

Possible agenda item number 10

Seasonal Dock Request

Tamarak Development Associates

Motion by _____ second by _____

To

Approve

Table

Deny

The request by Tamarak Development Associates to place a 300 ft. seasonal dock and four seasonal small craft mooring balls to be used by the Tamarak Lodge Condominium owners and rental guests as presented by application to the MDEQ.

Roll Call vote:

Yeas: _____

Nays: _____

Abstain: _____

Absent: _____

Passed

Failed

TAMARACK DEVELOPMENT ASSOCIATES, LLC

2035 US 31 North, Traverse City, Mi. 49686

ph. 231-256-9220 Fax 231-256-0693

Board of Trustees
East Bay Township
Traverse City, Michigan 49686

July 9, 2008

RE: Bottomland Conveyance

Dear Board Members;

Tamarack Development Associates, LLC, the development entity for Tamarack Lodge, 2035 US 31 N, Traverse City, together with the Tamarack Lodge Condominium Association and Copperfield Investors, LP, the owner of the east and west expansion sites adjacent to Tamarack Lodge, are in the process of requesting a bottomland conveyance from the MDEQ. The application for the bottomland conveyance requests consent to place a 300 ft. seasonal dock and four seasonal small craft mooring balls in the waters of East Bay on the water side of Tamarack and its future expansion sites. The dock and mooring balls will be for the exclusive use of the Tamarack Lodge condominium owners and rental guests.

The MDEQ application, a copy of which is attached hereto, requires a resolution from the East Bay Township Board of Trustees approving the bottomlands conveyance as part of the application process. I therefore respectfully request that the Board consent to the bottomland conveyance and submittal of the enclosed application to the MDEQ.

Respectfully submitted,



R.C.Hermann
President, Tamarack Development Associates, LLC
President, Tamarack Lodge Condominium Association
President, Cooper Avenue Investments, Inc., General Partner
Copperfield Investors, LP.



MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
LAND AND WATER MANAGEMENT DIVISION

MDEQ USE ONLY	File No.
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APPLICATION FOR CONVEYANCE

This information is required under Part 325, 1994 PA 451, as amended, to apply for a conveyance.

This application will not be processed until all necessary information is provided. See enclosed instructions for assistance.

