provides access to the subject property. Lenawee Street, a private roadway, abuts the property to the north.

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<sup>1</sup> Please note that the proposed use is listed for informational purposes only. It should not be utilized in making the rezoning decision. Circumstances may change, making the proposed use impractical. All of the uses allowed under the proposed zoning are pertinent.

**Public Water and Sewer** – Municipal sewer service is available according to the Township. Municipal water is not available nor are their plans to provide that service (see the background information).

**Environmental Constraints** – The Township is unaware of any environmental constraints (see the background information).

### Analysis and Recommendation

**Township Planning Commission Recommendation** – The background information includes a sheet entitled ‘conditional rezoning’ and contains several voluntarily offered conditions. However, the motion passed by the Township Planning Commission recommending approval of the rezoning makes no mention that it was conditional. Staff understands that the applicants intend to incorporate the conditions into the property’s deed restrictions.

**Staff Analysis** – Rollin Township has a Zoning Plan that includes the following criteria upon which a rezoning request must be considered:

1. **Is the proposed rezoning consistent with the policies and uses proposed for that area in the Master Plan?**

**Yes.** While the recommendation for the property was ‘local commercial’ (see Figure 3), presumably due to the presence of the old grocery store, ‘medium density residential’ is recommended for properties to the north and east. The Zoning Plan equates ‘multiple family residential (RM)’ zoning with this Future Land Use Plan designation.

2. **Will all of the uses allowed under the proposed rezoning be compatible with other zones and uses in the surrounding area?**

**Yes.** Adjacent properties to the east are already zoned ‘multiple family residential (RM)’ (see Figure 4).

3. **Will public services and facilities be significantly adversely impacted by a development or use allowed under the requested rezoning?**

**No.** ‘Multiple family residential (RM)’ zoning may have less of an impact on municipal infrastructure than the existing commercial zoning.

4. **Will the uses allowed under the proposed rezoning be equally or better suited to the area than uses allowed under the current zoning district?**

**Yes.** There is already ‘multiple family residential (RM)’ zoning adjacent to the property. However, the existing post office will become a nonconforming use.

**Staff Advisement** – The rezoning of the property to ‘multiple family residential (RM)’ agrees with the Future Land Use Plan element of the Master Plan. Unfortunately, the documentation provided makes it unclear if the Township Planning Commission’s recommendation was straight or conditional. Accordingly, staff advises the Lenawee County Planning Commission to recommend **APPROVAL WITH COMMENTS** (see the staff report) of the proposed rezoning to ‘multiple family residential (RM)’ to the Rollin Township Board.

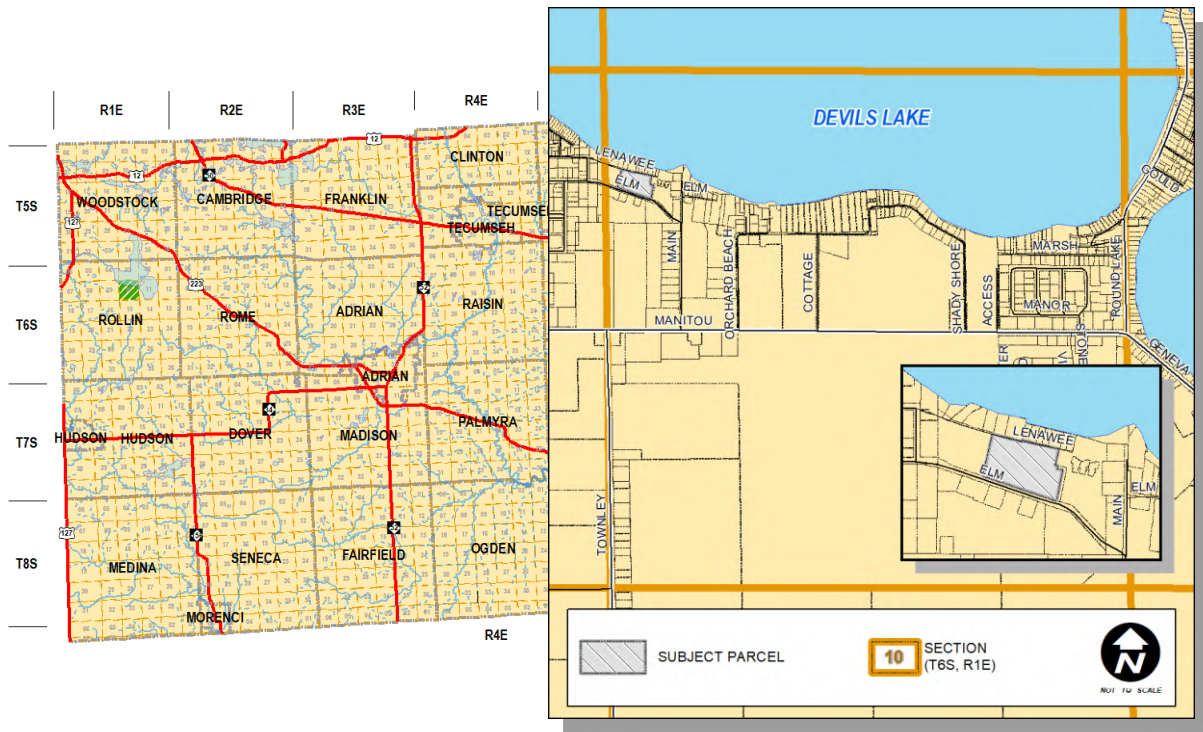
#### Attachment(s):

- Background information provided by Rollin Township.

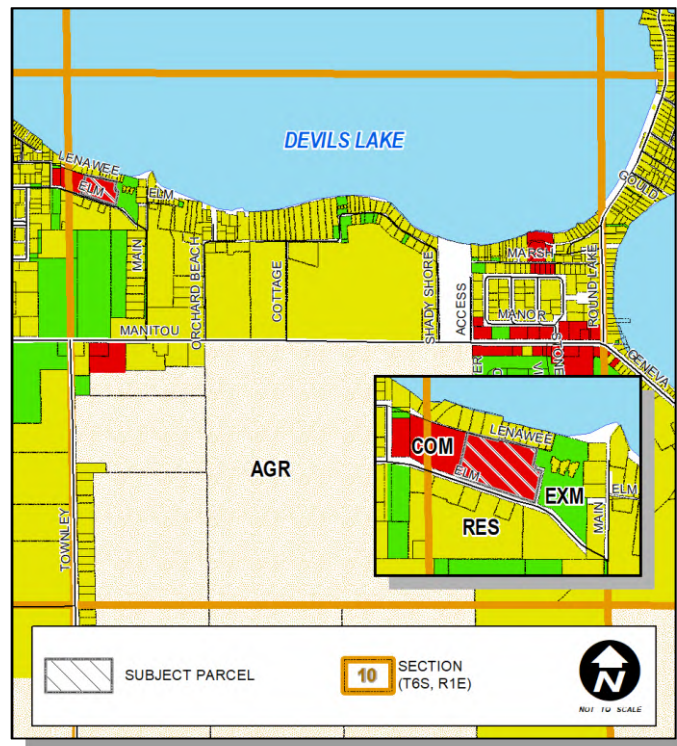
#### Recommended Actions:

- (1) Recommend **APPROVAL**
- (2) Recommend **DISAPPROVAL**
- (3) Recommend **APPROVAL WITH COMMENTS/MODIFICATIONS**
- (4) Take **NO ACTION**

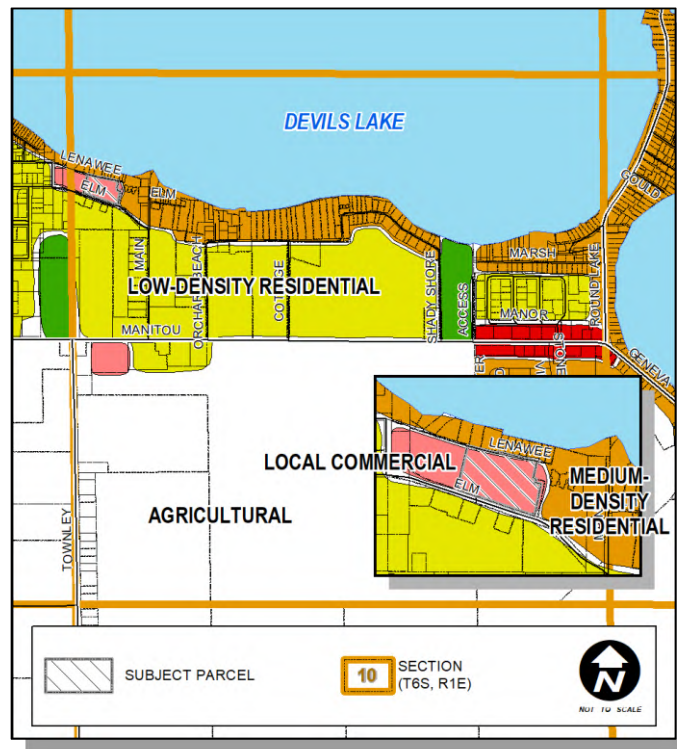
**Figure 1  
Location**



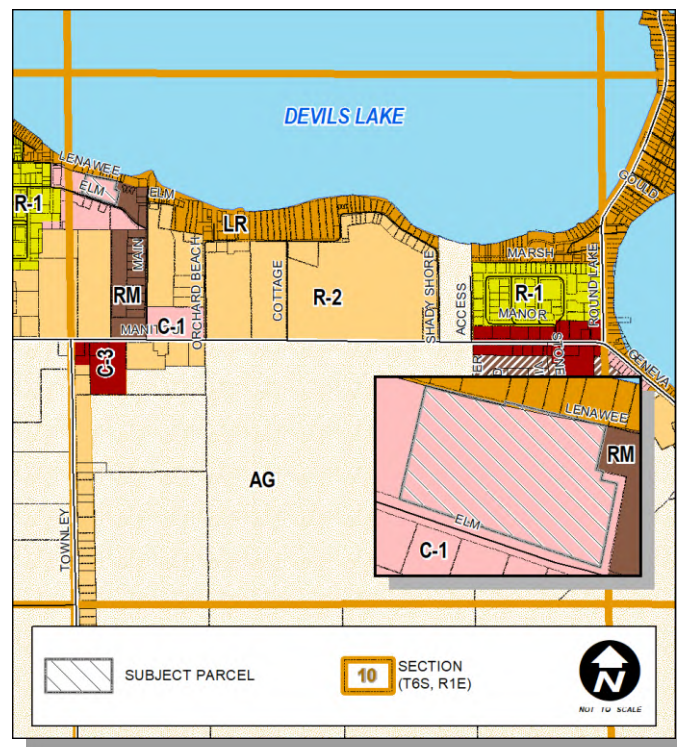
**Figure 2  
Property Assessment**



**Figure 3  
Municipal Future Land Use**

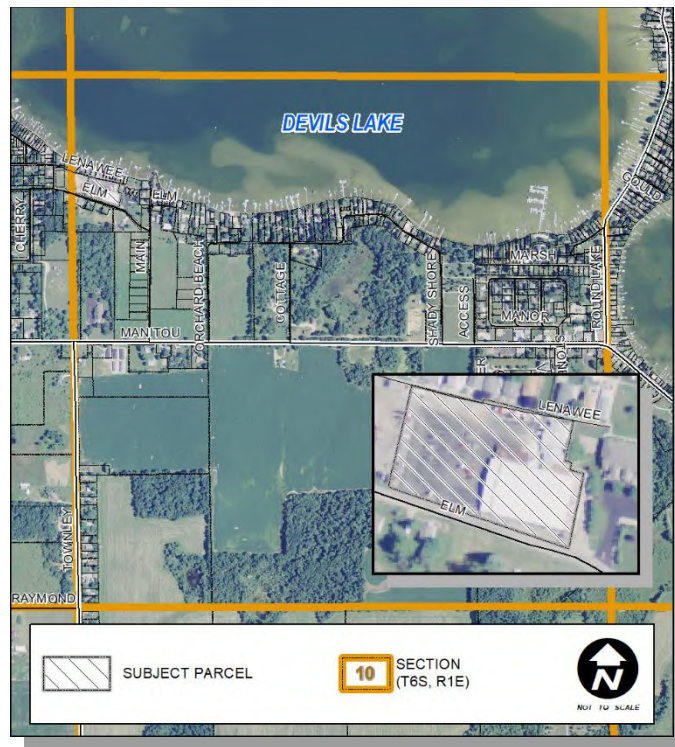


**Figure 4  
Municipal Zoning**





**Figure 5**  
**Aerial Photographs**



LCPC Case #: \_\_\_\_\_  
(For LCPC Use Only)

## REZONING WORKSHEET FORM



### LENAWEE COUNTY PLANNING COMMISSION (COORDINATING ZONING)

Return to: Lenawee County Planning Commission • c/o Region 2 Planning Commission • 120 W. Michigan Avenue • Jackson, Michigan 49201

Please submit with the "Zoning Amendment Form" for a district boundary change (rezoning), not a text amendment.

Township of: Rollin Township Case #: \_\_\_\_\_  
Township official we may contact: Douglas Kapnick Phone #: ( 517 ) 260 - 6857  
Applicant: Manitou Beach Holdings LLC Phone #: ( 419 ) 392 - 2410  
Rezoning Request: From: Local Commercial ( C-1 ) To: Multiple Family Residential ( RM )  
Property Location: Section(s): \_\_\_\_\_ Quarter Section(s): ☐ NW ☐ NE ☐ SW ☐ SE  
Legal Description and/or Survey Map/Tax Map (please attach) ☒ Yes ☐ No (Please do not use only the Parcel ID Number)  
Parcel Size (if more than one parcel, label "A" - "Z"): 1.76 ACRES

Please attach location map ☒ Yes ☐ No  
What is the existing use of the site? VACANT LAND

What is the proposed use of the site? Multiple Family Residential - Townhouses

What are the surrounding uses (e.g.: agriculture, single-family residential, highway commercial, etc.)?

North: Single Family South: Single Family  
East: Multiple Family Condominiums West: Local Commercial

What are the surrounding Zoning Districts?

North: Lake Residential ( LR ) South: Single Family Residential ( R-1 )  
East: Multiple Family Residential ( RM ) West: Local Commercial ( C-1 )

What is the suggested use of the site on the Township's Land Use Plan map? Local Commercial

Is municipal water currently available? ☐ Yes ☒ No Will it be made available? ☐ Yes ☒ No If yes, when? \_\_\_\_\_

Is municipal sewer currently available? ☒ Yes ☐ No Will it be made available? ☐ Yes ☐ No If yes, when? \_\_\_\_\_

Does the site have access to a public street or road? ☒ Yes ☐ No If yes, name ELM STREET

Are there any known environmental constraints on the site? ☐ Yes ☒ No

☐ Wetland(s) ☐ Floodplain(s) ☐ Brownfield(s) ☐ Soil(s) ☐ Other (please specify) \_\_\_\_\_

Please attach the minutes of the Planning Commission.

☒ Yes, the minutes are attached. ☐ No, the minutes are not attached.

Please attach copies of any reports, exhibits or other documented provided to the Planning Commission.

☒ Yes, copies of documentation are attached. ☐ No, copies of documentation are not attached.

Please attach any public comments, letters, or petitions.

☐ Yes, public comments are attached. ☐ No, public comments are not attached.

# Rollin Township Planning Commission

## Regular Meeting - October 01, 2020

### Minutes

Call to Order

Pledge of Allegiance Members Present: Dave Briggs, Pauline Brosamer, Michael Clark, Douglas Kapnick, Nancy Nichols, Jim Sayre

Approval of Minutes: September 03, 2020 motion to approve Sayre, second Briggs, vote all aye

Communications / Presentations:

Appeals Board Report: Pauline Brosamer

Township Board Report: Dave Briggs

Old Business:

1: 1235 Elm Street rezoning request (Manitou Beach Holdings) After discussion motion by Clark, second Sayre to recommend approval of subject rezoning request from C-1 local commercial district to RM-multiple family residential district to Township Board; vote all aye

2: Vacate alleys - update from Mike Clark waiting for meeting with Township Supervisor

3: Enforcement of Ordinances - Chairman Kapnick and Jim Sayre met with Supervisor and Zoning Enforcement officer working on procedures

4: Update Rollin Township Master Plan

5. Little Round Lake Rezoning- notifying property owners to see what interest there is in proceeding to rezone lake front property to Lake Residential

New Business

None

Commission Members Comments: Public Comment\* none

Date of Next Meeting: November 05, 2020

Adjournment:

\*Any person may speak for up to three [3] minutes during the public comment period. Groups of one [1] or more have the option of selecting a spokesperson, who may speak up to twenty [20] minutes. Any person may make a video or audio recording of the meeting.



# Rollin Township Planning Commission

## Special Public Meeting - October 01, 2020

### Minutes

Call to Order 6:45

Pledge of Allegiance

Members Present: Dave Briggs, Pauline Bosamer, Michael Clark,, Douglas Kapnick, Nancy Nichols, Jim Sayre

Five citizens in audience and 4 on Zoom

New Business:

1: Manitou Beach Holding LLC request to rezone 1235 Elm Street

from Local Commercial District (C-1) to Multiple Family Residential District (RM) Chairman Kapnick told all present that this was a informational public hearing and presented plans and documents (on file) detailing request by Manitou Beach Holdings to rezone subject parcel from C-1 Commercial to RM multiple family

Commission Members Comments: Discussion was held and Board members asked questions of members of Manitou Beach Holdings who were present.

Public Comment; Several citizens asked questions about property and the different uses between C-1 and RM. Bill Morlock, a lakefront property owner who is not part of Manitou Beach Holdings asked how he would access his property if it were landlocked by new owners. Chairman Kapnick suggested that he contact an attorney.

Adjournment:

\*Any person may speak for up to three [3] minutes during the public comment period. Groups of one (1) or more have the option of selecting a spokesperson, who may speak up to twenty [20] minutes. Any person may make a video or audio recording of the meeting,

## CONDITIONAL REZONING

### Discussed voluntarily offered Conditions

1: Members of the Master Association "Manitou Beach Holdings, LLC", must own one or more, of the following properties. RLO

The owner of a Townhouse must own and occupy one or more of the following properties. RLO

2: Rentals of Townhouses shall be for a minimum of thirty (30) days. Subletting of rented Townhouse shall not be permitted.

3: Number of Townhouses on the Property described in Exhibit "A" shall be limited to eight (8) Townhouses".

4: Any person or entity residing in a Townhouse shall be expressly prohibited from "Funneling", as defined in the Rollin Township Zoning Ordinances.

## **Douglas Kapnick**

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**From:** Mark Hagans <Mark@NORTHWESTOHIO.LAW.COM>  
**Sent:** Monday, September 28, 2020 9:28 AM  
**To:** Joe Marvin; Douglas Kapnick; 'Ron Erdmann'  
**Subject:** RE: Discussed Voluntarily Offered Conditions - Manitou Beach Holding LLC

All - I'm addressing Doug's inquiries, pending anything we need to adjust or address relating to Joe's comments below.

Doug - happy to make any sensible amendments that you feel will satisfy the 4 issues raised in your email. These sorts of declarations are ... laborious ... to write and read, so want to make sure everybody is on the same page!

1. Members of Master Association as "owners" - Section 2.2(qq) defines "Owners" to include co-owners "having an interest in the Property" (joint owners, family trust style ownership, etc.). Intent is that owners may diversify their individual ownership group for the lake house, and appoint somebody to be that unit's representative for the master association.

(qq) "OWNER." The record Owner of fee simple title to the adjacent parcel or parcels of real estate abutting Devil's Lake, including the Declarant, but Owner shall include any co-owner having an interest in the Property, but shall exclude in all cases any party holding an interest merely as security for the performance of an obligation. If a Living Unit is sold under a land installment contract or other installment sale, the purchaser (or Vendee) (rather than the fee Owner) will be considered to be the Owner. Every Owner shall be treated for all purposes as a single Owner for each Living Unit held irrespective of whether such ownership is joint or in common. Where such ownership is joint or in common, the majority vote of such Owners shall be necessary to cast any vote to which such Owners are entitled.

2. Rentals - this is prohibited by definition of "Occupant" here (note, this also reiterates the anti-funneling provision): (oo) "OCCUPANT." A person in possession of a Living Unit including, without limitation, an Owner or any guest, invitee, or family member of an Owner occupying, or otherwise using a Living Unit. An Occupant shall expressly exclude as prohibited hereunder any tenant or lessee of any Unit on the Property, and additionally, no Occupant shall be permitted that is not a guest, invitee or family member of an Owner, intending hereby to expressly prohibit funneling of any non-Owner to the lake or adjacent lake property.

3. Exhibit B provides the plat/plan - that would include the 8 unit limit. If preferred, I can make that express in Article II, however.

4. "Funneling" prohibited - this is expressly prohibited in Section 7.18 -

"Funneling" Expressly Prohibited. It is expressly intended that an Living Unit shall be used as an ancillary unit, and not independently from, the Owner's adjacent lake property abutting Devil's Lake. Accordingly, no transaction shall be permissible that in any way severs ownership of the Living Unit or Unit from such Owner's use, enjoyment and ownership of such lake parcel, and, other than expressly permitted users of such Living Unit or Unit (family members and permitted guests/invitees of Owners), no person or entity shall be permitted to own or occupy such Living Unit or Units that does not otherwise have lake access.

Let me know what else is needed before Thursday's meeting. I won't be available, as I'm broadcasting a high school soccer match that nigt.

Thanks to all

Mark

ROLLIN TOWNSHIP

LENAWEE COUNTY  
MICHIGAN

REQUEST FOR ZONING CHANGE  
OR  
CONDITIONAL RE-ZONING

DATE: 8/20/2020  
NAME: MANITOU BEACH HOLDINGS LLC  
ADDRESS: P.O. Box 264  
MANITOU BEACH MI 49253  
PHONE: RON ELOMAN 419-392-2410 JOE MARVIN  
602-690-4143  
PROPERTY OWNER: SAME AS ABOVE - MANITOU  
LEGAL DESCRIPTION: (SEE ATTACHED) BEACH HOLDINGS LLC

PRESENT ZONING: C-1

REQUESTED ZONING: MULTI-FAMILY RESIDENTIAL

PROPOSED USE: RESIDENTIAL TOWN HOUSES

PROPERTY OWNER SIGNATURE:

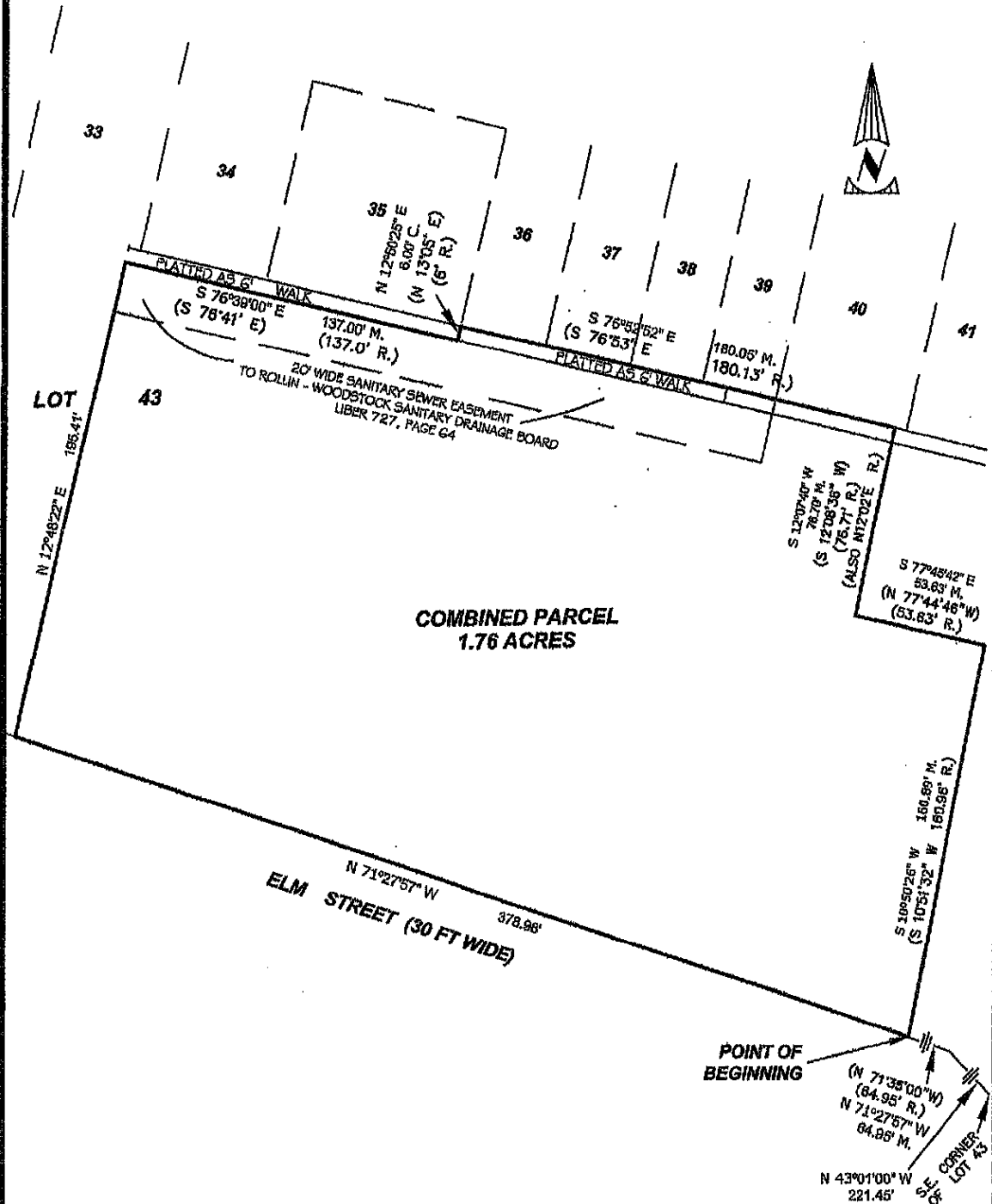
RONALD ELOMAN

FEE: \$ 450.00

PLANNING COMMISSION CHAIRMAN

# SKETCH OF DESCRIPTION

All that part of the Northwest 1/4 of Section 10 and the Northeast 1/4 of Section 9,  
Rollin Township, Lenawee County, Michigan



W:\Projects\Projects K-OWM6050001\CAD\SURVEY\M6050001\_SKETCH.dwg

FOR: Manitou Beach Holdings LLC

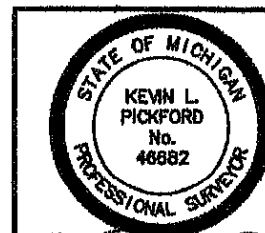
JOB No.: M8050001

SCALE: 1 Inch = 50 feet

DATE: August 19, 2020



237 NORTH MAIN STREET  
ADRIAN, MI 49221  
TEL: 517.263.4515  
FAX: 517.263.4535



Kevin L. Pickford  
Professional Surveyor No. 46882

# DESCRIPTION

All that part of the Northwest 1/4 of Section 10 and the Northeast 1/4 of Section 9,  
Rollin Township, Lenawee County, Michigan

## COMBINED PARCEL

All that part of Lot 43 and an adjacent "6 foot walk" of Brown's Plat of Coon's Addition to Manitou Beach No. 2, as recorded in Liber 8 of Plats, Page 31, Lenawee County Records, being part of the Northwest 1/4 of Section 10 and part of the Northeast 1/4 of Section 9, Rollin Township, Lenawee County, Michigan further described as beginning on the northerly line of Elm Street on said Plat, 221.45 feet North 43°01'00" West and 64.95 feet North 71°27'57" West (North 71°35' West record) from the Southeast corner of said Lot 43; thence continuing North 71°27'57" West 378.98 feet along the northerly line of said Elm Street; thence North 12°48'22" East 195.41 feet to the northerly line of said Lot 43; thence along said northerly line of Lot 43, also being the southerly line of the plat of "Supervisor's Plat of Coon's Addition to Manitou Beach No. 1" as recorded in Liber 7 of Plats on Page 46 of Lenawee County Records, South 76°39'00" East 137.00 feet; thence North 12°50'25" East 6.00 feet along the easterly line of said plat of "Supervisor's Plat of Coon's Addition to Manitou Beach No. 1"; thence along the southerly line of Lots 36, 37, 38, 39, and 40 of said plat of "Brown's Plat of Coon's Addition to Manitou Beach No. 2" South 76°52'52" East 180.05 feet; thence along the boundary lines of "Lakeview Beach Condominium, Lenawee County Condominium Plat No. 26, South 12°07'40" West 76.70 feet and South 77°45'42" East 53.63 feet; thence South 10°50'26" West 160.89 feet (South 10°51'32" West 160.96 feet record) to the point of beginning.

Containing 1.76 acres.

FOR: Manitou Beach Holdings LLC	JOB No.: M6050001
SCALE: 1 inch = 50 feet	DATE: August 19, 2020



237 NORTH MAIN STREET  
ADRIAN, MI 49221  
TEL: 517.263.4616  
FAX: 517.263.4595



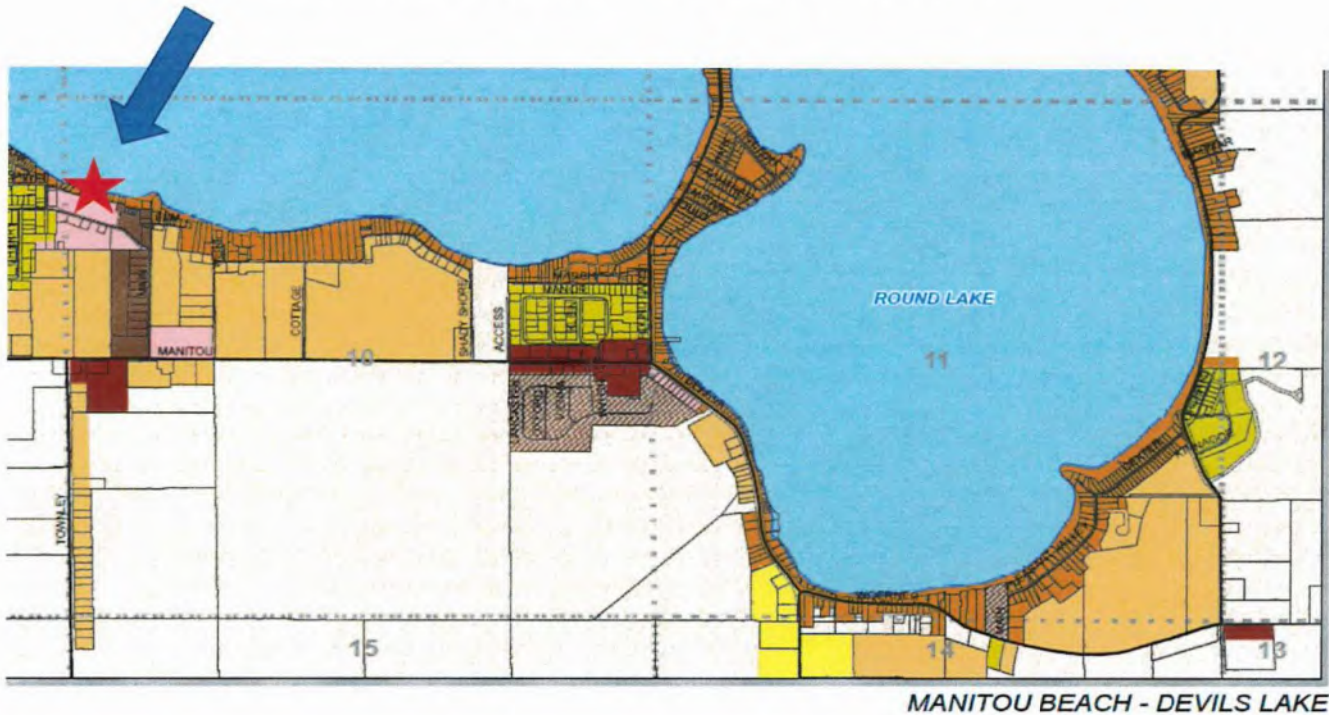
Kevin L. Pickford  
Professional Surveyor No. 46882

1235 Elm Street, Manitou Beach, MI 49235

Request to change zoning from C-1 Commercial  
to RM Multiple Family Residential

August 20, 2020

Currently Zoned at C-1 Local Commercial District



	R-2	SINGLE FAMILY RESIDENTIAL DISTRICT
	LR	LAKE RESIDENTIAL DISTRICT
	RM	MULTIPLE FAMILY RESIDENTIAL DISTRICT
	RHM	MANUFACTURED HOME PARK DISTRICT
	C-1	LOCAL COMMERCIAL DISTRICT
	C-2	GENERAL COMMERCIAL DISTRICT
	C-3	HIGHWAY SERVICE COMMERCIAL DISTRICT
	CR	COMMERCIAL RECREATION DISTRICT
	M-1	INDUSTRIAL DISTRICT

DISTRICTS REVISED THROUGH MAY 8, 2019  
MAP REVISED ON MAY 21, 2019



After the demolition of Jerry's Market





### Proposed Townhouse Layout





33 34 35 36 37 38 39 40 41

S 76°39'00" E  
(S 76°41' E)

137.00' M.  
(1,372.0' R.)

N 126°02' E  
8.00' M.  
(N 125°05' E)  
(8' R.)

S 76°52'52" E  
(S 76°53' E)

180.05' M.  
180.13' R.)

PLAT 149, 62' WALK

20' WIDE SANITARY SEWER EASEMENT  
TO ROLLIN - HOOVER SANITARY DRAINAGE BOARD  
USER 727, PAGE 64

LOT

N 12°48'22" E  
106.41'

20'

35'

20'

40'

20'

15'

20'15"

15'

20'

15'

25'

35'

S 126°04' W  
76.00' M.  
(S 125°08' W)  
(76.71' R.)  
(ALSO 112.02' R.)

S 77°08'42" E  
53.00' M.  
(N 77°44'46" W)  
(53.63' R.)

S 160°07'36" W  
160.95' M.  
(S 160°13'32" W)  
(160.98' R.)

SETBACK LINES  
(TYPICAL)

Open Parking for Residents

COMBINED PARCEL  
1.76 ACRES

Trees and Fence Line

ELM STREET (30 FT WIDE)

N 71°27'57" W  
372.88'

driveway

driveway

POINT OF BEGINNING

(N 71°35'00" W)  
(64.95' R.)  
N 71°27'57" W  
64.95' M.  
N 43°01'00" W  
221.45'

SEE CORNER LOT 43

# Multiple Family Residential District

*From Page 110*

## Permitted Principal Uses

3. Multiple family dwelling units including **townhouses** (single family attached dwellings)

Minimum Land Area Required for each dwelling units in the RM District shall be:

### Dwelling Unit Side

1 bedroom unit	7,200 sq ft
2-3 bedroom unit	7,200 sq ft

Required Minimum Floor area for each dwelling unit in the RM District shall be:

1 bedroom	720 sq ft
2 bedroom	800 sq ft
3 bedroom	1,000 sq ft

# General Elements for Development Plan

Outline of development plan for 1.7 acre parcel planned for townhomes:

1. Common building and structural elements for no more than 8-9 independent townhomes
2. Ownership of townhome is tied to lake parcel with prohibitions against severing townhome ownership (so no independent townhome owners would “funnel” to lake).
3. Prohibition against permanent townhome rentals (short term/summer rentals permitted for an identified annual maximum to be determined by agreement of ownership group).
4. Site plan to include utility, drainage and landscaping elements in connection with overall development plan.
5. Utility plan to include upgraded water, power and other necessary utilities to properly service all units.



Front Elevation (Facing Lake)





Rear Elevation

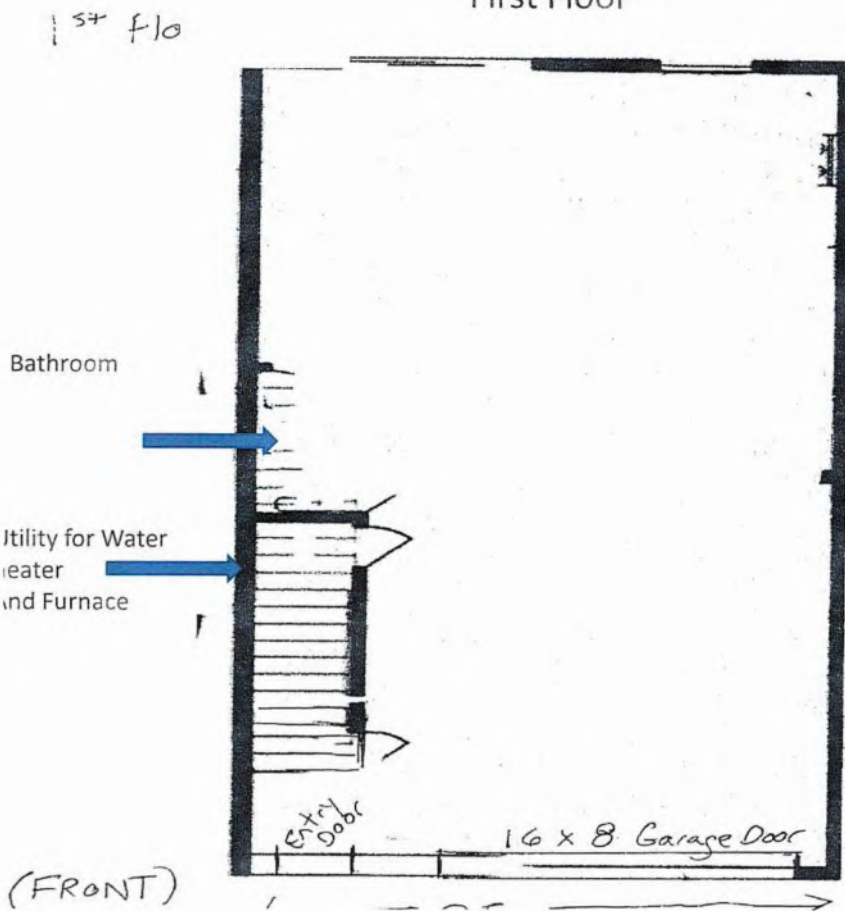




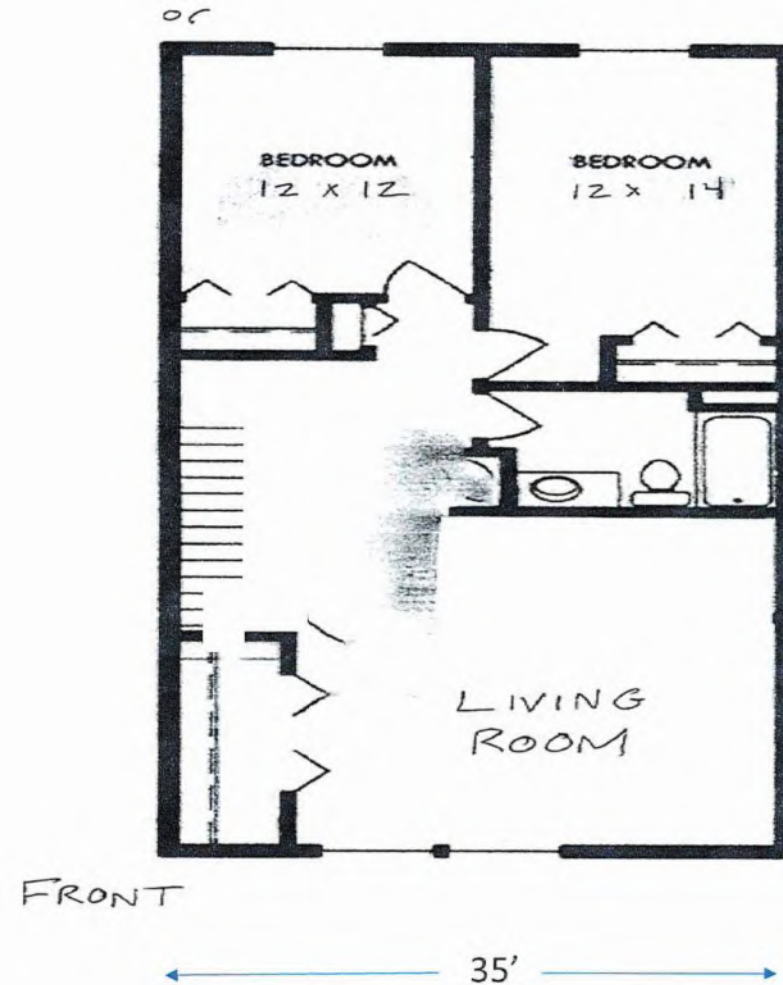
Side Elevation

## Example Concept

First Floor



Second Floor



*This page is intentionally blank.*



## Lenawee County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)  
120 W. Michigan Avenue • Jackson, MI 49201  
Phone (517) 788-4426 • Fax (517) 788-4635

### Coordinated Zoning Report | #20-13

**To:** County Planning Commissioners  
**From:** Grant E. Bauman  
**Date:** November 19, 2020

**Proposal:** **Fairfield Township Zoning Ordinance text amendments**

#### Request

The Fairfield Township Planning Commission proposes the addition of regulations regarding large photovoltaic solar farm facilities. The following regulations are intended as Section 14A.08, to be located at the end of Article XIV-A (Special Land Uses); staff suggestions are provided as comments on the right-hand side of each page.

**PURPOSE:** To provide for the land development, installation and construction regulations for large photovoltaic solar farm facilities subject to reasonable conditions that will protect the public health, safety and welfare. These regulations establish minimum requirements and standards for the placement, construction and modification of large photovoltaic solar farm facilities.

#### A. PURPOSE:

This Article is intended to:

1. Protect Township areas from any potentially adverse effects, such as visual or noise impacts, of solar farm facilities, and related structures or devices so that the public health, safety, and welfare will not be jeopardized.
2. Provide for a land use that will provide an energy source with low associated environmental impacts.
3. Provide for the removal of abandoned or noncompliant solar farm facilities, and related structures or devices.
4. Allow as a Special Land Use for solar farm facilities, and related structures or devices in the Township districts zoned for AG, Agricultural District and IND, Industrial District.

#### B. DEFINITIONS:

The following terms and phrases shall have the meanings set forth below:

**AC Power (Alternating Current):** An electrical current whose magnitude and direction varies. It is considered the "standard" electrical power.

**Attached System:** A solar system in which solar panels are mounted directly on the building, typically the roof.

**DC Power (Direct Current):** An electrical current whose magnitude and direction stay constant. The photovoltaic cells on solar panels capture energy from sunlight in the form of DC and must be converted to AC by an inverter.

**Detached Systems:** Also known as a Ground Mounted Systems or Freestanding, a solar system that is not attached directly to a building but is supported by a structure that is built on the ground.

**Commented [GB31]:** There needs to be consistency in terminology. Staff noticed the use referred to as 'large photovoltaic solar farm facilities', 'solar farm facilities', and 'solar farms' throughout the ordinance.

