

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF MONTCALM

File 1932 - 6024 Civil

IN THE MATTER OF THE MAINTAINING OF THE COURT ESTABLISHED  
LAKE LEVEL OF CRYSTAL LAKE IN CRYSTAL TOWNSHIP

AND

THE ESTABLISHMENT OF A SPECIAL ASSESSMENT DISTRICT

ORDER

At a session of said Court held at the  
Courthouse in the City of Stanton, in  
said County and State, on the 15th  
day of December, 1983.

PRESENT: Hon. Charles W. Simon, Jr.  
Circuit Judge

This matter having been brought on for hearing upon the  
petition of Bruce E. Basom, Prosecuting Attorney for the County  
of Montcalm, for and in behalf of the Montcalm County Board of  
Commissioners, praying for the establishment of a Special Assessment  
District and other matters relating to the maintenance of the  
Court established lake level of Crystal Lake in Crystal Township,  
and the Court having heard oral testimony and received into  
evidence maps of the proposed Special Assessment District, and  
a position statement from the Water Management Division of the  
Michigan Department of Natural Resources concerning the same, and  
the Court otherwise being fully advised in the premises;

IT IS ORDERED, ADJUDGED AND DECREED, that the Special Assessment  
District as proposed in the aforementioned petition be and hereby  
is established for Crystal Lake in Crystal Township. (See Exhibit A)

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the prior  
orders of this Court dated August 29, 1932, and July 23, 1962,  
regarding the establishment and maintenance of the lake level of  
Crystal Lake in Crystal Township at 800.49 feet above sea level  
during the summer months and 799.49 feet above sea level during  
other months remain in full force and effect subject to the following  
modifications:

(1) the Montcalm County Drain Commissioner or his  
successor(s) in interest shall be custodian of the plank(s) in

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WYLE B. ERSKIN  
COUNTY CLERK

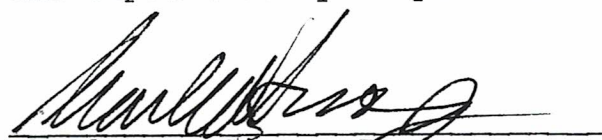
the sluiceway of Crystal Lake, Crystal Township, said plank(s) being the mechanism(s) used to maintain the Court ordered lake level;

(2) the Montcalm County Drain Commissioner or his successor(s) in interest shall replace the single twelve-inch plank with three four-inch planks, said planks to be placed in the sluiceway on April first of each year and removed at his discretion between September fifteenth and December first of each year in a manner to best facilitate the orderly discharge of water from Crystal Lake into Swan (formerly Mud ) Lake;

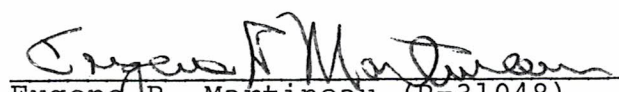
(3) that the benchmark (monument) placed in Crystal Lake by J. W. Harrod, Civil Engineer, on the twenty-first day of October, 1932, said benchmark showing the natural level of said lake, be moved in a manner consistent with the aforementioned Court established lake level and be made a permanent part of the sluiceway control structure or otherwise repaired in a manner that will ensure the permanency of the benchmark against the forces of nature which have over the years caused it to be moved from its original placement point;

(4) that a large tree located downstream from the sluiceway connecting Crystal Lake and Swan (formerly Mud) Lake as depicted in exhibit six (6) from the hearing on said petition shall be removed, as said tree serves as an impediment to the orderly discharge of water between the two lakes;

(5) that said maintenance and repair previously discussed shall be completed as efficiently and expeditiously as possible.

  
Charles W. Simon, Jr.  
Circuit Judge

Approved as to form: ~~XXXXXXXXXX~~

  
Eugene B. Martineau (P-31048)  
Attorney for Crystal Lake Association  
19548 Mann Court  
Northville, Michigan 48167



## PART OF SECTION 7

Part of the South  $\frac{1}{2}$  of Section 7 South of a line commencing at a point on East line of said Section and 869' South of East  $\frac{1}{4}$  post, thence West 330', thence SW to a point described as being 118 rods S and 100 rods W of NE cor of Section 7; Th S 2493', th S  $83^{\circ} 30'$  East 294', Th N  $49^{\circ} 30'$  E. 700'; Th N 110', Th N  $75^{\circ} 30'$  E. 288', Th N 155', Th E 140' to said point, continuing West 140', th S. 155', th S  $75^{\circ} 30'$  E. 288'; Th S 110', Th S  $49^{\circ} 30'$  W. 700', Th N  $83^{\circ} 30'$  E 294' to a point of beg of Skipper's Landing Plat. Continuing West 118', th SWLY paralleling 119' North of North side of North Shore Drive Right-Of-Way to a point 242' E and 152" NLY of the Meander Post between Sec. 7 and 18. Thence SLY 152' to Sec. line between Sec. 17 and 18, Th W along Sec. line to a pt. 33' N of the NW cor of Lot 49 of Supervisor's Plat of West Shore Lots.