PLEASE PRINT OR TYPE

APPLICANT'S NAME TAMARACK DEVELOPMENT ASSOC. ET AL (SEE BELOW)*		LOCATION OF PROPERTY TO BE CONVEYED - ADDRESS (Street, Road, Or Other Descriptive Location And In/Near City Or Town) TAMARACK LODGE 2035 US 31 N. TRAVERSE CITY, Michigan 49686	
NUMBER AND STREET ADDRESS 2035 US 31 N.			
CITY, STATE, ZIP CODE TRAVERSE CITY, MI 49686			
TELEPHONE NO. 231-256-9220			
COUNTY GRAND TRAVERSE	TOWNSHIP/CITY/VILLAGE (Circle one) EAST BAY	TOWN 27 N	RANGE 10 W SECTION 9
FAX NO. 231-256-0693		EMAIL ADDRESS RCHEMANN@CHARTERMI.NET	
NAME OF WATERBODY GRAND TRAVERSE EAST BAY		LOT NUMBER(S) 40, 41, 42, 43	NAME OF SUBDIVISION BAKER'S ACRES
CHECK THE APPROPRIATE PURPOSE INDICATED UNDER THE FOLLOWING SECTION OF PART 325, 1994 PA 451, AS AMENDED.		CHECK PROPOSED USE:	
<input type="checkbox"/> ARTIFICIALLY FILLED <input type="checkbox"/> MUNICIPALITY (INDICATE PURPOSE) <input type="checkbox"/> FLOOD CONTROL <input type="checkbox"/> SHORE EROSION CONTROL <input type="checkbox"/> DRAINAGE CONTROL <input type="checkbox"/> SANITATION CONTROL		<input type="checkbox"/> PRIVATE <input type="checkbox"/> PUBLIC <input checked="" type="checkbox"/> COMMERCIAL <input type="checkbox"/> OTHER (EXPLAIN)	
<input type="checkbox"/> STRAIGHTEN IRREGULAR SHORELINE <input type="checkbox"/> INDUSTRIAL DOCKAGE <input checked="" type="checkbox"/> COMMERCIAL DOCKAGE # MOORINGS <input type="checkbox"/> MARINA <input type="checkbox"/> ACCRETIONS <input type="checkbox"/> BOUNDARY DETERMINATION			
RIPARIAN AND/OR RECORD OWNERSHIP NAMES AND ADDRESSES OF ALL PERSONS IN POSSESSION, OCCUPANCY OF HAVING ANY ENFORCEABLE INTEREST IN THE BOTTOMLAND APPLIED FOR AND/OR INTEREST IN THE RIPARIAN OR ABUTTING UPLANDS. (LIST ALL OWNERS, INCLUDING THE APPLICANT, MORTGAGEES, CONTRACT VENDEES, LESSEES, ETC. THE WRITTEN CONSENT OF THESE PERSONS SHALL BE INDICATED IN THE SPACE PROVIDED IN SECTION 13.)			
NAME ADDRESS		TYPE OF OWNERSHIP OR INTEREST HELD	
TAMARACK DEVELOPMENT ASSOCIATES, LLC 2035 US 31 N. TRAVERSE CITY,		FEE INTEREST IN UPLAND	
COPPERFIELD INVESTORS, L.P., 2035 US 31 N, TRAVERSE CITY, MI 49686,		FEE INTEREST IN UPLAND	
TAMARACK LODGE CONDOMINIUM ASSOCIATION, 2035 US 31 N, TRAVERSE CITY		CONDO ASSN	
NATIONAL CITY BANK, 901 S. GARFIELD, TRAVERSE CITY, MI		MORTGAGEE	
WE, THE UNDERSIGNED, CO-OWNERS, OCCUPANTS, MORTGAGEES, CONTRACT VENDEES, LESSEES, ETC., HEREBY AGREE, RATIFY AND GIVE OUR CONSENT TO THE FILING OF THIS APPLICATION.			
OTHER TYPES OF INTEREST		SIGNATURES	
TAMARACK DEVELOPMENT ASSOCIATES LLC			
COPPERFIELD INVESTORS, L.P.			
TAMARACK LODGE CONDOMINIUM ASSOCIATION			
NATIONAL CITY BANK		X SAM DAELLES S.V.P.	

EQP 2713 (Rev. 9/2004)

FOR MDEQ CASHIER'S OFFICE ONLY

X APPLICANTS: TAMARACK DEVELOPMENT ASSOCIATES LLC
TAMARACK LODGE CONDOMINIUM ASSOCIATION
COPPERFIELD INVESTORS, L.P.

ADJACENT RIPARIAN OWNERS:

NAMES AND ADDRESSES OF THOSE PERSONS HAVING OWNERSHIP, POSSESSION, OR OTHER PROPERTY INTERESTS IN THE PROPERTY SITUATED ON BOTH SIDES OF THAT OWNED BY THE APPLICANT. (LIST THE OWNERS, MORTGAGEES, CONTRACT VENDRES OR OTHERS HAVING ANY INTEREST THEREIN.)

NAME	ADDRESS
BEACH CONDOMINIUMS	1995 US 31 N. TRAVERSE CITY, MI 49686
GEORGETTE SHUDE	#2 LAKE POINTE CT, BLOOMINGTON, IL 61704

NAME, ADDRESS AND TELEPHONE NUMBER OF APPLICANT'S AUTHORIZED AGENTS FOR CONVEYANCE APPLICATION CONSIDERATION.

RICHARD C. HERMANN, 2035 US 31 N. TRAVERSE CITY, MI 49686 231-256-9220

ENCLOSED IS A MAP AND SURVEYED LAND DESCRIPTION REQUIRED UNDER THE PROVISIONS OF SECTION 32504 OF THE ACT AND SECTIONS 6 AND 9 OF THE RULES AND REGULATIONS CERTIFIED TO BY REGISTERED SURVEYOR:

NAME OF SURVEYOR MICHAEL K. GEISERT
SURVEYOR'S ADDRESS 1212 VETERAN'S DRIVE, TRAVERSE CITY, MI 49684

THE FOLLOWING WRITTEN APPROVAL IS ENCLOSED HERewith AS REQUIRED UNDER SECTION 32504 OF THE ACT:

LEGISLATIVE BODY OF LOCAL UNIT OF GOVERNMENT: BOARD OF TRUSTEES
NAME OF CITY OR VILLAGE COUNCIL OR TOWNSHIP BOARD: EAST BAY TOWNSHIP
DATE OF RESOLUTION GIVING APPROVAL: _____

PROOF OF OWNERSHIP FOR THE UPLAND (WARRANTY DEED AND 20-YEAR TAX HISTORY TO ACCOMPANY EITHER TITLE INSURANCE POLICY OR LEGAL TITLE OPINION WRITTEN BY A REGISTERED ATTORNEY) ARE SUBMITTED HERewith TO ESTABLISH ELIGIBILITY FOR CONVEYANCE OF ADJOINING LAKE BOTTOMLAND.

IS THERE, AT PRESENT, ANY LITIGATION IN PROCESS INVOLVING THIS PROPERTY?

YES NO IF YES, EXPLAIN.

HAS A STATE AND/OR FEDERAL PERMIT BEEN GRANTED?

YES NO PERMIT NO.

Application is hereby made for a conveyance as described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief, such information is true, complete, accurate, and is in compliance with Part 325, Great Lakes Submerged Lands. I further certify that I possess the authority to undertake the activities proposed in this application.

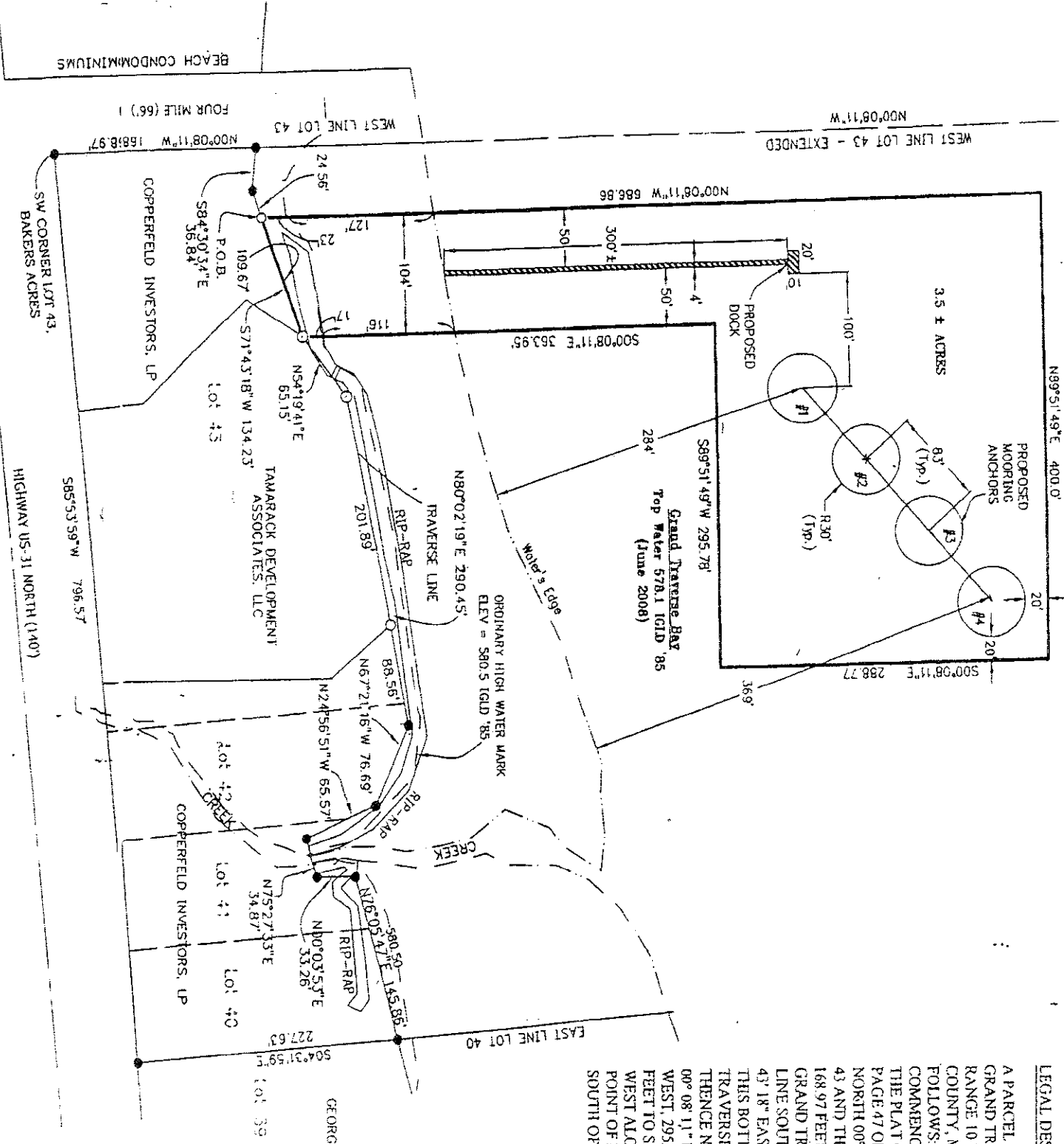
7-3-08
DATE

R. Hermann, President
SIGNATURE OF APPLICANT AND TITLE

THE APPLICATION IS TO BE SIGNED BY THE PERSON DESIRING THE CONVEYANCE OR MAY BE SIGNED BY A DULY AUTHORIZED AGENT IF ACCOMPANIED BY A STATEMENT SIGNED BY THE APPLICANT DESIGNATING THE AGENT.

A STATE APPLICATION FILING FEE OF \$50.00 IS REQUIRED WITH THE APPLICATION. MAKE CHECKS PAYABLE TO: "STATE OF MICHIGAN." PAYMENT OF FEE DOES NOT GUARANTEE CONVEYANCE. SURVEY DRAWINGS MUST ACCOMPANY APPLICATION. APPLICATIONS NOT FULLY COMPLETED WILL BE RETURNED.