**Commented [GB32]:** This is one of two 'purpose' sections. The Township may wish to retitle this section consistent with the zoning ordinance format: **Section 14A.08. SOLAR FARM FACILITIES.**

**Commented [GB33]:** Staff suggests moving the definitions to Article XVII (Definitions), under the title (or similar) 'solar farm facilities'. Staff also suggests that only definitions for terms utilized in Section 14A.08 be included.

**Distributed Generation:** As opposed to centralized generation, distributed generation refers to a number of small power-generating modules located at or near the point of energy consumption.

**Gigawatt:** A unit of power equal to one billion watts.

**Grid:** The infrastructure of power lines, transformers and substations that delivers electric power to buildings. The utility grid is owned and managed by electric utility companies.

**Installer:** A contractor that installs solar systems.

**Interconnection:** A link between utility company power distribution and local power generation that enables power to move in either direction.

**Inverter:** A device that converts DC power captured by the photovoltaic cells on solar panels into AC power.

**Kilowatt:** A unit of power equal to one thousand watts.

**Megawatt:** A unit of power equal to one million watts.

**Net Metering:** A policy whereby utility customers with small-scale renewable power sources, including solar, receive credit from their utility provider for electricity generated in excess of their needs (also known as “net excess generation”).

**On/Off Grid System:** A solar energy system that is interconnected with the utility grid is an on-grid or grid-tied system, while a system not interconnected is an off-grid system.

**Permitting:** The process by which a local unit of government allows for certain development, changes, and activities in their jurisdiction.

**Photovoltaic (PV):** A method of generating electrical power by converting solar radiation (sunlight) into direct current electricity using semiconductors.

**Solar Collection Devices-General:** Solar collection devices are designed to capture and utilize the energy of the sun to generate electrical power. A solar collection device is the actual material(s) used to collect solar rays and all associated ancillary and structural devices needed to support and convert/transmit the energy collected. These devices may be either freestanding or attached to a structure and are sized to meet the various user needs and/or utility requirements.

**Solar Collection Devices-Small Freestanding:** An array of freestanding (not attached to a principal or accessory structure) solar collection materials that have a manufacturer’s rating up to but not exceeding 20kW.

**Solar Collection Devices-Medium Freestanding:** An array of freestanding (not attached to a principal or accessory structure) solar collection materials that have a manufacturer’s rating of greater than 20kW, but do not occupy more than 10 acres of land.

**Solar Collection Devices-Large Freestanding:** An array of freestanding (not attached to a principal or accessory structure) utility-scale solar collection materials that have a manufacturer’s rating of greater than 20kW and occupy more than 10 acres of land.

**Solar Farms (Large Photovoltaic Solar Farm Facilities):** A utility-scale commercial facility that converts sunlight into electricity, whether by photovoltaics, or any other various solar technologies for the primary purpose of wholesale or retail sales of generated electricity off-site.

**Solar Farms** do not include small scale solar panels or technologies installed at individual residential or commercial locations (e.g. roof or ground mounted panels) that are used exclusively for private purposes and not utilized for any commercial resale of any energy, except for the sale of surplus electrical energy back to the electrical grid. These installations are permitted as Accessory Structures or Uses.

**Commented [GB34]:** Staff suggests that this paragraph requires greater prominence and that regulations for ‘small scale solar panels or technologies’ are also needed.

**Solar Photovoltaic System:** The total components and subsystems that, in combination, convert solar energy suitable for connection to utilization load.

**Time-of-Use (TOU) Rates:** A utility billing system in which the price of electricity depends upon the hour of day at which it is used. Rates are higher during the afternoon when electric demand is at its peak. Rates are lower during the night when electric demand is off peak.

#### C. REQUIREMENTS FOR DEVELOPMENT AND DESIGN STANDARDS

1. **Site Plan:** In addition to those requirements of Article IX, Section 9.90 of the Zoning Ordinance, and the Site Plan Review Application, all applications for a special land use permit for a Solar Farm shall be subject to Special Land Use standards in AG, Agricultural District and IND, Industrial District zoned areas.

2. **Minimum Lot Size:** Large photovoltaic solar farm facilities shall not be constructed on parcels less than ten (10) acres in size.

3. **Height Restrictions:** All photovoltaic panels located in a solar farm shall be restricted to a height of fourteen (14) feet.

4. **Setbacks:** All photovoltaic solar panels and support structures associated with such facilities (excluding perimeter security fencing) shall be a minimum of thirty (30) feet from a side or rear property line and a minimum of thirty (30) feet from any road or highway right-of-way.

5. **Maximum Lot Coverage:** Maximum lot coverage restrictions shall not apply to photovoltaic solar panels. Any other regulated structures on the parcel are subject to maximum lot coverage restrictions.

6. **Safety/Access:** A security fence, see Section 4.14 in the zoning ordinance, shall be placed around the perimeter of the solar power plant and electrical equipment shall be locked. Knox boxes and keys shall be provided at locked entrances for emergency personnel access. Electric fencing is not permitted.

7. **Sound Pressure Level:** No large photovoltaic solar farm facilities shall exceed sixty-five (65) dBA as measured at the property line.

8. **Lighting:** Lighting of the large solar energy facility and accessory structures shall be limited to the minimum necessary, supplied with down lighting, and in no case shall light from the facility extend beyond the lot line.

9. **Glare:** No large solar energy facility shall produce glare that would constitute a nuisance to occupants of neighboring properties or persons traveling neighboring roads. Appropriate landscaping and/or screening materials shall be required to help screen the large solar energy facility and accessory structures from residences located 300 feet, or closer, to the solar array equipment. The Zoning Inspector, residential property owner, and the solar array installation company shall determine the appropriate percentage of lot line coverage. If the parties cannot reach an agreement on the coverage issue, the issue shall be referred to the ZBA for a final decision. The final design and coverage shall be recorded on the Site Plan. Berms, walls, vegetation and like materials shall be used and at least fifty percent (50%) of vegetative screening shall be evergreen. Adjacent residential lots that contribute to the acreage of the zoning lot do not count towards the screening requirements.

#### D. VISUAL APPEARANCE.

i. Large solar energy facility buildings and accessory structures shall, to the extent reasonably possible, use materials, colors, and textures that will blend the facility into the existing environment.

**Commented [GB35]:** Staff suggests that the use should also be added to the listings of Permitted Uses After Special Approval for both zoning districts.

**Commented [GB36]:** Staff suggests that the final decision be made by the Planning Commission with input from the Zoning Administrator, the residential property owner, and the solar array installation company.

ii. Appropriate landscaping and/or screening materials shall be required to help screen the large solar energy facility and accessory structures from residences located 300 feet, or closer, to the solar array equipment. The Zoning Inspector, residential property owner, and the solar array installation company shall determine the appropriate percentage of lot line coverage. If the parties cannot reach an agreement on the coverage issue, the issue shall be referred to the ZBA for a final decision. The final design and coverage shall be recorded on the Site Plan. Berms, walls, vegetation and like materials shall be used and at least fifty percent (50%) of vegetative screening shall be evergreen. Adjacent residential lots that contribute to the acreage of the zoning lot do not count towards the screening requirements.

iii. Lighting of the large solar energy facility and accessory structures shall be limited to the minimum necessary, supplied with down lighting, and in no case shall light from the facility extend beyond the lot line.

iv. No large solar energy facility shall produce glare that would constitute a nuisance to occupants of neighboring properties or persons traveling neighboring roads.

v. Electrical Interconnections: All electrical interconnection or distribution lines shall comply with all applicable codes and standards for commercial large-scale utility requirements. Use of above ground transmission lines shall be prohibited within the site.

vi. Local, State and Federal Permits: Large photovoltaic solar farm facilities shall be required to obtain all necessary permits from the U.S. Government, State of Michigan, Fairfield Township, and comply with standards of the State of Michigan adopted codes.

#### E. AGREEMENTS/EASEMENTS.

If the zoning lot on which the project is proposed is to be leased, rather than owned, by the solar energy development company, all property within the project boundary must be included in a recorded easement(s), lease(s), or consent agreement(s) specifying the applicable uses for the duration of the project. All necessary leases, easements, or other agreements between the solar development company and the affected parties must be in place prior to commencing construction,

#### F. PERMIT APPLICATIONS.

An application for a conditional use permit to establish a large solar energy facility shall include a complete description of the project and documentation to sufficiently demonstrate that the requirements set forth will be met. Supporting documentation for addressing the review criteria for required standards and findings for making a conditional land use determination is also to be provided. The planning commission and/or township board may require any information reasonably necessary to determine compliance with this ordinance. It is preferred that any related special land use permit applications for substations or new transmission lines be considered in conjunction with the special land use permit application for the large solar energy facility; however, if the details of those improvements are not available at the time of application for the large solar energy facility, they may be considered later, with addition fees through subsequent special land use permit review. At a minimum, the intended route for connecting to the power grid and the alternative locations of any substation shall be disclosed with the application for the large solar energy facility.

Due to the complexity of large-scale large solar energy facility projects, the Township shall require a development agreement or other appropriate instrument to address taxing, property assessment, decommissioning bond, and other related issues not addressed by this Section. A development agreement shall be required as a condition of the permit and must be approved by

**Commented [GB37]:** See the note above.

**Commented [GB38]:** Staff suggests that the definition for 'zoning lot' contained in Section 17.01 (Lot, Zoning) be amended to include lessors as well as owners, in order to accommodate this subsection.

**Commented [GB39]:** Cited as 'special land' rather than 'conditional' elsewhere in the Zoning Ordinance.



the Township Board prior to commencing construction.

**G. PROVISIONS FOR CONDITIONAL LAND USE PERMIT REVIEW.**

Following the provisions of Article XVII, as the Township determines whether the project needs to be approved, denied, or conditionally approved, additional consideration shall be given to the following:

1. **PROJECT RATIONALE.** Project rationale, including estimated construction schedule, project life, phasing, and likely buyers or markets for the generated energy.
2. **SITING CONSIDERATIONS.** Siting considerations, such as avoiding are-as/locations with a high potential for biological conflict such as areas of environmental concern, parks, trails, special management areas or important wildlife habitat or corridors; avoiding visual corridors that are prominent scenic viewsheds; avoiding areas of erodible slopes and soils, where concerns for water quality, landslide, severe erosion, or high storm runoff potential have been identified; and, avoiding known sensitive historical, cultural or archeological resources.
3. **SITE PLANS.** Site plans shall identify and/or locate all existing and proposed structures; set-backs; access routes; proposed road improvements; any lots within three hundred (300) feet of a large solar energy facility ; existing utilities, pipelines, and transmission lines; proposed utility lines; utility and maintenance structures; existing topographic contours; existing and proposed drainageways; proposed grading; areas of natural vegetation removal; revegetation areas and methods; dust and erosion control; any floodplains or wetlands; and other relevant items identified by the planning commission. All maps and visual representations need to be drawn at an appropriate scale and in accordance with Section 18.6 (required data for detailed site plan).
4. **WILDLIFE HABITAT AREAS AND MIGRATION PATTERNS.** Specifically include information on any use of the site by endangered or threatened species and whether the project is in a biologically significant area. If threatened or endangered species exist in the area, consultation with the Michigan Departments of Natural Resources and Environmental Quality will be necessary.
5. **ENVIRONMENTAL ANALYSIS.** The planning commission may require an analysis of impacts to historic, cultural and archaeological resources, soil erosion (water and wind), flora, and water quality and water supply in the area, when there is reason to believe that adverse impacts to such may occur.
6. **HAZARDOUS WASTE.** As applicable, the application must include plans for the spill prevention, clean-up, and disposal of fuels, oils, and hazardous wastes.
7. **TRANSPORTATION PLAN FOR CONSTRUCTION AND OPERATION PHASES.** Proof of an agreement with the County Road Commission, and the Michigan Department of Transportation (if applicable) regarding any construction phase of the project is required.
8. **PUBLIC SAFETY.** Identify and address any known or suspected potential hazards to adjacent properties, public roadways, communities, aviation, etc., that may be created by the project.
9. **DECOMMISSIONING PLAN.** Describe the decommissioning and final land reclamation plan to be followed after the anticipated useful life, or abandonment, or termination of the project, including evidence of proposed commitments with affected parties (Township, any lessor or property owner, etc.) that ensure proper final reclamation of the large solar energy facility. Among other things, revegetation and road repair activities should be addressed in the plan.
10. **OTHER PROBABLE AND SIGNIFICANT IMPACTS,** as identified through the review process.
11. **SOLAR ACCESS.** The Township makes no assurance of solar access other than the provisions contained within this Section. The applicant may provide evidence of covenants, easements, or

**Commented [GB310]:** See the previous comment.

**Commented [GB311]:** The typo should be fixed.

similar documentation for abutting property owners providing access to solar energy for the operation of a solar energy facility.

12. DECOMMISSIONING PLAN CONTENTS. The decommissioning plan shall state how the large photovoltaic solar farm facilities will be decommissioned, provide the estimated cost of decommissioning, the financial resources to be used to accomplish decommissioning, and the escrow agent with which the resources will be deposited.

Any large photovoltaic solar farm facilities that are not operated for a continuous period of twelve (12) months shall be considered abandoned and shall be removed under the decommissioning plan.

Under this plan, all structures, concrete, piping, facilities, and other project related materials above grade and any structures up to three (3) feet below-grade shall be removed offsite for disposal. All access roads or driveways shall be removed, cleared, and graded by the applicant, unless the property owner(s) requests, in writing, a desire to maintain any access road or driveways. The Township or County will not be assumed to take ownership of any access road or driveways. The ground must be restored to its original topography or mutually agreed variation of the original topography within three hundred sixty-five (365) days of abandonment or decommissioning.

The decommissioning plan shall also include an agreement between the applicant and the Township that:

A. Prior to the issuance of the permit, the applicant shall furnish to the Township a performance guarantee in an amount equal to or greater than the estimated cost of decommissioning. The guarantee shall be in the form of either a surety bond or cash deposit into an escrow account with an escrow agent acceptable to the Township.

B. The Township shall have access to the escrow account funds for the expressed purpose of completing decommissioning if decommissioning is not completed by the applicant within three hundred sixty-five (365) days of the end of project life or facility abandonment.

C. The Township is granted the right of entry onto the site, pursuant to reasonable notice, to effect or complete decommissioning.

D. The Township is granted the right to seek injunctive relief to effect or complete decommissioning, as well as the Township's right to seek reimbursement from applicant or applicant successor for decommissioning costs in excess of the amount deposited in escrow and to file a lien against any real estate owned by applicant or applicant's successor, or in which they have an interest, for the amount of the excess, and to take all steps allowed by law to enforce said lien. Financial provisions shall not exceed reasonable anticipated decommissioning costs.

13. Inspection: The Township or its consultants shall have the right at any reasonable time, with advance notice including same-day notice to the applicant to inspect the premises on which any large photovoltaic solar farm facilities is located. The Township may hire one or more consultants to assist with inspections at the applicant's or project owner's expense. Inspections must be coordinated with, and escorted by, the applicant's operations staff at the large photovoltaic solar farm facilities to ensure compliance with the Occupational Safety and Health Administration (OSHA), NESC and all other applicable safety guidelines.

14. Maintenance and Repair: Each large photovoltaic solar farm facility must be kept and maintained in good repair and condition at all times. If the Township Building Official determines that a large photovoltaic solar farm facility fails to meet the requirements of this ordinance and the

**Commented [GB312]:** What does NESC stand for?

Special Land Use Permit, or that it poses a safety hazard, the Building Official, or his or her designee, shall provide notice to the applicant of the safety hazard. If, after a reasonable cure period (not to exceed seven (7) days), the safety hazards are not corrected, the applicant shall immediately shut down the large photovoltaic solar facility and not operate, start or restart the large photovoltaic solar facility until the issues have been resolved. Applicant shall keep a maintenance log on the solar array(s), which shall be available for the Township's review within 48 hours of such request. Applicant shall keep all sites within the large photovoltaic solar farm facility neat, clean and free of refuse, waste or unsightly, hazardous or unsanitary conditions.

15. Roads: Any material damages to a public road located within the Township resulting from the construction, maintenance or operation of a large photovoltaic solar farm facility shall be repaired at the applicant's expense. In addition, the applicant shall comply with requirements of the appropriate State or County agency regarding the routes to be used by construction and delivery vehicles; and road improvements that will be necessary to accommodate construction vehicles, equipment or other deliveries. The applicant shall abide by all State or County requirements regarding the use and/or repair of the roads.

### Analysis and Recommendation

**Township Planning Commission Recommendation** – The Fairfield Township Planning Commission recommends **approval** of the proposed text amendments (see the background information).

**LCPC Staff Analysis** – LCPC staff has no issues with the intent of the proposed amendments but suggests that some of them need further revision, as commented upon in the staff report. Based upon this analysis, staff advises the Lenawee County Planning Commission to recommend **APPROVAL WITH COMMENTS** of the proposed amendments to the Fairfield Township Board.

**Attachment(s):**

- Background information provided by Fairfield Township.

**Recommended Actions:**

- (1) Recommend **APPROVAL**
- (2) Recommend **DISAPPROVAL**
- (3) Recommend **APPROVAL WITH COMMENTS/MODIFICATIONS**
- (4) Take **NO ACTION**

## ZONING AMENDMENT FORM



### LENAWEE COUNTY PLANNING COMMISSION (COORDINATING ZONING)

Return to: Lenawee County Planning Commission • c/o Region 2 Planning Commission • 120 W. Michigan Avenue • Jackson, Michigan 49201

Please submit the Planning Commission meeting minutes and any reports/exhibits the Commission used to make its recommendation with this form. Use a separate form for each proposed zoning change. Please include a legal description/survey with rezoning requests in addition to the Parcel ID Number.

A copy of this form with the LCPC recommendation will be mailed back to the Clerk, who will return a copy to the LCPC with the Township Board Action.

THE Fairfield TOWNSHIP PLANNING COMMISSION submits the following proposed zoning change to the Lenawee County Planning Commission for its review, comment, and recommendation:

(ANSWER EITHER A or B)

**A. DISTRICT BOUNDARY CHANGE (REZONING):**

(Provide the legal and popular property descriptions, the Parcel ID Number(s), the number of acres, and the section(s) in which the property is located. Attach additional sheets if more space is needed. Attach a map showing all changes and additions.)

1. The above described property has a proposed zoning change FROM \_\_\_\_\_  
ZONE TO \_\_\_\_\_ ZONE.

2. PURPOSE OF PROPOSED CHANGE: \_\_\_\_\_

**B. ZONING ORDINANCE TEXT AMENDMENT:**

The following Article(s) and Section(s) is amended or altered: ARTICLE XIV-A SECTION 14A.08

The NEW SECTION reads as follows: (Attach additional sheets if more space is needed.)

Conditional Use - Solar Ordinance - for Agriculture, AG, Industrial, and  
Special Land Use

C. **PUBLIC HEARING** on the above amendment was held on: month 09 day 30 year 2020

D. **NOTICE OF PUBLIC HEARING** was published/mailed on the following date: month 9 day 16 year 2020  
(Notice must be provided at least fifteen days prior to the public hearing.)

E. **THE NEWSPAPER** (having general circulation in Township) carrying the NOTICE: The Daily Telegram

The PROPOSED ZONING AMENDMENT described herein was duly considered by the Township Planning Commission and will be forwarded to the Township Board with a recommendation to ☒ APPROVE or ☐ DISAPPROVE.

Christopher J. McCallister ☒ Chair or ☐ Secretary 09 / 30 / 20 (enter date)

**LENAWEE COUNTY PLANNING COMMISSION (LCPC) ACTION:**

1. Date of Meeting: month \_\_\_\_\_ day \_\_\_\_\_ year \_\_\_\_\_

2. The LCPC herewith certifies receipt of the proposed amendment on the above date and:

☐ Recommends APPROVAL of the zoning change

☐ Recommends DISAPPROVAL of the zoning change for the reasons stated in the attached letter.

☐ Recommends APPROVAL of the zoning change with comments, as stated in the attached letter.

☐ Takes NO ACTION.

\_\_\_\_\_, Recording Secretary \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ (enter date)

**TOWNSHIP BOARD ACTION:**

1. Date of Meeting: month \_\_\_\_\_ day \_\_\_\_\_ year \_\_\_\_\_

2. The \_\_\_\_\_ Township Board herewith certifies that a legally constituted meeting held on the above date and that the proposed amendment ☐ PASSED, ☐ DID NOT PASS, or was ☐ REFERRED ANEW to the Township Planning Commission.

PURPOSE: To provide for the land development, installation and construction regulations for large photovoltaic solar farm facilities subject to reasonable conditions that will protect the public health, safety and welfare. These regulations establish minimum requirements and standards for the placement, construction and modification of large photovoltaic solar farm facilities.

A. PURPOSE:

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2. Minimum Lot Size: Large photovoltaic solar farm facilities shall not be constructed on parcels less than ten (10) acres in size.

3. Height Restrictions: All photovoltaic panels located in a solar farm shall be restricted to a height of fourteen (14) feet.

4. Setbacks: All photovoltaic solar panels and support structures associated with such facilities (excluding perimeter security fencing) shall be a minimum of thirty (30) feet from a side or rear property line and a minimum of thirty (30) feet from any road or highway right-of-way.

5. Maximum Lot Coverage: Maximum lot coverage restrictions shall not apply to photovoltaic solar panels. Any other regulated structures on the parcel are subject to maximum lot coverage restrictions.

6. Safety/Access: A security fence, see Section 4.14 in the zoning ordinance, shall be placed around the perimeter of the solar power plant and electrical equipment shall be locked. Knox boxes and keys shall be provided at locked entrances for emergency personnel access. Electric fencing is not permitted.

7. Sound Pressure Level: No large photovoltaic solar farm facilities shall exceed sixty-five (65) dBA as measured at the property line.

8. Lighting: Lighting of the large solar energy facility and accessory structures shall be limited to the minimum necessary, supplied with down lighting, and in no case shall light from the facility extend



beyond the lot line.

9. Glare: No large solar energy facility shall produce glare that would constitute a nuisance to occupants of neighboring properties or persons traveling neighboring roads. Appropriate landscaping and/or screening materials shall be required to help screen the large solar energy facility and accessory structures from residences located 300 feet, or closer, to the solar array equipment. The Zoning Inspector, residential property owner, and the solar array installation company shall determine the appropriate percentage of lot line coverage. If the parties cannot reach an agreement on the coverage issue, the issue shall be referred to the ZBA for a final decision. The final design and coverage shall be recorded on the Site Plan. Berms, walls, vegetation and like materials shall be used and at least fifty percent (50%) of vegetative screening shall be evergreen. Adjacent residential lots that contribute to the acreage of the zoning lot do not count towards the screening requirements.

#### D. VISUAL APPEARANCE.

- i. Large solar energy facility buildings and accessory structures shall, to the extent reasonably possible, use materials, colors, and textures that will blend the facility into the existing environment.
- ii. Appropriate landscaping and/or screening materials shall be required to help screen the large solar energy facility and accessory structures from residences located 300 feet, or closer, to the solar array equipment. The Zoning Inspector, residential property owner, and the solar array installation company shall determine the appropriate percentage of lot line coverage. If the parties cannot reach an agreement on the coverage issue, the issue shall be referred to the ZBA for a final decision. The final design and coverage shall be recorded on the Site Plan. Berms, walls, vegetation and like materials shall be used and at least fifty percent (50%) of vegetative screening shall be evergreen. Adjacent residential lots that contribute to the acreage of the zoning lot do not count towards the screening requirements.
- iii. Lighting of the large solar energy facility and accessory structures shall be limited to the minimum necessary, supplied with down lighting, and in no case shall light from the facility extend beyond the lot line.
- iv. No large solar energy facility shall produce glare that would constitute a nuisance to occupants of neighboring properties or persons traveling neighboring roads.
- v. Electrical Interconnections: All electrical interconnection or distribution lines shall comply with all applicable codes and standards for commercial large-scale utility requirements. Use of above ground transmission lines shall be prohibited within the site.
- vi. Local, State and Federal Permits: Large photovoltaic solar farm facilities shall be required to obtain all necessary permits from the U.S. Government, State of Michigan, Fairfield Township, and comply with standards of the State of Michigan adopted codes.

#### E. AGREEMENTS/EASEMENTS.

If the zoning lot on which the project is proposed is to be leased, rather than owned, by the solar



energy development company, all property within the project boundary must be included in a recorded easement(s), lease(s), or consent agreement(s) specifying the applicable uses for the duration of the project. All necessary leases, easements, or other agreements between the solar development company and the affected parties must be in place prior to commencing construction,

#### F. PERMIT APPLICATIONS.

An application for a conditional use permit to establish a large solar energy facility shall include a complete description of the project and documentation to sufficiently demonstrate that the requirements set forth will be met. Supporting documentation for addressing the review criteria for required standards and findings for making a conditional land use determination is also to be provided. The planning commission and/or township board may require any information reasonably necessary to determine compliance with this ordinance.

It is preferred that any related special land use permit applications for substations or new transmission lines be considered in conjunction with the special land use permit application for the large solar energy facility; however, if the details of those improvements are not available at the time of application for the large solar energy facility, they may be considered later, with addition fees through subsequent special land use permit review. At a minimum, the intended route for connecting to the power grid and the alternative locations of any substation shall be disclosed with the application for the large solar energy facility.

Due to the complexity of large-scale large solar energy facility projects, the Township shall require a development agreement or other appropriate instrument to address taxing, property assessment, decommissioning bond, and other related issues not addressed by this Section. A development agreement shall be required as a condition of the permit and must be approved by the Township Board prior to commencing construction.

#### G. PROVISIONS FOR CONDITIONAL LAND USE PERMIT REVIEW.

Following the provisions of Article XVII, as the Township determines whether the project needs to be approved, denied, or conditionally approved, additional consideration shall be given to the following:

1. PROJECT RATIONALE. Project rationale, including estimated construction schedule, project life, phasing, and likely buyers or markets for the generated energy.
2. SITING CONSIDERATIONS. Siting considerations, such as avoiding are-as/locations with a high potential for biological conflict such as areas of environmental concern, parks, trails, special management areas or important wildlife habitat or corridors; avoiding visual corridors that are prominent scenic viewsheds; avoiding areas of erodible slopes and soils, where concerns for water quality, landslide, severe erosion, or high storm runoff potential have been identified; and, avoiding known sensitive historical, cultural or archeological resources.
3. SITE PLANS. Site plans shall identify and/or locate all existing and proposed structures; setbacks; access routes; proposed road improvements; any lots within three hundred (300) feet of a large solar energy facility ; existing utilities, pipelines, and transmission lines; proposed utility lines; utility and maintenance structures; existing topographic contours; existing and proposed drainage

ways; proposed grading; areas of natural vegetation removal; revegetation areas and methods; dust and erosion control; any floodplains or wetlands; and other relevant items identified by the planning commission. All maps and visual representations need to be drawn at an appropriate scale and in accordance with Section 18.6 (required data for detailed site plan).

4. **WILDLIFE HABITAT AREAS AND MIGRATION PATTERNS.** Specifically include information on any use of the site by endangered or threatened species and whether the project is in a biologically significant area. If threatened or endangered species exist in the area, consultation with the Michigan Departments of Natural Resources and Environmental Quality will be necessary.
5. **ENVIRONMENTAL ANALYSIS.** The planning commission may require an analysis of impacts to historic, cultural and archaeological resources, soil erosion (water and wind), flora, and water quality and water supply in the area, when there is reason to believe that adverse impacts to such may occur.
6. **HAZARDOUS WASTE.** As applicable, the application must include plans for the spill prevention, clean-up, and disposal of fuels, oils, and hazardous wastes.
7. **TRANSPORTATION PLAN FOR CONSTRUCTION AND OPERATION PHASES.** Proof of an agreement with the County Road Commission, and the Michigan Department of Transportation (if applicable) regarding any construction phase of the project is required.
8. **PUBLIC SAFETY.** Identify and address any known or suspected potential hazards to adjacent properties, public roadways, communities, aviation, etc., that may be created by the project.
9. **DECOMMISSIONING PLAN.** Describe the decommissioning and final land reclamation plan to be followed after the anticipated useful life, or abandonment, or termination of the project, including evidence of proposed commitments with affected parties (Township, any lessor or property owner, etc.) that ensure proper final reclamation of the large solar energy facility. Among other things, re-vegetation and road repair activities should be addressed in the plan.
10. **OTHER PROBABLE AND SIGNIFICANT IMPACTS,** as identified through the review process.
11. **SOLAR ACCESS.** The Township makes no assurance of solar access other than the provisions contained within this Section. The applicant may provide evidence of covenants, easements, or similar documentation for abutting property owners providing access to solar energy for the operation of a solar energy facility.
12. **DECOMMISSIONING PLAN CONTENTS.** The decommissioning plan shall state how the large photovoltaic solar farm facilities will be decommissioned, provide the estimated cost of decommissioning, the financial resources to be used to accomplish decommissioning, and the escrow agent with which the resources will be deposited.

Any large photovoltaic solar farm facilities that are not operated for a continuous period of twelve (12) months shall be considered abandoned and shall be removed under the decommissioning plan.

Under this plan, all structures, concrete, piping, facilities, and other project related materials above

grade and any structures up to three (3) feet below-grade shall be removed offsite for disposal. All access roads or driveways shall be removed, cleared, and graded by the applicant, unless the property owner(s) requests, in writing, a desire to maintain any access road or driveways. The Township or County will not be assumed to take ownership of any access road or driveways. The ground must be restored to its original topography or mutually agreed variation of the original topography within three hundred sixty-five (365) days of abandonment or decommissioning.

The decommissioning plan shall also include an agreement between the applicant and the Township that:

A. Prior to the issuance of the permit, the applicant shall furnish to the Township a performance guarantee in an amount equal to or greater than the estimated cost of decommissioning. The guarantee shall be in the form of either a surety bond or cash deposit into an escrow account with an escrow agent acceptable to the Township.

B. The Township shall have access to the escrow account funds for the expressed purpose of completing decommissioning if decommissioning is not completed by the applicant within three hundred sixty-five (365) days of the end of project life or facility abandonment.

C. The Township is granted the right of entry onto the site, pursuant to reasonable notice, to effect or complete decommissioning.

D. The Township is granted the right to seek injunctive relief to effect or complete decommissioning, as well as the Township's right to seek reimbursement from applicant or applicant successor for decommissioning costs in excess of the amount deposited in escrow and to file a lien against any real estate owned by applicant or applicant's successor, or in which they have an interest, for the amount of the excess, and to take all steps allowed by law to enforce said lien. Financial provisions shall not exceed reasonable anticipated decommissioning costs.

13. Inspection: The Township or its consultants shall have the right at any reasonable time, with advance notice including same-day notice to the applicant to inspect the premises on which any large photovoltaic solar farm facilities is located. The Township may hire one or more consultants to assist with inspections at the applicant's or project owner's expense. Inspections must be coordinated with, and escorted by, the applicant's operations staff at the large photovoltaic solar farm facilities to ensure compliance with the Occupational Safety and Health Administration (OSHA), NESC and all other applicable safety guidelines.

14. Maintenance and Repair: Each large photovoltaic solar farm facility must be kept and maintained in good repair and condition at all times. If the Township Building Official determines that a large photovoltaic solar farm facility fails to meet the requirements of this ordinance and the Special Land Use Permit, or that it poses a safety hazard, the Building Official, or his or her designee, shall provide notice to the applicant of the safety hazard. If, after a reasonable cure period (not to exceed seven (7) days), the safety hazards are not corrected, the applicant shall immediately shut down the large photovoltaic solar facility and not operate, start or restart the large photovoltaic solar facility until the issues have been resolved. Applicant shall keep a maintenance log on the solar array(s), which shall

be available for the Township's review within 48 hours of such request. Applicant shall keep all sites within the large photovoltaic solar farm facility neat, clean and free of refuse, waste or unsightly, hazardous or unsanitary conditions.

15. Roads: Any material damages to a public road located within the Township resulting from the construction, maintenance or operation of a large photovoltaic solar farm facility shall be repaired at the applicant's expense. In addition, the applicant shall comply with requirements of the appropriate State or County agency regarding the routes to be used by construction and delivery vehicles; and road improvements that will be necessary to accommodate construction vehicles, equipment or other deliveries. The applicant shall abide by all State or County requirements regarding the use and/or repair of the roads.

H. SEVERABILITY:

The provisions of this Ordinance are hereby declared to be severable and if any provision, section or part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall only affect the particular provisions, section or part involved in such decision and shall not affect or invalidate the remainder of such Ordinance, which shall continue in full force and effect.

I. EFFECTIVE DATE:

This Ordinance shall become effective fifteen (15) days after its publication following final adoption or as required by law.

J. REPEAL:

All Ordinances or parts of Ordinances in conflict with this ordinance are hereby repealed.



## Lenawee County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)  
120 W. Michigan Avenue • Jackson, MI 49201  
Phone (517) 788-4426 • Fax (517) 788-4635

### Coordinated Zoning Report | #20-14

**To:** County Planning Commissioners  
**From:** Grant E. Bauman  
**Date:** November 19, 2020

**Proposal:** **Riga Township Zoning Ordinance text amendments**

#### Request

Riga Township amended its zoning ordinance last year to regulate solar energy facilities (Section 7.27) by adding Section 7.27.1 pertaining to large solar energy facilities (solar farms), Section 7.27.2 pertaining to small solar energy facilities, and Section 7.27.3 pertaining to solar access. The Lenawee County Planning Commission (LCPC) reviewed and recommended approval of those amendments with staff comments during its March 21, 2019 meeting. The Township is in the process of amending Section 7.27.1 pertaining to solar farms. The Township sent the following proposed amendments—**highlighted in bold red**—through its attorney, Foster Swift Collins & Smith PC.

RIGA TOWNSHIP  
LENAWEE COUNTY, MICHIGAN  
ORDINANCE NO. 2020-\_\_\_\_\_

*An ordinance to amend Article VII of the Riga Township Zoning Ordinance regarding large solar energy facilities within the Township.*

#### The Township of Riga ordains:

##### Section 1. Amendment to Section 7.27(1)

Section 7.27(1) entitled Large Solar Energy Facility (Solar Farm), is amended as follows:

Section 7.27. SOLAR ENERGY FACILITIES. Sunlight is utilized to generate energy through a facility consisting of one (1) or more solar devices under common ownership or operational control. Such a facility may include, but not be limited to, substations, cables/wires and other buildings and accessory structures whose main purpose is to supply energy on-site or to off-site customer(s):

1. LARGE SOLAR ENERGY FACILITY (SOLAR FARM). The purpose of this Subsection is to establish minimum requirements and regulations for the placement, construction and modification of large solar energy facilities (Solar Farms), as defined in Article XVI, while promoting the safe, effective, and efficient use of such energy facilities as a conditional use in specified zoning districts.
  - a. Location. All large solar energy facilities (Solar Farms) are limited to the Agricultural (AG), Industrial (I) and Light Industrial (LI) districts.
  - b. REGULATIONS AND DESIGN STANDARDS. All large solar energy facilities (Solar Farms) shall comply with the following minimum regulations and design standards.
    1. DESIGN STANDARDS.
      - a. MINIMUM LOT SIZE. No large solar energy facility (Solar Farm) shall be erected on any Lot less than twenty (20) acres in size.

**MAXIMUM PROJECT AREA:** On property not enrolled in the PA 116 Farmland and Open Space Preservation Program, no more than 50% of the parcel may be part of the project area.

**Property enrolled in the PA 116 Farmland and Open Space Preservation Program shall not be eligible for use as part of a large solar energy facility.**

~~Large solar energy facilities shall comply with the underlying zoning district's maximum lot coverage requirements. However, PV solar panels shall be excluded from this calculation.~~

**Commented [GB31]:** Rather than using the maximum lot coverage requirement of the underlying zoning district, the amendment requires that the project area be no larger than half of a parcel. How is this applied when a solar farm encompasses multiple properties?

**Commented [GB32]:** The amendment makes property enrolled in the PA 116 program ineligible.

- b. **MAXIMUM HEIGHT.** The maximum height for a solar panel shall be fourteen (14) feet. The maximum height of a Power Switchyard (as defined in Article XVI) shall not exceed the minimum height needed to tie into electric transmission lines. The height of all other buildings and accessory structures shall comply with the maximum building height requirements of the applicable zoning district in which the Solar Farm is located. The height of required lightning rods attached to the Power Switchyard or Solar Farm related equipment shall not be subject to the foregoing height limitations. The height of lightning rods shall be limited to that height necessary to protect the Power Switchyard and Solar Farm equipment from lightning.

- c. **SETBACKS.** Large solar energy facility (Solar Farm) solar panels and other structures shall be set back ~~sixty thirty~~ feet **(30 60)** from all lot lines and public road rights-of-way, or the district setbacks stated in the underlying zoning district, whichever is greater. In addition, large solar energy facility (Solar Farm) solar panels and other structures must be located at least ~~one three~~ hundred **(100 300)** feet from all existing RA Residential, NS Neighborhood Service Commercial or MH Mobile Home Park district land and ~~existing residences~~ **all non-participating lot lines** at the time the Solar Farm is granted conditional use approval, unless the lot is comprised of a portion of the lot containing the residence. In addition, large solar energy facility (Solar Farm) solar panels and other structures shall not be located within a fifty foot (50') drain easement. When a large solar energy facility (Solar Farm) comprises of lots of more than one owner, the internal setback shall not apply.

**Commented [GB33]:** The setback from all property lines and public road rights-of-way is doubled to 60 feet (or the setback of the underlying zoning district if greater).

**Commented [GB34]:** The setback from several zoning districts is tripled to 300 feet.

**Commented [GB35]:** Existing residences is replaced with all non-participating lot lines. Should that specify "all OTHER non-participating lot lines" as there is a possible exception (see below) from this requirement pertaining to those properties?

**Non-Participating property owners shall have the ability to waive the above setbacks only through written acceptance and approval by the Township Board during the conditional use application process. However, no such waiver shall allow any solar farm within sixty (60) feet from a non-participating parcel.**

- d. **SAFETY/ACCESS.**
1. Security fencing shall be installed around all electrical equipment related to the Solar Farm including, but not limited to, transformers and transfer stations. **Fencing shall be located at the three hundred (300) foot setback set forth in subsection (c) above when applicable.**
  2. Appropriate warning signage shall be placed at safe intervals at the entrance and perimeter of the large solar energy facility (Solar Farm).
  3. A safety plan shall be in place and updated regularly with the fire department having jurisdiction over the Solar Farm.
- e. **NOISE.** No operating large solar energy facility (Solar Farm) shall produce noise that exceeds any of the following limitations.

**Commented [GB36]:** Should this regulation pertain to all applicable setbacks?



1. Forty (40) dBA, as measured at the property line of any adjacent RA Residential, NS Neighborhood Service Commercial or MH Mobile Home Park zoned land in existence at the time the Solar Farm is granted conditional use approval.
  2. Forty (40) dBA, as measured at any neighboring residence in existence at the time the Solar Farm is granted conditional use approval, between the hours of nine (9) p.m. and seven (7) a.m.
  3. Forty (40) dBA, as measured at the lot lines of the project boundary.
- f. VISUAL APPEARANCE & MAINTENANCE
1. Large solar energy facility (Solar Farm) buildings and accessory structures shall utilize materials, textures, and neutral colors customary with Solar Farms and that to the extent which is prudent and feasible will blend the facility into the existing environment.
  2. Supports shall be constructed to preserve any drainage field tile and/or drainage system. Any **and all** broken/missing field tiles shall be repaired and made in operable condition as soon as possible **but no more than three (3) months** after damage and/or failure.
  3. An appropriate maintenance plan, including property maintenance of the grounds, shall be presented to the Planning Commission for review and approval.
  4. Lighting of the large solar energy facility (Solar Farm) shall be limited to the minimum necessary, supplied with down lighting, and in no case shall any illumination from such lighting extend beyond the perimeter of the Solar Farm. The Township may require use of a photometric study to make this determination.
  5. No large solar energy facility (Solar Farm) shall produce glare that would constitute a nuisance to occupants of neighboring properties or to persons traveling neighboring roads. Upon written notice from the Township Building Inspector, or such other person designated by the Township Board, to the owners of the Solar Farm that glare from the Solar Farm is causing a nuisance to occupants of neighboring property or to persons traveling neighboring roads, the owner of the Solar Farm shall have a reasonable time (not to exceed twelve (12) months) from the date of such notice to remediate such glare.
- g. MEDIUM VOLTAGE CABLE. All medium voltage cable (as defined in Article XVI) within the project boundary shall be installed underground at a depth in accordance with current National Electrical Code standards and except for Power Switchyards (as defined in Article XVI) or the area within a substation. All electrical interconnections and distribution components must comply with all applicable codes and public utility requirements.
2. LOCAL, STATE AND FEDERAL PERMITS. A large solar energy facility (Solar Farm) shall be required to obtain all necessary permits from the Michigan Department of Environmental Quality and any applicable municipal/county or Federal permits.
  3. AGREEMENTS/EASEMENTS. If the Lot on which the project is proposed is to be leased, rather than owned, by the owner of the Solar Farm, all property within the project boundary must be included in a recorded easement(s), lease(s), or consent agreement(s) specifying the applicable uses for the duration of the project. All necessary leases, easements, or other agreements between the owner of the Solar Farm and prop-

**Commented [GB37]:** The standard places a 3-month timeline regarding the replacement of broken/missing drainage tiles. Is that a long enough time period if an issue just prior to the ground freezing for the winter?

erty owners must be in place prior to commencing construction, unless specified otherwise by the conditional use permit.

- c. **PERMIT APPLICATIONS.** An application for a conditional use permit to establish a large solar energy facility (Solar Farm) shall include a complete description of the project and documentation to sufficiently demonstrate that the requirements set forth in this Ordinance will be met. Supporting documentation for addressing the review criteria (required standards and findings for making a conditional use determination) is also to be provided. The Planning Commission and/or Township Board may require any information reasonably necessary to determine compliance with this ordinance.

It is preferred that any related conditional use permit applications for substations or new transmission lines be considered in conjunction with the conditional use permit application for the large solar energy facility (Solar Farm); however, if the details of those improvements are not available at the time of application for the large solar energy facility (Solar Farm), they may be considered later, through subsequent conditional use permit review. At a minimum, the intended route for connecting to the power grid and the alternative locations of any substation shall be disclosed with the application for the large solar energy facility (Solar Farm).