## PART OF SECTION 8

Part of Sec. 8 lying S and W of a line commencing 919' S. of W  $\frac{1}{4}$  post, Th S  $88^{\circ}$  E 484' Th N 3', M/L, Th E 150', th N to a pt. 675.5' S and 613.05' E of W  $\frac{1}{4}$  post of Sect 7, Th E 130', th N to a pt. 576.9' S of E W  $\frac{1}{4}$  line, Th E to a pt. 997.1' E and 576.9' S. of W  $\frac{1}{4}$  post of said Sec.; Th N to a pt. 465.7' S of E W  $\frac{1}{4}$  line Th E 50', th N to E W  $\frac{1}{4}$  line, Th E to SW cor Lot 15 Owenday's Addition to Crystal Lake, Th N to NW of cor Lot 1 of Owenday's Addition to Crystal Lake. Th E to NE cor Lot 7 of said plat, Th S to SE cor of Lot 7 of said plat, Th E to N cor of Lot 10 of Supervisor's Shevilys Plat of Walthorns Addition, Th SELY along said Plat to EW  $\frac{1}{4}$  line, Th E along EW  $\frac{1}{4}$  line to NE cor of Lot 21 of Crystal Shores Plat, Th SELY along said Plat to NE cor of Lot 5 of said 'plat and Intersection of N line of Lot 209 of Supervisor's Plat, Th NELY to N cor of Lot 209 of said plat,

Th SELY along E line of Lot 209 to Intersection of Centerline of Hill St. of Peterman's Subdivision and E line of Supervisor's Plat, Th SELY along centerline of Hill St. to Intersection of Goodwin St. and Hill St. of said Peterman's Subdivision, Th NELY along & Centerline of Goodwin St. to Intersection of E line of Peterman's Subdivision, Th SE along E. line of said Subdivision to Intersection of N line of Lot 198 of Supervisors Plat, continuing SELY along E line of said Lot 198 to Intersection of Peterman Ave. N right-of-way line; Th NE along Said N line to E line of Supervisors Plat, being the SE cor of Lot 188 of said Plat. Th SELY along E line of said Supervisors Plat to SE cor of Lot A Block 3 of said plat; Th SWLY along S line of said plat to S point of Lot E Block 1, Th S to a point 286.44' E and 181.5' N of Neander Post #7 on E side of Crystal Lake, Th E 27.06', Th S 11 rods to S line of said Section.

PART OF SECTION 17

Part of Sec. 17 lying N and W of a line commencing at N E cor of Lot 19 of Supervisor Teed's Plat of Crystal, Th S to SE cor of Lot 18 of said plat, Th E 8', Th S to Centerline of Lake St., Th E along Centerline of said Street to Intersection of said Street and Centerline of Myers St., Th S along Centerline of Myers St. to Intersection of Elm St. Centerline, Th W along Elm St. Centerline to Intersection of Grove St. Centerline, Th S along Centerline of Grove St. to Intersection of Belding St. Centerline, Th W along said Centerline to Intersection of Sweet St. Centerline, Th S along Sweet St. Centerline to Intersection of Centerline of Sidney Rd., Th W along Centerline of Sidney Rd. to a point 10 rods E of NW cor of E  $\frac{1}{2}$  of W  $\frac{1}{2}$  of SE  $\frac{1}{4}$ , Th S 16 rods, Th W 10 rods, Th S to a pt. 33' N of 1/8th line, Th E to SE cor of Lot 22 of Plat of Durkee's Lakeside Park, Th E to W Section line of said section 17

PART OF SECTION 18

Part of Sec. 18 lying N and E of a line commencing at the Intersection of the N right-of-way line of Sidney Road and the E Section line of said Sec 18, Th N along said section line to Intersection of N right-of-way line of S Shore Drive, Th W 177' from SW cor of Lot 183 of Durkee's Lakeside Park, Th W 62', Th S 40', th W 124', th SWLY to a pt described as being 1320' East and 386.9' S of Center of said Sec. Th S. 30' Th S 310', Th S 80° 45' E 635' to said point. Continuing N 80° 45' W 635', Th N 310' to S right-of-way line of Diane Drive Th W along S line of Diane Drive to

E right-of-way line of Bell Blvd. Th W to W line of Bell Blvd., Th N 81° 52' W 110', Th N 66', Th N 81° 52' W to SE cor of Lot 109 Marshall Straits Silver Beach Park, Th W along Plat Line to SW cor of Lot 118 of said Plat of Marshall Straits Silver Beach Park, Th N to a point 108' S of the NW cor of Lot 121 of Said Plat, Th E parallel W  $\frac{1}{4}$  line 202.5', Th N 38° W 126', Th N 52° W 236.5' M/L to E & W  $\frac{1}{4}$  line of Sec 18, Th NWLY to a point 50' W of SW cor of Lot 68 of the Plat of Marshall Straits Silver Beach Park, Th N 88', Th E 50' th NLY along West line of said Plat to the NW cor of Lot 40 of said Plat. Th NLY to SW cor of Lot 28 of Supervisors Plat of West Shore Lots, Th NLY along West line of said Supervisors Plat of West Shore Lots to N Sec. Line of Said Section 18.