RETURN ADDRESS: GREAT LAKES SHORELANDS SECTION
LAND AND WATER MANAGEMENT DIVISION
MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
PO BOX 30458
LANSING MI 48909-7958



LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE BOTTOMLANDS OF GRAND TRAVERSE BAY, SECTION 9, TOWN 27 NORTH, RANGE 10 WEST, EAST BAY TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN, MORE FULLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE SOUTHWEST CORNER OF LOT 43 OF THE PLAT OF BAKERS ACRES AS RECORDED IN LIBER 5, PAGE 47 OF GRAND TRAVERSE COUNTY RECORDS; THENCE NORTH 00° 08' 11" WEST ALONG THE WEST LINE OF SAID LOT 43 AND THE EASTERLY RIGHT OF WAY OF FOUR MILE ROAD, 168.97 FEET TO A TRAVERSE LINE ALONG THE SHORE OF GRAND TRAVERSE BAY; THENCE ALONG SAID TRAVERSE LINE SOUTH 84° 30' 34" EAST, 36.84 FEET; THENCE NORTH 71° 43' 18" EAST, 24.56 FEET TO THE POINT OF BEGINNING OF THIS BOTTOMLAND DESCRIPTION; THENCE LEAVING SAID TRAVERSE LINE NORTH 00° 08' 11" WEST, 686.86 FEET; THENCE NORTH 89° 51' 49" EAST, 400.00 FEET; THENCE SOUTH 00° 08' 11" EAST, 288.77 FEET; THENCE SOUTH 89° 51' 49" WEST, 295.78 FEET; THENCE SOUTH 00° 08' 11" EAST, 363.95 FEET TO SAID TRAVERSE LINE; THENCE SOUTH 71° 43' 18" WEST ALONG SAID TRAVERSE LINE, 109.67 FEET TO THE POINT OF BEGINNING. EXCEPT THAT PORTION WHICH LIES SOUTH OF THE ORDINARY HIGH WATER MARK.

Legend

- Iron Found
- Iron Set
- Concrete Monument
- Government Corner
- Nail Found
- ⊗ Nail Set
- (R) Record
- (M) Measured

GEORGETTE SHUPE