Prior to issuance of the construction permit, the Township shall require as a condition of approval that the owner of the Solar Farm and Township enter into a decommissioning agreement setting forth a Decommissioning Plan as set forth in this Section, secured by a bond **or escrow or irrevocable letter of credit** to secure removal of the Solar Farm in the event the use is terminated and abandoned for a period of twelve (12) months. The amount of the bond **or escrow or irrevocable letter of credit** shall be **equal to one-hundred twenty five (125) percent of the total estimated decommissioning and reclamation costs. The cost of decommissioning shall be reviewed between the operator and the Township Board every two (2) years to ensure adequate funds are allocated for decommissioning; the security bond or escrow or irrevocable letter of credit shall be appropriately adjusted to reflect the current decommissioning estimate. This security bond or escrow or irrevocable letter of credit shall be issued by a 3rd party and paid by the operator.** ~~determined based upon the reasonable cost of land reclamation to seasonal grasses or to an agricultural ready condition, removal, and the salvage value of the Solar Farm.~~

**The security bond or escrow or irrevocable letter of credit shall be posted and maintained with a company licensed to do business in the State of Michigan or a Federal- or State-chartered lending institution acceptable to the Township.**

**Any bonding company or lending institution shall provide the Township with 90 days' notice of the expiration of the security bond or escrow or irrevocable letter of credit.**

**In the event of sale or transfer of ownership and/or operation of the Solar Farm, the security bond or escrow or irrevocable letter of credit shall be maintained throughout the entirety of the process and the new owner shall be required to provide a new security bond or escrow or irrevocable letter of credit.**

**If at any time during the operation of the Solar Farm or prior to, during, or after the sale or transfer of ownership and/or operation of the Solar Farm the security bond or escrow or irrevocable letter of credit is not maintained, the Township may take any action permitted by law, revoke the special land use, order a cessation of operations, and order removal of the structure and reclamation of the site.**

- d. **PROVISIONS FOR CONDITIONAL USE PERMIT REVIEW.** In addition to the standards set forth for conditional use approval in Section 7.21, the Solar Farm shall comply

**Commented [GB38]:** The amendment adds escrow accounts and irrevocable letters of credit as acceptable security for a decommissioning plan. It also requires that security to be equal to 125% of associated costs (paid by the operator), to be reviewed every 2 years and issued by a third party.

**Commented [GB39]:** Conditional use should be cited rather than special land use.

with the following standards:

1. **SOLAR FARM DESCRIPTION.** The application for the Solar Farm shall identify the Solar Farm buildings and accessory structures, the time period to construct the Solar Farm, the phasing of construction, if any, and the anticipated useful life of the Solar Farm.
2. **ENVIRONMENTAL SITING CONSIDERATIONS.** The applicant shall provide evidence of compliance with applicable State of Michigan statutes including, but not limited to: Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act; (MCL 324.3101 et. seq.; Part 91, Soil Erosion and Sedimentation Control (MCL 324.9101 et. seq.) and any corresponding County ordinances; Part 301, Inland Lakes and Streams, (MCL 324.30101 et. seq.); Part 303, Wetlands (MCL 324.30301 et. seq.); Part 365, Endangered Species Protection (MCL 324.36501 et. seq.); and such other applicable laws and rules in force at the time the application is considered by the Township Board.
3. **SITE PLANS.** Site plans shall conform with Section 7.24 and shall identify (1) all lots in the Solar Farm, and as to each lot, existing and proposed (a) buildings, (b) accessory structures, (c) utilities, (d) transmission lines, (e) solar panels, (f) drainage ways, (g) grades, (h) topographical conditions, (i) vegetation, (j) regulated wetlands, (k) regulated floodplains, (l) regulated and endangered species, and (m) regulated lakes, streams or ponds; (2) required setbacks; (3) access routes to lots that are a part of the Solar Farm; (4) proposed road and driveway improvements; (5) any lots within three hundred (300) feet of a large solar energy facility (Solar Farm); (6) proposed transmission lines to and from Power Switchyards and/or between lots; (7) proposed signage; and (8) methods for dust and erosion control. All maps and visual representations need to be drawn at an appropriate scale and in accordance with Section 7.24 (Site Plan Review and Approval).
4. **ENVIRONMENTAL INFORMATION.** The Applicant shall provide evidence of compliance with the Environmental Siting Considerations as required in this Section.
5. **HAZARDOUS WASTE.** As applicable, the application must include plans for the spill prevention, clean-up, and disposal of fuels, oils, and hazardous wastes.
6. **TRANSPORTATION PLAN FOR CONSTRUCTION AND OPERATION PHASES.** Proof of an agreement with the County Road Commission, and the Michigan Department of Transportation (if applicable) regarding any construction phase of the project, is required.
7. **DECOMMISSIONING PLAN.** Describe the decommissioning and final land reclamation plan to be followed after the anticipated useful life, or abandonment, or termination of the large solar energy facility (Solar Farm), including evidence of proposed commitments with property owners to ensure proper final reclamation of the Solar Farm with seasonal grasses or to an agricultural ready condition, repairs to roads for damage caused by the Solar Farm, if any, and within twelve (12) months from the notice of abandonment issued by the Township to complete decommissioning and land reclamation.
8. **COMPLAINT RESOLUTION.**
  - a. **The Large Solar Energy Facility applicant shall submit a detailed, written complaint resolution process developed by the Large Solar Energy Facility applicant to resolve complaints from the Township board or the property owners or residents concerning the construction or operation of the Large**

**Commented [GB310]:** Conditional land use permit applications must contain a detailed resolution process to resolve any complaints associated with the solar farm. Should the need to accommodate the 3-member complaint resolution committee cited in Subsections b and c be included in this subsection?

**Commented [GB311]:** Should be capitalized.

**Solar Energy Facility. The complaint resolution process must be approved by the Planning Commission as a condition of approval of the special land use permit application.**

**Commented [GB312]:** Conditional use should be cited rather than special land use.

- b. The Township Board shall appoint a 3 member complaint resolution committee to oversee and participate in all complaint resolution discussions or meetings between the Township property owner or resident and the Large Solar Energy Facility owner.**
- c. The complaint resolution committee shall consist of (1) Township board member, (1) Planning Commission member, and (1) qualified elector chosen by the Township Board from the community.**
- d. In the event the Large Solar Energy Facility owner is determined at fault for a violation following the complaint resolution discussions/process, the owner shall be responsible for all costs incurred by the Township in coming to a resolution, in addition to any other penalties for violations of the Township's Zoning Ordinance. This section is not a waiver of the Township's authority to seek any relief at law or equity to abate such violations.**
- e. The Township Board shall be kept apprised of all complaints and shall receive a report outlining the issues, the progress, and the resolution of each such complaint. The Township Board shall be authorized to enforce any resolution of each complaint.**

## **Section 2. Severability**

If any section, subsection, subparagraph, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance.

## **Section 3. Repeal**

All ordinances or parts of ordinances in conflict with this Ordinance are repealed.

## **Section 4. Effective Date**

This ordinance shall take effect seven days after publication as provided by law.

## **Analysis and Recommendation**

**Township Planning Commission Recommendation** – According to Riga Township's attorney, the Township Planning Commission held a public hearing on November 2, 2020, and voted to recommend approval of the amendments.

**LCPC Staff Analysis** – LCPC staff has no issues with the intent of the proposed amendments but suggests that some of them need further revision, as commented upon in the staff report. Based upon this analysis, staff advises the Lenawee County Planning Commission to recommend **APPROVAL WITH COMMENTS** of the proposed amendments to the Riga Township Board.

### **Attachment(s):**

- Background information provided by Riga Township.

### **Recommended Actions:**

- (1) Recommend **APPROVAL**
- (2) Recommend **DISAPPROVAL**
- (3) Recommend **APPROVAL WITH COMMENTS/MODIFICATIONS**
- (4) Take **NO ACTION**

NOV - 9 2020

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Jack L. Van Coevering  
Anna K. Gibson  
Patricia J. Scott  
Nicholas M. Oertel  
Alicia W. Birach  
Adam A. Fadly  
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Brett R. Schlender  
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November 4, 2020

Region 2 Planning Commission  
Lenawee County  
Jackson County Tower Building - 9th Floor  
120 West Michigan Ave  
Jackson, MI 49201

To Whom it May Concern:

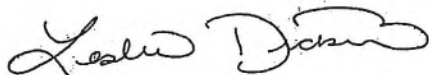
Re: Riga Township Zoning Ordinance Amendments

This law firm represents Riga Township in Lenawee County. Pursuant to the Michigan Zoning Enabling Act, the Township has prepared a proposed zoning ordinance amendment. Pursuant to section 307 of the MZEA, the Township submits the zoning ordinance amendment to Region 2, Lenawee County Planning Commission for review and recommendation. An electronic copy was also sent via email to Grant Bauman on November 4, 2020.

If you have any questions or concerns, please let me know. Thanks.

Sincerely,

FOSTER SWIFT COLLINS & SMITH PC



Leslie A. Dickinson

LAD  
Enclosures

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# Lenawee County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)

120 W. Michigan Avenue • Jackson, MI 49201

Phone (517) 788-4426 • Fax (517) 788-4635

## Coordinated Zoning Report | #20-15

**To:** County Planning Commissioners

**From:** Grant E. Bauman

**Date:** November 19, 2020

**Proposal:** **Macon Township Zoning Ordinance text amendments**

### Request

The Macon Township Planning Commission proposes to make various corrections/modifications to Section 7.03 and Section 20.01 of the Zoning Ordinance regarding solar energy and to readopt all pertinent sections pertaining to such facilities. This includes:

- Section 7.03.A.2. The addition of subsection a(2) pertaining to lot coverage and subsection a(7)(e) pertaining to the maintenance/establishment of a perennial vegetative cover.
- Section 7.03.A.3. The addition of a paragraph reserving the right of the Township to hire a third-part review to verify the completeness of that application, provide plan review comments to the applicant, and provide a report to the Planning Commission.
- Section 7.03.A.4. Modification of subsection f citing obtaining pertinent road agency agreements prior to the commencement of construction.
- Section 20.01.91. Modification of the 'zoning lot' definition to pertain to lessees as well as owners of property.

### Analysis and Recommendation

**Township Planning Commission Recommendation** – The Macon Township Planning Commission recommends **approval** of the proposed text amendments (see the background information).

**LCPC Staff Analysis** – LCPC staff has no issues with the proposed modifications. Based upon this analysis, staff advises the Lenawee County Planning Commission to recommend **APPROVAL** of the proposed amendments to the Macon Township Board.

**Attachment(s):**

- Background information provided by Macon Township.

#### **Recommended Actions:**

- (1) Recommend **APPROVAL**
- (2) Recommend **DISAPPROVAL**
- (3) Recommend **APPROVAL WITH COMMENTS/MODIFICATIONS**
- (4) Take **NO ACTION**

## ZONING AMENDMENT FORM



### LENAWEE COUNTY PLANNING COMMISSION (COORDINATING ZONING)

Return to: Lenawee County Planning Commission • c/o Region 2 Planning Commission • 120 W. Michigan Avenue • Jackson, Michigan 49201

Please submit the Planning Commission meeting minutes and any reports/exhibits the Commission used to make its recommendation with this form. Use a separate form for each proposed zoning change. Please include a legal description/survey with rezoning requests in addition to the Parcel ID Number.

A copy of this form with the LCPC recommendation will be mailed back to the Clerk, who will return a copy to the LCPC with the Township Board Action.

THE MACON TOWNSHIP PLANNING COMMISSION submits the following proposed zoning change to the Lenawee County Planning Commission for its review, comment, and recommendation:

**(ANSWER EITHER A or B)**

**A. DISTRICT BOUNDARY CHANGE (REZONING):**

(Provide the legal and popular property descriptions, the Parcel ID Number(s), the number of acres, and the section(s) in which the property is located. Attach additional sheets if more space is needed. Attach a map showing all changes and additions.)

1. The above described property has a proposed zoning change FROM \_\_\_\_\_ ZONE TO \_\_\_\_\_ ZONE.
2. PURPOSE OF PROPOSED CHANGE: \_\_\_\_\_

**B. ZONING ORDINANCE TEXT AMENDMENT:**

The following Article(s) and Section(s) is amended or altered: ARTICLE VII SECTION 7.03  
The NEW SECTION reads as follows: (Attach additional sheets if more space is needed.) \_\_\_\_\_

- C. **PUBLIC HEARING** on the above amendment was held on: month 11 day 12 year 2020
- D. **NOTICE OF PUBLIC HEARING** was published/mailed on the following date: month 10 day 21 year 2020  
(Notice must be provided at least fifteen days prior to the public hearing.)
- E. **THE NEWSPAPER** (having general circulation in Township) carrying the NOTICE: Tecumseh Herald

The PROPOSED ZONING AMENDMENT described herein was duly considered by the Township Planning Commission and will be forwarded to the Township Board with a recommendation to ☒ APPROVE or ☐ DISAPPROVE.

Gary C. Moska ☒ Chair or ☐ Secretary 11 / 12 / 10 (enter date)

**LENAWEE COUNTY PLANNING COMMISSION (LCPC) ACTION:**

1. Date of Meeting: month \_\_\_\_\_ day \_\_\_\_\_ year \_\_\_\_\_
2. The LCPC herewith certifies receipt of the proposed amendment on the above date and:
- ☐ Recommends APPROVAL of the zoning change
- ☐ Recommends DISAPPROVAL of the zoning change for the reasons stated in the attached letter.
- ☐ Recommends APPROVAL of the zoning change with comments, as stated in the attached letter.
- ☐ Takes NO ACTION.

\_\_\_\_\_, Recording Secretary \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ (enter date)

**TOWNSHIP BOARD ACTION:**

1. Date of Meeting: month \_\_\_\_\_ day \_\_\_\_\_ year \_\_\_\_\_
2. The \_\_\_\_\_ Township Board herewith certifies that a legally constituted meeting held on the above date and that the proposed amendment ☐ PASSED, ☐ DID NOT PASS, or was ☐ REFERRED ANEW to the Township Planning Commission.

\_\_\_\_\_  
Township Clerk

## **PUBLIC NOTICE**

### **MACON TOWNSHIP**

Pursuant to Public Act 110 of 2006, as amended, the Macon Township Planning Commission will hold a Public Hearing on November 12, 2020 at 6:00 P.M., at the Macon Township Hall, 8320 Clinton-Macon Road, Clinton, Michigan 49236. The purpose of the Public Hearing will be to receive comments upon and consider a text amendment to the Macon Township Zoning Ordinance, which text amendment is for the purpose of readopting and amending the provisions of the Macon Township Zoning Ordinance regulating solar energy facilities.

The text amendment application was filed by the Macon Township Planning Commission. The Macon Township Planning Commission shall provide a recommendation on the application to the Macon Township Board.

A complete copy of the text amendment application can be viewed during regular business hours at the Macon Township Hall. Comments may be received at the Public Hearing or in writing sent to Macon Township Planning Commission, 8320 Clinton-Macon Road, Clinton, Michigan 49236 by the Public Hearing date. Anyone requiring special assistance should contact the Macon Township Clerk by telephone at 517-451-8074 prior to the Public Hearing.

Julia DeJonghe,

Macon Township Clerk

MACON TOWNSHIP  
LENAWEE COUNTY, MICHIGAN

ORDINANCE NO. ~~2018~~2020-\_\_\_\_\_

*An ordinance amending and readopting: to amend Article VII of the Macon Township Zoning Ordinance by replacing Section 7.03 regarding solar energy facilities within the Township; Article VIII and XIII by adding large solar energy facilities (Solar Farms) to the listings of special land uses in the Agricultural (AG) and Industrial (I) Districts; and Article XX by the replacement, deleting, and adding ~~ingition to the of~~ associated definitions ~~to~~ =Article XX.*

**The Township of Macon ordains:**

**Section 1. Amendment to Article VII**

Article VII of the Macon Township Zoning Ordinance is amended by replacing Section 7.03, Solar Energy Facility, as follows:

Section 7.03. SOLAR ENERGY FACILITY. Sunlight is utilized to generate energy through a facility consisting of one (1) or more solar devices under common ownership or operational control. Such a facility may include, but not be limited to, substations, cables/wires and other buildings and accessory structures whose main purpose is to supply energy on-site or to off-site customer(s):

- A. LARGE SOLAR ENERGY FACILITY (SOLAR FARM). The purpose of this Subsection is to establish minimum requirements and regulations for the placement, construction and modification of large solar energy facilities (Solar Farms), as defined in Section 20.01.78.25a, while promoting the safe, effective, and efficient use of such energy facilities as a special land use in specified zoning districts.
  - 1. Location. All large solar energy facilities (Solar Farms) are limited to the Agricultural (AG) and Industrial (I) districts.
  - 2. REGULATIONS AND DESIGN STANDARDS. All large solar energy facilities (Solar Farms) shall comply with the following minimum regulations and design standards.
    - a. DESIGN STANDARDS.
      - (1) MINIMUM LOT SIZE. No large solar energy facility (Solar Farm) shall be erected on any Zoning Lot less than twenty (20) acres in size (as defined in Section 20.01.91).
      - (2) LOT COVERAGE.
        - (a) Ground mounted solar panels, including the mounted angle, shall not be calculated as part of the overall lot coverage.

(b) All buildings, including substation buildings, shall be calculated as part of the overall lot coverage.

(2)(3) MAXIMUM HEIGHT. The maximum height for a solar panel shall be fourteen (14) feet. The maximum height of a Power Switchyard (as defined in Section 20.01.75.25.d) shall not exceed the minimum height needed to tie into electric transmission lines. The height of all other buildings and accessory structures shall comply with the maximum building height requirements of the applicable zoning district in which the Solar Farm is located, as listed in Article XV. The height of required lightning rods attached to the Power Switchyard or Solar Farm related equipment shall not be subject to the foregoing height limitations. The height of lightning rods shall be limited to that height necessary to protect the Power Switchyard and Solar Farm equipment from lightning.

(3)(4) SETBACKS. Large solar energy facility (Solar Farm) solar arrays and other structures shall be set back thirty feet (30) from all lot lines and public road rights-of-way, or the district setbacks stated in Article XV, whichever is greater. In addition, large solar energy facility (Solar Farm) solar arrays and other structures must be located at least one hundred (100) feet from all existing R-1 Single Family, R-2 Single Family, and RM Multiple Family and Manufactured Housing Residential District land and existing residences at the time the Solar Farm is granted special land use approval, unless the zoning lot is comprised of a portion of the lot containing the residence.

(4)(5) SAFETY/ACCESS.

- (a) Security fencing shall be installed around the Solar Farm in conformance with the Section 4.12, with the following exceptions: (i) non-ornamental fencing is acceptable; (ii) perimeter fencing around the Solar Farm shall not exceed seven (7) feet; and (iii) perimeter fencing around the Power Switchyard shall not exceed eight (8) feet. Knox boxes and keys shall be provided at locked entrances for emergency personnel access.
- (b) Appropriate warning signage shall be placed at the entrance and perimeter of the large solar energy facility (Solar Farm).

(5)(6) NOISE. No operating large solar energy facility (Solar Farm) shall produce noise that exceeds any of the following limitations.

- (a) Fifty (50) dBA, as measured at the property line of any adjacent R-1 Single Family Residential, R-2 Single Family Residential, and RM Multiple Family and Manufactured Housing Residential zoned land in existence at the time



the Solar Farm is granted special land use approval.

- (b) Forty-five (45) dBA, as measured at any neighboring residence in existence at the time the Solar Farm is granted special land use approval, between the hours of nine (9) p.m. and seven (7) a.m.
- (c) Sixty (60) dBA, as measured at the lot lines of the project boundary.

~~(6)(7)~~ VISUAL APPEARANCE.

- (a) Large solar energy facility (Solar Farm) buildings and accessory structures shall utilize materials, textures, and neutral colors customary with Solar Farms and that to the extent which is prudent and feasible will blend the facility into the existing environment.
- (b) Landscaping and/or screening materials in the manner provided in this Section 7.03.A.2.a(68)(b) shall be required to help screen large solar energy facility (Solar Farm) buildings and accessory structures from adjacent lots containing residences in existence at the time of special land use approval. At least fifty percent (50%) of the Solar Farm perimeter adjacent to lots containing residences in existence at the time of special land use approval shall be screened. The Solar Farm shall be screened using berms, fencing, vegetation, and like materials. At least fifty percent (50%) of vegetative screening shall be evergreen. Vegetation used to screen the Solar Farm shall be planted every ten (10) feet on center at a planting height of four (4) feet with a height at maturity of not less than six (6) feet and width not less than ten (10) feet. Any fence used to screen the Solar Farm shall be at least fifty percent (50%) opaque and must meet the fencing requirements of Section 4.12. Adjacent residential lots that are a part of the acreage of any Zoning Lot where the Solar Farm is located are not required to be landscaped or screened as otherwise required by this Section.
- (c) Lighting of the large solar energy facility (Solar Farm) shall be limited to the minimum necessary, supplied with down lighting, and in no case shall any illumination from such lighting extend beyond the perimeter of the Solar Farm. A photometric study may be used to make this determination.
- (d) No large solar energy facility (Solar Farm) shall produce glare that would constitute a nuisance to occupants of neighboring properties or to persons traveling neigh-



boring roads. Upon written notice from the Township Building Inspector, or such other person designated by the Township Board, to the owners of the Solar Farm that glare from the Solar Farm is causing a nuisance to occupants of neighboring property or to persons traveling neighboring roads, the owner of the Solar Farm shall have a reasonable time (not to exceed twelve (12) months) from the date of such notice to remediate such glare.

(e) Perennial vegetative ground cover must be maintained or established in all areas containing solar arrays to prevent erosion and manage run-off.

(7)(8) MEDIUM VOLTAGE CABLE. All medium voltage cable (as defined in Section 20.01.75.25.e) within the project boundary shall be installed underground at a depth not required to be greater than four (4) feet below grade, unless determined otherwise by the planning commission because of severe environmental constraints (e.g. wetlands, cliffs, hard bedrock), and except for Power Switchyards (as defined in Section 20.01.75.25.d) or area within a substation. All electrical interconnections and distribution components must comply with all applicable codes and public utility requirements.

- b. LOCAL, STATE AND FEDERAL PERMITS. A large solar energy facility (Solar Farm) shall be required to obtain all necessary permits from the Michigan Department of Environmental Quality (see Section 7.03.A.4.b) and any applicable municipal/county or Federal permits.
  - c. AGREEMENTS/EASEMENTS. If the Zoning Lot (as defined in Section 20.01.91) on which the project is proposed is to be leased, rather than owned, by the owner of the Solar Farm, all property within the project boundary must be included in a recorded easement(s), lease(s), or consent agreement(s) specifying the applicable uses for the duration of the project. All necessary leases, easements, or other agreements between the owner of the Solar Farm and property owners must be in place prior to commencing construction, unless specified otherwise by the special land use permit.
3. PERMIT APPLICATIONS. An application for a special land use permit to establish a large solar energy facility (Solar Farm) shall include a complete description of the project and documentation to sufficiently demonstrate that the requirements set forth in Section 7.03.A.2.a will be met. Supporting documentation for addressing the review criteria of Section 7.03.A.4 and Section 16.06 (required standards and findings for making a special land use determination) is also to be provided. The planning commission and/or township board may require any information reasonably necessary to determine compliance with this ordinance.

It is preferred that any related special land use permit applications for substations or new transmission lines be considered in conjunction with the special land use permit application for the large solar energy facility (Solar Farm); however, if the details of those improvements are not available at the time of application for the large solar energy facility (Solar Farm), they may be considered later, through subsequent special land use permit review. At a minimum, the intended route for connecting to the power grid and the alternative locations of any substation shall be disclosed with the application for the large solar energy facility (Solar Farm).

The Planning Commission and/or Township Board shall have the authority to hire a third-party plan reviewer to verify completeness of the application, provide plan review comments to the applicant, and provide a report to the Planning Commission on whether the application complies with Section 7.03.A.2.a and whether the application included documentation that addresses the standards set forth in Section 7.03.A.4 and Section 16.06.. Applicant shall pay into its escrow with the Township all fees and costs incurred by the third-party plan reviewer in connection with its plan review.

Prior to issuance of the construction permit, the Township ~~may~~shall require as a condition of special land use approval that the owner of the Solar Farm and Township enter into a decommissioning agreement setting forth a Decommissioning Plan as required by Section 7.03 A.4.h, secured by a bond to secure removal of the Solar Farm in the event the use is terminated and abandoned for a period of twelve (12) months. The amount of the bond shall be determined based upon the reasonable cost of land reclamation to seasonal grasses or to an agricultural ready condition, removal, and the salvage value of the Solar Farm.

4. PROVISIONS FOR SPECIAL LAND USE PERMIT REVIEW. In addition to the standards set forth for special land use approval in Section 16.06, the Solar Farm shall comply with the following standards:
  - a. SOLAR FARM DESCRIPTION. The application for the Solar Farm shall identify the Solar Farm buildings and accessory structures, the time period to construct the Solar Farm, the phasing of construction, if any, and the anticipated useful life of the Solar Farm.
  - b. ENVIRONMENTAL SITING CONSIDERATIONS. The applicant shall provide evidence of compliance with applicable State of Michigan statutes including, but not limited to: Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act; (MCL 324.3101 et. seq.; Part 91, Soil Erosion and Sedimentation Control (MCL 324.9101 et. seq.) and any corresponding County ordinances; Part 301, Inland Lakes and Streams, (MCL 324.30101 et. seq.); Part 303, Wetlands (MCL 324.30301 et. seq.); Part 365, Endangered Species Protection (MCL324.36501 et. seq.); and such other applicable laws and rules in force at the time the application is considered by the Township Board.
  - c. SITE PLANS. Site plans shall identify (1) all Zoning Lots in the Solar Farm, and as to each Zoning Lot, existing and proposed (a) buildings, (b) accessory structures, (c) utilities, (d) transmission lines, (e) solar panels, (f)

drainage ways, (g) grades, (h) topographical conditions, (i) vegetation (j) regulated wetlands, (k) regulated floodplains, (l) regulated and endangered species, and (m) regulated lakes, streams or ponds; (2) required setbacks; (3) access routes to Zoning Lots that are a part of the Solar Farm; (4) proposed road improvements; (5) any lots within three hundred (300) feet of a large solar energy facility (Solar Farm); (6) proposed transmission lines to and from Power Switchyards and/or between Zoning Lots; (7) proposed signage; and (8) methods for dust and erosion control. All maps and visual representations need to be drawn at an appropriate scale and in accordance with Section 17.05 (required data for detailed site plan).

- d. ENVIRONMENTAL INFORMATION. The applicant shall provide evidence of compliance with the Environmental Siting Conditions as required in this Section.
- e. HAZARDOUS WASTE. As applicable, the application must include plans for the spill prevention, clean-up, and disposal of fuels, oils, and hazardous wastes.
- f. TRANSPORTATION PLAN FOR CONSTRUCTION AND OPERATION PHASES. ~~Proof of~~Prior to the commencement of construction of the Solar Farm, an agreement with the County Road Commission, and the Michigan Department of Transportation (if applicable) regarding any construction phase of the project is required.
- g. OTHER REQUIRED STANDARDS. Proof of compliance with the “required standards and finding for making determination” found in Section 16.06 must also be provided.
- h. DECOMMISSIONING PLAN. Describe the decommissioning and final land reclamation plan to be followed after the anticipated useful life, or abandonment, or termination of the large solar energy facility (Solar Farm), including evidence of proposed commitments with property owners to ensure proper final reclamation of the Solar Farm with seasonal grasses or to an agricultural ready condition if required by the property owner, repairs to roads for damage caused by the Solar Farm, if any, and within twelve (12) months from the notice of abandonment issued by the Township to complete decommissioning and land reclamation.

B. SMALL SOLAR ENERGY FACILITY. Notwithstanding other provisions of this Section of the Ordinance, Small Roof-Mounted or Ground-Mounted Solar Energy Facilities shall be considered a permitted use in all zoning districts as an accessory to a principal use. A Small Solar Energy Facility (as defined in Section 20.01.78.25b) shall be required to have appropriate building permits.

- 1. All Small Solar Energy Facilities are subject to the following minimum requirements:
  - a. A small solar energy facility shall provide power for the principal use and/or accessory use of the property on which the small solar energy

facility is located and shall not be used for the generation of power for the sale of energy to other users, although this provision shall not be interpreted to prohibit the sale of excess power generated from time to time to the local utility company.

- b. A small solar energy facility connected to the utility grid shall provide written authorization from the local utility company to Macon Township acknowledging and approving such connection.
- c. A roof-mounted facility may be mounted on a principal building or accessory building. A roof mounted facility, whether mounted on the principal building or accessory building, may not exceed the maximum principal building height or accessory building height specified for the building type in the underlying zoning district. In no instance shall any part of the small solar energy facility extend beyond the edge of the roof.
- d. A ground mounted facility shall not exceed a height of fourteen (14) feet.
- e. The surface area of a ground mounted facility, regardless of the mounted angle, shall be calculated as part of the overall lot coverage.
- f. A ground mounted facility or facility attached to an accessory building shall not be located within the required front yard setback.
- g. The minimum ground-mounted small solar energy facility setback distance from the property lines shall be equivalent to the principal building setback of the underlying zoning district.
- h. All mechanical equipment associated with and necessary for the operation of the small solar energy facility shall comply with the following:
  - (1) Mechanical equipment shall be screened from any adjacent property that is residentially zoned or used for residential purposes. The screen shall consist of shrubbery, trees, or other non-invasive plant species which provides a visual screen. At least fifty percent (50%) of plants must be evergreen. In lieu of a planting screen, a decorative fence meeting the requirements of Section 4.12 and that is at least fifty percent (50%) opaque may be used.
  - (2) Mechanical equipment shall not be located within the minimum front yard setback of the underlying zoning district.
  - (3) Mechanical equipment for ground-mounted facilities shall comply with the setbacks specified for principal structures in the underlying zoning district.
- i. Solar panels shall be placed such that concentrated solar radiation or glare shall not be directed onto nearby properties or roadways.
- j. All power transmission lines from a ground mounted small solar energy facility to any building or other structure shall be located underground.

- k. A small solar energy facility shall not be used to display advertising, including signage, streamers, pennants, spinners, reflectors, ribbons, tinsel, balloons, flags, banners or similar materials. The manufacturers and equipment information, warning, or indication of ownership shall be allowed on any equipment of the solar energy facility provided they comply with the prevailing sign regulations.
  - l. The design of the small solar energy facility shall conform to applicable industry standards. A building/zoning permit shall be obtained prior to construction. In the case of a roof-mounted facility, the existing roof structure and the weight of the facility shall be taken into consideration when applying for a small solar energy facility permit.  
  
All wiring shall comply with the applicable version of Michigan's construction codes. The local utility provider shall be contacted to determine grid interconnection and net metering policies. The Applicant shall submit certificates of design compliance obtained by the equipment manufacturer from a certifying organization and any such design shall be certified by an Engineer registered in the State of Michigan.
  - m. The small solar energy facility shall comply with all applicable Township ordinances and codes so as to ensure the structural integrity of such facility.
  - n. Before any construction can commence on any small solar energy facility the property owner must acknowledge that he/she is the responsible party for owning/leasing and maintaining the solar energy facility.
- 2. If a ground mounted small solar energy facility is removed, any earth disturbance as a result of the removal of the ground mounted facility shall be graded and reseeded.
  - 3. If a ground mounted small solar energy facility has been abandoned (meaning not having been in operation for a period of six (6) months) or is defective or is deemed to be unsafe by the Building Inspector, the facility shall be required to be repaired by the owner to meet federal, state and local safety standards, or be removed by the property owner within the time period allowed by the Building Inspector. If the owner fails to remove or repair the defective or abandoned small solar energy facility, the Township may pursue a legal action to have the facility removed at the owner's expense.
- C. SOLAR ACCESS. The Township makes no assurance of solar access other than the provisions contained within this Section. The applicant may provide evidence of covenants, easements, or similar documentation for abutting property owners providing access to solar energy for the operation of a solar energy facility.

## **Section 2. Amendment to Article VIII**

Article VIII of the Macon Township Zoning Ordinance is amended by adding large solar energy facilities (Solar Farms) to the listing of Special Land Uses (Section 8.03) in the Agricultural District, as follows:

Section 8.03. SPECIAL LAND USES. The following special land uses shall be permitted subject to

the standards hereinafter imposed and the provisions of Article XVI.

...

36. Large Solar Energy Facilities (Solar Farms), subject to regulations contained in Section 7.03.

### **Section 3. Amendment to Article XIII**

Article XIII of the Macon Township Zoning Ordinance is amended by adding large solar energy facilities (Solar Farms) to the listing of Special Land Uses (Section 8.03) in the Industrial District, as follows:

Section 13.03. SPECIAL LAND USES. The following special land uses shall be permitted subject to the standards hereinafter imposed and the provisions of Article XVI.

...

6. Large Solar Energy Facilities (Solar Farms), subject to regulations contained in Section 7.03.

### **Section 4. Amendment to Article XXIII**

Article XX of the Macon Township Zoning Ordinance is amended by deleting text under the definition for Lot (Section 20.01.49), replacing the definitions under Solar Energy Facility (Section 20.01.78.25), and adding a definition for Zoning Lot (Section 20.01.91):

...

Section 20.01.49. LOT: A lot is a piece or parcel of land occupied or intended to be occupied by a building and any accessory buildings or by any other use or activity permitted thereon and including the open spaces and yards required under this Ordinance, and having its frontage upon a public street or road either dedicated to the public or designated on a recorded subdivision.

~~Provided that the owner of any number of contiguous lots may have as many of said contiguous lots considered as a single lot for the purpose of this Ordinance as he so elects, and in such case the outside perimeter of said group of lots shall constitute the front, rear, and side lot lines thereof. This latter parcel is then often referred to as a "zoning lot."~~

- a. LOT, DEPTH: The depth of a lot is the mean horizontal distance from the center of the front street line to the center of the rear lot line. In the case of a lakefront line. In the case of an acreage parcel, it is from the front right-of-way line to the rear lot line.

...

Section 20.01.78.25. SOLAR ENERGY FACILITY: An energy generating facility consisting of one or more solar panels and associated equipment including, but not limited to:

- a. LARGE SOLAR ENERGY FACILITY (SOLAR FARM). A utility-scale commercial facility that converts sunlight into electricity, whether by photovoltaics (PV) or various experimental solar technologies, for the primary purpose of wholesale or retail sales of generated electricity.
- b. SMALL SOLAR ENERGY FACILITY. Any photovoltaic or solar hot water devices that are ac-



cessary to, and incorporated into the development of an authorized use of the property, and which are designed for the purpose of reducing or meeting on-site energy needs.

- c. PHOTOVOLTAICS (PV). A technology that converts light directly into electricity.
- d. POWER SWITCHYARD. The structure needed to tie the solar energy facility to electric transmission lines.
- e. MEDIUM VOLTAGE CABLE. 34.5 kV lines which provide electricity to homes.

...

Section 20.01.91. ZONING LOT. Provided that the owner(s) or lessee of any number of contiguous lots, or contiguous portions of lots, may have as many of said contiguous lots, or contiguous portions of lots, considered as a single Zoning Lot for the purpose of this Ordinance as he/she/the owner(s) or lessee so elects, and in such case the outside perimeter of said group of lots or portions of lots shall constitute the front, rear, and side lot lines thereof.

## **Section 5. Severability**

If any section, subsection, subparagraph, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance.

## **Section 6. Repeal**

All ordinances or parts of ordinances in conflict with this Ordinance are repealed.

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# Lenawee County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)

120 W. Michigan Avenue • Jackson, MI 49201

Phone (517) 788-4426 • Fax (517) 788-4635

## PA 116 FARMLAND AGREEMENT | FA #20-13

**Applicant(s):** Richard K and Beulah I Weisenreder  
13603 Mohart Road  
Saline, MI 48176

**Date:** November 19, 2020

**Local Government:** Macon Township

**Purpose:** **Enrollment application**

**Location:** The subject properties (ID #MA0-102-2100-00) is located in Section 2 of the Township (T5S, R5E) (see Figure 1).

**Description:** The subject property has an area of approximately 48 acres, all of which are cultivated for cash crops. The parcel contains no buildings.

**Term:** 90.

**Future Land Use:** The *Lenawee County Comprehensive Land Use Plan* places the subject property at the edge of an area recommended for 'Agricultural' uses (see Figure 2).

**Staff Comments:** The applicants should consider/address various the following errors/omissions included in the application:

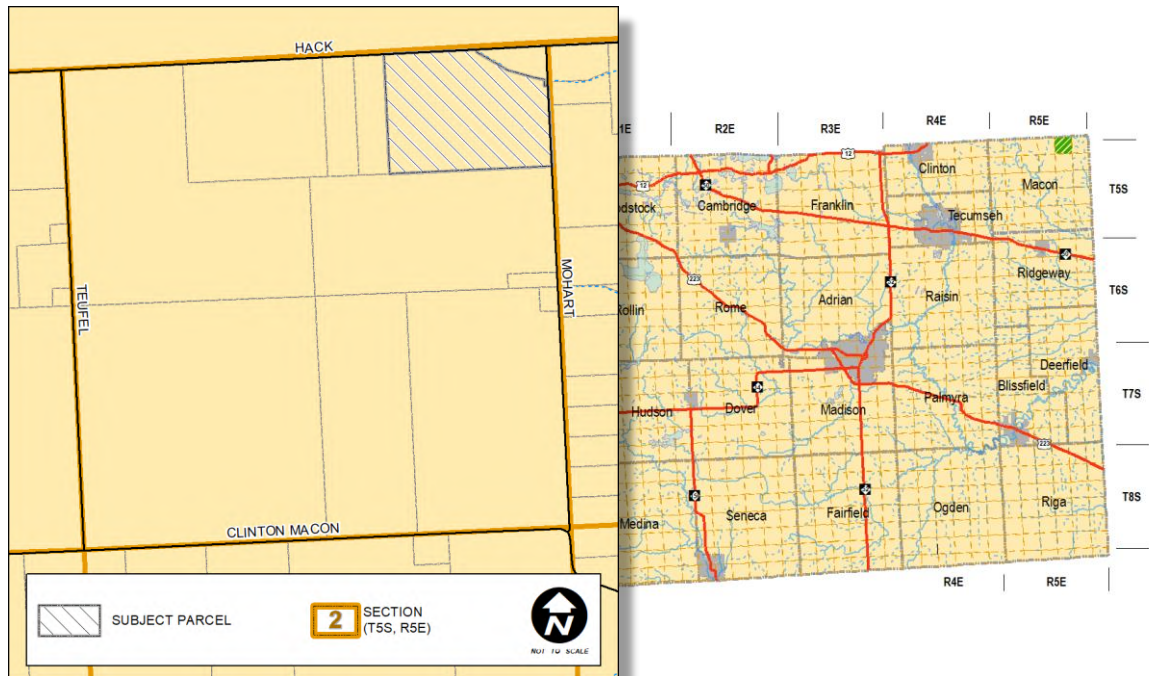
- *Question #12.* Indicate that mineral rights are leased.
- *No tax bill was appended to the application*

**Staff Advisement:** Based upon this analysis, staff advises the Lenawee County Planning Commission to recommend **APPROVAL WITH COMMENTS** of the PA 116 application to the Macon Township Board provided the applicant considers the comments/suggestions listed in the staff report.

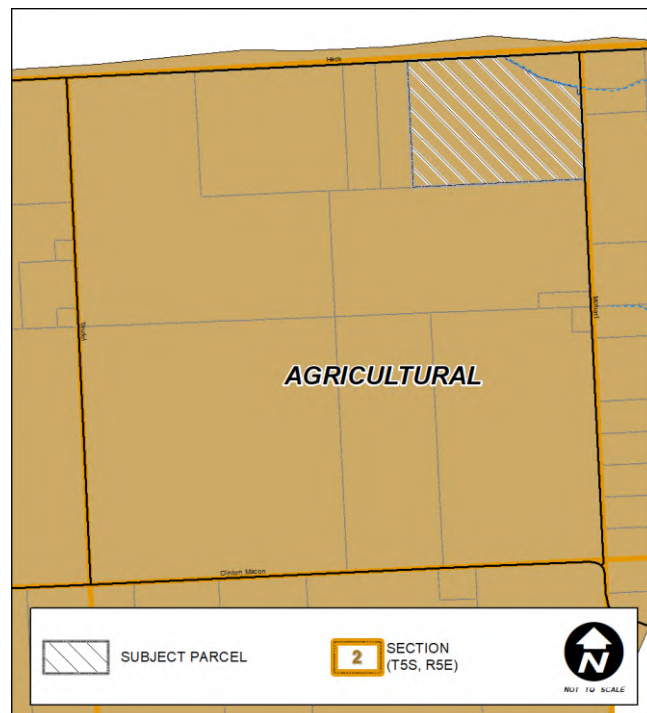
**Attachment(s):**

- Background information provided by the applicant/township.

**Figure 1  
Location**



**Figure 2  
County Future Land Use**



**Figure 3**  
**USDA Aerial Photograph**





# FARMLAND AND OPEN SPACE PRESERVATION PROGRAM

## Application for Farmland Agreement

Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, more commonly known as PA 116.

Please print or type. Attach additional sheets as needed. Please read the Eligibility and Instructions document before filling out this form.

### OFFICIAL USE ONLY

Local Governing Body:

Date Received 10.13.2020

Application No: \_\_\_\_\_

State: \_\_\_\_\_

Date Received \_\_\_\_\_

Application No: \_\_\_\_\_

Approved: \_\_\_\_\_ Rejected: \_\_\_\_\_

**ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY  
ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR**

### I. Personal Information:

1. Name(s) of Applicant: Weisenreder Richard K  
Last First Initial

(If more than two see #15) Weisenreder Beulah I  
Last First Initial

Marital status of all individual men listed on application, if more than one, indicate status after each name:

☒ Married ☐ Single

2. Mailing Address: 13603 Mohart Rd. Sabine Mi 48176  
Street City State Zip Code

3. Telephone Number: (Area Code) (734) 429-7283

4. Alternative Telephone Number (cell, work, etc.): (Area Code) (734) 320-2221

5. E-mail address: RRWAC44@aol.com

### II. Property Location (Can be taken from the Deed/Land Contract)

6. County: Lanawee 7. Township, City or Village: Britton

8. Section No. 2 Town No. 5 south Range No. 5 east

### III. Legal Information:

9. Attach a clear copy of the deed, land contract or memorandum of land contract. (See #14)

10. Attach a clear copy of the most recent tax assessment or tax bill with complete tax description of property.

11. Is there a tax lien against the land described above? ☐ Yes ☒ No

If "Yes", please explain circumstances: \_\_\_\_\_

12. Does the applicant own the mineral rights? ☒ Yes ☐ No

If owned by the applicant, are the mineral rights leased? ☐ Yes ☐ No

Indicate who owns or is leasing rights if other than the applicant: \_\_\_\_\_

Name the types of mineral(s) involved: crude oil

13. Is land cited in the application subject to a lease agreement (other than for mineral rights) permitting a use for something other than agricultural purposes: ☐ Yes ☒ No If "Yes", indicate to whom, for what purpose and the number of acres involved: \_\_\_\_\_

14. Is land being purchased under land contract ☒ Yes ☐ No: If "Yes", indicate vendor (seller):

Name: Margaret B. Brown

Address: 108 Second St. Ann Arbor Mich 48103  
Street City State Zip Code

14a. Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, states that the vendor (seller) must agree to allow the land cited in the application to be enrolled in the program. Please have the land contract sellers sign below. (All sellers must sign).

Land Contract Vendor(s): I, the undersigned, understand and agree to permit the land cited in this application into the Farmland and Open Space Preservation Program.

Date 10/13/20

Signature of Land Contract Vendor(s) (Seller) Richard Weisenreder



15. If the applicant is one of the following, please check the appropriate box and complete the following information (if the applicant is not one of the following – please leave blank):

☒ 2 or more persons having a joint or common interest in the land  
☐ Corporation ☐ Limited Liability Company ☐ Partnership  
☐ Estate ☐ Trust ☐ Association

If applicable, list the following: Individual Names if more than 2 Persons; or President, Vice President, Secretary, Treasurer; or Trustee(s); or Members; or Partners; or Estate Representative(s):

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

(Additional names may be attached on a separate sheet.)

IV. Land Eligibility Qualifications: Check one and fill out correct section(s)

This application is for:

- ☒ a. 40 acres or more → complete only Section 16 (a thru g);  
☐ b. 5 acres or more but less than 40 acres → complete only Sections 16 and 17; or  
☐ c. a specialty farm → complete only Sections 16 and 18.

16. a. Type of agricultural enterprise (e.g. livestock, cash crops, fruit, etc):

b. Total number of acres on this farm 48

c. Total number of acres being applied for (if different than above): \_\_\_\_\_

d. Acreage in cultivation: 48

e. Acreage in cleared, fenced, improved pasture, or harvested grassland: 0

f. All other acres (swamp, woods, etc.) 0

g. Indicate any structures on the property: (If more than one building, indicate the number of buildings):

No. of Buildings 0 Residence: \_\_\_\_\_ Barn: \_\_\_\_\_ Tool Shed: \_\_\_\_\_

Silo: \_\_\_\_\_ Grain Storage Facility: \_\_\_\_\_ Grain Drying Facility: \_\_\_\_\_

Poultry House: \_\_\_\_\_ Milking Parlor: \_\_\_\_\_ Milk House: \_\_\_\_\_

Other: (Indicate) \_\_\_\_\_

17. To qualify as agricultural land of 5 acres or more but less than 40 acres, the land must produce a minimum average gross annual income of \$200.00 per acre from the sale of agricultural products.

Please provide the average gross annual income per acre of cleared and tillable land during 2 of the last 3 years immediately preceding this application from the sale of agricultural products (not from rental income):

\$ \_\_\_\_\_ : \_\_\_\_\_ = \$ \_\_\_\_\_ (per acre)  
 total income total acres of tillable land

18. To qualify as a specialty farm, the land must be designated by MDARD, be 15 acres or more in size, and produce a gross annual income from an agricultural use of \$2,000.00 or more. If a specialty farm, indicate average gross annual income during 2 of the last 3 years immediately preceding application from the sale of agricultural products: \$ \_\_\_\_\_

Please note: specialty farm designation may require an on-the-farm site visit by an MDARD staff person.

19. What is the number of years you wish the agreement to run? (Minimum 10 years, maximum 90 years); 90

V. Signature(s):

20. The undersigned declare that this application, including any accompanying informational material, has been examined by them and to the best of their knowledge and belief is true and correct.

Richard Wisenberger  
(Signature of Applicant)

\_\_\_\_\_  
(Corporate Name, If Applicable)

\_\_\_\_\_  
(Co-owner, If Applicable)

\_\_\_\_\_  
(Signature of Corporate Officer)

10/1/20  
(Date)

\_\_\_\_\_  
(Title)

**ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY  
ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR.**

**RESERVED FOR LOCAL GOVERNMENT USE: CLERK PLEASE COMPLETE SECTIONS I & II**

I. Date Application Received: 10-13-2020 (Note: Local Governing Body has 45 days to take action)

Action by Local Governing Body: Jurisdiction: Macon

☐ County ☒ Township ☐ City ☐ Village

This application is ☐ approved, ☐ rejected

Date of approval or rejection: \_\_\_\_\_

(If rejected, please attach statement from Local Governing Body indicating reason(s) for rejection.)

Clerk's Signature: \_\_\_\_\_

Property Appraisal: \$ \_\_\_\_\_ is the current fair market value of the real property in this application.

II. Please verify the following:

\_\_\_\_ Upon filing an application, clerk issues receipt to the landowner indicating date received.

\_\_\_\_ Clerk notifies reviewing agencies by forwarding a copy of the application and attachments

\_\_\_\_ If rejected, applicant is notified in writing within 10 days stating reason for rejection and the original application, attachments, etc. are returned to the applicant. Applicant then has 30 days to appeal to State Agency.

\_\_\_\_ If approved, applicant is notified and the original application, all supportive materials/attachments, and letters of review/comment from reviewing agencies (if provided) are sent to:

**MDARD-Farmland and Open Space Program, PO Box 30449, Lansing 48909**

**\*Please do not send multiple copies of applications and/or send additional attachments in separate mailings without first contacting the Farmland Preservation office.**

Please verify the following regarding Reviewing Agencies (Sending a copy to reviewing agencies is required):

**COPY SENT TO:**

\_\_\_\_ County or Regional Planning Commission

\_\_\_\_ Conservation District

\_\_\_\_ Township (if county has zoning authority)

**Before forwarding to State Agency,  
FINAL APPLICATION SHOULD INCLUDE:**

\_\_\_\_ Copy of Deed or Land Contract (most recent showing current ownership)

\_\_\_\_ Copy of most recent Tax Bill (must include tax description of property)

\_\_\_\_ Map of Farm

\_\_\_\_ Copy of most recent appraisal record

\_\_\_\_ Copy of letters from review agencies (if available)

\_\_\_\_ Any other applicable documents

**Questions? Please call Farmland Preservation at 517-284-5663**

**Map of Farm with Structures and Natural Features:**

- A. Show boundary of land cited in application. (Grid below is designed to represent a 5280 ft<sup>2</sup> (1 mile<sup>2</sup>) Section)
- B. Show all buildings (house(s), barn(s), etc.); also label roads and other avenues of travel (i.e. utility access, etc.).
- C. Outline and designate the current uses of the property (crops, pasture, forest, swamp, etc.).
- D. Clear copies of map(s) provided by USDA Farm Service Agency are acceptable, but please label any roads visible on map, structures and their use, etc.

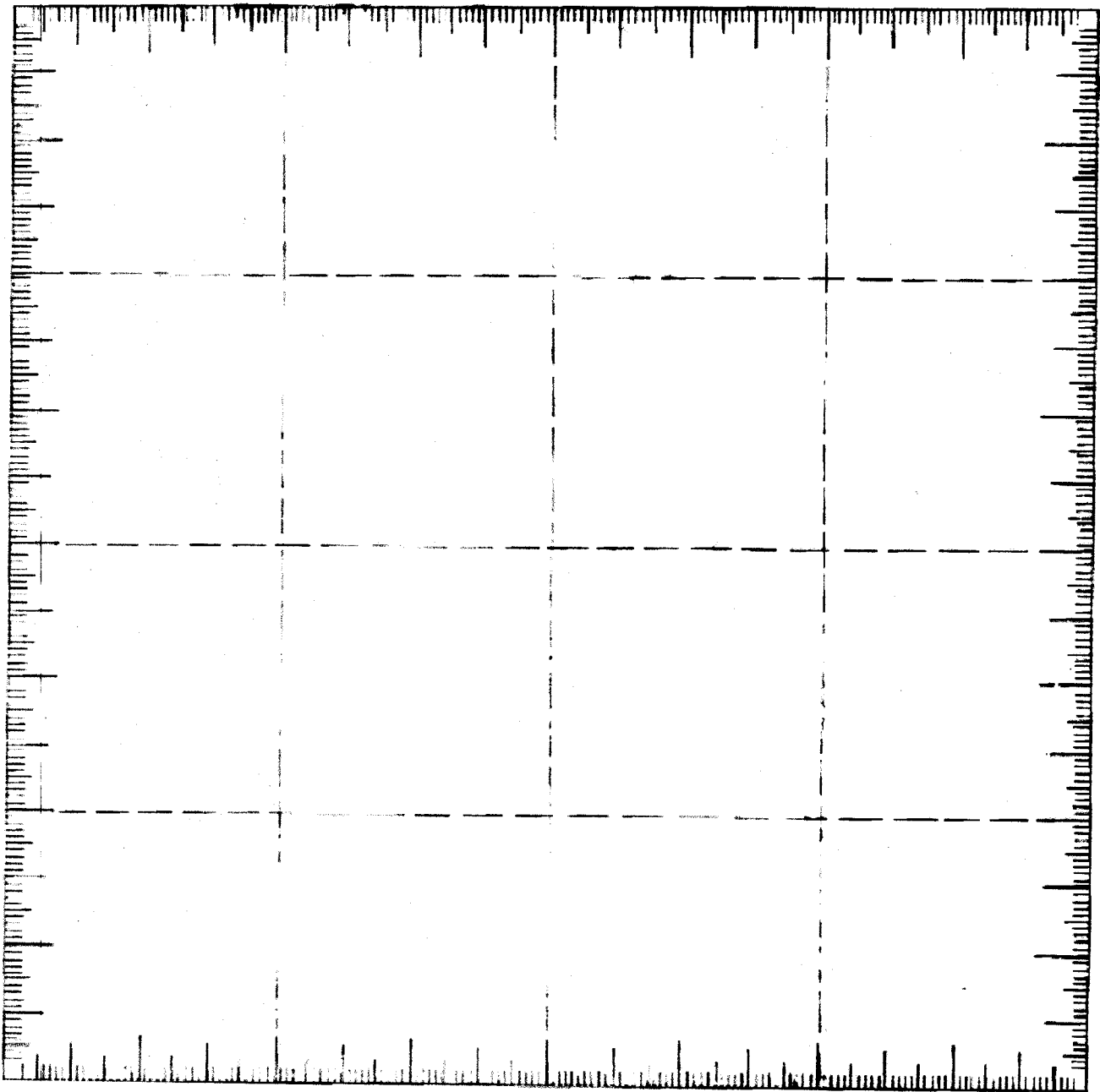
**Note:** Any residential structures housing persons not directly associated with the farm operation must be excluded from the application. Please indicate if a building falls in this category and provide the appropriate property description for its exclusion. Unless the appropriate description is included, your application cannot be processed.

County \_\_\_\_\_

Township \_\_\_\_\_

T \_\_\_\_\_ R \_\_\_\_\_ Section \_\_\_\_\_

↑ North



2812



**LENAWEE COUNTY FSA**

**1100 SUTTON RD**

**ADRIAN MI 49221**

**517-263-7400**

Farm: 11832

Tract: 10322

**USDA PROGRAM PURPOSES ONLY**

- Cropland
- Not Cropland

**Wetland Determination Identifiers**

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions
- HEL = Highly Erodible Land
- NHEL = Not Highly Erodible Land
- UHEL = Undetermined HEL

April 10, 2012

Page #78

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.



02-26-2020

*Marilyn J Woods* JG  
MARILYN J WOODS

STATE OF MICHIGAN - LENA WEE COUNTY  
RECORDED 02/26/2020 09:59:17 AM D.W.A  
Received 02/26/2020 09:45:05 AM  
Carolyn S. Bater, REGISTER OF DEEDS \$30.00



LENAWEE COUNTY  
FEBRUARY 26, 2020  
RECEIPT # 913391

STATE OF  
MICHIGAN  
REAL ESTATE  
TRANSFER TAX

\$264.00- CO  
\$1,800.00- ST  
Stamp # 34967

## WARRANTY DEED

Drafted by: Margaret Brown, 108 Second St., Spring Arbor, MI 49283

When recorded return to: Richard K Weisenreder and Beulah I Weisenreder, 13603 Mohart RD, Saline, MI 48176

THE GRANTOR(s): Margaret B. Brown, Trustee of the Brown Family Living Trust, dated and amended September 8th, 1998

Whose address is: 108 Second St., Spring Arbor, MI 49283

Conveys and warrants to: Richard K Weisenreder and Beulah I Weisenreder, husband and wife

Whose address is: 13603 Mohart RD, Saline, MI 48176

the following described premises: See attached Exhibit A.

Tax Parcel No: MA0-102-2100-00

Commonly known as: 4000 Hack Rd., Britton, MI 49229

for the sum of Two Hundred Forty Thousand Dollars and No Cents (\$240,000.00)

COUNTY Transfer Tax: \$264.00

STATE Transfer Tax: \$1,800.00

Subject to easements, reservations and restrictions of record.

If the land being conveyed is unplatted, the following is deemed to be included: "This property may be located within the vicinity of farmland or 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 all division(s) under section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967."

File Number: BPT216245

---

## WARRANTY DEED

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"The Grantor grants to the grantee the right to make all division(s) under section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967."

Dated: February 20, 2020

Signed and Sealed:


**Brown Family Living Trust, dated and amended September 8th, 1998**

*Margaret B Brown*

**Margaret B. Brown, Trustee**

STATE OF MICHIGAN                               }  
COUNTY OF    Lenawee                       } ss  
  }

On this 20th day of February, 2020, before me personally appeared, **Margaret B. Brown, Trustee of the Brown Family Living Trust dated and amended September 8th, 1998**, to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged that he/she/they executed the same as his/her/their free act and deed.

Notary Public:   
Printed Name: **Francis Rhames**  
Lenawee County, MI  
My Commission Expires: **07/17/2025**



**EXHIBIT A**

**Land situated in the Township of Macon, County of Lenawee in the State of Michigan, more particularly described as:**

**The North 1/2 of the Northeast Fractional 1/4 of Section 2, Town 5 South, Range 5 East, Township of Macon, County of Lenawee, State of Michigan, EXCEPTING THEREFROM the West 26 acres, ALSO EXCEPTING all that part of the Northeast Fractional 1/4 of Section 2, Town 5 South, Range 5 East, described as: beginning at the Northeast corner of said Section 2; thence South 01 degrees 46 minutes 20 seconds West 435.26 feet along the East line of Section 2, aforesaid; thence North 88 degrees 13 minutes 40 seconds West 42.00 feet; thence North 01 degrees 46 minutes 20 seconds East 68.7 feet; thence continuing along the center of the Lenawee-Washtenaw County Drain North 72 degrees 16 minutes 20 seconds West 111.76 feet; thence North 69 degrees 19 minutes 14 seconds West 303.51 feet; thence North 55 degrees 32 minutes 52 seconds West 385.25 feet; thence North 08 degrees 49 minutes 32 seconds West 29.00 feet to the North line of said Section 2; thence South 88 degrees 18 minutes 02 seconds East 766.18 feet to the point of beginning.**

**Tax Parcel No: MA0-102-2100-00**

**Commonly known as: 4000 Hack Rd., Britton, MI 49229**



# Lenawee County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)

120 W. Michigan Avenue • Jackson, MI 49201

Phone (517) 788-4426 • Fax (517) 788-4635

## PA 116 FARMLAND AGREEMENT | FA #20-14

**Applicant(s):** Terrehaven, LLC  
3007 Wolf Creek Highway  
Adrian, MI 49221

**Date:** November 19, 2020

**Local Government:** Adrian Charter Township

**Purpose:** **Enrollment application**

**Location:** The subject properties (ID # ADO-109-4355-00) is located in Section 31 of the Township (T8S, R4E) (see Figure 1).

**Description:** The subject property has an area of approximately 74 acres, of which is 70 acres are cultivated for livestock and cash crops. The parcel contains a single barn.

**Term:** 10.

**Future Land Use:** The *Lenawee County Comprehensive Land Use Plan* places the subject property at the edge of an area recommended for 'Agricultural' uses (see Figure 2).

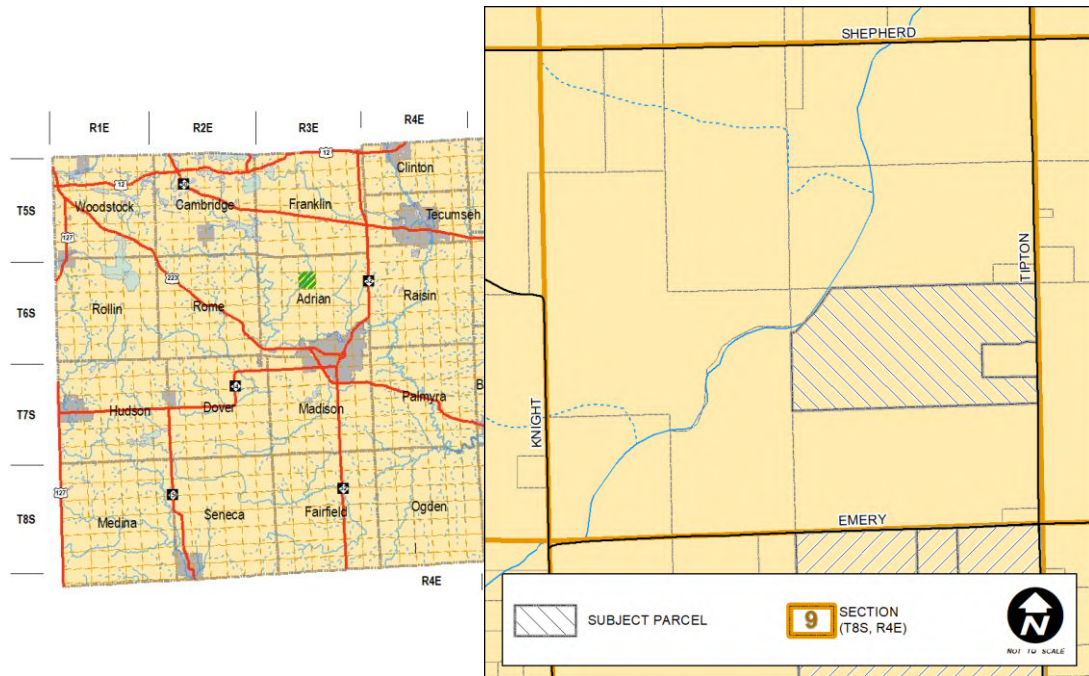
**Staff Comments:** Staff found no application errors/omissions.

**Staff Advisement:** Based upon this analysis, staff advises the Lenawee County Planning Commission to recommend **APPROVAL** of the PA 116 application to the Adrian Charter Township Board.

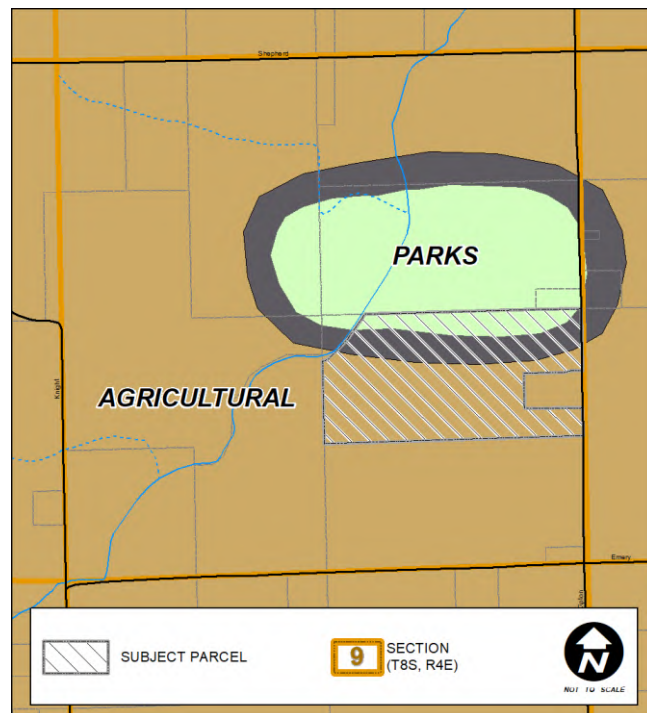
**Attachment(s):**

- Background information provided by the applicant/township.

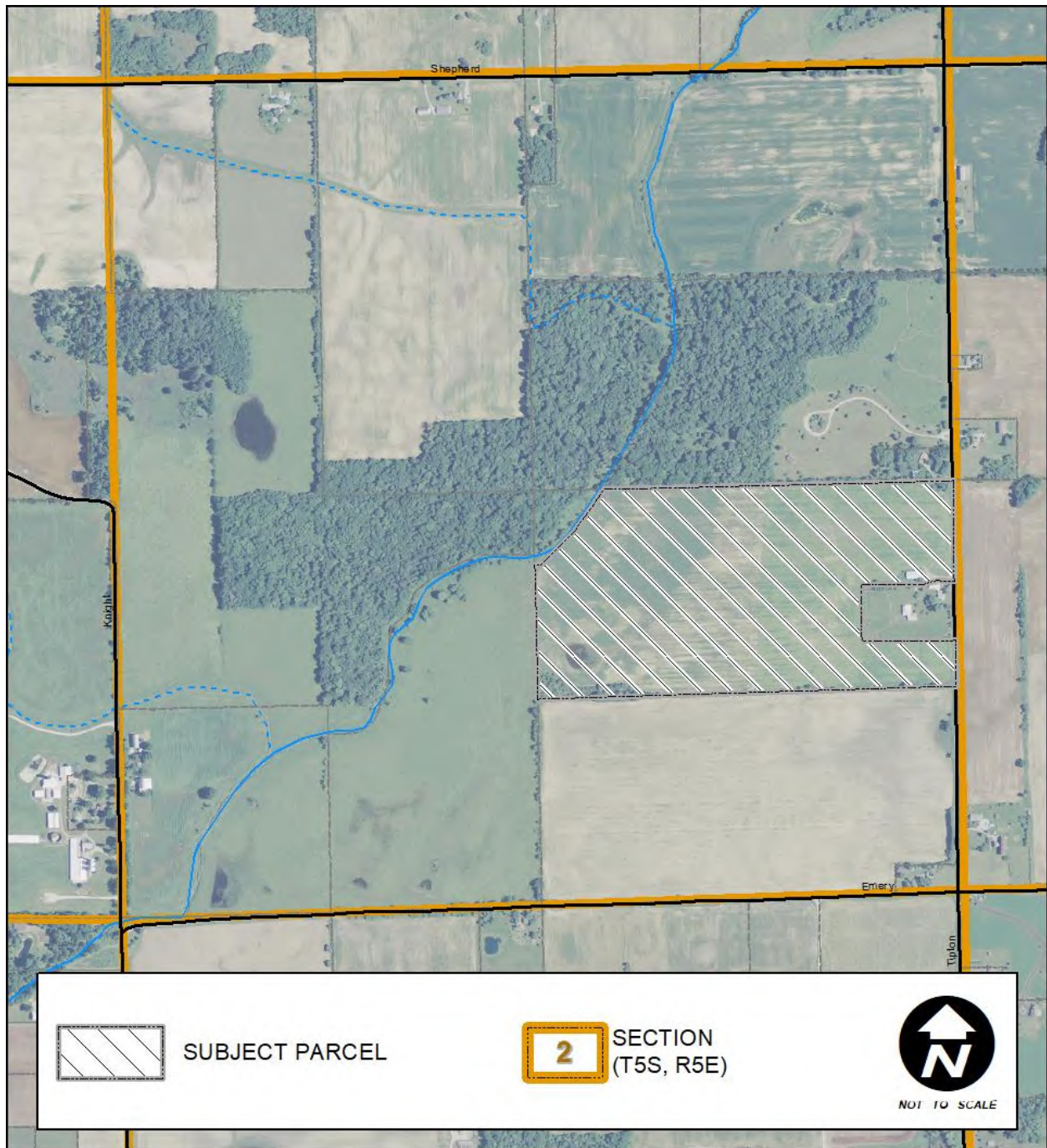
**Figure 1  
Location**



**Figure 2  
County Future Land Use**



**Figure 3**  
**USDA Aerial Photograph**







# FARMLAND AND OPEN SPACE PRESERVATION PROGRAM

## Application for Farmland Agreement

Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, more commonly known as PA 116.

Please print or type. Attach additional sheets as needed. **Please read the Eligibility and Instructions document before filling out this form.**

### OFFICIAL USE ONLY

Local Governing Body: \_\_\_\_\_

Date Received: \_\_\_\_\_

Application No: \_\_\_\_\_

State: \_\_\_\_\_

Date Received: \_\_\_\_\_

Application No: \_\_\_\_\_

Approved: \_\_\_\_\_ Rejected: \_\_\_\_\_

**ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY  
ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR**

### I. Personal Information:

1. Name(s) of Applicant: Terrehaven LLC  
Last First Initial

(If more than two see #15) \_\_\_\_\_  
Last First Initial

Marital status of all individual men listed on application, if more than one, indicate status after each name:

☒ Married ☐ Single

2. Mailing Address: 3007 Wolf Creek Hwy Adrian MI 49221  
Street City State Zip Code

3. Telephone Number: (Area Code) (517) 265-7915

4. Alternative Telephone Number (cell, work, etc.): (Area Code) (517) 673-6993

5. E-mail address: terrehavenfarms@yahoo.com

### II. Property Location (Can be taken from the Deed/Land Contract)

6. County: Washtenaw 7. Township, City or Village: Adrian

8. Section No. 9 Town No. 6 South Range No. 3 East

### III. Legal Information:

9. Attach a clear copy of the deed, land contract or memorandum of land contract. (See #14)

10. Attach a clear copy of the most recent tax assessment or tax bill with complete tax description of property.

11. Is there a tax lien against the land described above? ☐ Yes ☒ No

If "Yes", please explain circumstances: \_\_\_\_\_

12. Does the applicant own the mineral rights? ☒ Yes ☐ No

If owned by the applicant, are the mineral rights leased? ☐ Yes ☒ No

Indicate who owns or is leasing rights if other than the applicant: \_\_\_\_\_

Name the types of mineral(s) involved: \_\_\_\_\_

13. Is land cited in the application subject to a lease agreement (other than for mineral rights) permitting a use for something other than agricultural purposes? ☐ Yes ☒ No If "Yes", indicate to whom, for what purpose and the number of acres involved: \_\_\_\_\_

14. Is land being purchased under land contract ☐ Yes ☒ No: If "Yes", indicate vendor (seller): \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
Street City State Zip Code

14a. Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, states that the vendor (seller) must agree to allow the land cited in the application to be enrolled in the program. Please have the land contract sellers sign below. (All sellers must sign).

Land Contract Vendor(s): I, the undersigned, understand and agree to permit the land cited in this application into the Farmland and Open Space Preservation Program.

Date

Signature of Land Contract Vendor(s) (Seller)

rev. 12/2019

15. If the applicant is one of the following, please check the appropriate box and complete the following information (if the applicant is not one of the following – please leave blank):

☐ 2 or more persons having a joint or common interest in the land  
☐ Corporation ☒ Limited Liability Company ☐ Partnership  
☐ Estate ☐ Trust ☐ Association

If applicable, list the following: Individual Names if more than 2 Persons; or President, Vice President, Secretary, Treasurer; or Trustee(s); or Members; or Partners; or Estate Representative(s):

Name: James A. Blecker Title: member

Name: Jolynne K. Blecker Title: member

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

(Additional names may be attached on a separate sheet.)

- IV. Land Eligibility Qualifications: Check one and fill out correct section(s)  
This application is for:

☒ a. 40 acres or more → complete only Section 16 (a thru g);  
☐ b. 5 acres or more but less than 40 acres → complete only Sections 16 and 17; or  
☐ c. a specialty farm → complete only Sections 16 and 18.

16. a. Type of agricultural enterprise (e.g. livestock, cash crops, fruit, etc):

livestock + cash crops

b. Total number of acres on this farm 74

c. Total number of acres being applied for (if different than above): \_\_\_\_\_

d. Acreage in cultivation: 70

e. Acreage in cleared, fenced, improved pasture, or harvested grassland: \_\_\_\_\_

f. All other acres (swamp, woods, etc.) 4

g. Indicate any structures on the property: (If more than one building, indicate the number of buildings):

No. of Buildings 1 Residence: \_\_\_\_\_ Barn: 1 Tool Shed: \_\_\_\_\_

Silo: \_\_\_\_\_ Grain Storage Facility: \_\_\_\_\_ Grain Drying Facility: \_\_\_\_\_

Poultry House: \_\_\_\_\_ Milking Parlor: \_\_\_\_\_ Milk House: \_\_\_\_\_

Other: (Indicate) \_\_\_\_\_

17. To qualify as agricultural land of 5 acres or more but less than 40 acres, the land must produce a minimum average gross annual income of \$200.00 per acre from the sale of agricultural products.

Please provide the average gross annual income per acre of cleared and tillable land during 2 of the last 3 years immediately preceding this application from the sale of agricultural products (not from rental income):

\$ \_\_\_\_\_ : \_\_\_\_\_ = \$ \_\_\_\_\_ (per acre)  
total income total acres of tillable land

18. To qualify as a specialty farm, the land must be designated by MDARD, be 15 acres or more in size, and produce a gross annual income from an agricultural use of \$2,000.00 or more. If a specialty farm, indicate average gross annual income during 2 of the last 3 years immediately preceding application from the sale of agricultural products: \$ \_\_\_\_\_

Please note: specialty farm designation may require an on-the-farm site visit by an MDARD staff person.

19. What is the number of years you wish the agreement to run? (Minimum 10 years, maximum 90 years); 10

## V. Signature(s):

20. The undersigned declare that this application, including any accompanying informational material, has been examined by them and to the best of their knowledge and belief is true and correct.

[Signature]  
(Signature of Applicant)

\_\_\_\_\_  
(Corporate Name, If Applicable)

[Signature]  
(Co-owner, If Applicable)

\_\_\_\_\_  
(Signature of Corporate Officer)

9/21/2020  
(Date)

\_\_\_\_\_  
(Title)

**ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY  
ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR.**

**RESERVED FOR LOCAL GOVERNMENT USE: CLERK PLEASE COMPLETE SECTIONS I & II**

I. Date Application Received: 9-28-2020 (Note: Local Governing Body has 45 days to take action)

Action by Local Governing Body: Jurisdiction: Adrian Charter Township  
☐ County ☒ Township ☐ City ☐ Village

This application is ☐ approved, ☐ rejected Date of approval or rejection: \_\_\_\_\_

(If rejected, please attach statement from Local Governing Body indicating reason(s) for rejection.)

Clerk's Signature: \_\_\_\_\_

Property Appraisal: \$ \_\_\_\_\_ is the current fair market value of the real property in this application.

## II. Please verify the following:

\_\_\_\_ Upon filing an application, clerk issues receipt to the landowner indicating date received.

\_\_\_\_ Clerk notifies reviewing agencies by forwarding a copy of the application and attachments

\_\_\_\_ If rejected, applicant is notified in writing within 10 days stating reason for rejection and the original application, attachments, etc. are returned to the applicant. Applicant then has 30 days to appeal to State Agency.

\_\_\_\_ If approved, applicant is notified and the original application, all supportive materials/attachments, and letters of review/comment from reviewing agencies (if provided) are sent to:

**MDARD-Farmland and Open Space Program, PO Box 30449, Lansing 48909**

**\*Please do not send multiple copies of applications and/or send additional attachments in separate mailings without first contacting the Farmland Preservation office.**

Please verify the following regarding Reviewing Agencies (Sending a copy to reviewing agencies is required):

## COPY SENT TO:

☒ County or Regional Planning Commission  
☐ Conservation District  
☐ Township (if county has zoning authority)

**Before forwarding to State Agency,  
FINAL APPLICATION SHOULD INCLUDE:**

\_\_\_\_ Copy of Deed or Land Contract (most recent showing current ownership)  
 \_\_\_\_ Copy of most recent Tax Bill (must include tax description of property)  
 \_\_\_\_ Map of Farm  
 \_\_\_\_ Copy of most recent appraisal record  
 \_\_\_\_ Copy of letters from review agencies (if available)  
 \_\_\_\_ Any other applicable documents

**Questions? Please call Farmland Preservation at 517-284-5663**

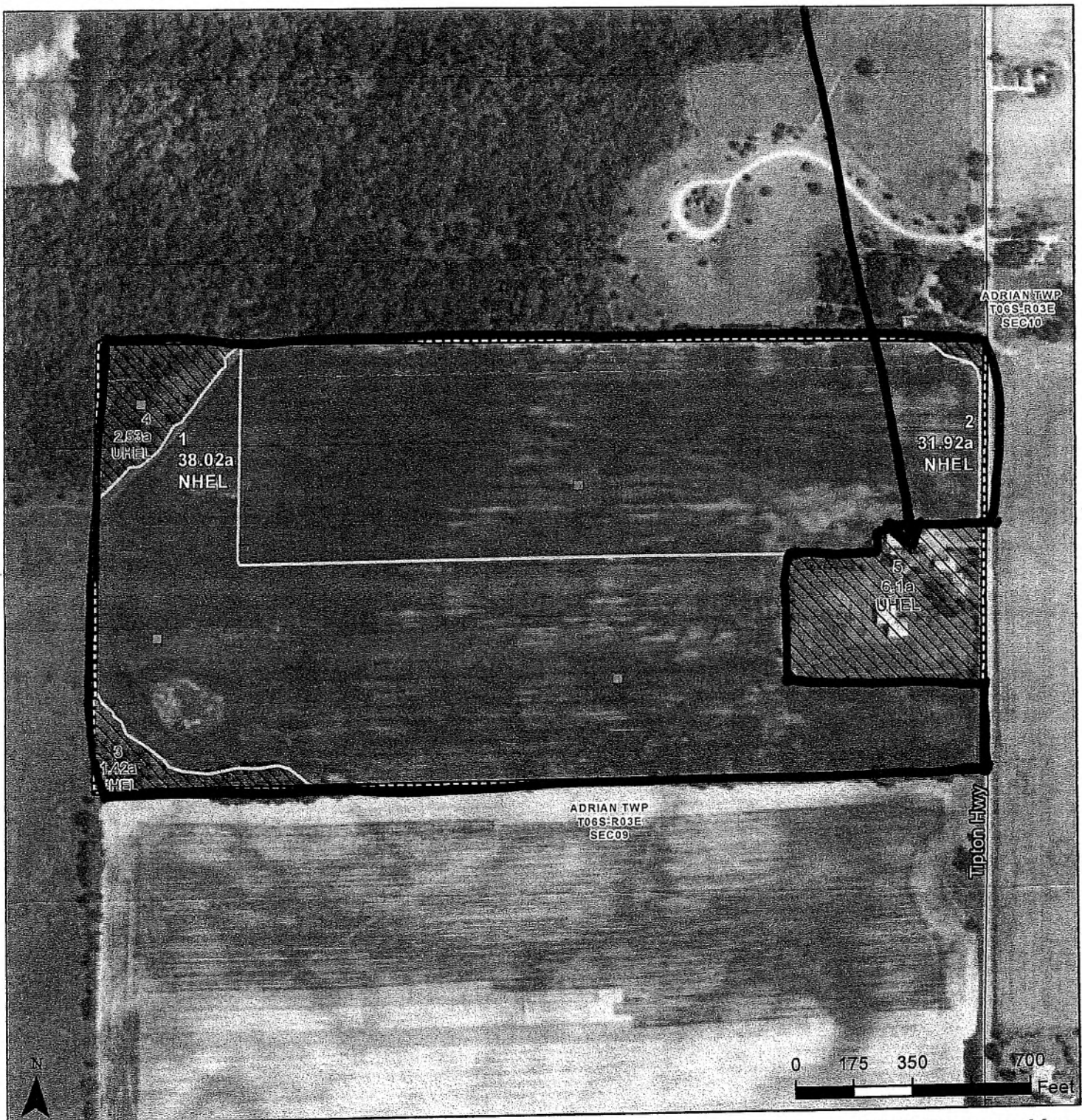




United States  
Department of  
Agriculture

Lenawee County, Michigan

Barn



#### Common Land Unit

- Common Land Unit
- Non-Cropland
- Tract Boundary

#### Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

This box is applicable ONLY for certification maps.  
Options only valid if checked.

- |   |  |
|---|--|
| <input type="checkbox"/> Shares - 100% OP | <input type="checkbox"/> All Crops - NI          |
| <input type="checkbox"/> CORN - YEL/GR    | <input type="checkbox"/> WHEAT - GR (SRW or SWW) |
| <input type="checkbox"/> SOYS - COM/GR    | <input type="checkbox"/> ALFALFA - FG or GZ      |
| <input type="checkbox"/> DRY BEANS - DE   | <input type="checkbox"/> MIXFG - FG or GZ        |

#### 2018 Program Year

CLU Date: March 14, 2018  
2016 NAIP Imagery

**Farm 14930**  
**Tract 720**

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

RECORDED 08/24 AUG 31 '17 LENAWEE

LENAWEE COUNTY TREASURER  
TAX CERTIFICATE NO. 11691

AUG 31 2017

AC  
MARILYN J WOODS

LIBER 2550 PAGE 0792 1 of 2

STATE OF MICHIGAN - LENAWEE COUNTY  
RECORDED 08/31/2017 11:04:16 AM D.W.A.  
Carolyn S. Bator, REGISTER OF DEEDS \$30.00



### WARRANTY DEED

**Know all Men by these Presents,** That on August 25, 2017, for the sum of One Dollar (\$1.00), Justin Tyler Bleecker, a married man, whose address is 8250 Secor Road, Lambertville, Michigan 48144, Conveys and Warrants to Terrehaven, LLC, a Michigan limited liability company, whose address is 3007 Wolf Creek Highway, Adrian, Michigan 49221, the following property situated in Adrian Township, Lenawee County, Michigan:

The North ½ of the Southeast ¼ of Section 9, Town 6 South, Range 3 East;

EXCEPTING AND RESERVING THEREFROM all that part of the Southeast ¼ of Section 9, Town 6 South, Range 3 East, further described as commencing at the East ¼ corner of Section 9; thence South, 643.31 feet along the East line of Section 9 (centerline of Tipton Highway) for a point of beginning; thence continuing South, 376.42 feet along the East line of Section 9 (centerline of Tipton Highway); thence West, 600.00 feet; thence North, 356.88 feet; thence East, 129.53 feet; thence North 89° 54' 59" East, 275.11 feet; thence North 75° 10' 00" East, 91.54 feet; thence South 87° 16' 00" East, 107.00 feet to the point of beginning.

ALSO EXCEPTING AND RESERVING THEREFROM land described as being a part of the Northwest ¼ of the Southeast ¼ of Section 9, Town 6 South, Range 3 East, described as commencing at the South ¼ corner of Section 9; thence North 00° 13' 20" West, 2187.27 feet along the North-South ¼ line of Section 9 for a point of beginning; thence continuing North 00° 13' 20" West, 472.92 feet along the North-South ¼ line of Section 9 to the center of Section 9; thence North 89° 20' 33" East, 458.44 feet along the East-West ¼ line of Section 9; thence South 36° 24' 20" West, 308.50 feet; thence South 44° 38' 47" West, 132.81 feet; thence South 45° 49' 54" West, 179.61 feet; thence South 78° 41' 59" West, 52.34 feet to the point of beginning.

Commonly known as: 5000 Tipton Highway Block, Adrian, MI 49221

Tax I.D. No.: AD0-109-4355-00

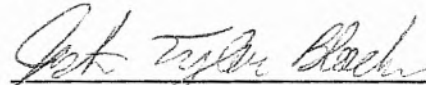
Subject to zoning ordinances, restrictions and easements of record, and taxes and assessments due and payable after date hereof. Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

The Grantor also grants to the Grantees the right to make all divisions under Section 108 of the Land Division Act, No. 288 of Public Acts of 1967.

The above-described premises 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.

This transfer is exempt from Michigan transfer tax under M.C.L.A. 207.526(a) and county transfer tax under M.C.L.A. 207.505(a).

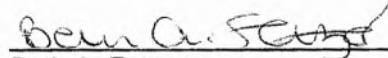
Signed by:

  
Justin Tyler Bleecker

STATE OF MICHIGAN       )  
  ) ss:  
COUNTY OF LENAWEЕ     )

The foregoing instrument was signed and sworn to before me in Lenawee County, Michigan, this 25<sup>th</sup> day of August, 2017, by Justin Tyler Bleecker, a married man.

BETH A. FETZER  
Notary Public, Lenawee Co., MI  
Acting in Lenawee Co., MI  
My Comm. Expires Dec. 21, 2020

  
Beth A. Fetzer  
Notary Public, Lenawee County, MI  
Acting in Lenawee County, MI  
My commission expires: 12/21/2020

Prepared By:  
Kathryn M. Mohr  
Robison, Curphey & O'Connell  
105 Brown St., Suite 100  
Tecumseh, MI 49286  
(517) 423-5404  
Send subsequent tax bills to the Grantee.  
P:\DOCS\22074\22206\DEED\11T7786.DOC

  
LIBER 2550 PAGE 0792 2 of 2



**Summer Tax Bill**

Lenawee County Treasurer  
Marilyn J Woods  
301 N Main St Old Courthouse  
Adrian, MI 49221-2714  
TEMP-RETURN SERVICE REQUESTED



PLEASE RETURN THIS PORTION WITH YOUR PAYMENT. THANK YOU.

**THIS TAX IS PAYABLE JULY 1, 2020 THRU SEPT. 14, 2020**  
After 09/14/2020, additional interest and fees apply.

**2020 Summer Tax for Property Number: ADO-109-4355-00**

**TAXPAYER NOTE:** Are your name and mailing address correct?  
If not, please make corrections below. Thank you.

Property Addr:

5000 TIPTON HWY BLK

**Tax for Prop#: ADO 109 4355 00**

**Make Check Payable To: Lenawee County Treasurer**

**TOTAL AMOUNT DUE: \$731.85**

TERREHAVEN LLC  
3007 WOLF CREEK HWY  
ADRIAN, MI 49221-9243



02426

Please detach along perforation. Keep bottom portion for your records.

### ADRIAN CHARTER TOWNSHIP 2020 SUMMER TAX BILL

#### MESSAGE TO TAXPAYER

DEFERMENT FORMS MUST BE FILED AT THE COUNTY TREASURER'S OFFICE BEFORE SEPT. 14. INTEREST OF 1% PER MONTH OR FRACTION OF A MONTH ADDED AFTER SEPT 14. ADDITIONAL 3% PENALTY AFTER FEB 14 THRU FEB 28. IF YOU WOULD LIKE A RECEIPT ENCLOSE A SELF-ADDRESSED-STAMPED ENVELOPE. PHONE NO. 517-264-4554. PARTIAL PAYMENTS ARE ACCEPTED.

FOR YOUR CONVENIENCE THERE IS A DROPBOX IN THE ANNEX PARKING LOT BY THE GENERATOR LOCATED AT 113 W FRONT ST, ADRIAN

#### PROPERTY INFORMATION

Property Assessed To:

TERREHAVEN LLC  
3007 WOLF CREEK HWY  
ADRIAN, MI 49221-9243

School: 46010 ADRIAN

Property #: ADO-109-4355-00

Property Addr: 5000 TIPTON HWY BLK

#### Legal Description:

N 1/2 OF SE 1/4 SEC 9 EX LD COMM E 1/4 C OR SEC 9 TH S 643.31 FT FOR A POB TH CONT. S 376.42 FT TH W 600 FT TH N 356.8 8 FT TH E 129.53 FT TH N 89 DEG 54'59"E 275.11 FT TH N 75 DEG 10'E 91.54 FT TH S 87 DEG 16'E 107 FT TO POB ALSO EXC LD DES AS COMM AT THE S1/4 COR OF SEC 9 T6S R3E TH N 2187.27 FT ALG THE N-S 1/4 LI OF SD SEC FOR A POB TH CONT N 472.92 FT ALG THE N-S1/4 LI TO THE CENTER OF SD SEC TH N89 20'33"E 458.44 FT ALG THE E-W 1/4 LI OF SD SEC TH S36 24'20"W 308.50 FT TH S44 38'47"W 132.81 FT TH S45 49'54 "W 179.61 FT TH S78 41'59"W 52.34 FT TO THE POB SPLIT ON 03/05/2008 FROM ADO-1 09-4350-00;

#### OPERATING FISCAL YEARS

The taxes on bill will be used for governmental operations for the following fiscal year(s):

County: JANUARY 1 - DECEMBER 31

Twn/Cty: JANUARY 1 - DECEMBER 31

School: JULY 1 - JUNE 30

State: OCTOBER 1 - SEPTEMBER 30

Does NOT affect when the tax is due or its amount.

#### PAYMENT INFORMATION

This tax is payable 7/1/2020 thru 9/14/2020

Pay by mail to: LENAWE COUNTY TREASURER  
MARILYN J WOODS  
301 N MAIN ST OLD COURTHOUSE  
ADRIAN, MI 49221-2714

#### TAX DETAIL

Taxable Value:	39,464	Class: 101
State Equalized Value:	178,300	
Assessed Value:	178,300	
P.R.E. %:	100	

**Taxes are based upon Taxable Value.**  
**1 mill equals \$1.00 per \$1,000 of Taxable Value.**  
**Amounts with no millage are either Special Assessments or other charges added to this bill.**

DESCRIPTION	MILLAGE	AMOUNT
STATE ED	6.00000	236.78
COUNTY OPER	5.40000	213.10
LENAWE INT SCH	3.66170	144.50
SCHOOL DEBT	2.05000	80.90
SCHOOL BOND	1.25000	49.33
SCHOOL OPER	9.00000	0.00

Total Tax:	\$724.61
Administration Fee:	\$7.24
<b>Total Amount Due:</b>	<b>\$731.85</b>

As of March 1st, all or part of your prior year taxes were returned delinquent to the County. For more information, please call the County Treasurer at 517-264-4554.



# Lenawee County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)

120 W. Michigan Avenue • Jackson, MI 49201

Phone (517) 788-4426 • Fax (517) 788-4635

## PA 116 FARMLAND AGREEMENT | FA #20-15

**Applicant(s):** Terrehaven, LLC  
3007 Wolf Creek Highway  
Adrian, MI 49221

**Date:** November 19, 2020

**Local Government:** Adrian Charter Township

**Purpose:** **Enrollment applications**

**Location:** The subject properties (ID # ADO 116 2325 00, # ADO 116 2575 00, # ADO 116 2975 00, and # ADO 116 2000 00) are located in Section 16 of the Township (T6S, R3E) (see Figure 1).

**Description:** The subject properties have an area of approximately 158.5 acres, of which 144.31 acres are cultivated for cash crops. Parcel C contains a barn and tool shed.

**Term:** 10.

**Future Land Use:** The *Lenawee County Comprehensive Land Use Plan* places the subject properties in an area recommended for 'Agricultural' uses (see Figure 2).

**Staff Comments:** The applicants should consider/address various the following errors/omissions included in the application:

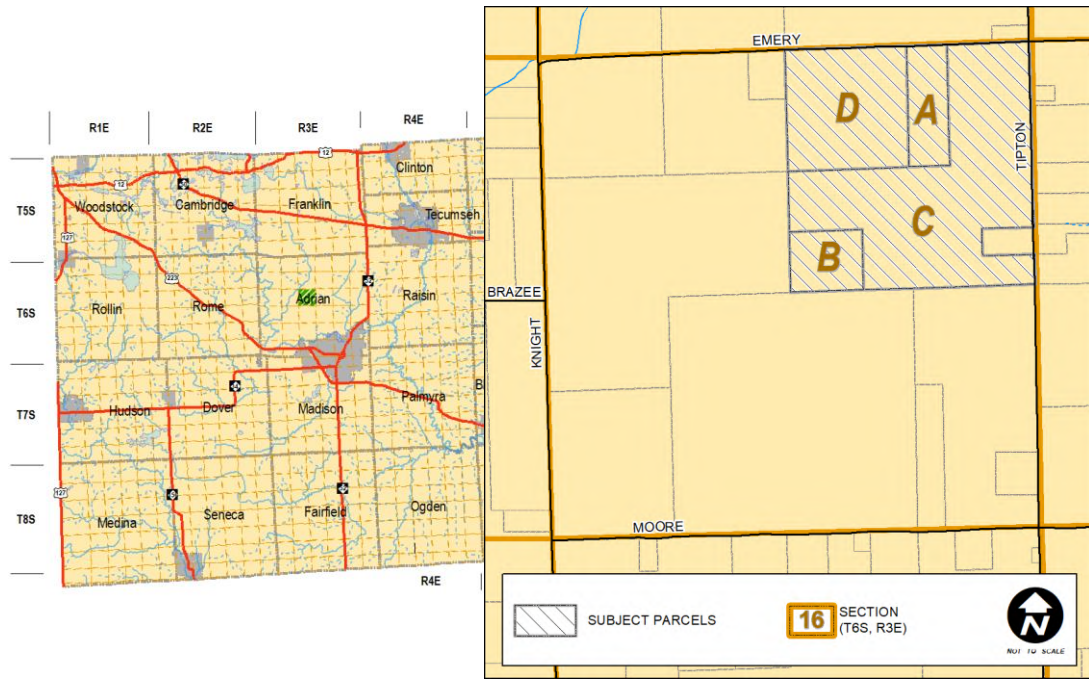
- *Question #12.* Indicate that mineral rights are leased (Parcels A, B, C, and D).
- *Question #16g.* Indicate that no (i.e., 0) buildings are located on the property (Parcels A, B, and D).
- *Question #17.* Average annual gross income would be necessary if the 4 parcels were combined into a single application (Parcels A and B).

**Staff Advisement:** Based upon this analysis, staff advises the Lenawee County Planning Commission to recommend **APPROVAL WITH COMMENTS** of the PA 116 applications to the Adrian Charter Township Board, provided the applicant considers the comments/suggestions listed in the staff report.

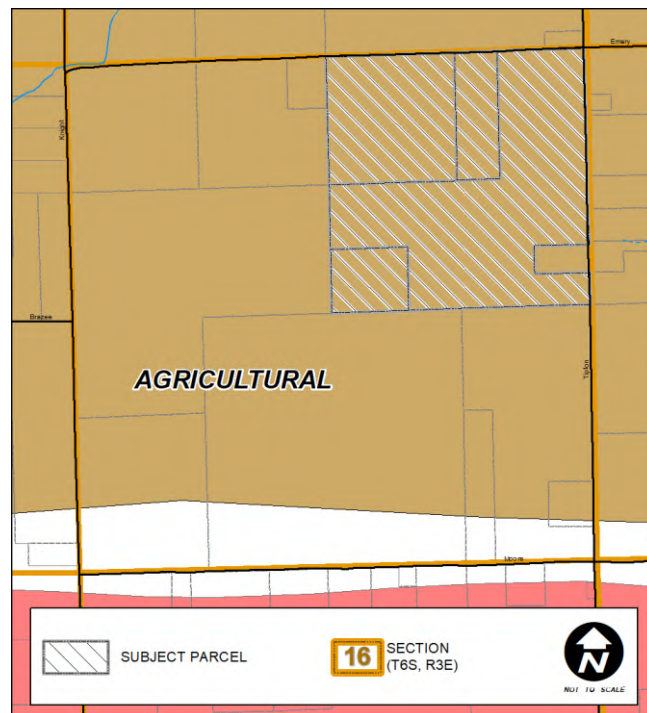
**Attachment(s):**

- Background information provided by the applicant/township.

**Figure 1  
Location**

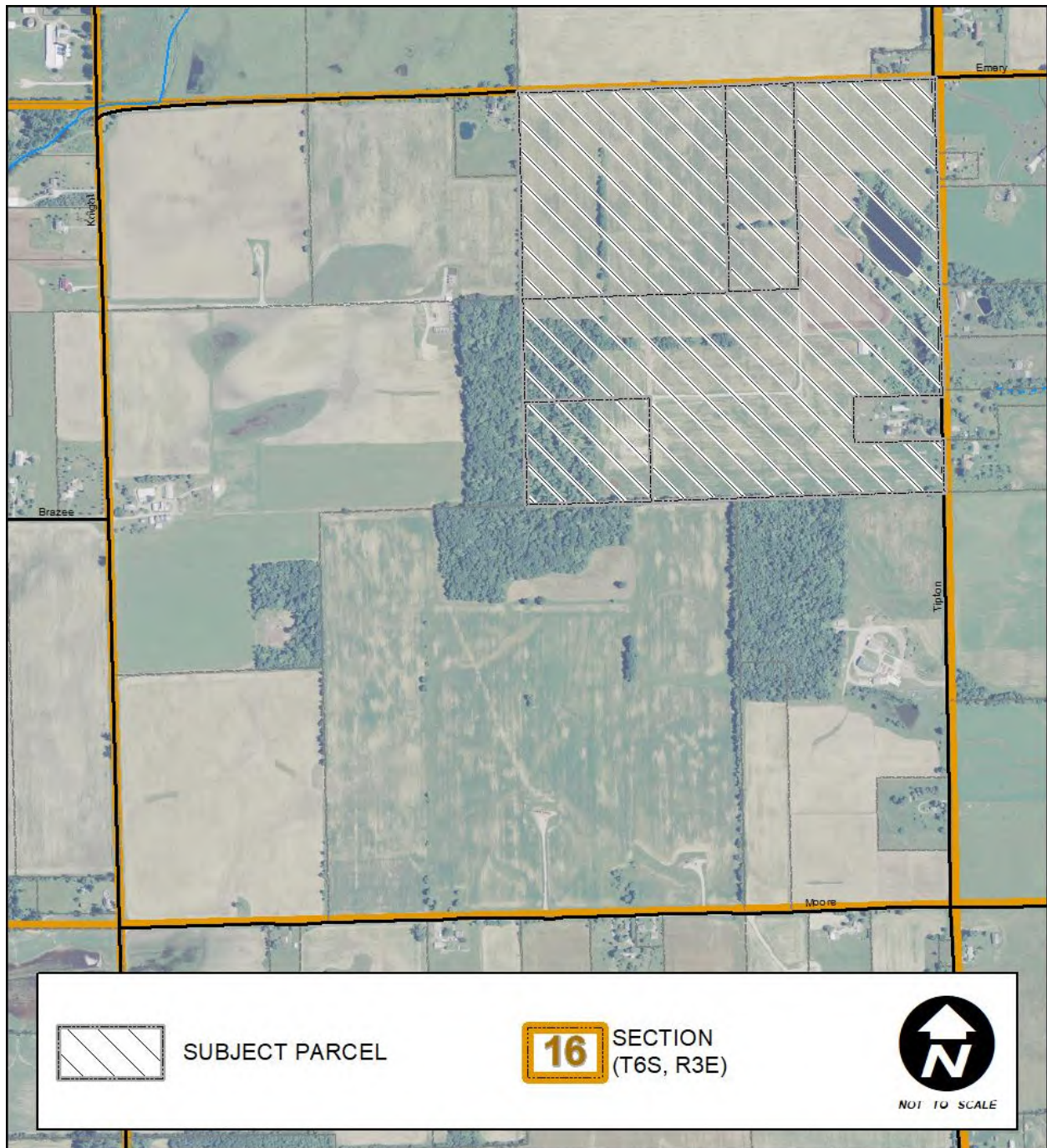


**Figure 2  
County Future Land Use**





**Figure 3**  
**USDA Aerial Photograph**







**FARMLAND AND OPEN SPACE  
PRESERVATION PROGRAM**

**Application for Farmland Agreement**

Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, more commonly known as PA 116.

Please print or type. Attach additional sheets as needed. **Please read the Eligibility and Instructions document before filling out this form.**

**OFFICIAL USE ONLY**

Local Governing Body: \_\_\_\_\_

Date Received \_\_\_\_\_

Application No: \_\_\_\_\_

State: \_\_\_\_\_

Date Received \_\_\_\_\_

Application No: \_\_\_\_\_

Approved: \_\_\_\_\_ Rejected \_\_\_\_\_

**ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY  
ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR**

**I. Personal Information:**

1. Name(s) of Applicant: Terrehaven LLC  
Last First Initial

(If more than two see #15) \_\_\_\_\_  
Last First Initial

Marital status of all individual men listed on application, if more than one, indicate status after each name:

☒ Married ☐ Single

2. Mailing Address: 3007 Wolf Creek Hwy Adrian MI 49221  
Street City State Zip Code

3. Telephone Number: (Area Code) (517) 265-7915

4. Alternative Telephone Number (cell, work, etc.): (Area Code) (517) 673-6993

5. E-mail address: terrehavenfarms@yahoo.com

**II. Property Location (Can be taken from the Deed/Land Contract)**

6. County: Lenawee 7. Township, City or Village: Adrian

8. Section No. 16 Town No. 6 South Range No. 3 East

**III. Legal Information:**

9. Attach a clear copy of the deed, land contract or memorandum of land contract. (See #14)

10. Attach a clear copy of the most recent tax assessment or tax bill with complete tax description of property.

11. Is there a tax lien against the land described above? ☐ Yes ☒ No

If "Yes", please explain circumstances: \_\_\_\_\_

12. Does the applicant own the mineral rights? ☒ Yes ☐ No 50%

If owned by the applicant, are the mineral rights leased? ☐ Yes ☒ No

Indicate who owns or is leasing rights if other than the applicant: 50% to Tipton Meadows LLC

Name the types of mineral(s) involved: oil, gas, minerals

13. Is land cited in the application subject to a lease agreement (other than for mineral rights) permitting a use for something other than agricultural purposes: ☐ Yes ☒ No If "Yes", indicate to whom, for what purpose and the number of acres involved: \_\_\_\_\_

14. Is land being purchased under land contract ☐ Yes ☒ No: If "Yes", indicate vendor (sellers): \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
Street City State Zip Code

14a. Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, states that the vendor (sellers) must agree to allow the land cited in the application to be enrolled in the program. Please have the land contract sellers sign below. (All sellers must sign).

Land Contract Vendor(s): I, the undersigned, understand and agree to permit the land cited in this application into the Farmland and Open Space Preservation Program.

Date \_\_\_\_\_

Signature of Land Contract Vendor(s) (Seller) \_\_\_\_\_

rev. 12/2019

15. If the applicant is one of the following, please check the appropriate box and complete the following information (if the applicant is not one of the following – please leave blank):

☐ 2 or more persons having a joint or common interest in the land  
☐ Corporation ☒ Limited Liability Company ☐ Partnership  
☐ Estate ☐ Trust ☐ Association

If applicable, list the following: Individual Names if more than 2 Persons; or President, Vice President, Secretary, Treasurer; or Trustee(s); or Members; or Partners; or Estate Representative(s):

Name: James A. Blecker Title: member

Name: Jolynne K. Blecker Title: member

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

(Additional names may be attached on a separate sheet.)

IV. Land Eligibility Qualifications: Check one and fill out correct section(s)

This application is for:

- ☐ a. 40 acres or more → complete only Section 16 (a thru g);  
☒ b. 5 acres or more but less than 40 acres → complete only Sections 16 and 17; or  
☐ c. a specialty farm → complete only Sections 16 and 18.

16. a. Type of agricultural enterprise (e.g. livestock, cash crops, fruit, etc):

livestock + cash crops

b. Total number of acres on this farm 13.64

c. Total number of acres being applied for (if different than above): \_\_\_\_\_

d. Acreage in cultivation: 13.64

e. Acreage in cleared, fenced, improved pasture, or harvested grassland: \_\_\_\_\_

f. All other acres (swamp, woods, etc.) \_\_\_\_\_

g. Indicate any structures on the property: (If more than one building, indicate the number of buildings):

No. of Buildings \_\_\_\_\_ Residence: \_\_\_\_\_ Barn: \_\_\_\_\_ Tool Shed: \_\_\_\_\_

Silo: \_\_\_\_\_ Grain Storage Facility: \_\_\_\_\_ Grain Drying Facility: \_\_\_\_\_

Poultry House: \_\_\_\_\_ Milking Parlor: \_\_\_\_\_ Milk House: \_\_\_\_\_

Other: (Indicate) \_\_\_\_\_

17. To qualify as agricultural land of 5 acres or more but less than 40 acres, the land must produce a minimum average gross annual income of \$200.00 per acre from the sale of agricultural products.

Please provide the average gross annual income per acre of cleared and tillable land during 2 of the last 3 years immediately preceding this application **from the sale of agricultural products (not from rental income):**

\$ 9,820 : 13.64 = \$ 720 (per acre)  
 total income total acres of tillable land

18. To qualify as a specialty farm, the land must be designated by MDARD, be 15 acres or more in size, and produce a gross annual income from an agricultural use of \$2,000.00 or more. If a specialty farm, indicate average gross annual income during 2 of the last 3 years immediately preceding application from the sale of agricultural products: \$ \_\_\_\_\_

Please note: specialty farm designation may require an on-the-farm site visit by an MDARD staff person.

19. What is the number of years you wish the agreement to run? (Minimum 10 years, maximum 90 years); 10

V. Signature(s):

20. The undersigned declare that this application, including any accompanying informational material, has been examined by them and to the best of their knowledge and belief is true and correct.

[Signature]  
(Signature of Applicant)

\_\_\_\_\_  
(Corporate Name, If Applicable)

[Signature]  
(Co-owner, If Applicable)

\_\_\_\_\_  
(Signature of Corporate Officer)

9/23/2020  
(Date)

\_\_\_\_\_  
(Title)

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ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR.**

**RESERVED FOR LOCAL GOVERNMENT USE: CLERK PLEASE COMPLETE SECTIONS I & II**

I. Date Application Received: 9-28-2020 (Note: Local Governing Body has 45 days to take action)

Action by Local Governing Body: Jurisdiction: Adrian Charter Township  
☐ County ☒ Township ☐ City ☐ Village

This application is ☐ approved, ☐ rejected

Date of approval or rejection: \_\_\_\_\_

(If rejected, please attach statement from Local Governing Body indicating reason(s) for rejection.)

Clerk's Signature: \_\_\_\_\_

Property Appraisal: \$ \_\_\_\_\_ is the current fair market value of the real property in this application.

II. Please verify the following:

\_\_\_\_ Upon filing an application, clerk issues receipt to the landowner indicating date received.

\_\_\_\_ Clerk notifies reviewing agencies by forwarding a copy of the application and attachments

\_\_\_\_ If rejected, applicant is notified in writing within 10 days stating reason for rejection and the original application, attachments, etc. are returned to the applicant. Applicant then has 30 days to appeal to State Agency.

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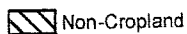
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\_\_\_\_ Map of Farm  
\_\_\_\_ Copy of most recent appraisal record  
\_\_\_\_ Copy of letters from review agencies (if available)  
\_\_\_\_ Any other applicable documents

**Questions? Please call Farmland Preservation at 517-284-5663**






## Common Land Unit

Common Land Unit

 Tract Boundary

Cropland CLU's contain white text with a thin black outline;  
Non-Cropland CLU's contain black text with a thin white outline.

## Wetland Determination Identifiers

-  Restricted Use
-  Limited Restrictions
-  Exempt from Conservation Compliance Provisions

**This box is applicable ONLY for certification maps. Options only valid if checked.**

- ☐ Shares - 100% to Operator
- |   |  |
|---|--|
| <input type="checkbox"/> All Crops - NI | <input type="checkbox"/> ALF, MIXFG - FG |
| <input type="checkbox"/> CORN - YEL/GR  | <input type="checkbox"/> WHEAT - GR      |
| <input type="checkbox"/> SOYS - COM/GR  | <input type="checkbox"/> DRY BEANS - DE  |

2017 Program Year

Map Created May 05, 2017  
2016 NAIP Imagery

Farm 15921  
Tract 17107

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

# Summer Tax Bill

Lenawee County Treasurer  
Marilyn J Woods  
301 N Main St Old Courthouse  
Adrian, MI 49221-2714  
TEMP-RETURN SERVICE REQUESTED



PLEASE RETURN THIS PORTION WITH YOUR PAYMENT. THANK YOU.

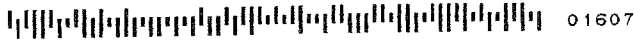
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After 09/14/2020, additional interest and fees apply.

2020 Summer Tax for Property Number: ADO-116-2325-00

TAXPAYER NOTE: Are your name and mailing address correct?  
If not, please make corrections below. Thank you.

Property Addr:  
MEADOW LN BLK

TERREHAVEN, LLC  
3007 WOLF CREEK HWY  
ADRIAN, MI 49221-9243



Tax for Prop#: ADO 116 2325 00

Make Check Payable To: Lenawee County Treasurer

TOTAL AMOUNT DUE: \$430.83

Please detach along perforation. Keep bottom portion for your records.

## ADRIAN CHARTER TOWNSHIP 2020 SUMMER TAX BILL

### MESSAGE TO TAXPAYER

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FOR YOUR CONVENIENCE THERE IS A DROPBOX IN THE ANNEX PARKING LOT BY THE GENERATOR LOCATED AT 113 W FRONT ST, ADRIAN

### PROPERTY INFORMATION

Property Assessed To:  
TERREHAVEN, LLC  
3007 WOLF CREEK HWY  
ADRIAN, MI 49221

School: 46010 ADRIAN

Property #: ADO-116-2325-00

Property Addr: MEADOW LN BLK

### Legal Description:

LD DES AS COMM AT THE NE COR OF SEC 16 T 6S R3E TH S89 15'22"W ALG THE N LI OF SD SEC & THE CNTRLI OF EMERY RD 898.80 FT T H S 600.05 FT TO THE POB TH CONT S 720.50 FT TH S89 15'22"W 450.66 FT TH N 720.51 FT TH N89 15'22"E 449.98 FT TO POB (SURVEY 7.45 AC) ALSO LD DES AS COMM AT THE NE COR OF SEC 16 T6S R3E TH S89 15'22"W ALG THE N LI OF SD SEC & THE CNTRLI OF EMERY RD 898.80 FT TO POB TH S 600.05 FT TH S89 52'22"W 449.98 FT TH N 600.06 FT TO SD SEC LI TH N89 15'22"E ALG SD SEC LI 449.40 FT TO POB (SURVEY 6.19 AC) 7/1/2011 COMB FROM ADO-116-2250-00

### OPERATING FISCAL YEARS

The taxes on bill will be used for governmental operations for the following fiscal year(s):  
County: JANUARY 1 - DECEMBER 31  
Twn/Cty: JANUARY 1 - DECEMBER 31  
School: JULY 1 - JUNE 30  
State: OCTOBER 1 - SEPTEMBER 30

Does NOT affect when the tax is due or its amount.

### PAYMENT INFORMATION

This tax is payable 7/1/2020 thru 9/14/2020

Pay by mail to: LENAWEE COUNTY TREASURER  
MARILYN J WOODS  
301 N MAIN ST OLD COURTHOUSE  
ADRIAN, MI 49221-2714

### TAX DETAIL

Taxable Value: 23,233 Class: 401  
State Equalized Value: 24,200  
Assessed Value: 24,200  
P.R.E. %: 100

Taxes are based upon Taxable Value.  
1 mill equals \$1.00 per \$1,000 of Taxable Value.  
Amounts with no millage are either Special Assessments or other charges added to this bill.

DESCRIPTION	MILLAGE	AMOUNT
STATE ED	6.00000	139.39
COUNTY OPER	5.40000	125.45
LENAWEE INT SCH	3.66170	85.07
SCHOOL DEBT	2.05000	47.62
SCHOOL BOND	1.25000	29.04
SCHOOL OPER	9.00000	0.00

Total Tax: \$426.57  
Administration Fee: \$4.26  
Total Amount Due: \$430.83

As of March 1st, all or part of your prior year taxes were returned delinquent to the County. For more information, please call the County Treasurer at 517-264-4554.  
11/19/20 LCPC Agenda packet  
Page #100



SEP 14 2012

*[Handwritten signature]*



LENAWEE COUNTY  
SEPTEMBER 14, 2012  
RECEIPT # 613978

STATE OF MICHIGAN  
REAL ESTATE  
TRANSFER TAX

\$61.60- CO  
\$420.00- ST  
Stamp # 18978

WARRANTY DEED-Statutory Form  
C.L. 1948 565.151 M.S.A. 26.571

KNOWN ALL MEN BY THESE PRESENT: TIPTON MEADOWS OF LENAWEE, LLC, A MICHIGAN LIMITED LIABILITY COMPANY

whose address is: PO BOX 905, ADRIAN MI 49221

Convey(s) and Warrant(s) to: TERREHAVEN, LLC, A MICHIGAN LIMITED LIABILITY COMPANY

whose address is: 3007 WOLF CREEK HWY., ADRIAN, MI 49221

the following described premises is situated in the TOWNSHIP of ADRIAN County of LENAWEE and State of Michigan

SEE RIDERS - A, B, C, & D- ATTACHED HERETO

For the Full Consideration of: FIFTY-FIVE THOUSAND NINE HUNDRED TWENTY-FOUR DOLLARS (\$55,924.00)

subject to VISIBLE EASEMENTS, ENCROACHMENTS, RESTRICTIVE COVENANTS AND EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

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 ZERO (0) DIVISION(S) UNDER SECTION 108 OF THE FARMLAND DIVISION ACT, NO. 288 OF THE PUBLIC ACTS OF 1967.

RESERVING THEREFROM ONE-HALF (1/2) INTEREST IN OIL, GAS, AND MINERALS IN AND ON THE ABOVE DESCRIBED LAND TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR THE PURPOSE OF REMOVAL OF THE SAME.

Dated this 5TH day of JANUARY, 2009

Signed and Sealed:

*[Signature of Larry Faust]*  
LARRY FAUST, MEMBER  
TIPTON MEADOWS OF LENAWEE, LLC

*[Signature of John Abraham]*  
JOHN ABRAHAM, MEMBER  
TIPTON MEADOWS OF LENAWEE, LLC

STATE OF MICHIGAN  
COUNTY OF LENAWEE

The foregoing instrument was acknowledged before me this 5TH day of JANUARY, 2009 by  
LARRY FAUST AND JOHN ABRAHAM, MEMBERS OF TIPTON MEADOWS OF LENAWEE, LLC

My commission expires: 4/12/2011

*[Signature of Amber Swander]*  
AMBER SWANDER, Notary Public  
LENAWEE County, MICHIGAN

Instrument LARRY FAUST, MEMBER OF  
Drafted by TIPTON MEADOWS OF LENAWEE, LLC

Business  
Address 145 E. FRONT STREET,  
ADRIAN MI 49221

When Recorded return to: GRANTEE

Tax Parcel: AD0-116-2250-00  
AD0-116-2325-00



LEGAL DESCRIPTION

EXHIBIT A

and located in the Township of Adrian, County of Lenawee, State of Michigan, described as follows:

Parcel 1:

Land in the Northeast 1/4, Section 16, Town 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, described as follows:

Commencing at the Northeast corner of Section 16; thence South 89° 15' 22" West along the North line of said Section 16 and the centerline of Emery Road 898.80 feet to the point of beginning of this description; thence South 00° 01' 04" East 600.05 feet; thence South 89° 52' 22" West 449.98 feet; thence North 00° 02' 13" East 600.06 feet to said Section line; thence North 89° 15' 22" East along said Section line 449.40 feet to the point of beginning;

TOGETHER WITH AND SUBJECT TO a 66 foot wide drive and utility easement for ingress and egress from Tipton Highway, being 33 feet on both sides of the following centerline described as follows:

Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Highway 600.03 feet to the point of beginning of this centerline description; thence South 89° 15' 22" West 899.96 feet; thence South 00° 01' 04" East 1,382.84 feet to the center of a 60 foot cul-de-sac; thence South 89° 19' 22" West 970.77 feet to point "A"; thence North 00° 02' 13" East 330.61 feet to a 60 foot cul-de-sac; thence from said point "A" South 00° 02' 13" West 330.61 feet to a 60 foot cul-de-sac.

Parcel 2:

Land in the Northeast 1/4, Section 16, Town 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, described as follows:

Commencing at the Northeast corner of said Section 16; thence South 89° 15' 22" West along the North line of said Section 16 and the centerline of Emery Road 898.80 feet; thence South 00° 01' 04" East 600.05 feet to the point of beginning of this description; thence continuing South 00° 01' 04" East 720.50 feet; thence South 89° 15' 22" West 450.66 feet; thence North 00° 02' 13" East 720.51 feet; thence North 89° 15' 22" East 449.98 feet to the point of beginning;

TOGETHER WITH AND SUBJECT TO a 66 foot wide drive and utility easement for ingress and egress from Tipton Highway, being 33 feet on both sides of the following centerline described as follows:

Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Highway 600.03 feet to the point of beginning of this centerline description; thence South 89° 15' 22" West 899.96 feet; thence South 00° 01' 04" East 1,382.84 feet to the center of a 60 foot cul-de-sac; thence South 89° 19' 22" West 970.77 feet to point "A"; thence North 00° 02' 13" East 330.61 feet to a 60 foot cul-de-sac; thence from said point "A" South 00° 02' 13" West 330.61 feet to a 60 foot cul-de-sac.



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**RIDER B**  
**TIPTON HIGHWAY-MEADOW LANE**  
**COMMON DRIVEWAY USE AND MAINTENANCE AGREEMENT ALSO UTILITY EASEMENT**

THIS AGREEMENT IS MADE ON JANUARY 5<sup>TH</sup>, 2009 BETWEEN TIPTON MEADOWS, LLC, A MICHIGAN LIMITED LIABILITY COMPANY OF PO BOX 905, ADRIAN, MI. 49221 (FIRST PARTY); AND TERREHAVEN, LLC of 3007 WOLF CREEK HWY., ADRIAN, MI 49221 (SECOND PARTY).

FIRST PARTY IS THE OWNER OF CERTAIN LAND IN THE NORTHEAST ¼ OF SECTION 16, TOWN 6 SOUTH, RANGE 3 EAST, ADRIAN TOWNSHIP, LENAWEE COUNTY MICHIGAN WHICH LAND IS BEING DIVIDED AND SOLD. AS A PART OF THE DIVISION AND SALE OF FIRST PARTIES' LAND, FIRST PARTIES HAVE CREATED A 66' PRIVATE DRIVEWAY, KNOWN AS MEADOW LANE, TO SERVE AS A COMMON WAY FOR INGRESS AND EGRESS TO VARIOUS PARCELS OF LAND TO BE SOLD THAT BENEFIT FROM SAID DRIVEWAY AND UTILITY EASEMENT. THE EASEMENT FOR SAID COMMON DRIVEWAY, KNOWN AS MEADOW LANE, AND UTILITY EASEMENT IS ATTACHED TO LEGAL DESCRIPTION OF PROPERTY BEING PURCHASED AND DESCRIBED AS FOLLOWS:

IT IS THE INTENT OF THIS AGREEMENT TO ESTABLISH MUTUAL COVENANTS BETWEEN THE PARTIES HERETO, FOR THE ONGOING MAINTENANCE, REPAIR AND IMPROVEMENT OF THE SAID COMMON DRIVEWAY, KNOWN AS MEADOW LANE, AS NECESSARY, AND TO IMPOSE SAID COVENANTS ON THE FUTURE PURCHASERS OF OTHER PARCELS OF FIRST PARTIES' LANDS SERVED BY SAID DRIVEWAY AND UTILITY EASEMENT.

NOW THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS HEREIN CONTAINED, THE PARTIES GRANT TO AND AGREE WITH EACH OTHER, THEIR HEIRS, SUCCESSORS AND ASSIGNS, AS FOLLOWS:

1. EACH PARTY SHALL HAVE THE EQUAL AND PERPETUAL RIGHT TO USE THE COMMON DRIVEWAY, KNOWN AS MEADOW LANE, AND UTILITY EASEMENT FOR INGRESS TO AND EGRESS FROM THEIR RESPECTIVE LAND TO AND FROM TIPTON HIGHWAY, AND FOR NO OTHER PURPOSE.
2. NO PARTY SHALL BE ENTITLED TO OBSTRUCT THE SAID COMMON DRIVEWAY, KNOWN AS MEADOW LANE, ERECT ANY STRUCTURE THEREON OR OTHERWISE BURDEN THE DRIVEWAY BY ANY USE INCONSISTENT WITH ITS STATED PURPOSE, NOR BY USES CONSTITUTING EXCESSIVE BURDENS THEREON.
3. UPON COMPLETION OF CONSTRUCTION OF THE INITIAL ROADWAY, KNOWN AS MEADOW LANE, TIPTON MEADOWS, L.L.C'S OBLIGATIONS UNDER THIS AGREEMENT CEASE.
4. PURCHASER(S) OF THE SUBJECT PARCELS SHALL SHARE EQUALLY IN THE COST OF MAINTENANCE, REPAIR AND IMPROVEMENT OF THE DRIVEWAY, KNOWN AS MEADOW LANE, AS THE SAME IS DEEMED NECESSARY BY A VOTE OF A MAJORITY OF THE LANDOWNERS ENTITLED TO USE THE DRIVEWAY.
5. THE ABOVE DESCRIBED COMMON DRIVEWAY, KNOWN AS MEADOW LANE, AND UTILITY EASEMENT SHALL BE APPURTENANT TO, AND CONSTRUED TO RUN WITH, THE RESPECTIVE LANDS OF SECOND PARTIES, AND THE LANDS OF THOSE WHO BECOME PARTIES HERETO IN THE FUTURE, THEIR HEIRS SUCCESSORS AND ASSIGNS FOREVER.
6. THE PARTIES MUTUALLY COVENANT AND AGREE THAT THEY SHALL EACH INDEMNIFY DEFEND AND HOLD HARMLESS THE OTHERS FOR AND FROM ANY LOSS, COSTS, DAMAGES OR CAUSE OF ACTION, INCLUDING REASONABLE, ACTUAL ATTORNEY FEES SUSTAINED, BY REASON OF INJURIES TO PERSONS OR PROPERTY RESULTING TO THEMSELVES, THEIR RESPECTIVE GUESTS, RELATIVES OF INVITEES WHILE GOING UPON SAID DRIVE AND UTILITY EASEMENT TO AND FROM THEIR RESPECTIVE LAND TO TIPTON HIGHWAY.
7. PARTIES MEANS EVERY LOT THAT BENEFITS FROM THE EASEMENT.

IN WITNESS WHEREOF, THE PARTIES HAVE EXECUTED THIS AGREEMENT ON THE DATE FIRST MENTIONED ABOVE.

BUYER (S)

James Blecker  
JAMES BLEECKER  
TERREHAVEN, LLC

Jolynne Blecker  
JOLYNNE BLEECKER  
TERREHAVEN, LLC

SELLER (S)

Larry Faust  
LARRY FAUST, MEMBER  
TIPTON MEADOWS OF LENAWEE, LLC

John Abraham  
JOHN ABRAHAM, MEMBER  
TIPTON MEADOWS OF LENAWEE, LLC

  
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RIDER C

NOTICE IN COMPLIANCE WITH M.C.L.A. 560.261 (P.A. 1967 No. 288)

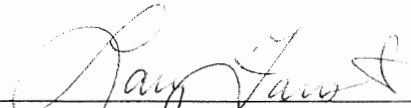
The undersigned grantors (sellers) hereby notify that the property described as:

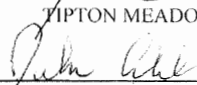
(SEE LEGAL DESCRIPTION ATTACHED)

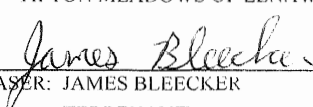
And commonly known as: PARCELS 8 & 9 MEADOW LANE


which is located on a private drive, KNOWN AS MEADOW LANE or road and is not required to be maintained by the Board of County Road Commissioners.

Dated this 5TH day of JANUARY, 2009

  
SELLER: LARRY FAUST, MEMBER  
TIPTON MEADOWS OF LENAWEE, LLC

  
SELLER: JOHN ABRAHAM, MEMBER  
TIPTON MEADOWS OF LENAWEE, LLC


  
PURCHASER: JAMES BLEECKER  
TERREHAVEN, LLC

  
PURCHASER: JOLYNNE BLEECKER  
TERREHAVEN, LLC

STATE OF MICHIGAN  
COUNTY OF LENAWEE

The foregoing instrument was acknowledged before me this 5TH day of JANUARY, 2009  
by TIPTON MEADOWS OF LENAWEE, L.L.C, BY LARRY FAUST & JOHN ABRAHAM, TERREHAVEN,  
L.L.C, BY JAMES BLEECKER AND JOLYNNE BLEECKER.

My commission expires: 4/12/2011

  
AMBER SWANDER  
Notary Public, LENAWEE County, Michigan

  
LIBER 2452 PAGE 0438 4 of 5

**RIDER - D**

**Restrictions for Tipton Highway & Emery Road Acreage Parcels**

"Subject however to the following building, use and occupancy restrictions:

1. All structures erected upon this parcel must contain at least 1500 square feet for each one story and 1800 square feet for each two-story residence and at least a 2 car attached garage. Basements are not considered living areas.
2. Each residence must be at least 24 feet wide.
3. Each residence must have a 5-12 minimum roof pitch.
4. The locating of junked automobiles, trash, junk and other unsightly or dangerous materials or effects upon the property strictly prohibited.
5. No commercial animal husbandry shall be permitted to occur on this parcel, nor shall hogs or swine be raised thereon.
6. Any accessory buildings shall be not more than 3 times the square footage of the living area of the residence and are not to be built prior to home construction. The exterior style and material to be in conformance with the dwelling house.
7. Manufactured homes (homes that can have or do have a title) are not allowed. Modular homes are acceptable.
8. The drive and utility easement provides access for emergency and other public vehicles.
9. No public funds of Adrian Charter Township shall be used to build, repair or maintain the private road.
10. 50% Mineral rights included.
11. All driveways must come off the private drive, Meadow Lane. There shall be no access from Tipton Highway or Emery Road.
12. Exterior of the buildings shall be completed within 6 months from commencement and all dwellings shall be completed within 1 year of commencement of construction.
13. All trailers, boats, motor homes or any recreational or commercial vehicles of any kind must be kept within a garage or storage building.
14. Compliance with all local zoning ordinances of Adrian Charter Township and Lenawee County shall be mandatory.
15. Each restriction herein is intended to be severable and in the event that any one restriction is for any reason held void, it shall not affect the validity of the remaining restrictions.
16. The provisions of this agreement may be amended, with the consent of ninety percent (90%) of the parcel owners involved, except the drive locations, paragraph no. 11, which is a requirement of Lenawee County Equalization Department.

The above requirements are to run with the land and can be enforced by any other similarly burdened adjoining parcel conveyed by grantor."

17. Sellers will pay the cost of overhead electricity ran to the entrance to the private drive off Emery Road from Tipton Highway only. Purchasers are to pay the cost to run the electricity from Emery Road to their property. Purchasers are to pay the entire cost to run any other utility that they desire.

18. Zero divisions conveyed with each parcel.

19. Some of the Sellers are licensed Real Estate Agents.

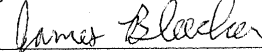
  
LIBER 2452 PAGE 0438 5 of 5

20. Purchasers to sign common driveway use and maintenance agreement and private drive agreement.

Date \_\_\_\_\_

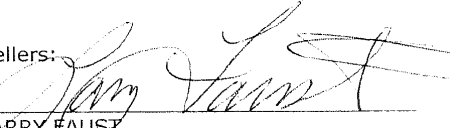
Date \_\_\_\_\_

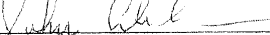
Buyers:

  
JAMES BLEECKER  
TERREHAVEN, LLC

  
JOLYNNE BLEECKER  
TERREHAVEN, LLC

Sellers:

  
LARRY FAUST  
TIPTON MEADOWS OF LENAWEE, LLC

  
JOHN ABRAHAM  
TIPTON MEADOWS OF LENAWEE, LLC



# FARMLAND AND OPEN SPACE PRESERVATION PROGRAM

## Application for Farmland Agreement

Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, more commonly known as PA 116.

Please print or type. Attach additional sheets as needed. **Please read the Eligibility and Instructions document before filling out this form.**

### OFFICIAL USE ONLY

Local Governing Body: \_\_\_\_\_

Date Received \_\_\_\_\_

Application No: \_\_\_\_\_

State: \_\_\_\_\_

Date Received \_\_\_\_\_

Application No: \_\_\_\_\_

Approved: \_\_\_\_\_ Rejected \_\_\_\_\_

**ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY  
ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR**

### I. Personal Information:

1. Name(s) of Applicant: Terrehaven LLC  
Last First Initial

(If more than two see #15) \_\_\_\_\_  
Last First Initial

Marital status of all individual men listed on application, if more than one, indicate status after each name:

☒ Married ☐ Single

2. Mailing Address: 3007 Wolf Creek Hwy Adrian MI 49221  
Street City State Zip Code

3. Telephone Number: (Area Code) (517) 265-7915

4. Alternative Telephone Number (cell, work, etc.): (Area Code) (517) 673-6993

5. E-mail address: terrehavenfarms@yahoo.com

### II. Property Location (Can be taken from the Deed/Land Contract)

6. County: Lewiston 7. Township, City or Village: Adrian

8. Section No. 16 Town No. 6 South Range No. 3 East

### III. Legal Information:

9. Attach a clear copy of the deed, land contract or memorandum of land contract. (See #14)

10. Attach a clear copy of the most recent tax assessment or tax bill with complete tax description of property.

11. Is there a tax lien against the land described above? ☐ Yes ☒ No

If "Yes", please explain circumstances: \_\_\_\_\_

12. Does the applicant own the mineral rights? ☐ Yes ☒ No

If owned by the applicant, are the mineral rights leased? ☐ Yes ☒ No

Indicate who owns or is leasing rights if other than the applicant: John + Wanda Drogowski

Name the types of mineral(s) involved: oil, gas, minerals

13. Is land cited in the application subject to a lease agreement (other than for mineral rights) permitting a use for something other than agricultural purposes: ☐ Yes ☒ No If "Yes", indicate to whom, for what purpose and the number of acres involved: \_\_\_\_\_

14. Is land being purchased under land contract ☐ Yes ☒ No: If "Yes", indicate vendor (sellers): \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
Street City State Zip Code

14a. Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, states that the vendor (sellers) must agree to allow the land cited in the application to be enrolled in the program. Please have the land contract sellers sign below. (All sellers must sign).

Land Contract Vendor(s): I, the undersigned, understand and agree to permit the land cited in this application into the Farmland and Open Space Preservation Program.

Date \_\_\_\_\_

Signature of Land Contract Vendor(s) (Seller) \_\_\_\_\_

rev. 12/2019

15. If the applicant is one of the following, please check the appropriate box and complete the following information (if the applicant is not one of the following – please leave blank):

☐ 2 or more persons having a joint or common interest in the land  
☐ Corporation ☒ Limited Liability Company ☐ Partnership  
☐ Estate ☐ Trust ☐ Association

If applicable, list the following: Individual Names if more than 2 Persons; or President, Vice President, Secretary, Treasurer; or Trustee(s); or Members; or Partners; or Estate Representative(s):

Name: James A. Blecker Title: member

Name: Jolynn K. Blecker Title: member

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

(Additional names may be attached on a separate sheet.)

IV. Land Eligibility Qualifications: Check one and fill out correct section(s)

This application is for:

- ☐ a. 40 acres or more → complete only Section 16 (a thru g);  
☒ b. 5 acres or more but less than 40 acres → complete only Sections 16 and 17; or  
☐ c. a specialty farm → complete only Sections 16 and 18.

16. a. Type of agricultural enterprise (e.g. livestock, cash crops, fruit, etc):

livestock & cash crops

b. Total number of acres on this farm 12.14

c. Total number of acres being applied for (if different than above): \_\_\_\_\_

d. Acreage in cultivation: 6.07

e. Acreage in cleared, fenced, improved pasture, or harvested grassland: \_\_\_\_\_

f. All other acres (swamp, woods, etc.) 6.07

g. Indicate any structures on the property: (If more than one building, indicate the number of buildings):

No. of Buildings \_\_\_\_\_ Residence: \_\_\_\_\_ Barn: \_\_\_\_\_ Tool Shed: \_\_\_\_\_

Silo: \_\_\_\_\_ Grain Storage Facility: \_\_\_\_\_ Grain Drying Facility: \_\_\_\_\_

Poultry House: \_\_\_\_\_ Milking Parlor: \_\_\_\_\_ Milk House: \_\_\_\_\_

Other: (Indicate) \_\_\_\_\_

17. To qualify as agricultural land of 5 acres or more but less than 40 acres, the land must produce a minimum average gross annual income of \$200.00 per acre from the sale of agricultural products.

Please provide the average gross annual income per acre of cleared and tillable land during 2 of the last 3 years immediately preceding this application **from the sale of agricultural products (not from rental income)**:

\$ 3642 : 6.07 = \$ 600 (per acre)  
 total income total acres of tillable land

18. To qualify as a specialty farm, the land must be designated by MDARD, be 15 acres or more in size, and produce a gross annual income from an agricultural use of \$2,000.00 or more. If a specialty farm, indicate average gross annual income during 2 of the last 3 years immediately preceding application from the sale of agricultural products: \$ \_\_\_\_\_

Please note: specialty farm designation may require an on-the-farm site visit by an MDARD staff person.

19. What is the number of years you wish the agreement to run? (Minimum 10 years, maximum 90 years); 10

V. Signature(s):

20. The undersigned declare that this application, including any accompanying informational material, has been examined by them and to the best of their knowledge and belief is true and correct.

<u>John A. Blum</u> (Signature of Applicant)	_____ (Corporate Name, If Applicable)
<u>John K. Blum</u> (Co-owner, If Applicable)	_____ (Signature of Corporate Officer)
<u>9/22/2020</u> (Date)	_____ (Title)

**ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY  
ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR.**

**RESERVED FOR LOCAL GOVERNMENT USE: CLERK PLEASE COMPLETE SECTIONS I & II**

I. Date Application Received: 9-28-2020 (Note: Local Governing Body has 45 days to take action)

Action by Local Governing Body: Jurisdiction: Adrian Charter Township  
☐ County ☒ Township ☐ City ☐ Village

This application is ☐ approved, ☐ rejected

Date of approval or rejection: \_\_\_\_\_

(If rejected, please attach statement from Local Governing Body indicating reason(s) for rejection.)

Clerk's Signature: \_\_\_\_\_

Property Appraisal: \$ \_\_\_\_\_ is the current fair market value of the real property in this application.

II. Please verify the following:

\_\_\_\_ Upon filing an application, clerk issues receipt to the landowner indicating date received.

\_\_\_\_ Clerk notifies reviewing agencies by forwarding a copy of the application and attachments

\_\_\_\_ If rejected, applicant is notified in writing within 10 days stating reason for rejection and the original application, attachments, etc. are returned to the applicant. Applicant then has 30 days to appeal to State Agency.

\_\_\_\_ If approved, applicant is notified and the original application, all supportive materials/attachments, and letters of review/comment from reviewing agencies (if provided) are sent to:

**MDARD-Farmland and Open Space Program, PO Box 30449, Lansing 48909**

**\*Please do not send multiple copies of applications and/or send additional attachments in separate mailings without first contacting the Farmland Preservation office.**

Please verify the following regarding Reviewing Agencies (Sending a copy to reviewing agencies is required):

**COPY SENT TO:**

\_\_\_\_ County or Regional Planning Commission

\_\_\_\_ Conservation District

\_\_\_\_ Township (if county has zoning authority)

**Before forwarding to State Agency,  
FINAL APPLICATION SHOULD INCLUDE:**

\_\_\_\_ Copy of Deed or Land Contract (most recent showing current ownership)

\_\_\_\_ Copy of most recent Tax Bill (must include tax description of property)

\_\_\_\_ Map of Farm

\_\_\_\_ Copy of most recent appraisal record

\_\_\_\_ Copy of letters from review agencies (if available)

\_\_\_\_ Any other applicable documents

**Questions? Please call Farmland Preservation at 517-284-5663**





United States  
Department of  
Agriculture

# Lenawee County, Michigan



## Common Land Unit

- Common Land Unit
- Non-Cropland
- Tract Boundary
- Section Line

Cropland CLU's contain white text with a thin black outline;  
Non-Crop and CLU's contain black text with a thin white outline.

## Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

This box is applicable ONLY for certification maps. Options only valid if checked.

- |  |  |
|--|--|
| <input type="checkbox"/> Shares - 100% to Operator | <input type="checkbox"/> ALF, MIXFG - FG |
| <input type="checkbox"/> All Crops - NI            | <input type="checkbox"/> WHEAT - GR      |
| <input type="checkbox"/> CORN - YEL/GR             | <input type="checkbox"/> DRY BEANS - DE  |
| <input type="checkbox"/> SOYS - COM/GR             |  |

## 2017 Program Year

Map Created May 05, 2017  
2016 NAIP Imagery

**Farm 15921**  
**Tract 17107**

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risk is associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-025 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

# Summer Tax Bill

Lenawee County Treasurer  
Marilyn J Woods  
301 N Main St Old Courthouse  
Adrian, MI 49221-2714  
TEMP-RETURN SERVICE REQUESTED



PLEASE RETURN THIS PORTION WITH YOUR PAYMENT. THANK YOU.

THIS TAX IS PAYABLE JULY 1, 2020 THRU SEPT. 14, 2020  
After 09/14/2020, additional interest and fees apply.

2020 Summer Tax for Property Number: ADO-116-2575-00

TAXPAYER NOTE: Are your name and mailing address correct?  
If not, please make corrections below. Thank you.

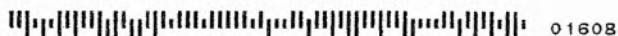
Property Addr:  
MEADOW LN BLK

Tax for Prop#: ADO 116 2575 00

Make Check Payable To: Lenawee County Treasurer

TOTAL AMOUNT DUE: \$447.97

TERREHAVEN LLC  
3007 WOLF CREEK HWY  
ADRIAN, MI 49221-9243



Please detach along perforation. Keep bottom portion for your records.

## ADRIAN CHARTER TOWNSHIP 2020 SUMMER TAX BILL

### MESSAGE TO TAXPAYER

DEFERMENT FORMS MUST BE FILED AT THE COUNTY TREASURER'S OFFICE BEFORE SEPT. 14. INTEREST OF 1% PER MONTH OR FRACTION OF A MONTH ADDED AFTER SEPT 14. ADDITIONAL 3% PENALTY AFTER FEB 14 THRU FEB 28. IF YOU WOULD LIKE A RECEIPT ENCLOSE A SELF-ADDRESSED-STAMPED ENVELOPE. PHONE NO. 517-264-4554. PARTIAL PAYMENTS ARE ACCEPTED.

FOR YOUR CONVENIENCE THERE IS A DROPBOX IN THE ANNEX PARKING LOT BY THE GENERATOR LOCATED AT 113 W FRONT ST, ADRIAN

### PROPERTY INFORMATION

Property Assessed To:  
TERREHAVEN LLC  
3007 WOLF CREEK HWY  
ADRIAN, MI 49221

School: 46010 ADRIAN

Property #: ADO-116-2575-00

Property Addr: MEADOW LN BLK

### Legal Description:

LD DES AS COMM AT THE E1/4 COR OF SEC 16 T6S R3E TH S89 23'22"W ALG THE E-W 1/4 LI OF SD SEC A DIST OF 1875.23 FT TO POB TH CONT S89 23'22"W ALG SD 1/4 LI 800.05 FT TO CENTER OF SECTION TH N ALG THE N-S 1/4 LI OF SD SEC A DIST OF 330.14 FT TH N89 21'22"E 800.06 FT TH S 330.61 FT TO POB (SURVEY 6.07 AC) ALSO LD DES AS COMM AT THE E1/4 OF SEC 16 T6S R3E TH S89 23'22"W ALG THE E-W 1/4 LI OF SD SEC A DIST OF 1875.23 FT TH N 330.61 FT TO THE POB TH S89 21'22"W 800.06 FT TO THE N-S 1/4 LI TH N ALG SD 1/4 LI 330.14 FT TH N89 19'22"E 800.06 FT TH S 330.61 FT TO POB (SURVEY 6.07 AC) 7/1/2 011 COMB FROM ADO-116-2550-00

### OPERATING FISCAL YEARS

The taxes on bill will be used for governmental operations for the following fiscal year(s):  
County: JANUARY 1 - DECEMBER 31  
Twn/Cty: JANUARY 1 - DECEMBER 31  
School: JULY 1 - JUNE 30  
State: OCTOBER 1 - SEPTEMBER 30

Does NOT affect when the tax is due or its amount.

### PAYMENT INFORMATION

This tax is payable 7/1/2020 thru 9/14/2020

Pay by mail to: LENAWEE COUNTY TREASURER  
MARILYN J WOODS  
301 N MAIN ST OLD COURTHOUSE  
ADRIAN, MI 49221-2714

### TAX DETAIL

Taxable Value: 24,157 Class: 401  
State Equalized Value: 33,400  
Assessed Value: 33,400  
P.R.E. %: 100

Taxes are based upon Taxable Value.  
1 mill equals \$1.00 per \$1,000 of Taxable Value.  
Amounts with no millage are either Special Assessments or other charges added to this bill.

DESCRIPTION	MILLAGE	AMOUNT
STATE ED	6.00000	144.94
COUNTY OPER	5.40000	130.44
LENAWEE INT SCH	3.66170	88.45
SCHOOL DEBT	2.05000	49.52
SCHOOL BOND	1.25000	30.19
SCHOOL OPER	9.00000	0.00

Total Tax: \$443.54  
Administration Fee: \$4.43  
Total Amount Due: \$447.97

As of March 1st, all or part of your prior year taxes were returned delinquent to the County. For more information, please call the County Treasurer at 517-264-4554.

LIBER 2452 PAGE 0440 1 of 5  
STATE OF MICHIGAN - LENAWEE COUNTY  
RECORDED 09/14/2012 04:22:36 PM D.W.A.  
Carolyn S. Bator, REGISTER OF DEEDS \$26.00

LIBER 2452 PAGE 0440 1 of 5

STATE OF MICHIGAN - LENAWEE COUNTY  
RECORDED 09/14/2012 04:22:36 PM D.W.A.  
Carolyn S. Bator, REGISTER OF DEEDS \$26.00



SEP 14 2012

*[Signature]*



LENAWEE COUNTY  
SEPTEMBER 14, 2012  
RECEIPT # 613978

STATE OF MICHIGAN  
REAL ESTATE  
TRANSFER TAX  
Stamp # 18980

\$53.90- CO  
\$367.50- ST

## WARRANTY DEED

The GRANTOR(S), **JOHN W. DROGOWSKI and WANDA N. DROGOWSKI, husband and wife**, whose address is 4158 Kelsey Ave., Adrian, MI 49221, convey(s) and warrant(s), to **TERREHAVEN, LLC, A Michigan Limited Liability Company**, whose address is 3007 Wolf Creek Hwy., Adrian, MI 49221, the following described premises situated in the **Township of Adrian, County of Lenawee, State of Michigan**:

See attached Exhibits "A, B, C & D".

(Source of Legal Description: American Title Company of Lenawee, File No. 53009, dated August 27, 2012)

for the sum of **FORTY-NINE THOUSAND (\$49,000) DOLLARS**, subject to easements, building and use restrictions; RESERVING THEREFROM all interest in oil, gas, and minerals in and on the above described land, together with the right of ingress and egress for the purpose of removal of same.

*The Grantor(s) also grant(s) to the Grantee(s) the right to make zero (0) division(s) under Section 108 of the Land Division Act, Act No. 288 of Public Acts of 1967. The Grantor(s) acknowledge the drafter of this deed made no inquiry as to the allowable number of lot divisions and waive any claim against drafter related to the number of allowable divisions.*

*The above-described premises 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.*

Dated this 12<sup>th</sup> day of September, 2012.

Signed by:

*[Signature]*  
John W. Drogowski

*[Signature]*  
Wanda N. Drogowski

STATE OF MICHIGAN )  
ss.  
COUNTY OF LENAWEE )

The foregoing instrument was acknowledged before me on this 12<sup>th</sup> day of September, 2012 by **John W. Drogowski and Wanda N. Drogowski**.

*[Signature]*  
Beth A. Fetzer, Notary Public  
Lenawee County, Michigan  
My Commission Expires: 12/21/2014  
Acting in the County of Lenawee

When Recorded Return To:

Terrehaven, LLC  
3007 Wolf Creek Hwy.  
Adrian, MI 49221

Send Subsequent Tax Bills To:

Tax Parcel No.: AD0-116-2575-00

Recording Fee: \$18.00

Drafted by:

**CHARLES H. GROSS**  
Attorney at Law  
105 Brown Street, Suite 200  
Tecumseh, Michigan 49286  
Telephone 517/423-8344

Transfer Tax:

## EXHIBIT "A"

### Parcel 5:

Land in the Northeast ¼, Section 16, Town 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, described as follows:

Commencing at the East ¼ corner of said Section 16; thence South 89° 23' 22" West along the East-West ¼ line of said Section 16 a distance of 1,875.23 feet to the point of beginning of this description; thence continuing South 89° 23' 22" West along said ¼ line 800.05 feet to the center ¼ corner of said Section 16; thence North 00° 02' 13" East along the North-South ¼ line of said Section 16 a distance of 330.14 feet; thence North 69° 21' 22" East 800.06 feet; thence South 00° 02' 13" West 330.61 feet to the point of beginning;

TOGETHER WITH AND SUBJECT TO a 66 foot wide drive and utility easement for ingress and egress from Emery Road, being 33 feet on both sides of the following centerline described as follows: Commencing at the Northeast corner of said Section 16; thence South 89° 15' 22" West along the North line of said Section 16 and the centerline of Emery Road 898.80 feet to the point of beginning of this centerline description; thence South 00° 01' 04" East 600.05 feet to point "A"; thence North 89° 15' 22" East 449.98 feet; thence from point "A" South 00° 01' 04" East 1382.84 feet to the center of a 60 foot cul-de-sac; thence South 89° 19' 22" West 970.77 feet to point "B"; thence North 00° 02' 13" East 330.61 feet to a 60 foot cul-de-sac; thence from said point "B" South 00° 02' 13" West 330.61 feet to a 60 foot cul-de-sac;

TOGETHER WITH a utilities easement across parcels in the Northeast quarter, Section 16, Township 6 South, Range 3 East, Adrian township, Lenawee County, Michigan, being 16.5 feet on both sides of the following centerline described as follows: Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Road 600.03 feet to the point of beginning of his centerline description: thence South 89° 15' 22" West 899.96 feet to the point of ending;

TOGETHER WITH a utilities easement across parcel in the Northeast quarter, Section 16, Township 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, being 33 feet North of the following line described as follows: Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Road 2028.65 feet to the point of beginning of this description; thence South 89° 52' 22" West 566.50 feet; thence North 83° 59' 40" West 337.98 feet to the point of ending;

ALSO, commencing at the East ¼ corner of said Section 16; thence South 89° 23' 22" West along the East-West ¼ line of said Section 16 a distance of 1,875.23 feet thence North 00° 02' 13" East 330.61 feet to the point of beginning of this description; thence South 89° 21' 22" West 800.06 feet to the North-South ¼ line of said Section 16; thence North 00° 02' 13" East along said ¼ line 330.14 feet; thence North 89° 19' 22" East 800.06 feet; thence South 00° 02' 13" West 330.61 feet to the point of beginning;

TOGETHER WITH AND SUBJECT TO a 66 foot wide drive and utility easement for ingress and egress from Emery Road, being 33 feet on both sides of the following centerline described as follows: Commencing at the Northeast corner of said Section 16; thence South 89° 15' 22" West along the North line of said Section 16 and the centerline of Emery Road 898.80 feet to the point of beginning of this centerline description; thence South 00° 01' 04" East 600.05 feet to point "A"; thence North 89° 15' 22" East 449.98 feet; thence from point "A" South 00° 01' 04" East 1,382.84 feet to the center of a 60 foot cul-de-sac; thence South 89° 19' 22" West 970.77 feet to point "B"; thence North 00° 02' 13" East 330.61 feet to a 60 foot cul-de-sac; thence from said point "B"; thence South 00° 02' 13" West 330.61 feet to a 60 foot cul-de-sac;

TOGETHER WITH a utilities easement across parcels in the Northeast quarter, Section 16, Township 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, being 16.5 feet on both sides of the following centerline described as follows: Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Road 600.03 feet to the point of beginning of his centerline description; thence South 89° 15' 22" West 899.96 feet to the point of ending;

TOGETHER WITH a utilities easement across parcel in the Northeast quarter, Section 16, Township 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, being 33 feet North of the following line described as follows: Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Road 2028.65 feet to the point of beginning of this description: thence South 89° 52' 22" West 566.50 feet; thence North 83° 59' 40" West 337.98 feet to the point of ending.



RIDER - B  
**TIPTON HIGHWAY-MEADOW LANE  
COMMON DRIVEWAY USE AND MAINTENANCE AGREEMENT ALSO UTILITY EASEMENT**

THIS AGREEMENT IS MADE ON JUNE 17TH, 2011 BETWEEN JOHN W. DROGOWSKI AND WANDA N. DROGOWSKI, OF 4158 KELSEY AVENUE, ADRIAN, MICHIGAN 49221 (FIRST PARTY); AND TERREHAVEN, LLC, A MICHIGAN LIMITED LIABILITY COMPANY, OF 3007 WOLF CREEK HIGHWAY, ADRIAN, MICHIGAN 49221, (SECOND PARTY).

FIRST PARTY IS THE OWNER OF CERTAIN LAND IN THE NORTHEAST ¼ OF SECTION 16, TOWN 6 SOUTH, RANGE 3 EAST, ADRIAN TOWNSHIP, LENAWEE COUNTY MICHIGAN WHICH LAND IS BEING DIVIDED AND SOLD. AS A PART OF THE DIVISION AND SALE OF FIRST PARTIES' LAND, FIRST PARTIES HAVE CREATED A 66' PRIVATE DRIVEWAY, KNOWN AS MEADOW LANE, TO SERVE AS A COMMON WAY FOR INGRESS AND EGRESS TO VARIOUS PARCELS OF LAND TO BE SOLD THAT BENEFIT FROM SAID DRIVEWAY AND UTILITY EASEMENT. THE EASEMENT FOR SAID COMMON DRIVEWAY, KNOWN AS MEADOW LANE, AND UTILITY EASEMENT IS ATTACHED TO LEGAL DESCRIPTION OF PROPERTY BEING PURCHASED AND DESCRIBED AS FOLLOWS:

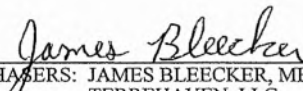
**SEE ATTACHED RIDER - A**

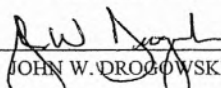
IT IS THE INTENT OF THIS AGREEMENT TO ESTABLISH MUTUAL COVENANTS BETWEEN THE PARTIES HERETO, FOR THE ONGOING MAINTENANCE, REPAIR AND IMPROVEMENT OF THE SAID COMMON DRIVEWAY, KNOWN AS MEADOW LANE, AS NECESSARY, AND TO IMPOSE SAID COVENANTS ON THE FUTURE PURCHASERS OF OTHER PARCELS OF FIRST PARTIES' LANDS SERVED BY SAID DRIVEWAY AND UTILITY EASEMENT.

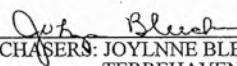
NOW THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS HEREIN CONTAINED, THE PARTIES GRANT TO AND AGREE WITH EACH OTHER, THEIR HEIRS, SUCCESSORS AND ASSIGNS, AS FOLLOWS:

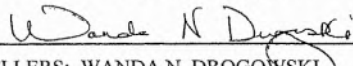
1. EACH PARTY SHALL HAVE THE EQUAL AND PERPETUAL RIGHT TO USE THE COMMON DRIVEWAY, KNOWN AS MEADOW LANE, AND UTILITY EASEMENT FOR INGRESS TO AND EGRESS FROM THEIR RESPECTIVE LAND TO AND FROM TIPTON HIGHWAY, AND FOR NO OTHER PURPOSE.
2. NO PARTY SHALL BE ENTITLED TO OBSTRUCT THE SAID COMMON DRIVEWAY, KNOWN AS MEADOW LANE, ERECT ANY STRUCTURE THEREON OR OTHERWISE BURDEN THE DRIVEWAY BY ANY USE INCONSISTENT WITH ITS STATED PURPOSE, NOR BY USES CONSTITUTING EXCESSIVE BURDENS THEREON.
3. UPON COMPLETION OF CONSTRUCTION OF THE INITIAL ROADWAY, KNOWN AS MEADOW LANE, TIPTON MEADOWS, L.L.C.'S OBLIGATIONS UNDER THIS AGREEMENT CEASE.
4. PURCHASER(S) OF THE SUBJECT PARCELS SHALL SHARE EQUALLY IN THE COST OF MAINTENANCE, REPAIR AND IMPROVEMENT OF THE DRIVEWAY, KNOWN AS MEADOW LANE, AS THE SAME IS DEEMED NECESSARY BY A VOTE OF A MAJORITY OF THE LANDOWNERS ENTITLED TO USE THE DRIVEWAY.
5. THE ABOVE DESCRIBED COMMON DRIVEWAY, KNOWN AS MEADOW LANE, AND UTILITY EASEMENT SHALL BE APPURTENANT TO, AND CONSTRUED TO RUN WITH, THE RESPECTIVE LANDS OF SECOND PARTIES, AND THE LANDS OF THOSE WHO BECOME PARTIES HERETO IN THE FUTURE, THEIR HEIRS SUCCESSORS AND ASSIGNS FOREVER.
6. THE PARTIES MUTUALLY COVENANT AND AGREE THAT THEY SHALL EACH INDEMNIFY DEFEND AND HOLD HARMLESS THE OTHERS FOR AND FROM ANY LOSS, COSTS, DAMAGES OR CAUSE OF ACTION, INCLUDING REASONABLE, ACTUAL ATTORNEY FEES SUSTAINED, BY REASON OF INJURIES TO PERSONS OR PROPERTY RESULTING TO THEMSELVES, THEIR RESPECTIVE GUESTS, RELATIVES OF INVITEES WHILE GOING UPON SAID DRIVE AND UTILITY EASEMENT TO AND FROM THEIR RESPECTIVE LAND TO TIPTON HIGHWAY.
7. PARTIES MEANS EVERY LOT THAT BENEFITS FROM THE EASEMENT.

IN WITNESS WHEREOF, THE PARTIES HAVE EXECUTED THIS AGREEMENT ON THE DATE FIRST MENTIONED ABOVE.

  
PURCHASERS: JAMES BLEECKER, MEMBER OF  
TERREHAVEN, LLC

  
SELLERS: JOHN W. DROGOWSKI

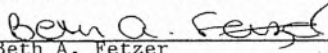
  
PURCHASERS: JOYLNNE BLEECKER, MEMBER OF  
TERREHAVEN, LLC

  
SELLERS: WANDA N. DROGOWSKI

STATE OF MICHIGAN  
COUNTY OF LENAWEE

The foregoing instrument was acknowledged before me this 17TH day of JUNE, 2011  
By James Bleecker and Jolyne Bleecker, Members of Terrehaven, LLC, and John W. Drogowski and Wanda N. Drogowski

My Commission Expires:  
12/21/2014

  
Beth A. Fetzer, Notary Public  
LENAWEE COUNTY, MICHIGAN



RIDER - C

NOTICE IN COMPLIANCE WITH M.C.L.A. 560.261 (P.A. 1967 No. 288)

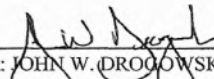
The undersigned grantors (sellers) hereby notify that the property described as:

(SEE LEGAL DESCRIPTIONS ON ATTACHED RIDER - A)

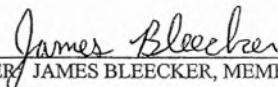
And commonly known as: 4000 BLOCK EMERY ROAD/TIPTON HIGHWAY, ADRIAN, MICHIGAN 49221  
(PARCELS 14 & 15- MEADOW LANE)

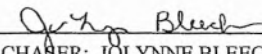
which is located on a private drive, KNOWN AS MEADOW LANE or road and is not required to be maintained by the Board of County Road Commissioners.

Dated this 17TH day of JUNE, 2011

  
SELLER: JOHN W. DROGOWSKI

  
SELLER: WANDA N. DROGOWSKI

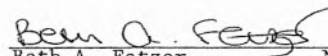
  
PURCHASER: JAMES BLEECKER, MEMBER OF  
TERREHAVEN, LLC

  
PURCHASER: JOLYNNE BLEECKER, MEMBER OF  
TERREHAVEN, LLC

STATE OF MICHIGAN  
COUNTY OF LENAWE

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 17TH day of JUNE, 2011  
By JOHN W. DROGOWSKI AND WANDA N. DROGOWSKI, AND JAMES BLEECKER AND JOLYNNE  
BLEECKER, AS MEMBERS OF TERREHAVEN, LLC.

My commission expires:  
12/21/2014

  
Beth A. Fetzer, Notary Public  
LENAWEE County, Michigan

Instrument Drafted By:  
Larry Faust DBA Faust Real Estate, LLC

Business Address:  
145 E. Front Street, Adrian, MI 49221





**RIDER - D**

**Restrictions for Tipton Highway & Emery Road Acreage Parcels**

"Subject however to the following building, use and occupancy restrictions:

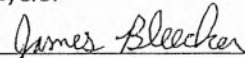
1. All structures erected upon this parcel must contain at least 1500 square feet for each one story and 1800 square feet for each two-story residence and at least a 2 car attached garage. Basements are not considered living areas.
  2. Each residence must be at least 24 feet wide.
  3. Each residence must have a 5-12 minimum roof pitch.
  4. The locating of junked automobiles, trash, junk and other unsightly or dangerous materials or effects upon the property strictly prohibited.
  5. No commercial animal husbandry shall be permitted to occur on this parcel, nor shall hogs or swine be raised thereon.
  6. Any accessory buildings shall be not more than 3 times the square footage of the living area of the residence and are not to be built prior to home construction. The exterior style and material to be in conformance with the dwelling house.
  7. Manufactured homes (homes that can have or do have a title) are not allowed. Modular homes are acceptable.
  8. The drive and utility easement provides access for emergency and other public vehicles.
  9. No public funds of Adrian Charter Township shall be used to build, repair or maintain the private road.
  10. 0% Mineral rights included.
  11. All driveways must come off the private drive, Meadow Lane. There shall be no driveway access permits from Tipton Highway or Emery Road.
  12. Exterior of the buildings shall be completed within 6 months from commencement and all dwellings shall be completed within 1 year of commencement of construction.
  13. All trailers, boats, motor homes or any recreational or commercial vehicles of any kind must be kept within a garage or storage building.
  14. Compliance with all local zoning ordinances of Adrian Charter Township and Lenawee County shall be mandatory.
  15. Each restriction herein is intended to be severable and in the event that any one restriction is for any reason held void, it shall not affect the validity of the remaining restrictions.
  16. The provisions of this agreement may be amended, with the consent of ninety percent (90%) of the parcel owners involved, except the drive locations, paragraph no. 11, which is a requirement of Lenawee County Equalization Department. Tipton Meadows of Lenawee, L.L.C., must approve all amendments.
- The above requirements are to run with the land and can be enforced by any other similarly burdened adjoining parcel conveyed by grantor."
17. Purchasers are to pay the costs to have electricity or any other utility brought to their property.
  18. Zero divisions conveyed with each parcel.
  19. Purchasers to sign common driveway use and maintenance agreement and private drive agreement.


Date \_\_\_\_\_

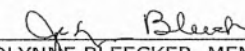
Date \_\_\_\_\_

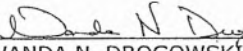
Buyers:

Sellers:

  
JAMES BLEECKER, MEMBER OF  
TERREHAVEN, LLC

  
JOHN W. DROGOWSKI

  
JOLYNNE BLEECKER, MEMBER OF  
TERREHAVEN, LLC

  
WANDA N. DROGOWSKI



**FARMLAND AND OPEN SPACE  
PRESERVATION PROGRAM**

**Application for Farmland Agreement**

Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, more commonly known as PA 116.

Please print or type. Attach additional sheets as needed. **Please read the Eligibility and Instructions document before filling out this form.**

**OFFICIAL USE ONLY**

Local Governing Body: \_\_\_\_\_

Date Received: \_\_\_\_\_

Application No: \_\_\_\_\_

State: \_\_\_\_\_

Date Received: \_\_\_\_\_

Application No: \_\_\_\_\_

Approved: \_\_\_\_\_ Rejected: \_\_\_\_\_

**ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY  
ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR**

**I. Personal Information:**

1. Name(s) of Applicant: Terrehaven LLC  
Last First Initial

(If more than two see #15) \_\_\_\_\_  
Last First Initial

Marital status of all individual men listed on application, if more than one, indicate status after each name:

☒ Married ☐ Single

2. Mailing Address: 3007 Wolf Creek Hwy Adrian MI 49221  
Street City State Zip Code

3. Telephone Number: (Area Code) (517) 265-7915

4. Alternative Telephone Number (cell, work, etc.): (Area Code) (517) 673-6993

5. E-mail address: terrehavenfarms@yahoo.com

**II. Property Location (Can be taken from the Deed/Land Contract)**

6. County: Lenexa 7. Township, City or Village: Adrian

8. Section No. 16 Town No. 6 South Range No. 3 East

**III. Legal Information:**

9. Attach a clear copy of the deed, land contract or memorandum of land contract. (See #14)

10. Attach a clear copy of the most recent tax assessment or tax bill with complete tax description of property.

11. Is there a tax lien against the land described above? ☐ Yes ☒ No

If "Yes", please explain circumstances: \_\_\_\_\_

12. Does the applicant own the mineral rights? ☐ Yes ☒ No

If owned by the applicant, are the mineral rights leased? ☐ Yes ☐ No

Indicate who owns or is leasing rights if other than the applicant: Tipton Meadows LLC

Name the types of mineral(s) involved: oil, gas, + minerals

13. Is land cited in the application subject to a lease agreement (other than for mineral rights) permitting a use for something other than agricultural purposes? ☐ Yes ☒ No If "Yes", indicate to whom, for what purpose and the number of acres involved: \_\_\_\_\_

14. Is land being purchased under land contract ☐ Yes ☒ No: If "Yes", indicate vendor (sellers):

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Street City State Zip Code

14a. Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, states that the vendor (sellers) must agree to allow the land cited in the application to be enrolled in the program. Please have the land contract sellers sign below. (All sellers must sign).

Land Contract Vendor(s): I, the undersigned, understand and agree to permit the land cited in this application into the Farmland and Open Space Preservation Program.

Date

Signature of Land Contract Vendor(s) (Seller)

15. If the applicant is one of the following, please check the appropriate box and complete the following information (if the applicant is not one of the following – please leave blank):

☐ 2 or more persons having a joint or common interest in the land  
☐ Corporation ☒ Limited Liability Company ☐ Partnership  
☐ Estate ☐ Trust ☐ Association

If applicable, list the following: Individual Names if more than 2 Persons; or President, Vice President, Secretary, Treasurer; or Trustee(s); or Members; or Partners; or Estate Representative(s):

Name: James A. Blecker Title: member

Name: Johanne K. Blecker Title: member

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

(Additional names may be attached on a separate sheet.)

IV. Land Eligibility Qualifications: Check one and fill out correct section(s)

This application is for:

- ☒ a. 40 acres or more → complete only Section 16 (a thru g);  
☐ b. 5 acres or more but less than 40 acres → complete only Sections 16 and 17; or  
☐ c. a specialty farm → complete only Sections 16 and 18.

16. a. Type of agricultural enterprise (e.g. livestock, cash crops, fruit, etc):

livestock & cash crops

b. Total number of acres on this farm 92.63

c. Total number of acres being applied for (if different than above): \_\_\_\_\_

d. Acreage in cultivation: 64.6

e. Acreage in cleared, fenced, improved pasture, or harvested grassland: \_\_\_\_\_

f. All other acres (swamp, woods, etc.) 28.03

g. Indicate any structures on the property: (If more than one building, indicate the number of buildings):

No. of Buildings 2 Residence: \_\_\_\_\_ Barn: 1 Tool Shed: 1

Silo: \_\_\_\_\_ Grain Storage Facility: \_\_\_\_\_ Grain Drying Facility: \_\_\_\_\_

Poultry House: \_\_\_\_\_ Milking Parlor: \_\_\_\_\_ Milk House: \_\_\_\_\_

Other: (Indicate) \_\_\_\_\_

17. To qualify as agricultural land of 5 acres or more but less than 40 acres, the land must produce a minimum average gross annual income of \$200.00 per acre from the sale of agricultural products.

Please provide the average gross annual income per acre of cleared and tillable land during 2 of the last 3 years immediately preceding this application **from the sale of agricultural products (not from rental income):**

\$ \_\_\_\_\_ : \_\_\_\_\_ = \$ \_\_\_\_\_ (per acre)

total income total acres of tillable land

18. To qualify as a specialty farm, the land must be designated by MDARD, be 15 acres or more in size, and produce a gross annual income from an agricultural use of \$2,000.00 or more. If a specialty farm, indicate average gross annual income during 2 of the last 3 years immediately preceding application from the sale of agricultural products: \$ \_\_\_\_\_

Please note: specialty farm designation may require an on-the-farm site visit by an MDARD staff person.

19. What is the number of years you wish the agreement to run? (Minimum 10 years, maximum 90 years); 10

V. Signature(s):

20. The undersigned declare that this application, including any accompanying informational material, has been examined by them and to the best of their knowledge and belief is true and correct.

John A. Blum  
(Signature of Applicant)

(Corporate Name, If Applicable)

John K. Blum  
(Co-owner, If Applicable)

(Signature of Corporate Officer)

9/22/2020  
(Date)

(Title)

**ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY  
ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR.**

**RESERVED FOR LOCAL GOVERNMENT USE: CLERK PLEASE COMPLETE SECTIONS I & II**

I. Date Application Received: 9-28-2020 (Note: Local Governing Body has 45 days to take action)

Action by Local Governing Body: Jurisdiction: Adrian Charter Township  
☐ County ☒ Township ☐ City ☐ Village

This application is ☐ approved, ☐ rejected

Date of approval or rejection: \_\_\_\_\_

(If rejected, please attach statement from Local Governing Body indicating reason(s) for rejection.)

Clerk's Signature: \_\_\_\_\_

Property Appraisal: \$ \_\_\_\_\_ is the current fair market value of the real property in this application.

II. Please verify the following:

\_\_\_\_ Upon filing an application, clerk issues receipt to the landowner indicating date received.

\_\_\_\_ Clerk notifies reviewing agencies by forwarding a copy of the application and attachments

\_\_\_\_ If rejected, applicant is notified in writing within 10 days stating reason for rejection and the original application, attachments, etc. are returned to the applicant. Applicant then has 30 days to appeal to State Agency.

\_\_\_\_ If approved, applicant is notified and the original application, all supportive materials/attachments, and letters of review/comment from reviewing agencies (if provided) are sent to:

**MDARD-Farmland and Open Space Program, PO Box 30449, Lansing 48909**

**\*Please do not send multiple copies of applications and/or send additional attachments in separate mailings without first contacting the Farmland Preservation office.**

Please verify the following regarding Reviewing Agencies (Sending a copy to reviewing agencies is required):

**COPY SENT TO:**

\_\_\_\_ County or Regional Planning Commission

\_\_\_\_ Conservation District

\_\_\_\_ Township (if county has zoning authority)

**Before forwarding to State Agency,  
FINAL APPLICATION SHOULD INCLUDE:**

\_\_\_\_ Copy of Deed or Land Contract (most recent showing current ownership)

\_\_\_\_ Copy of most recent Tax Bill (must include tax description of property)

\_\_\_\_ Map of Farm

\_\_\_\_ Copy of most recent appraisal record

\_\_\_\_ Copy of letters from review agencies (if available)

\_\_\_\_ Any other applicable documents

**Questions? Please call Farmland Preservation at 517-284-5663**



**Common Land Unit**

- ☐ Common Land Unit
- ☒ Non-Cropland
- ☒ Tract Boundary
- ☐ Section Line

Cropland CLU's contain white text with a thin black outline;  
Non-Cropland CLU's contain black text with a thin white outline.

**Wetland Determination Identifiers**

- ☒ Restricted Use
- ☒ Limited Restrictions
- ☒ Exempt from Conservation Compliance Provisions

This box is applicable **ONLY** for certification maps. Options only valid if checked.

- ☐ Shares - 100% to Operator
- ☐ All Crops - NI
- ☐ CORN - YEL/GR
- ☐ SOYS - COM/GR
- ☐ ALF, MIXFG - FG
- ☐ WHEAT - GR
- ☐ DRY BEANS - DE

**2017 Program Year**

Map Created May 05, 2017  
2016 NAIP Imagery

**Farm 15921**  
**Tract 17107**

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).



# Summer Tax Bill

Lenawee County Treasurer  
Marilyn J Woods  
301 N Main St Old Courthouse  
Adrian, MI 49221-2714  
TEMP-RETURN SERVICE REQUESTED

**TAXPAYER NOTE:** Are your name and mailing address correct?  
If not, please make corrections below. Thank you.

Property Addr:  
4000 TIPTON HWY BLK

TERREHAVEN LLC  
3007 WOLF CREEK HWY  
ADRIAN, MI 49221-9243



PLEASE RETURN THIS PORTION WITH YOUR PAYMENT. THANK YOU.

**THIS TAX IS PAYABLE JULY 1, 2020 THRU SEPT. 14, 2020**  
After 09/14/2020, additional interest and fees apply.

2020 Summer Tax for Property Number: AD0-116-2975-00

Tax for Prop#: AD0 116 2975 00

Make Check Payable To: Lenawee County Treasurer

**TOTAL AMOUNT DUE: \$3,425.99**

Please detach along perforation. Keep bottom portion for your records.

## ADRIAN CHARTER TOWNSHIP 2020 SUMMER TAX BILL

### MESSAGE TO TAXPAYER

DEFERMENT FORMS MUST BE FILED AT THE COUNTY TREASURER'S OFFICE BEFORE SEPT. 14. INTEREST OF 1% PER MONTH OR FRACTION OF A MONTH ADDED AFTER SEPT 14. ADDITIONAL 3% PENALTY AFTER FEB 14 THRU FEB 28. IF YOU WOULD LIKE A RECEIPT ENCLOSE A SELF-ADDRESSED-STAMPED ENVELOPE. PHONE NO. 517-264-4554. PARTIAL PAYMENTS ARE ACCEPTED.

FOR YOUR CONVENIENCE THERE IS A DROPBOX IN THE ANNEX PARKING LOT BY THE GENERATOR LOCATED AT 113 W FRONT ST, ADRIAN

### PROPERTY INFORMATION

Property Assessed To:

TERREHAVEN LLC  
3007 WOLF CREEK HWY  
ADRIAN, MI 49221

School: 46010 ADRIAN

Property #: AD0-116-2975-00

Property Addr: 4000 TIPTON HWY BLK

### Legal Description:

LD DES AS BEG AT THE E1/4 COR OF SEC 16 T6S R3E TH S89 23'22"W ALG THE E-W 1/4 LI OF SD SEC A DIST OF 2675.28 FT TO THE CENTER QUARTER COR OF SD SEC TH N00 02'13"E ALG THE N-S 1/4 LI OF SD SEC A DIST OF 2641.13 FT TO THE N1/4 COR OF SD SEC TH N89 15'22"E ALG THE N LI OF SD SEC AND THE CNTRLI OF EMERY RD 2667.77 FT TO THE NE COR OF SD SEC TH S00 07'38" E ALG THE E LI OF SD SEC & THE CNTRLI OF TIPTON HWY 2028.66 FT TH S89 52'22"W 566 .50 FT TH S00 07'38"E 288 FT TH N89 52'22"E 566.60 FT TO SD E SEC LI TH TH S00 07'38"E 330.60 (SURVEY 158.41 AC) EXC LD DES AS BEG AT THE N1/4 COR OF SEC 16 T6S R3E TH N89 15'22"E ALG THE N LI

### OPERATING FISCAL YEARS

The taxes on bill will be used for governmental operations for the following fiscal year(s):

County: JANUARY 1 - DECEMBER 31  
Twn/Cty: JANUARY 1 - DECEMBER 31  
School: JULY 1 - JUNE 30  
State: OCTOBER 1 - SEPTEMBER 30

Does NOT affect when the tax is due or its amount.

### PAYMENT INFORMATION

This tax is payable 7/1/2020 thru 9/14/2020

Pay by mail to: LENAWEE COUNTY TREASURER  
MARILYN J WOODS  
301 N MAIN ST OLD COURTHOUSE  
ADRIAN, MI 49221-2714

### TAX DETAIL

Taxable Value: 184,737 Class: 401  
State Equalized Value: 254,700  
Assessed Value: 254,700  
P.R.E. %: 100

Taxes are based upon Taxable Value.  
1 mill equals \$1.00 per \$1,000 of Taxable Value.  
Amounts with no millage are either Special Assessments or other charges added to this bill.

DESCRIPTION	MILLAGE	AMOUNT
STATE ED	6.00000	1108.42
COUNTY OPER	5.40000	997.57
LENAWEE INT SCH	3.66170	676.45
SCHOOL DEBT	2.05000	378.71
SCHOOL BOND	1.25000	230.92
SCHOOL OPER	9.00000	0.00

Total Tax: \$3,392.07  
Administration Fee: \$33.92  
**Total Amount Due: \$3,425.99**

11/19/20 LCP As of March 1st, all or part of your prior year taxes were returned delinquent to the County. For more information, please call the County Treasurer at 517-264-4554. Page #120





SEP 14 2012

MICHIGAN J. WOODS



LENAWEE COUNTY  
SEPTEMBER 14, 2012  
RECEIPT # 613978

STATE OF MICHIGAN  
REAL ESTATE  
TRANSFER TAX Stamp # 18977  
\$356.95- CO  
\$2,433.75- ST

WARRANTY DEED-Statutory Form  
C.L. 1948 565.151 M.S.A. 26.571

KNOWN ALL MEN BY THESE PRESENT TIPTON MEADOWS OF LENAWEE, L.L.C, A MICHIGAN LIMITED LIABILITY COMPANY, WHOSE ADDRESS IS: P.O. BOX 905, ADRIAN, MI 49221

Convey(s) and Warrant(s) TO: TERREHAVEN, LLC, A MICHIGAN LIMITED LIABILITY COMPANY, WHOSE ADDRESS IS: 3007 WOLF CREEK HWY., ADRIAN, MI 49221

the following described premises is situated in the TOWNSHIP of ADRIAN, COUNTY of LENAWEE and STATE of MICHIGAN, described as follows:

SEE ATTACHED RIDER'S - A, B, C & D

Commonly known as: 4000 BLOCK EMERY ROAD & TIPTON HIGHWAY, ADRIAN, MICHIGAN 49221

For the Full Consideration THREE HUNDRED TWENTY-FOUR THOUSAND TWO HUNDRED FIVE DOLLARS (\$324,205.00)

subject to VISIBLE EASEMENTS, ENCROACHMENTS, RESTRICTIVE COVENANTS AND EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

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 ZERO ( 0 ) DIVISION(S) UNDER SECTION 108 OF THE FARMLAND DIVISION ACT, NO. 288 OF THE PUBLIC ACTS OF 1967.

RESERVING THEREFROM ALL INTEREST IN OIL, GAS, AND MINERALS IN AND ON THE ABOVE DESCRIBED LAND TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR THE PURPOSE OF REMOVAL OF SAME.

EXCEPTED FROM COVENANTS OF WARRANTY ARE SUCH LIENS OR ENCUMBRANCES AS MAY HAVE ARISEN SINCE JUNE 17TH, 2011, BY ACTS OR NEGLIGENCE OF OTHERS THAN GRANTORS.

DATED THIS 17TH DAY OF JUNE, 2011

Signed and Sealed:

LARRY FAUST, MEMBER OF  
TIPTON MEADOWS OF LENAWEE, L.L.C

JOHN ABRAHAM, MEMBER OF  
TIPTON MEADOWS OF LENAWEE, L.L.C

STATE OF MICHIGAN  
COUNTY OF LENAWEE

The forgoing instrument was acknowledged before me this 17TH day of JUNE, 2011  
By LARRY FAUST AND JOHN ABRAHAM, MEMBERS OF TIPTON MEADOWS OF LENAWEE, L.L.C

My commission expires: 4/12/2017

AMBER SWANDER  
Notary Public, Lenawee Co., MI  
Acting in Lenawee Co., MI  
My Comm. Expires April 12, 2017

AMBER SWANDER, Notary public  
LENAWEE COUNTY, MICHIGAN

Instrument  
Drafted by LARRY FAUST DBA FAUST REAL ESTATE, LLC

Business Address 145 E. FRONT STREET,  
ADRIAN MI 49221

Tax Parcel: AD0-116-2975-00, AD0-116-2950-00,  
AD0-116-2925-00, AD0-116-2375-00,  
AD0-116-2350-00, AD0-116-2300-00,  
AD0-116-2275-00, AD0-116-2650-00,  
AD0-116-2675-00, AD0-116-2625-00,  
AD0-116-2600-00, AD0-116-2525-00,  
AD0-116-2500-00

When Recorded return to: GRANTEE

Land located in the Township of Adrian, County of Lenawee, State of Michigan, described as follows:

Parcel 1:

Land in the Northeast 1/4, Section 16, Town 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, described as follows:

Beginning at the East 1/4 corner of said Section 16; thence South 89° 23' 22" West along the East-West 1/4 line of said Section 16 a distance of 903.84 feet; thence North 00° 01' 04" West 662.33 feet; thence South 83° 59' 40" East 337.98 feet; thence South 00° 07' 38" East 288.00 feet; thence North 89° 52' 22" East 566.50 feet to said East Section line; thence South 00° 07' 38" East along said Section line 330.60 feet to the point of beginning;

TOGETHER WITH AND SUBJECT TO a 66 foot wide drive and utility easement for ingress and egress from Emery Road, being 33 feet on both sides of the following centerline described as follows: Commencing at the Northeast corner of said Section 16; thence South 89° 15' 22" West along the North line of said Section 16 and the centerline of Emery Road 898.80 feet to the point of beginning of this centerline description; thence South 00° 01' 04" East 600.05 feet to point "A"; thence North 89° 15' 22" East 449.98 feet; thence from point "A" South 00° 01' 04" East 1,382.84 feet to the center of a 60 foot cul-de-sac; thence South 89° 19' 22" West 970.77 feet to point "B"; thence North 00° 02' 13" East 330.61 feet to a 60 foot cul-de-sac; thence from said point "B" South 00° 02' 13" West 330.61 feet to a 60 foot cul-de-sac;

TOGETHER WITH a utilities easement across parcels in the Northeast quarter, Section 16, Township 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, being 16.5 feet on both sides of the following centerline described as follows: Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Road 600.03 feet to the point of beginning of this centerline description; thence South 89° 15' 22" West 899.96 feet to the point of ending;

TOGETHER WITH a utilities easement across parcel in the Northeast quarter, Section 16, Township 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, being 33 feet North of the following line described as follows: Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Road 2028.65 feet to the point of beginning of this line description; thence South 89° 52' 22" West 566.50 feet; thence North 83° 59' 40" West 337.98 feet to the point of ending.

Parcel 2:

Land in the Northeast 1/4, Section 16, Town 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, described as follows:

Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Highway 1,668.52 feet to the point of beginning of this description; thence continuing South 00° 07' 38" East along said Section line 360.13 feet; thence South 89° 52' 22" West 566.50 feet; thence North 83° 59' 40" West 337.98 feet; thence North 00° 01' 04" West 324.03 feet; thence North 89° 15' 22" East 901.92 feet to the point of beginning;

TOGETHER WITH AND SUBJECT TO a 66 foot wide drive and utility easement for ingress and egress from Emery Road, being 33 feet on both sides of the following centerline described as follows: Commencing at the Northeast corner of said Section 16; thence South 89° 15' 22" West along the North line of said Section 16 and the centerline of Emery Road 898.80 feet to the point of beginning of this centerline description; thence South 00° 01' 04" East 600.05 feet to point "A"; thence North 89° 15' 22" East 449.98 feet; thence from point "A" South 00° 01' 04" East 1,382.84 feet to the center of a 60 foot cul-de-sac; thence South 89° 19' 22" West 970.77 feet to point "B"; thence North 00° 02' 13" East 330.61 feet to a 60 foot cul-de-sac; thence from said point "B" South 00° 02' 13" West 330.61 feet to a 60 foot cul-de-sac;

  
LIBER 2452 PAGE 0437 2 of 12

Subject to a utilities easement across parcel in the Northeast quarter, Section 16, Township 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, being 33 feet North of the following line described as follows: Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Road 2028.65 feet to the point of beginning of this line description; thence South 89° 52' 22" West 566.50 feet; thence North 83° 59' 40" West 337.98 feet to the point of ending;

TOGETHER WITH a utilities easement across parcels in the Northeast quarter, Section 16, Township 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, being 16.5 feet on both sides of the following centerline described as follows: Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Road 600.03 feet to the point of beginning of this centerline description; thence South 89° 15' 22" West 899.96 feet to the point of ending.

**Parcel 3:**

Land located in the Northeast 1/4, Section 16, Town 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, described as follows:

Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Highway 1,320.51 feet to the point of beginning of this description; thence continuing South 00° 07' 38" East along said Section line 348.01 feet; thence South 89° 52' 22" West 901.92 feet; thence North 00° 01' 04" West 338.31 feet; thence North 89° 15' 22" East 901.33 feet to the point of beginning;

TOGETHER WITH AND SUBJECT TO a 66 foot wide drive and utility easement for ingress and egress from Emery Road, being 33 feet on both sides of the following centerline described as follows: Commencing at the Northeast corner of said Section 16; thence South 89° 15' 22" West along the North line of said Section 16 and the centerline of Emery Road 898.80 feet to the point of beginning of this centerline description; thence South 00° 01' 04" East 600.05 feet to point "A"; thence North 89° 15' 22" East 449.98 feet; thence from point "A" South 00° 01' 04" East 1,382.84 feet to the center of a 60 foot cul-de-sac; thence South 89° 19' 22" West 970.77 feet to point "B"; thence North 00° 02' 13" East 330.61 feet to a 60 foot cul-de-sac; thence from said point "B" South 00° 02' 13" West 330.61 feet to a 60 foot cul-de-sac;

TOGETHER WITH a utilities easement across parcels in the Northeast quarter, Section 16, Township 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, being 16.5 feet on both sides of the following centerline described as follows: Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Road 600.03 feet to the point of beginning of this centerline description; thence South 89° 15' 22" West 899.96 feet to the point of ending;

TOGETHER WITH a utilities easement across parcel in the Northeast quarter, Section 16, Township 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, being 33 feet North of the following line described as follows: Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Road 2028.65 feet to the point of beginning of this line description; thence South 89° 52' 22" West 566.20 feet; thence North 83° 59' 40" West 337.98 feet to the point of ending.

**Parcel 4:**

Land located in the Northeast 1/4, Section 16, Town 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, described as follows:

Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Highway 960.27 feet to the point of beginning of this description; thence continuing South 00° 07' 38" East along said Section line 360.24 feet; thence



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South 89° 52' 22" West 901.33 feet; thence North 00° 01' 04" West 360.25 feet; thence North 89° 15' 22" East 900.64 feet to the point of beginning;

TOGETHER WITH AND SUBJECT TO a 66 foot wide drive and utility easement for ingress and egress from Emery Road, being 33 feet on both sides of the following centerline described as follows: Commencing at the Northeast corner of said Section 16; thence South 89° 15' 22" West along the North line of said Section 16 and the centerline of Emery Road 898.80 feet to the point of beginning of this centerline description; thence South 00° 01' 04" East 600.05 feet to point "A"; thence North 89° 15' 22" East 449.98 feet; thence from point "A" South 00° 01' 04" East 1,382.84 feet to the center of a 60 foot cul-de-sac; thence South 89° 19' 22" West 970.77 feet to point "B"; thence North 00° 02' 13" East 330.61 feet to a 60 foot cul-de-sac; thence from said point "B" South 00° 02' 13" West 330.61 feet to a 60 foot cul-de-sac;

TOGETHER WITH a utilities easement across parcels in the Northeast quarter, Section 16, Township 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, being 16.5 feet on both sides of the following centerline described as follows: Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Road 600.03 feet to the point of beginning of this centerline description; thence South 89° 15' 22" West 899.96 feet to the point of ending;

TOGETHER WITH a utilities easement across parcel in the Northeast quarter, Section 16, Township 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, being 33 feet North of the following line described as follows: Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Road 2028.65 feet to the point of beginning of this line description; thence South 89° 52' 22" West 566.20 feet; thence North 83° 59' 40" West 337.98 feet to the point of ending.

#### Parcel 5:

Land in the Northeast 1/4, Section 16, Town 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, described as follows:

Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Highway 600.03 feet to the point of beginning of this description; thence continuing South 00° 07' 38" East along said Section line 360.24 feet; thence South 89° 52' 22" West 900.64 feet; thence North 00° 01' 04" West 360.25 feet; thence North 89° 15' 22" East 899.96 feet to the point of beginning;

TOGETHER WITH AND SUBJECT TO a 66 foot wide drive and utility easement for ingress and egress from Emery Road, being 33 feet on both sides of the following centerline described as follows: Commencing at the Northeast corner of said Section 16; thence South 89° 15' 22" West along the North line of said Section 16 and the centerline of Emery Road 898.80 feet to the point of beginning of this centerline description; thence South 00° 01' 04" East 600.05 feet to point "A"; thence North 89° 15' 22" East 449.98 feet; thence from point "A" South 00° 01' 04" East 1,382.84 feet to the center of a 60 foot cul-de-sac; thence South 89° 19' 22" West 970.77 feet to point "B"; thence North 00° 02' 13" East 330.61 feet to a 60 foot cul-de-sac; thence from said point "B" South 00° 02' 13" West 330.61 feet to a 60 foot cul-de-sac;

TOGETHER WITH AND SUBJECT TO a utilities easement across parcels in the Northeast quarter, Section 16, Township 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, being 16.5 feet on both sides of the following centerline described as follows: Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Road 600.03 feet to the point of beginning of his centerline description; thence South 89° 15' 22" West 899.96 feet to the point of ending;

TOGETHER WITH a utilities easement across parcel in the Northeast quarter, Section 16, Township 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, being 33 feet North of the



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following line described as follows: Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Road 2028.65 feet to the point of beginning of this line description; thence South 89° 52' 22" West 566.50 feet; thence North 83° 59' 40" West 337.98 feet to the point of ending.

Parcel 6:

Land in the Northeast 1/4, Section 16, Town 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, described as follows:

Beginning at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Highway 600.03 feet; thence South 89° 52' 22" West 449.98 feet; thence North 00° 04' 21" West 600.04 feet to the North line of said Section 16 and the centerline of Emery Road; thence North 89° 15' 22" East along said Section line 449.40 feet to the point of beginning;

TOGETHER WITH AND SUBJECT TO a 66 foot wide drive and utility easement for ingress and egress from Emery Road, being 33 feet on both sides of the following centerline described as follows: Commencing at the Northeast corner of said Section 16; thence South 89° 15' 22" West along the North line of said Section 16 and the centerline of Emery Road 898.80 feet to the point of beginning of this centerline description; thence South 00° 01' 04" East 600.05 feet to point "A"; thence North 89° 15' 22" East 449.98 feet; thence from point "A" South 00° 01' 04" East 1,382.84 feet to the center of a 60 foot cul-de-sac; thence South 89° 19' 22" West 970.77 feet to point "B"; thence North 00° 02' 13" East 330.61 feet to a 60 foot cul-de-sac; thence from said point "B" South 00° 02' 13" West 330.61 feet to a 60 foot cul-de-sac;

TOGETHER WITH AND SUBJECT TO a utilities easement across parcels in the Northeast quarter, Section 16, Township 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, being 16.5 feet on both sides of the following centerline described as follows: Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Road 600.03 feet to the point of beginning of his centerline description; thence South 89° 15' 22" West 899.96 feet to the point of ending;

TOGETHER WITH a utilities easement across parcel in the Northeast quarter, Section 16, Township 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, being 33 feet North of the following line described as follows: Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Road 2028.65 feet to the point of beginning of this line description; thence South 89° 52' 22" West 566.50 feet; thence North 83° 59' 40" West 337.98 feet to the point of ending.

Parcel 7:

Land in the Northeast 1/4, Section 16, Town 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, described as follows:

Commencing at the Northeast corner of said Section 16; thence South 89° 15' 22" West along the North line of said Section 16 and the centerline of Emery Road 449.40 feet to the point of beginning of this description; thence South 00° 04' 21" East 600.04 feet; thence South 89° 52' 22" West 449.98 feet; thence North 00° 01' 04" West 600.05 feet to said Section line; thence North 89° 15' 22" East along said Section line 449.40 feet to the point of beginning;

TOGETHER WITH AND SUBJECT TO a 66 foot wide drive and utility easement for ingress and egress from Emery Road, being 33 feet on both sides of the following centerline described as follows: Commencing at the Northeast corner of said Section 16; thence South 89° 15' 22" West along the North line of said Section 16 and the centerline of Emery Road 898.80 feet to the point of beginning of this centerline description; thence South 00° 01' 04" East 600.05 feet to point "A"; thence North 89° 15' 22" East 449.98 feet; thence from point "A" South 00° 01' 04" East 1,382.84 feet to the center of a 60 foot



cul-de-sac; thence South 89° 19' 22" West 970.77 feet to point "B"; thence North 00° 02' 13" East 330.61 feet to a 60 foot cul-de-sac; thence from said point "B" South 00° 02' 13" West 330.61 feet to a 60 foot cul-de-sac;

TOGETHER WITH AND SUBJECT TO a utilities easement across parcels in the Northeast quarter, Section 16, Township 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, being 16.5 feet on both sides of the following centerline described as follows: Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Road 600.03 feet to the point of beginning of his centerline description; thence South 89° 15' 22" West 899.96 feet to the point of ending;

TOGETHER WITH a utilities easement across parcel in the Northeast quarter, Section 16, Township 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, being 33 feet North of the following line described as follows: Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Road 2028.65 feet to the point of beginning of this line description; thence South 89° 52' 22" West 566.50 feet; thence North 83° 59' 40" West 337.98 feet to the point of ending.

#### Parcel 10:

Land located in the Northeast 1/4, Section 16, Town 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, described as follows:

Commencing at the Northeast corner of said Section 16; thence South 89° 15' 22" West along the North line of said Section 16 and the centerline of Emery Road 898.80 feet; thence South 00° 01' 04" East 1,320.55 feet to the point of beginning of this description; thence South 00° 01' 04" East 662.34 feet; thence South 89° 19' 22" West 451.29 feet; thence North 00° 02' 13" East 661.82 feet; thence North 89° 15' 22" East 450.66 feet to the point of beginning;

TOGETHER WITH AND SUBJECT TO a 66 foot wide drive and utility easement for ingress and egress from Emery Road, being 33 feet on both sides of the following centerline described as follows: Commencing at the Northeast corner of said Section 16; thence South 89° 15' 22" West along the North line of said Section 16 and the centerline of Emery Road 898.80 feet to the point of beginning of this centerline description; thence South 00° 01' 04" East 600.05 feet to point "A"; thence North 89° 15' 22" East 449.98 feet; thence from point "A" South 00° 01' 04" East 1,382.84 feet to the center of a 60 foot cul-de-sac; thence South 89° 19' 22" West 970.77 feet to point "B"; thence North 00° 02' 13" East 330.61 feet to a 60 foot cul-de-sac; thence from said point "B" South 00° 02' 13" West 330.61 feet to a 60 foot cul-de-sac;

TOGETHER WITH a utilities easement across parcel in the Northeast quarter, Section 16, Township 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, being 16.5 feet on bth sides of the following centerline described as follows: Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Road 600.03 feet to the point of beginning of this centerline description; thence South 89° 15' 22" West 899.96 feet to the point of ending;

TOGETHER WITH a utilities easement across parcel in the Northeast quarter, Section 16, Township 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, being 33 feet North of the following line described as follows: Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Road 2028.65 feet to the point of beginning of this line description; thence South 89° 52' 22" West 566.50 feet; thence North 83° 59' 40" West 337.98 feet to the point of ending.

#### Parcel 11:

Land in the Northeast 1/4, Section 16, Town 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, described as follows:

  
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Commencing at the East 1/4 corner of said Section 16, thence South 89° 23' 22" West along the East-West 1/4 line of Section 16 a distance of 903.84 feet to the point of beginning of this description; thence continuing South 89° 23' 22" West along said 1/4 line 451.92 feet; thence North 00° 02' 13" East 661.82 feet; thence North 89° 19' 22" East 451.29 feet; thence South 00° 01' 04" East 662.33 feet to the point of beginning;

TOGETHER WITH AND SUBJECT TO a 66 foot wide drive and utility easement for ingress and egress from Emery Road, being 33 feet on both sides of the following centerline described as follows: Commencing at the Northeast corner of said Section 16; thence South 89° 15' 22" West along the North line of said Section 16 and the centerline of Emery Road 898.80 feet to the point of beginning of this centerline description; thence South 00° 01' 04" East 600.05 feet to point "A"; thence North 89° 15' 22" East 449.98 feet; thence from point "A" South 00° 01' 04" East 1,382.84 feet to the center of a 60 foot cul-de-sac; thence South 89° 19' 22" West 970.77 feet to point "B"; thence North 00° 02' 13" East 330.61 feet to a 60 foot cul-de-sac; thence from said point "B" South 00° 02' 13" West 330.61 feet to a 60 foot cul-de-sac;

TOGETHER WITH a utilities easement across parcel in the Northeast quarter, Section 16, Township 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, being 16.5 feet on both sides of the following centerline described as follows: Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Road 600.03 feet to the point of beginning of this centerline description; thence South 89° 15' 22" West 899.96 feet to the point of ending;

TOGETHER WITH a utilities easement across parcel in the Northeast quarter, Section 16, Township 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, being 33 feet North of the following line described as follows: Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Road 2028.65 feet to the point of beginning of this line description; thence South 89° 52' 22" West 566.50 feet; thence North 83° 59' 40" West 337.98 feet to the point of ending.

#### Parcel 12:

Land in the Northeast 1/4, Section 16, Town 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, described as follows:

Commencing at the East 1/4 corner of said Section 16; thence South 89° 23' 22" West along the East-West 1/4 line of said Section 16 a distance of 1,355.76 feet to the point of beginning of this description; thence continuing South 89° 23' 22" West along said 1/4 line 519.47 feet; thence North 00° 02' 13" East 661.22 feet; thence North 89° 19' 22" East 519.48 feet; thence South 00° 02' 13" West 661.82 feet to the point of beginning;

TOGETHER WITH AND SUBJECT TO a 66 foot wide drive and utility easement for ingress and egress from Emery Road, being 33 feet on both sides of the following centerline described as follows: Commencing at the Northeast corner of said Section 16; thence South 89° 15' 22" West along the North line of said Section 16 and the centerline of Emery Road 898.80 feet to the point of beginning of this centerline description; thence South 00° 01' 04" East 600.05 feet to point "A"; thence North 89° 15' 22" East 449.98 feet; thence from point "A" South 00° 01' 04" East 1,382.84 feet to the center of a 60 foot cul-de-sac; thence South 89° 19' 22" West 970.77 feet to point "B"; thence North 00° 02' 13" East 330.61 feet to a 60 foot cul-de-sac; thence from said point "B" South 00° 02' 13" West 330.61 feet to a 60 foot cul-de-sac;

TOGETHER WITH a utilities easement across parcel in the Northeast quarter, Section 16, Township 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, being 16.5 feet on both sides of the following centerline described as follows: Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Road 600.03 feet to the point of beginning of this centerline description; thence South 89° 15' 22" West



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899.96 feet to the point of ending;

TOGETHER WITH a utilities easement across parcel in the Northeast quarter, Section 16, Township 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, being 33 feet North of the following line described as follows: Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Road 2028.65 feet to the point of beginning of this line description; thence South 89° 52' 22" West 566.50 feet; thence North 83° 59' 40" West 337.98 feet to the point of ending.

Parcel 13:

Land in the Northeast 1/4, Section 16, Town 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, described as follows:

Commencing at the East 1/4 corner of said Section 16; thence South 89° 23' 22" West along the East-West 1/4 line of said Section 16 a distance of 1,355.76 feet; thence North 00° 02' 13" East 661.82 feet to the point of beginning of this description; thence South 89° 19' 22" West 519.48 feet; thence North 00° 02' 13" East 661.22 feet; thence North 89° 15' 22" East 519.48 feet; thence South 00° 02' 13" West 661.82 feet to the point of beginning;

TOGETHER WITH AND SUBJECT TO a 66 foot wide drive and utility easement for ingress and egress from Emery Road, being 33 feet on both sides of the following centerline described as follows: Commencing at the Northeast corner of said Section 16; thence South 89° 15' 22" West along the North line of said Section 16 and the centerline of Emery Road 898.80 feet to the point of beginning of this centerline description; thence South 00° 01' 04" East 600.05 feet to point "A"; thence North 89° 15' 22" East 449.98 feet; thence from point "A" South 00° 01' 04" East 1,382.84 feet to the center of a 60 foot cul-de-sac; thence South 89° 19' 22" West 970.77 feet to point "B"; thence North 00° 02' 13" East 330.61 feet to a 60 foot cul-de-sac; thence from said point "B" South 00° 02' 13" West 330.61 feet to a 60 foot cul-de-sac;

TOGETHER WITH a utilities easement across parcel in the Northeast quarter, Section 16, Township 6 South, Range 3 East, Adrian Township,

Parcel 16:

Land in the Northeast 1/4, Section 16, Town 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, described as follows:

Commencing at the East 1/4 corner of said Section 16; thence South 89° 23' 22" West along the East-West 1/4 line of said Section 16 a distance of 1,875.23 feet; thence North 00° 02' 13" East 661.22 feet to the point of beginning of this description; thence South 89° 19' 22" West 800.06 feet to the North-South 1/4 line of said Section 16; thence North 00° 02' 13" East along said 1/4 line 330.14 feet; thence North 89° 17' 22" East 800.07 feet; thence South 00° 02' 13" West 330.61 feet to the point of beginning;

TOGETHER WITH AND SUBJECT TO a 66 foot wide drive and utility easement for ingress and egress from Emery Road, being 33 feet on both sides of the following centerline described as follows: Commencing at the Northeast corner of said Section 16; thence South 89° 15' 22" West along the North line of said Section 16 and the centerline of Emery Road 898.80 feet to the point of beginning of this centerline description; thence South 00° 01' 04" East 600.05 feet to point "A"; thence North 89° 15' 22" East 449.98 feet; thence from point "A" South 00° 01' 04" East 1,382.84 feet to the center of a 60 foot cul-de-sac; thence South 89° 19' 22" West 970.77 feet to point "B"; thence North 00° 02' 13" East 330.61 feet to a 60 foot cul-de-sac; thence from said point "B" South 00° 02' 13" West 330.61 feet to a 60 foot cul-de-sac;

TOGETHER WITH a utilities easement across parcel in the Northeast quarter, Section 16, Township 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, being 16.5 feet on both sides of the following centerline described as follows: Commencing at the Northeast corner of said Section 16;



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thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Road 600.03 feet to the point of beginning of this centerline description; thence South 89° 15' 22" West 899.96 feet to the point of ending;

TOGETHER WITH a utilities easement across parcel in the Northeast quarter, Section 16, Township 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, being 33 feet North of the following line described as follows: Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Road 2028.65 feet to the point of beginning of this line description; thence South 89° 52' 22" West 566.50 feet; thence North 83° 59' 40" West 337.98 feet to the point of ending.

Parcel 17:

Land in the Northeast 1/4, Section 16, Town 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, described as follows:

Commencing at the East 1/4 corner of said Section 16; thence South 89° 23' 22" West along the East-West 1/4 line of said Section 16 a distance of 1,875.23 feet; thence North 00° 02' 13" East 991.83 feet to the point of beginning of this description; thence South 89° 17' 22" West 800.07 feet to the North-South 1/4 line of said Section 16; thence North 00° 02' 13" East along said 1/4 line 330.14 feet; thence North 89° 15' 22" East 800.07 feet; thence South 00° 02' 13" West 330.61 feet to the point of beginning;

TOGETHER WITH AND SUBJECT TO a 66 foot wide drive and utility easement for ingress and egress from Emery Road, being 33 feet on both sides of the following centerline described as follows: Commencing at the Northeast corner of said Section 16; thence South 89° 15' 22" West along the North line of said Section 16 and the centerline of Emery Road 898.80 feet to the point of beginning of this centerline description; thence South 00° 01' 04" East 600.05 feet to point "A"; thence North 89° 15' 22" East 449.98 feet; thence from point "A" South 00° 01' 04" East 1,382.84 feet to the center of a 60 foot cul-de-sac; thence South 89° 19' 22" West 970.77 feet to point "B"; thence North 00° 02' 13" East 330.61 feet to a 60 foot cul-de-sac; thence from said point "B" South 00° 02' 13" West 330.61 feet to a 60 foot cul-de-sac;

TOGETHER WITH a utilities easement across parcel in the Northeast quarter, Section 16, Township 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, being 16.5 feet on both sides of the following centerline described as follows: Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Road 600.03 feet to the point of beginning of this centerline description; thence South 89° 15' 22" West 899.96 feet to the point of ending;

TOGETHER WITH a utilities easement across parcel in the Northeast quarter, Section 16, Township 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, being 33 feet North of the following line described as follows: Commencing at the Northeast corner of said Section 16; thence South 00° 07' 38" East along the East line of said Section 16 and the centerline of Tipton Road 2028.65 feet to the point of beginning of this line description; thence South 89° 52' 22" West 566.50 feet; thence North 83° 59' 40" West 337.98 feet to the point of ending.

Commonly known as: 4000 Emery Road/Tipton Highway Block, Adrian, MI 49221



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**RIDER - B**  
**TIPTON HIGHWAY-MEADOW LANE**  
**COMMON DRIVEWAY USE AND MAINTENANCE AGREEMENT ALSO UTILITY EASEMENT**

THIS AGREEMENT IS MADE ON JUNE 17TH, 2011 BETWEEN TIPTON MEADOWS, L.L.C, A MICHIGAN LIMITED LIABILITY COMPANY, OF P.O. BOX 905, ADRIAN, MICHIGAN 49221 (FIRST PARTY); AND TERREHAVEN, LLC, A MICHIGAN LIMITED LIABILITY COMPANY, OF 3007 WOLF CREEK HIGHWAY, ADRIAN, MICHIGAN 49221, (SECOND PARTY).

FIRST PARTY IS THE OWNER OF CERTAIN LAND IN THE NORTHEAST ¼ OF SECTION 16, TOWN 6 SOUTH, RANGE 3 EAST, ADRIAN TOWNSHIP, LENAWEE COUNTY MICHIGAN WHICH LAND IS BEING DIVIDED AND SOLD. AS A PART OF THE DIVISION AND SALE OF FIRST PARTIES' LAND, FIRST PARTIES HAVE CREATED A 66' PRIVATE DRIVEWAY, KNOWN AS MEADOW LANE, TO SERVE AS A COMMON WAY FOR INGRESS AND EGRESS TO VARIOUS PARCELS OF LAND TO BE SOLD THAT BENEFIT FROM SAID DRIVEWAY AND UTILITY EASEMENT. THE EASEMENT FOR SAID COMMON DRIVEWAY, KNOWN AS MEADOW LANE, AND UTILITY EASEMENT IS ATTACHED TO LEGAL DESCRIPTION OF PROPERTY BEING PURCHASED AND DESCRIBED AS FOLLOWS:

**SEE ATTACHED RIDER - A**

IT IS THE INTENT OF THIS AGREEMENT TO ESTABLISH MUTUAL COVENANTS BETWEEN THE PARTIES HERETO, FOR THE ONGOING MAINTENANCE, REPAIR AND IMPROVEMENT OF THE SAID COMMON DRIVEWAY, KNOWN AS MEADOW LANE, AS NECESSARY, AND TO IMPOSE SAID COVENANTS ON THE FUTURE PURCHASERS OF OTHER PARCELS OF FIRST PARTIES' LANDS SERVED BY SAID DRIVEWAY AND UTILITY EASEMENT.

NOW THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS HEREIN CONTAINED, THE PARTIES GRANT TO AND AGREE WITH EACH OTHER, THEIR HEIRS, SUCCESSORS AND ASSIGNS, AS FOLLOWS:

1. EACH PARTY SHALL HAVE THE EQUAL AND PERPETUAL RIGHT TO USE THE COMMON DRIVEWAY, KNOWN AS MEADOW LANE, AND UTILITY EASEMENT FOR INGRESS TO AND EGRESS FROM THEIR RESPECTIVE LAND TO AND FROM TIPTON HIGHWAY, AND FOR NO OTHER PURPOSE.
2. NO PARTY SHALL BE ENTITLED TO OBSTRUCT THE SAID COMMON DRIVEWAY, KNOWN AS MEADOW LANE, ERECT ANY STRUCTURE THEREON OR OTHERWISE BURDEN THE DRIVEWAY BY ANY USE INCONSISTENT WITH ITS STATED PURPOSE, NOR BY USES CONSTITUTING EXCESSIVE BURDENS THEREON.
3. UPON COMPLETION OF CONSTRUCTION OF THE INITIAL ROADWAY, KNOWN AS MEADOW LANE, TIPTON MEADOWS, L.L.C.'S OBLIGATIONS UNDER THIS AGREEMENT CEASE.
4. PURCHASER(S) OF THE SUBJECT PARCELS SHALL SHARE EQUALLY IN THE COST OF MAINTENANCE, REPAIR AND IMPROVEMENT OF THE DRIVEWAY, KNOWN AS MEADOW LANE, AS THE SAME IS DEEMED NECESSARY BY A VOTE OF A MAJORITY OF THE LANDOWNERS ENTITLED TO USE THE DRIVEWAY.
5. THE ABOVE DESCRIBED COMMON DRIVEWAY, KNOWN AS MEADOW LANE, AND UTILITY EASEMENT SHALL BE APPURTENANT TO, AND CONSTRUED TO RUN WITH, THE RESPECTIVE LANDS OF SECOND PARTIES, AND THE LANDS OF THOSE WHO BECOME PARTIES HERETO IN THE FUTURE, THEIR HEIRS SUCCESSORS AND ASSIGNS FOREVER.
6. THE PARTIES MUTUALLY COVENANT AND AGREE THAT THEY SHALL EACH INDEMNIFY DEFEND AND HOLD HARMLESS THE OTHERS FOR AND FROM ANY LOSS, COSTS, DAMAGES OR CAUSE OF ACTION, INCLUDING REASONABLE, ACTUAL ATTORNEY FEES SUSTAINED, BY REASON OF INJURIES TO PERSONS OR PROPERTY RESULTING TO THEMSELVES, THEIR RESPECTIVE GUESTS, RELATIVES OF INVITEES WHILE GOING UPON SAID DRIVE AND UTILITY EASEMENT TO AND FROM THEIR RESPECTIVE LAND TO TIPTON HIGHWAY.
7. PARTIES MEANS EVERY LOT THAT BENEFITS FROM THE EASEMENT.


IN WITNESS WHEREOF, THE PARTIES HAVE EXECUTED THIS AGREEMENT ON THE DATE FIRST MENTIONED ABOVE.

  
PURCHASERS: JAMES BLEECKER, MEMBER OF  
TERREHAVEN, LLC

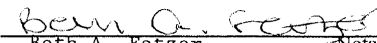
  
PURCHASERS: JOLYNNE BLEECKER, MEMBER OF  
TERREHAVEN, LLC

STATE OF MICHIGAN  
COUNTY OF LENAWEE

The foregoing instrument was acknowledged before me this 17TH day of JUNE, 2011  
By James Bleecker and Jolynne Bleecker, Members of Terrehaven, LLC

  
Beth A. Fetzer  
Notary Public, Lenawee Co., MI  
Acting in Lenawee Co., MI  
My Comm. Expires Dec. 21, 2014

My Commission Expires: 12/21/2014

  
Beth A. Fetzer, Notary Public  
LENAWEE COUNTY, MICHIGAN


  
SELLERS: LARRY FAUST, MEMBER OF  
TIPTON MEADOWS OF LENAWEE, L.L.C

  
SELLERS: JOHN ABRAHAM, MEMBER OF  
TIPTON MEADOWS OF LENAWEE, L.L.C

STATE OF MICHIGAN  
COUNTY OF LENAWEE

The foregoing instrument was acknowledged before me this 17TH day of JUNE, 2011  
By Larry Faust and John Abraham, Members of Tipton Meadows of Lenawee, L.L.C

My Commission Expires: 4/12/2017

  
AMBER SWANDER  
Notary Public, Lenawee Co., MI  
Acting in Lenawee Co., MI  
My Comm. Expires April 12, 2017

AMBER SWANDER, Notary Public  
LENAWEE COUNTY, MICHIGAN

RIDER - C

NOTICE IN COMPLIANCE WITH M.C.L.A. 560.261 (P.A. 1967 No. 288)

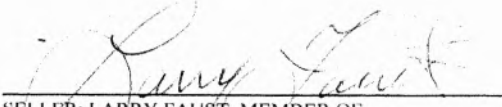
The undersigned grantors (sellers) hereby notify that the property described as:

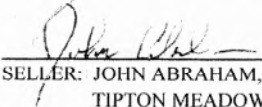
(SEE LEGAL DESCRIPTIONS ON ATTACHED RIDER - A)

And commonly known as: 4000 BLOCK EMERY ROAD/TIPTON HIGHWAY, ADRIAN, MICHIGAN 49221  
(PARCELS 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13, 16 & 17- MEADOW LANE)

which is located on a private drive, KNOWN AS MEADOW LANE or road and is not required to be maintained by the Board of County Road Commissioners.

Dated this 17TH day of JUNE, 2011

  
SELLER: LARRY FAUST, MEMBER OF  
TIPTON MEADOWS OF LENAWEE, L.L.C


  
SELLER: JOHN ABRAHAM, MEMBER OF  
TIPTON MEADOWS OF LENAWEE, L.L.C

STATE OF MICHIGAN  
COUNTY OF LENAWEE

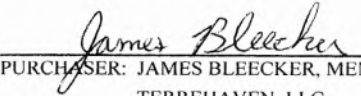
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 17TH day of JUNE, 2011  
By LARRY FAUST AND JOHN ABRAHAM, AS MEMBERS OF TIPTON MEADOWS OF LENAWEE, L.L.C

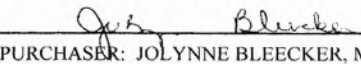
My commission expires: 4/12/2017

AMBER SWANDER  
Notary Public, Lenawee Co., MI  
Acting in Lenawee Co., MI  
My Comm. Expires April 12, 2017

  
AMBER SWANDER, Notary Public  
LENAWEE County, Michigan

  
LIBER 2452 PAGE 0437 11 of 12

  
PURCHASER: JAMES BLEECKER, MEMBER OF  
TERREHAVEN, LLC

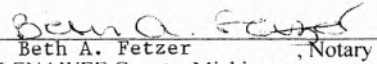
  
PURCHASER: JOLYNNE BLEECKER, MEMBER OF  
TERREHAVEN, LLC

STATE OF MICHIGAN  
COUNTY OF LENAWEE

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 17TH day of JUNE, 2011  
By JAMES BLEECKER AND JOLYNNE BLEECKER, AS MEMBERS OF TERREHAVEN, LLC.

My commission expires: 12/21/2014

BETH A. FETZER  
Notary Public, Lenawee Co., MI  
Acting in Lenawee Co., MI  
My Comm. Expires Dec. 21, 2014

  
Beth A. Fetzer, Notary Public  
LENAWEE County, Michigan

Instrument Drafted By:  
Larry Faust DBA Faust Real Estate, LLC

Business Address:  
145 E. Front Street, Adrian, MI 49221

**RIDER - D**

**Restrictions for Tipton Highway & Emery Road Acreage Parcels**

"Subject however to the following building, use and occupancy restrictions:

1. All structures erected upon this parcel must contain at least 1500 square feet for each one story and 1800 square feet for each two-story residence and at least a 2 car attached garage. Basements are not considered living areas.
  2. Each residence must be at least 24 feet wide.
  3. Each residence must have a 5-12 minimum roof pitch.
  4. The locating of junked automobiles, trash, junk and other unsightly or dangerous materials or effects upon the property strictly prohibited.
  5. No commercial animal husbandry shall be permitted to occur on this parcel, nor shall hogs or swine be raised thereon.
  6. Any accessory buildings shall be not more than 3 times the square footage of the living area of the residence and are not to be built prior to home construction. The exterior style and material to be in conformance with the dwelling house.
  7. Manufactured homes (homes that can have or do have a title) are not allowed. Modular homes are acceptable.
  8. The drive and utility easement provides access for emergency and other public vehicles.
  9. No public funds of Adrian Charter Township shall be used to build, repair or maintain the private road.
  10. 0% Mineral rights included.
  11. All driveways must come off the private drive, Meadow Lane. There shall be no driveway access permits from Tipton Highway or Emery Road.
  12. Exterior of the buildings shall be completed within 6 months from commencement and all dwellings shall be completed within 1 year of commencement of construction.
  13. All trailers, boats, motor homes or any recreational or commercial vehicles of any kind must be kept within a garage or storage building.
  14. Compliance with all local zoning ordinances of Adrian Charter Township and Lenawee County shall be mandatory.
  15. Each restriction herein is intended to be severable and in the event that any one restriction is for any reason held void, it shall not affect the validity of the remaining restrictions.
  16. The provisions of this agreement may be amended, with the consent of ninety percent (90%) of the parcel owners involved, except the drive locations, paragraph no. 11, which is a requirement of Lenawee County Equalization Department. Tipton Meadows of Lenawee, L.L.C., must approve all amendments.
- The above requirements are to run with the land and can be enforced by any other similarly burdened adjoining parcel conveyed by grantor."
17. Purchasers are to pay the costs to have electricity or any other utility brought to their property.
  18. Zero divisions conveyed with each parcel.
  19. Some of the Sellers are licensed Real Estate Agents.
  20. Purchasers to sign common driveway use and maintenance agreement and private drive agreement.

Date 6/17/2011

Buyers:

James Bleecker  
JAMES BLEECKER, MEMBER OF  
TERREHAVEN, LLC

Jolyne Bleecker  
JOLYNE BLEECKER, MEMBER OF  
TERREHAVEN, LLC

Date 6/17/2011

Sellers:

Larry Faust  
LARRY FAUST, MEMBER OF  
TIPTON MEADOWS OF LENAWEE, L.L.C

John Abraham  
JOHN ABRAHAM, MEMBER OF  
TIPTON MEADOWS OF LENAWEE, L.L.C

LIBER 2452 PAGE 0437 10 of 12





**FARMLAND AND OPEN SPACE  
PRESERVATION PROGRAM**

**Application for Farmland Agreement**

Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, more commonly known as PA 116.

Please print or type. Attach additional sheets as needed. **Please read the Eligibility and Instructions document before filling out this form.**

**OFFICIAL USE ONLY**

Local Governing Body: \_\_\_\_\_

Date Received: \_\_\_\_\_

Application No: \_\_\_\_\_

State: \_\_\_\_\_

Date Received: \_\_\_\_\_

Application No: \_\_\_\_\_

Approved: \_\_\_\_\_

Rejected: \_\_\_\_\_

**ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY  
ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR**

**I. Personal Information:**

1. Name(s) of Applicant: Terrehaven LLC  
Last First Initial

(If more than two see #15) \_\_\_\_\_  
Last First Initial

Marital status of all individual men listed on application, if more than one, indicate status after each name:

☒ Married ☐ Single

2. Mailing Address: 3007 Wolf Creek Hwy Adrian MI 49221  
Street City State Zip Code

3. Telephone Number: (Area Code) (517) 265-7915

4. Alternative Telephone Number (cell, work, etc.): (Area Code) (517) 673-6993

5. E-mail address: terrehavenfarms@yahoo.com

**II. Property Location (Can be taken from the Deed/Land Contract)**

6. County: Lenawee 7. Township, City or Village: Adrian

8. Section No. 16 Town No. 6 South Range No. 3 East

**III. Legal Information:**

9. Attach a clear copy of the deed, land contract or memorandum of land contract. (See #14)

10. Attach a clear copy of the most recent tax assessment or tax bill with complete tax description of property.

11. Is there a tax lien against the land described above? ☐ Yes ☒ No

If "Yes", please explain circumstances: \_\_\_\_\_

12. Does the applicant own the mineral rights? ☒ Yes ☐ No 50%

If owned by the applicant, are the mineral rights leased? ☐ Yes ☒ No

Indicate who owns or is leasing rights if other than the applicant: 50% Tipton Meadows LLC

Name the types of mineral(s) involved: \_\_\_\_\_

13. Is land cited in the application subject to a lease agreement (other than for mineral rights) permitting a use for something other than agricultural purposes? ☐ Yes ☒ No If "Yes", indicate to whom, for what purpose and the number of acres involved: \_\_\_\_\_

14. Is land being purchased under land contract ☐ Yes ☒ No: If "Yes", indicate vendor (seller):

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
Street City State Zip Code

14a. Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, states that the vendor (seller) must agree to allow the land cited in the application to be enrolled in the program. Please have the land contract sellers sign below. (All sellers must sign).

Land Contract Vendor(s): I, the undersigned, understand and agree to permit the land cited in this application into the Farmland and Open Space Preservation Program.

Date

Signature of Land Contract Vendor(s) (Seller)

15. If the applicant is one of the following, please check the appropriate box and complete the following information (if the applicant is not one of the following – please leave blank):

- ☐ 2 or more persons having a joint or common interest in the land  
☐ Corporation ☒ Limited Liability Company ☐ Partnership  
☐ Estate ☐ Trust ☐ Association

If applicable, list the following: Individual Names if more than 2 Persons; or President, Vice President, Secretary, Treasurer; or Trustee(s); or Members; or Partners; or Estate Representative(s):

Name: James A. Bleeker Title: member

Name: Jolynne K. Bleeker Title: member

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

(Additional names may be attached on a separate sheet.)

IV. Land Eligibility Qualifications: Check one and fill out correct section(s)

This application is for:

- ☒ a. 40 acres or more → complete only Section 16 (a thru g);  
☐ b. 5 acres or more but less than 40 acres → complete only Sections 16 and 17; or  
☐ c. a specialty farm → complete only Sections 16 and 18.

16. a. Type of agricultural enterprise (e.g. livestock, cash crops, fruit, etc):

livestock & cash crops

b. Total number of acres on this farm 40

c. Total number of acres being applied for (if different than above): \_\_\_\_\_

d. Acreage in cultivation: 40

e. Acreage in cleared, fenced, improved pasture, or harvested grassland: \_\_\_\_\_

f. All other acres (swamp, woods, etc.) \_\_\_\_\_

g. Indicate any structures on the property: (If more than one building, indicate the number of buildings):

No. of Buildings \_\_\_\_\_ Residence: \_\_\_\_\_ Barn: \_\_\_\_\_ Tool Shed: \_\_\_\_\_

Silo: \_\_\_\_\_ Grain Storage Facility: \_\_\_\_\_ Grain Drying Facility: \_\_\_\_\_

Poultry House: \_\_\_\_\_ Milking Parlor: \_\_\_\_\_ Milk House: \_\_\_\_\_

Other: (Indicate) \_\_\_\_\_

17. To qualify as agricultural land of 5 acres or more but less than 40 acres, the land must produce a minimum average gross annual income of \$200.00 per acre from the sale of agricultural products.

Please provide the average gross annual income per acre of cleared and tillable land during 2 of the last 3 years immediately preceding this application from the sale of agricultural products (not from rental income):

\$ \_\_\_\_\_ : \_\_\_\_\_ = \$ \_\_\_\_\_ (per acre)  
 total income total acres of tillable land

18. To qualify as a specialty farm, the land must be designated by MDARD, be 15 acres or more in size, and produce a gross annual income from an agricultural use of \$2,000.00 or more. If a specialty farm, indicate average gross annual income during 2 of the last 3 years immediately preceding application from the sale of agricultural products: \$ \_\_\_\_\_

Please note: specialty farm designation may require an on-the-farm site visit by an MDARD staff person.

19. What is the number of years you wish the agreement to run? (Minimum 10 years, maximum 90 years); 10

## V. Signature(s):

20. The undersigned declare that this application, including any accompanying informational material, has been examined by them and to the best of their knowledge and belief is true and correct.

[Signature]  
(Signature of Applicant)

\_\_\_\_\_  
(Corporate Name, If Applicable)

[Signature]  
(Co-owner, If Applicable)

\_\_\_\_\_  
(Signature of Corporate Officer)

9/23/2020  
(Date)

\_\_\_\_\_  
(Title)

**ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY  
ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR.**

**RESERVED FOR LOCAL GOVERNMENT USE: CLERK PLEASE COMPLETE SECTIONS I & II**

I. Date Application Received: 9-28-2020 (Note: Local Governing Body has 45 days to take action)

Action by Local Governing Body: Jurisdiction: Adrian Charter Township

☐ County ☒ Township ☐ City ☐ Village

This application is ☐ approved, ☐ rejected

Date of approval or rejection: \_\_\_\_\_

(If rejected, please attach statement from Local Governing Body indicating reason(s) for rejection.)

Clerk's Signature: \_\_\_\_\_

Property Appraisal: \$ \_\_\_\_\_ is the current fair market value of the real property in this application.

## II. Please verify the following:

\_\_\_\_ Upon filing an application, clerk issues receipt to the landowner indicating date received.

\_\_\_\_ Clerk notifies reviewing agencies by forwarding a copy of the application and attachments

\_\_\_\_ If rejected, applicant is notified in writing within 10 days stating reason for rejection and the original application, attachments, etc. are returned to the applicant. Applicant then has 30 days to appeal to State Agency.

\_\_\_\_ If approved, applicant is notified and the original application, all supportive materials/attachments, and letters of review/comment from reviewing agencies (if provided) are sent to:

**MDARD-Farmland and Open Space Program, PO Box 30449, Lansing 48909**

**\*Please do not send multiple copies of applications and/or send additional attachments in separate mailings without first contacting the Farmland Preservation office.**

<p>Please verify the following regarding Reviewing Agencies (Sending a copy to reviewing agencies is required):</p> <p><b>COPY SENT TO:</b></p> <p>____ County or Regional Planning Commission</p> <p>____ Conservation District</p> <p>____ Township (if county has zoning authority)</p>	<p><b>Before forwarding to State Agency, FINAL APPLICATION SHOULD INCLUDE:</b></p> <p>____ Copy of Deed or Land Contract (most recent showing <u>current ownership</u>)</p> <p>____ Copy of most recent Tax Bill (must include <u>tax description</u> of property)</p> <p>____ Map of Farm</p> <p>____ Copy of most recent appraisal record</p> <p>____ Copy of letters from review agencies (if available)</p> <p>____ Any other applicable documents</p>
--	--

**Questions? Please call Farmland Preservation at 517-284-5663**

OFFICIAL TAX STATEMENT

Summer Tax Bill

Lenawee County Treasurer  
Marilyn J Woods  
301 N Main St Old Courthouse  
Adrian, MI 49221-2714  
TEMP-RETURN SERVICE REQUESTED



PLEASE RETURN THIS PORTION WITH YOUR PAYMENT. THANK YOU.

THIS TAX IS PAYABLE JULY 1, 2020 THRU SEPT. 14, 2020  
After 09/14/2020, additional interest and fees apply.

2020 Summer Tax for Property Number: ADO-116-2000-00

TAXPAYER NOTE: Are your name and mailing address correct?  
If not, please make corrections below. Thank you.

Property Addr:  
4000 EMERY RD BLK

Tax for Prop#: ADO 116 2000 00

Make Check Payable To: Lenawee County Treasurer

TOTAL AMOUNT DUE: \$837.12

TERREHAVEN LLC  
3007 WOLF CREEK HWY  
ADRIAN, MI 49221-9243



Please detach along perforation. Keep bottom portion for your records.

ADRIAN CHARTER TOWNSHIP 2020 SUMMER TAX BILL

MESSAGE TO TAXPAYER

DEFERMENT FORMS MUST BE FILED AT THE COUNTY TREASURER'S OFFICE BEFORE SEPT. 14. INTEREST OF 1% PER MONTH OR FRACTION OF A MONTH ADDED AFTER SEPT 14. ADDITIONAL 3% PENALTY AFTER FEB 14 THRU FEB 28. IF YOU WOULD LIKE A RECEIPT ENCLOSE A SELF-ADDRESSED-STAMPED ENVELOPE. PHONE NO. 517-264-4554. PARTIAL PAYMENTS ARE ACCEPTED.

FOR YOUR CONVENIENCE THERE IS A DROPBOX IN THE ANNEX PARKING LOT BY THE GENERATOR LOCATED AT 113 W FRONT ST, ADRIAN

PROPERTY INFORMATION

Property Assessed To:  
TERREHAVEN LLC  
3007 WOLF CREEK HWY  
ADRIAN, MI 49221

School: 46010 ADRIAN

Property #: ADO-116-2000-00

Property Addr: 4000 EMERY RD BLK

Legal Description:

LD DES AS BEG AT THE N1/4 COR OF SEC 16 T6S R3E TH N89 15'22"E ALG THE N LI OF SD SEC & THE CNTRLI OF EMERY RD 1319.56 TH S 1320.57 FT TH S89 15'22"W 1319.55 FT TO THE N-S 1/4 LI OF SD SEC TH N 1320.56 FT TO POB (SURVEY 40 AC)

255-379

PAYMENT INFORMATION

This tax is payable 7/1/2020 thru 9/14/2020

Pay by mail to: LENAWEE COUNTY TREASURER  
MARILYN J WOODS  
301 N MAIN ST OLD COURTHOUSE  
ADRIAN, MI 49221-2714

TAX DETAIL

Taxable Value: 45,141 Class: 401  
State Equalized Value: 50,600  
Assessed Value: 50,600  
P.R.E. %: 100

Taxes are based upon Taxable Value.  
1 mill equals \$1.00 per \$1,000 of Taxable Value.  
Amounts with no millage are either Special Assessments or other charges added to this bill.

DESCRIPTION	MILLAGE	AMOUNT
STATE ED	6.00000	270.84
COUNTY OPER	5.40000	243.76
LENAWEE INT SCH	3.66170	165.29
SCHOOL DEBT	2.05000	92.53
SCHOOL BOND	1.25000	56.42
SCHOOL OPER	9.00000	0.00

OPERATING FISCAL YEARS

The taxes on bill will be used for governmental operations for the following fiscal year(s):

County: JANUARY 1 - DECEMBER 31  
Twn/Cty: JANUARY 1 - DECEMBER 31  
School: JULY 1 - JUNE 30  
State: OCTOBER 1 - SEPTEMBER 30

Does NOT affect when the tax is due or its amount.

Total Tax: \$828.84  
Administration Fee: \$8.28  
Total Amount Due: \$837.12

11/19/20 AS of March 1st, all or part of your prior year taxes were returned delinquent to the County. For more information, please call the County Treasurer at 517-264-4554.



United States  
Department of  
Agriculture

# Lenawee County, Michigan



## Common Land Unit

- ☐ Common Land Unit
- Non-Cropland
- Tract Boundary
- Section Line

Cropland CLU's contain white text with a thin black outline;  
Non-Cropland CLU's contain black text with a thin white outline.

## Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

This box is applicable **ONLY** for certification maps. Options only valid if checked.

- |  |  |
|--|--|
| <input type="checkbox"/> Shares - 100% to Operator | <input type="checkbox"/> ALF, MIXFG - FG |
| <input type="checkbox"/> All Crops - NI            | <input type="checkbox"/> WHEAT - GR      |
| <input type="checkbox"/> CORN - YEL/GR             | <input type="checkbox"/> DRY BEANS - DE  |
| <input type="checkbox"/> SOYS - COM/GR             |  |

2017 Program Year

Map Created June 29, 2017  
2016 NAIP Imagery

**Farm 15921**  
**Tract 17107**

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data "as is" and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and 10/20/2016 10:00 AM under 15921



### QUIT CLAIM DEED

Know all Men by these Presents, That on September 21, 2015, for the sum of One Dollar (\$1.00), James A. Bleecker and JoLynne K. Bleecker, husband and wife, whose address is 3007 Wolf Creek Highway, Adrian, Michigan 49221, Quit Claims to Terrehaven, LLC, a Michigan limited liability company, whose address is 3007 Wolf Creek Highway, Adrian, Michigan 49221, the following property situated in Adrian Township, Lenawee County, Michigan:

Land in the Northeast ¼, Section 16, Township 6 South, Range 3 East, Adrian Township, Lenawee County, Michigan, described as follows:

Beginning at the North ¼ corner of said Section 16; thence North 89° 15' 22" East along the North line of said Section 16 and the centerline of Emery Road 1,319.56 feet; thence South 00° 02' 13" West 1,320.57 feet; thence South 89° 15' 22" West 1,319.55 feet to the North-South ¼ line of said Section 16; thence North 00° 02' 13" East along said ¼ line 1,320.56 feet to the point of beginning.

Commonly known as: 4000 Emery Road Block, Adrian, MI 49221

Tax I.D. No.: AD0-116-2000-00

Subject to zoning ordinances, restrictions and easements of record, and taxes and assessments due and payable after date hereof. Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

The Grantor also grants to the Grantees the right to make all divisions under Section 108 of the Land Division Act, No. 288 of Public Acts of 1967.

\$17 Grantors ✓



The above-described premises 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.

This transfer is exempt from Michigan transfer tax under M.C.L.A. 207.526(a) and county transfer tax under M.C.L.A. 207.505(a).

Signed by:

James A. Bleeker  
James A. Bleeker

JoLynne K. Bleeker  
JoLynne K. Bleeker

STATE OF MICHIGAN     )  
                                  ) ss:  
COUNTY OF LENAWEE    )

The foregoing instrument was signed and sworn to before me in Lenawee County, Michigan, this 21st day of September, 2015, by James A. Bleeker and JoLynne K. Bleeker, husband and wife.

BETH A. FETZER  
Notary Public, Lenawee Co., MI  
Acting in Lenawee Co., MI  
My Comm. Expires Dec. 21, 2020

Beth A. Fetzer  
Notary Public, Lenawee County, MI  
Acting in Lenawee County, MI  
My commission expires: 12/21/2020

Prepared By:  
Kathryn M. Mohr  
Robison, Curphey & O'Connell  
105 Brown St., Suite 100  
Tecumseh, MI 49286  
(517) 423-5404

Send subsequent tax bills to the Grantee.

P:\DOCS\22074\22206\DOC\NE4774.DOC

-2-

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# Lenawee County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)

120 W. Michigan Avenue • Jackson, MI 49201

Phone (517) 788-4426 • Fax (517) 788-4635

## PA 116 FARMLAND AGREEMENT | FA #20-16

**Applicant(s):** Terrehaven, LLC  
3007 Wolf Creek Highway  
Adrian, MI 49221

**Date:** November 19, 2020

**Local Government:** Adrian Charter Township

**Purpose:** **Enrollment application**

**Location:** The subject properties (ID #OG0-131-4550-00) is located in Section 31 of the Township (T8S, R4E) (see Figure 1).

**Description:** The subject property has an area of approximately 21 acres, of which is 20 acres is cultivated for cash crops. The parcel contains no buildings. The average gross annual income is \$400/acre, above the minimum \$200/acre MDARD requirement.

**Term:** 90.

**Future Land Use:** The *Lenawee County Comprehensive Land Use Plan* places the subject property at the edge of an area recommended for 'Agricultural' uses (see Figure 2).

**Staff Comments:** The applicants should consider/address various the following errors/omissions included in the application:

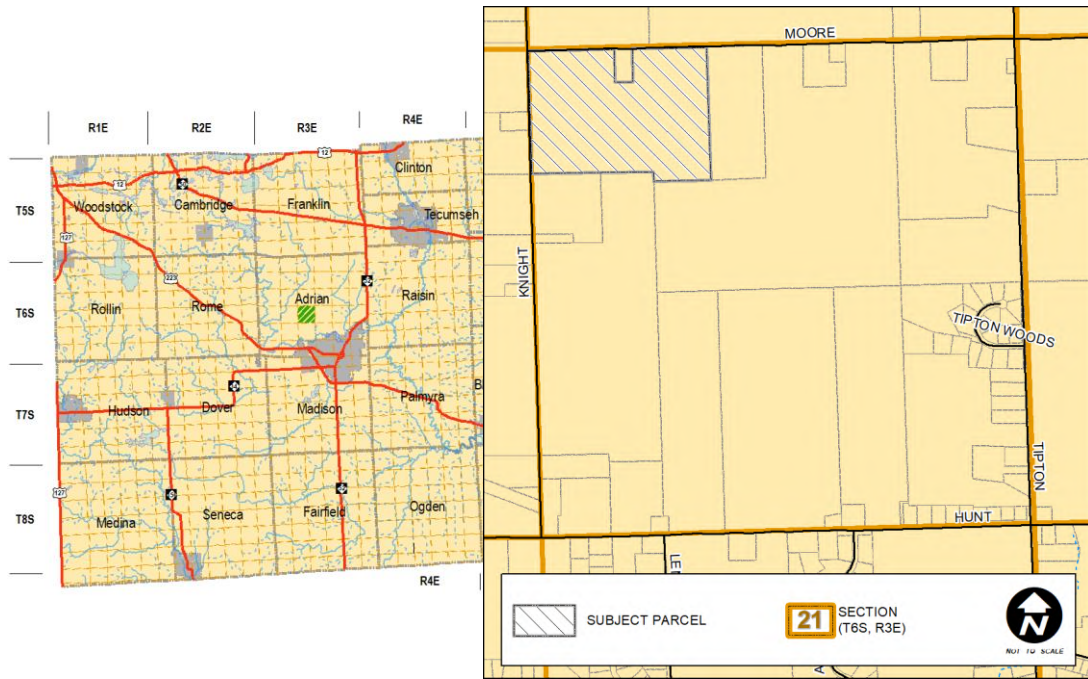
- *Question #16g.* Indicate that no (i.e., 0) buildings are located on the property.

**Staff Advisement:** Based upon this analysis, staff advises the Lenawee County Planning Commission to recommend **APPROVAL WITH COMMENTS** of the PA 116 application to the Lenawee County Board of Commissioners, provided the applicant considers the comment/suggestion listed in the staff report.

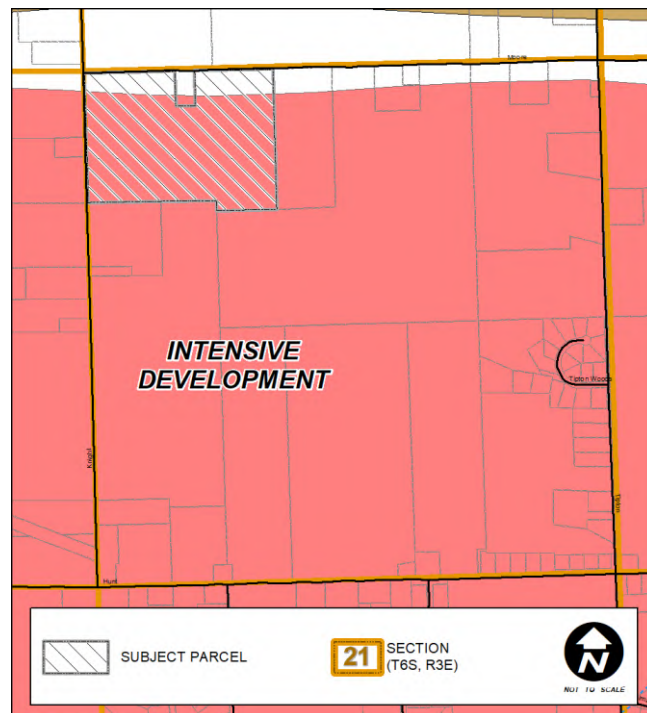
**Attachment(s):**

- Background information provided by the applicant/township.

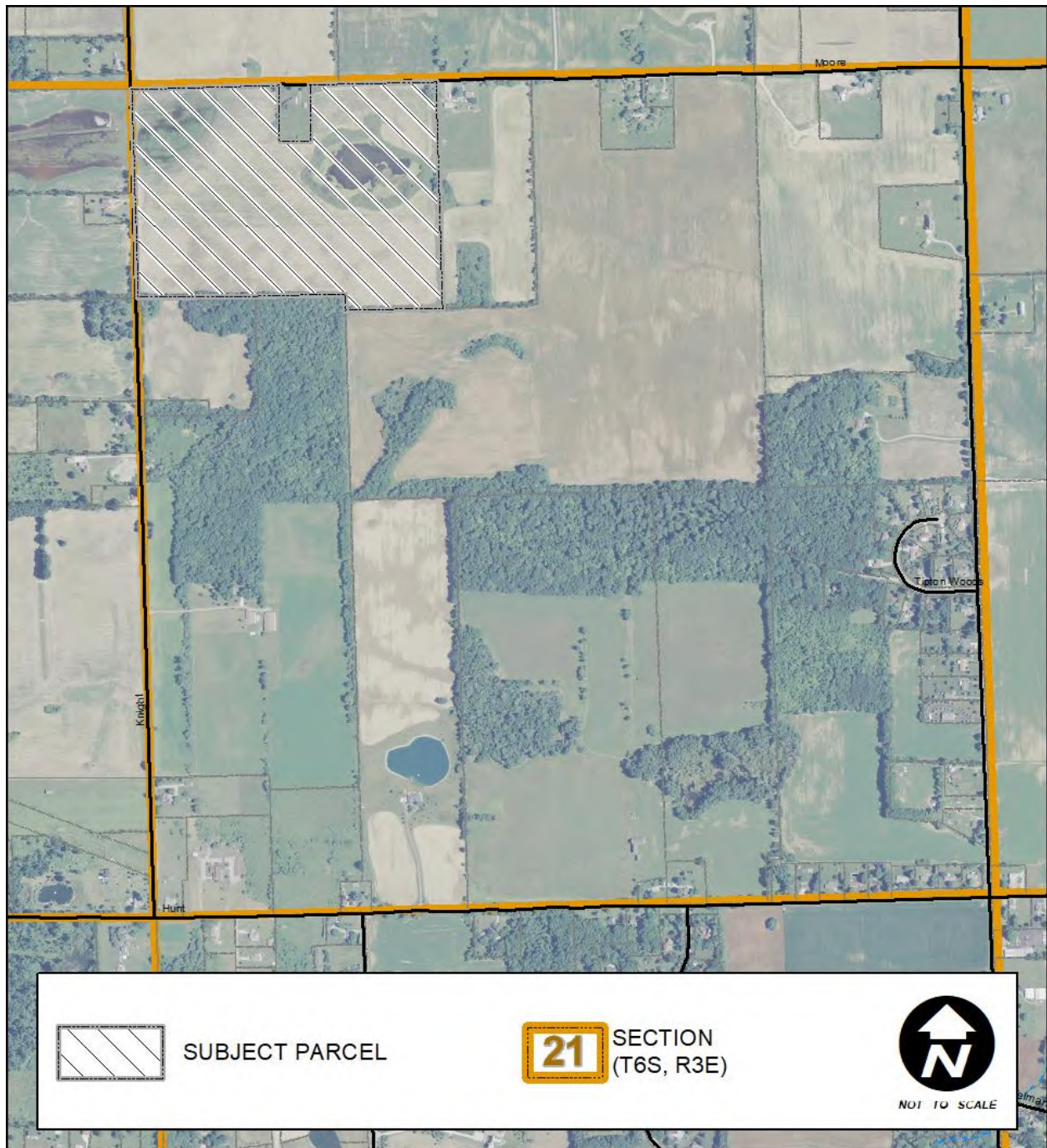
**Figure 1  
Location**



**Figure 2  
County Future Land Use**



**Figure 3**  
**USDA Aerial Photograph**







# FARMLAND AND OPEN SPACE PRESERVATION PROGRAM

## Application for Farmland Agreement

Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, more commonly known as PA 116.

Please print or type. Attach additional sheets as needed. **Please read the Eligibility and Instructions document before filling out this form.**

### OFFICIAL USE ONLY

Local Governing Body: \_\_\_\_\_

Date Received: \_\_\_\_\_

Application No: \_\_\_\_\_

State: \_\_\_\_\_

Date Received: \_\_\_\_\_

Application No: \_\_\_\_\_

Approved: \_\_\_\_\_ Rejected: \_\_\_\_\_

**ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY  
ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR**

### I. Personal Information:

1. Name(s) of Applicant: Terrehaven LLC  
Last First Initial

(If more than two see #15) \_\_\_\_\_  
Last First Initial

Marital status of all individual men listed on application, if more than one, indicate status after each name:

☒ Married ☐ Single

2. Mailing Address: 3007 Wolf Creek Hwy. Adrian MI 49221  
Street City State Zip Code

3. Telephone Number: (Area Code) (517) 265-7915

4. Alternative Telephone Number (cell, work, etc.): (Area Code) (517) 673-6993

5. E-mail address: terrehavenfarms@yahoo.com

### II. Property Location (Can be taken from the Deed/Land Contract)

6. County: Lenawee 7. Township, City or Village: Adrian

8. Section No. 21 Town No. 6 South Range No. 3 East

### III. Legal Information:

9. Attach a clear copy of the deed, land contract or memorandum of land contract. (See #14)

10. Attach a clear copy of the most recent tax assessment or tax bill with complete tax description of property.

11. Is there a tax lien against the land described above? ☐ Yes ☒ No

If "Yes", please explain circumstances: \_\_\_\_\_

12. Does the applicant own the mineral rights? ☒ Yes ☐ No

If owned by the applicant, are the mineral rights leased? ☐ Yes ☒ No

Indicate who owns or is leasing rights if other than the applicant: \_\_\_\_\_

Name the types of mineral(s) involved: \_\_\_\_\_

13. Is land cited in the application subject to a lease agreement (other than for mineral rights) permitting a use for something other than agricultural purposes? ☐ Yes ☒ No If "Yes", indicate to whom, for what purpose and the number of acres involved: \_\_\_\_\_

14. Is land being purchased under land contract ☐ Yes ☒ No: If "Yes", indicate vendor (sellers):

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
Street City State Zip Code

14a. Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, states that the vendor (sellers) must agree to allow the land cited in the application to be enrolled in the program. Please have the land contract sellers sign below. (All sellers must sign).

Land Contract Vendor(s): I, the undersigned, understand and agree to permit the land cited in this application into the Farmland and Open Space Preservation Program.

Date \_\_\_\_\_

Signature of Land Contract Vendor(s) (Seller) \_\_\_\_\_

rev. 12/2019



15. If the applicant is one of the following, please check the appropriate box and complete the following information (if the applicant is not one of the following – please leave blank):

☐ 2 or more persons having a joint or common interest in the land  
☐ Corporation ☒ Limited Liability Company ☐ Partnership  
☐ Estate ☐ Trust ☐ Association

If applicable, list the following: Individual Names if more than 2 Persons; or President, Vice President, Secretary, Treasurer; or Trustee(s); or Members; or Partners; or Estate Representative(s):

Name: James A Blecker Title: member

Name: Jolynne K. Blecker Title: member

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

(Additional names may be attached on a separate sheet.)

IV. Land Eligibility Qualifications: Check one and fill out correct section(s)

This application is for:

- ☒ a. 40 acres or more → complete only Section 16 (a thru g);  
☐ b. 5 acres or more but less than 40 acres → complete only Sections 16 and 17; or  
☐ c. a specialty farm → complete only Sections 16 and 18.

16. a. Type of agricultural enterprise (e.g. livestock, cash crops, fruit, etc):

livestock & cash crops

b. Total number of acres on this farm 50.4

c. Total number of acres being applied for (if different than above): \_\_\_\_\_

d. Acreage in cultivation: 43.7

e. Acreage in cleared, fenced, improved pasture, or harvested grassland: \_\_\_\_\_

f. All other acres (swamp, woods, etc.) 6.7

g. Indicate any structures on the property: (If more than one building, indicate the number of buildings):

No. of Buildings \_\_\_\_\_ Residence: \_\_\_\_\_ Barn: \_\_\_\_\_ Tool Shed: \_\_\_\_\_

Silo: \_\_\_\_\_ Grain Storage Facility: \_\_\_\_\_ Grain Drying Facility: \_\_\_\_\_

Poultry House: \_\_\_\_\_ Milking Parlor: \_\_\_\_\_ Milk House: \_\_\_\_\_

Other: (Indicate) \_\_\_\_\_

17. To qualify as agricultural land of 5 acres or more but less than 40 acres, the land must produce a minimum average gross annual income of \$200.00 per acre from the sale of agricultural products.

Please provide the average gross annual income per acre of cleared and tillable land during 2 of the last 3 years immediately preceding this application from the sale of agricultural products (not from rental income):

\$ \_\_\_\_\_ : \_\_\_\_\_ = \$ \_\_\_\_\_ (per acre)  
 total income total acres of tillable land

18. To qualify as a specialty farm, the land must be designated by MDARD, be 15 acres or more in size, and produce a gross annual income from an agricultural use of \$2,000.00 or more. If a specialty farm, indicate average gross annual income during 2 of the last 3 years immediately preceding application from the sale of agricultural products: \$ \_\_\_\_\_

Please note: specialty farm designation may require an on-the-farm site visit by an MDARD staff person.

19. What is the number of years you wish the agreement to run? (Minimum 10 years, maximum 90 years); 10

V. Signature(s):

20. The undersigned declare that this application, including any accompanying informational material, has been examined by them and to the best of their knowledge and belief is true and correct.

Jan A. Blum  
(Signature of Applicant)

\_\_\_\_\_  
(Corporate Name, If Applicable)

John K. Blum  
(Co-owner, If Applicable)

\_\_\_\_\_  
(Signature of Corporate Officer)

9/21/2020  
(Date)

\_\_\_\_\_  
(Title)

**ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY  
ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR.**

**RESERVED FOR LOCAL GOVERNMENT USE: CLERK PLEASE COMPLETE SECTIONS I & II**

I. Date Application Received: 9-28-2020 (Note: Local Governing Body has 45 days to take action)

Action by Local Governing Body: Jurisdiction: Adrian Charter Township  
☐ County ☒ Township ☐ City ☐ Village

This application is ☐ approved, ☐ rejected

Date of approval or rejection: \_\_\_\_\_

(If rejected, please attach statement from Local Governing Body indicating reason(s) for rejection.)

Clerk's Signature: \_\_\_\_\_

Property Appraisal: \$ \_\_\_\_\_ is the current fair market value of the real property in this application.

II. Please verify the following:

\_\_\_\_ Upon filing an application, clerk issues receipt to the landowner indicating date received.

\_\_\_\_ Clerk notifies reviewing agencies by forwarding a copy of the application and attachments

\_\_\_\_ If rejected, applicant is notified in writing within 10 days stating reason for rejection and the original application, attachments, etc. are returned to the applicant. Applicant then has 30 days to appeal to State Agency.

\_\_\_\_ If approved, applicant is notified and the original application, all supportive materials/attachments, and letters of review/comment from reviewing agencies (if provided) are sent to:

**MDARD-Farmland and Open Space Program, PO Box 30449, Lansing 48909**

**\*Please do not send multiple copies of applications and/or send additional attachments in separate mailings without first contacting the Farmland Preservation office.**

Please verify the following regarding Reviewing Agencies (Sending a copy to reviewing agencies is required):

**COPY SENT TO:**

\_\_\_\_ County or Regional Planning Commission  
\_\_\_\_ Conservation District  
\_\_\_\_ Township (if county has zoning authority)

**Before forwarding to State Agency,  
FINAL APPLICATION SHOULD INCLUDE:**

\_\_\_\_ Copy of Deed or Land Contract (most recent showing current ownership)  
\_\_\_\_ Copy of most recent Tax Bill (must include tax description of property)  
\_\_\_\_ Map of Farm  
\_\_\_\_ Copy of most recent appraisal record  
\_\_\_\_ Copy of letters from review agencies (if available)  
\_\_\_\_ Any other applicable documents

**Questions? Please call Farmland Preservation at 517-284-5663**



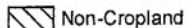
United States  
Department of  
Agriculture

## Lenawee County, Michigan



### Common Land Unit

Common Land Unit



Non-Cropland



Tract Boundary



Section Line

Cropland CLU's contain white text with a thin black outline;  
Non-Cropland CLU's contain black text with a thin white outline.

### Wetland Determination Identifiers

● Restricted Use

▽ Limited Restrictions

■ Exempt from Conservation  
Compliance Provisions

This box is applicable **ONLY** for certification  
maps. Options only valid if checked.

☐ Shares - 100% to Operator

☐ All Crops - NI

☐ ALF, MIXFG - FG

☐ CORN - YEL/GR

☐ WHEAT - GR

☐ SOYS - COM/GR

☐ DRY BEANS - DE

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and wetland designations. A Natural Resources Conservation Service (NRCS).

2017 Program Year

Map Created June 29, 2017

2016 NAIP Imagery

**Farm 15921**  
**Tract 11463**



## QUIT CLAIM DEED

Know all Men by these Presents, That on September 21, 2015, for the sum of One Dollar (\$1.00), James Bleecker and JoLynne Bleecker, husband and wife, whose address is 3007 Wolf Creek Highway, Adrian, Michigan 49221, Quit Claims to Terrehaven, LLC, a Michigan limited liability company, whose address is 3007 Wolf Creek Highway, Adrian, Michigan 49221, the following property situated in Adrian Township, Lenawee County, Michigan:

The Northwest Quarter of the Northwest Quarter of Section 21, in Town 6 South, Range 3 East, ALSO, 10 acres of land from off and across the West side of the following described parcel, to-wit: Commencing at the Northwest corner of the Northeast Quarter of the Northwest Quarter of said Section 21; thence South 86 ½ rods; thence East 74 rods; thence North 86 ½ rods to the public highway; thence West along the line of the highway, 74 rods to the place of beginning; EXCEPTING AND RESERVING THEREFROM all that part of the Northwest ¼, Section 21, Town 6 South, Range 3 East, described as beginning 941.34 feet South 89° 24' 00" East along the North line of said Section 21 and 156.00 feet South 00° 36' 00" West from the Northwest corner of Section 21, aforesaid; thence South 89° 24' 00" East 197.00 feet; thence South 00° 36' 00" West 207.00 feet; thence North 89° 24' 00" West 197.00 feet; thence North 00° 36' 00" East 207.00 feet to the point of beginning;

ALSO EXCEPTING AND RESERVING THEREFROM all that part of the Northwest ¼, Section 21, Town 6 South, Range 3 East, described as beginning on the North line of said Section 21, 941.34 feet South 89° 24' 00" East from the Northwest corner of Section 21 aforesaid; thence South 89° 24' 00" East 197.00 feet along the North line of said Section 21; thence South 00° 36' 00" West 156.00 feet; thence North 89° 24' 00" West 197.00 feet; thence North 00° 36' 00" East 156.00 feet to the point of beginning.

ALSO, the East 30 acres of a tract of land described as: Commencing at the Northwest corner of the Northeast ¼ of the Northwest ¼ of Section 21 in Town 6 South, Range 3 East; thence South 86 ½ rods; thence East 74 rods; thence North 86 ½ rods to the public highway; thence West along the line of said highway 74 rods to the place of beginning.

EXCEPTING AND RESERVING THEREFROM all that part of the Northwest ¼ of Section 21, Town 6 South, Range 3 East, described as beginning on the North line of Section 21, aforesaid, 99.00 feet North 89° 24' 00" West from the North ¼ corner of said Section 21; thence South 00° 13' 50" West 1443.43 feet parallel with the North and South ¼ line of said Section 21; thence North 89° 34' 06" West 603.20 feet along a line lying (73 ½ rods) 1212.75 feet North of and parallel with the East and West ¼ line of said Section 21; thence North 00° 13' 50" East 1445.20 feet; thence South 89° 24' 00" East 603.21 feet along said North line of Section 21 to the point of beginning.

Commonly known as: 4000 Moore Road Block, Adrian, MI 49221

Tax I.D. No.: ADO-121-1300-00

Subject to zoning ordinances, restrictions and easements of record, and taxes and assessments due and payable after date hereof. Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

The Grantor also grants to the Grantees the right to make all divisions under Section 108 of the Land Division Act, No. 288 of Public Acts of 1967.

The above-described premises 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.

This transfer is exempt from Michigan transfer tax under M.C.L.A. 207.526(a) and county transfer tax under M.C.L.A. 207.505(a).

Signed by:

James Bleecker  
James Bleecker

JoLynne Bleecker  
JoLynne Bleecker



LIBER 2515 PAGE 0377 3 of 3

STATE OF MICHIGAN       )  
                                      ) ss:  
COUNTY OF LENAWEE     )

The foregoing instrument was signed and sworn to before me in Lenawee County, Michigan, this 21st day of September, 2015, by James Bleecker and JoLynne Bleecker, husband and wife.

BETH A. FETZER  
Notary Public, Lenawee Co., MI  
Acting in Lenawee Co., MI  
My Comm. Expires Dec. 21, 2020

Beth A. Fetzer  
Notary Public, Lenawee County, MI  
Acting in Lenawee County, MI  
My commission expires: 12/21/2020

Prepared By:  
Kathryn M. Mohr  
Robison, Curphey & O'Connell  
105 Brown St., Suite 100  
Tecumseh, MI 49286  
(517) 423-5404

Send subsequent tax bills to the Grantee.

P:\DOCS\22074\22206\DOC\NE4789.DOC



# OFFICIAL TAX STATEMENT

## Summer Tax Bill

Lenawee County Treasurer

Marilyn J Woods

301 N Main St Old Courthouse

Adrian, MI 49221-2714

TEMP-RETURN SERVICE REQUESTED



PLEASE RETURN THIS PORTION WITH YOUR PAYMENT. THANK YOU.

**THIS TAX IS PAYABLE JULY 1, 2020 THRU SEPT. 14, 2020**  
After 09/14/2020, additional interest and fees apply.

**2020 Summer Tax for Property Number: ADO-121-1300-00**

**TAXPAYER NOTE:** Are your name and mailing address correct?  
If not, please make corrections below. Thank you.

Property Addr:

4000 MOORE RD BLK

**Tax for Prop#: ADO 121 1300 00**

**Make Check Payable To: Lenawee County Treasurer**

**TOTAL AMOUNT DUE: \$598.19**

TERREHAVEN LLC  
3007 WOLF CREEK HWY  
ADRIAN, MI 49221-9243



01498

Please detach along perforation. Keep bottom portion for your records.

### ADRIAN CHARTER TOWNSHIP 2020 SUMMER TAX BILL

#### MESSAGE TO TAXPAYER

DEFERMENT FORMS MUST BE FILED AT THE COUNTY TREASURER'S OFFICE BEFORE SEPT. 14. INTEREST OF 1% PER MONTH OR FRACTION OF A MONTH ADDED AFTER SEPT 14. ADDITIONAL 3% PENALTY AFTER FEB 14 THRU FEB 28. IF YOU WOULD LIKE A RECEIPT ENCLOSE A SELF-ADDRESSED-STAMPED ENVELOPE. PHONE NO. 517-264-4554. PARTIAL PAYMENTS ARE ACCEPTED.

FOR YOUR CONVENIENCE THERE IS A DROPBOX IN THE ANNEX PARKING LOT BY THE GENERATOR LOCATED AT 113 W FRONT ST, ADRIAN

#### PROPERTY INFORMATION

Property Assessed To:

TERREHAVEN LLC  
3007 WOLF CREEK HWY  
ADRIAN, MI 49221

School: 46010 ADRIAN

Property #: ADO-121-1300-00

Property Addr: 4000 MOORE RD BLK

Legal Description:

LD BEG AT NW COR OF NE 1/4 OF NW 1/4 TH S 86 1/2 RDS TH E 74 RDS TH N 86 1/2 RDS TO HWY TH W ALG HWY 74 RDS TO POB - ALSO NW 1/4 OF NW 1/4 EX LD BEG 941.34 FT E FROM NW COR SEC 21 BEING 197 FT E & W BY 363 FT N & S CONT 1.642 ACRES SEC 21 ALSO EX LD 99 FT N 89 DEG 24' W FROM N 1/4 COR SEC 21 TH S 0 DEG 13'50"W 1443.43 FT TH N 89 DEG 34'06"W 603.2 FT TH N 0 DEG 13'50"E 1445.2 FT TH S 89 DEG 24' E 603.21 FT TO POB

#### PAYMENT INFORMATION

This tax is payable 7/1/2020 thru 9/14/2020

Pay by mail to: LENAWEE COUNTY TREASURER  
MARILYN J WOODS  
301 N MAIN ST OLD COURTHOUSE  
ADRIAN, MI 49221-2714

#### TAX DETAIL

Taxable Value: 32,257 Class: 101  
State Equalized Value: 138,800  
Assessed Value: 138,800  
P.R.E. %: 100

**Taxes are based upon Taxable Value.**  
**1 mill equals \$1.00 per \$1,000 of Taxable Value.**  
**Amounts with no millage are either Special Assessments or other charges added to this bill.**

DESCRIPTION	MILLAGE	AMOUNT
STATE ED	6.00000	193.54
COUNTY OPER	5.40000	174.18
LENAWEE INT SCH	3.66170	118.11
SCHOOL DEBT	2.05000	66.12
SCHOOL BOND	1.25000	40.32
SCHOOL OPER	9.00000	0.00

#### OPERATING FISCAL YEARS

The taxes on bill will be used for governmental operations for the following fiscal year(s):

County: JANUARY 1 - DECEMBER 31

Twn/Cty: JANUARY 1 - DECEMBER 31

School: JULY 1 - JUNE 30

State: OCTOBER 1 - SEPTEMBER 30

Does NOT affect when the tax is due or its amount.

Total Tax: \$592.27  
Administration Fee: \$5.92  
**Total Amount Due: \$598.19**

11/19/20 As of March 1st, all or part of your prior year taxes were returned delinquent to the County. For more information, please call the County Treasurer at 517-264-4554. Page #151

*This page is intentionally blank.*

**HILLSDALE COUNTY PLANNING COMMISSION**  
HILLSDALE COUNTY, MICHIGAN

33 McCollum St. - Suite 223  
Hillsdale MI 49242-1688  
Phone: (517) 439-9166  
Email: [planning@co.hillsdale.mi.us](mailto:planning@co.hillsdale.mi.us)



LCPC  
OCT 23 2020

TO: Hillsdale County Municipal Legislative Bodies,  
Contiguous Municipal Legislative Bodies, Hillsdale County Board of Commissioners,  
Public Utility Companies and Railroad Companies

FROM: Hillsdale County Planning Commission

DATE: October 23, 2020

RE: NOTICE OF INTENT TO UPDATE THE HILLSDALE COUNTY MASTER PLAN

In accordance with the *Michigan Planning Enabling Act* (PA 33 of 2008 as amended), the purpose of this correspondence is to advise your local unit of government that the Hillsdale County Planning Commission intend to prepare an updated edition of the Hillsdale County Master Plan.

The Hillsdale County Planning Commission may elect to utilize electronic mail and/or its website for future submittals regarding the updated edition of the Hillsdale County Master Plan required under section 41 or 43 of the *Michigan Planning Enabling Act*. Please request in writing or email to the following address if you prefer to receive hard copies of future communications. Other questions and comments may also be directed here:

Hillsdale County Planning Commission  
33 McCollum Street, Suite 223  
Hillsdale, MI 49242

[planning@co.hillsdale.mi.us](mailto:planning@co.hillsdale.mi.us)

We thank you for your consideration in this matter. If you have questions or comments, please contact the Hillsdale County Planning Commission. We look forward to your input throughout this process.