

LITTLE POINT SABLE.

NORTH PLAT. OCEANA COUNTY MICHIGAN

Know All Men by these Presents, That I, John H. Hill, Proprietor, have caused the land embraced in the annexed plat to be surveyed, laid out and platted to be known as LITTLE POINT SABLE and that the Streets, roads and drives as shown on said plat are hereby dedicated to the use of the public.

SIGNED AND SEALED IN PRESENCE OF

W. J. B. McCallum } *John H. Hill* [L. S.]
W. J. B. McCallum } [L. S.]
STATE OF ILLINOIS, } SS.

COUNTY OF COOK.

On this 11th day of November, 1903, before me, a Notary Public in and for said county, personally came the above named John H. Hill known to me to be the person who executed the above dedication and acknowledged the same to be his free act and deed.

SURVEYOR'S CERTIFICATE.

I hereby certify that the plat hereon delineated is a correct one, and that permanent monuments, consisting of wooden stakes with iron rods have been planted at points marked O as shown thereon at all angles in the boundaries of the land platted, and at all intersections of streets.

Surveyor.

DESCRIPTION OF LAND PLATTED

The land embraced in the annexed plat of LITTLE POINT SABLE is described as follows: The W. 1/2 of the SW. 1/4 of Section 1, and lot 2 of section 2, both in T. 14 N., R. 19 W.; being in the Township of Benona, Oceana County, Michigan.

STATE OF MICHIGAN, } SS.

COUNTY OF OCEANA. We J. B. McCallum Register of Deeds, and F. F. Wetmore Surveyor, hereby certify that we have each carefully compared this copy with the original plat of LITTLE POINT SABLE and that it is an exact copy thereof and of the whole of such original map or plat.

STATE OF MICHIGAN, } SS.

COUNTY OF OCEANA. We J. B. McCallum Register of Deeds, and F. F. Wetmore Surveyor, hereby certify that we have each carefully compared this copy with the plat of LITTLE POINT SABLE now of record in the office of said Register of Deeds, and that it is a true transcript therefrom and of the whole of such record.

Register of Deeds.

Surveyor.

Examined and Approved
April 30 1904
John F. Wilkinson
Deputy Auditor General



LAKE
RECEIVED AND FILED.
IN AUDITOR GENERAL'S OFFICE,
JULY 26 1904.
John F. Wilkinson
Deputy Auditor General.

VACATED BY COURT ORDER
April 11 1904
Voucher No. 586-61

REGISTERS OFFICE
OCEANA COUNTY
Received for Record this 26th day of July 1904
Attest
J. B. McCallum
Register of Deeds
F. F. Wetmore
Surveyor

ARCHIE C. FRASER
EVERETT R. TREBILCOCK
JAMES R. DAVIS
JOE C. FOSTER, JR.
EUGENE F. TOWNSEND, JR.
RONALD R. PENTECOST
DONALD A. HINES
JAMES A. PARK
JOHN J. DOOD
ROBERT W. TOWNSEND
PETER L. DUNLAP
EVERETT R. ZACK

FRASER, TREBILCOCK, DAVIS & FOSTER
LAWYERS
TENTH FLOOR MICHIGAN NATIONAL TOWER
LANSING, MICHIGAN 48933
TELEPHONE 372-0235

Oceana
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RECEIVED

SEP 16 1969

LEGAL DIVISION
DEPT. OF CONSERVATION

September 15, 1969

Mr. Jerome Maslowski
Assistant Attorney General
State of Michigan
Law Building
525 West Ottawa Street
Lansing, Michigan 48933

Mr. Clifford W. Prince
Hinds, Sikkenga & Prince
Attorneys at Law
191 North Michigan Avenue
Shelby, Michigan 49455

Re: In re: Petition of Herbert W. Hines,
et al. vs. Allison Green
(Oceana County Circuit Court File No. 488)

Dear Jerry and Cliff:

After securing your respective approvals on the proposed Order in connection with the above-referenced case, I submitted that Order to Judge Van Domelen on August 27, 1969. Judge Van Domelen signed the Order, exactly as presented to him, and the same was filed in the office of the Oceana County Clerk immediately thereafter.

Enclosed herewith please find a certified copy of the Order, as entered.

The last paragraph of the Order directs the Petitioners and/or their attorneys to record a certified

September 15, 1969
Page 2

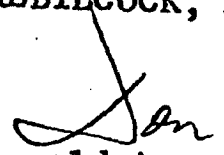
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copy of the Order in the office of the Oceana County Register of Deeds. Please be advised that I accomplished the recording of the Order on August 27, 1969. The Order was recorded in Liber 293, Page 220-224, Oceana County Records.

Thank you very much for your cooperation in connection with the processing of this vacating proceeding.

Very truly yours,

FRASER, TREBILCOCK, DAVIS & FOSTER


Donald A. Hines

DAH/jc
Enclosure

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF OCEANA

RECEIVED
SEP 16 1969
LEGAL DIVISION
DEPT. OF CONSERVATION

In re: Petition of
HERBERT W. HINES, ET AL.,
Petitioners,

vs.

File No. 488

ALLISON GREEN, STATE TREASURER OF
THE STATE OF MICHIGAN,

Respondent.

ORDER VACATING A PUBLIC RIGHT-OF-WAY
IN A RECORDED PLAT

At a session of said Court held in the Circuit Court Room in the County Building, in the City of Hart, County Of Oceana, State of Michigan, on the 27 day of August, 1969.

Present: Honorable HAROLD E. VAN DOMELEN, Circuit Judge.

WHEREAS, on the 5th day of March, 1968, the Petitioners in the above-entitled cause filed a Petition making Application for the vacating of a certain public right-of-way in a recorded plat, which right-of-way is marked on the Plat Map as "Lake Michigan Drive", and is within the bounds of the Plat of Little Point Sable, South Plat, T14N, R19W, Benona Township, Oceana County, Michigan, said Plat having been recorded on October 1, 1913 in Liber 2 of Plats, Page 23, in the Office of the Register of Deeds of Oceana County, Michigan; and

WHEREAS, the aforesaid right-of-way known as "Lake Michigan Drive" borders upon, and is adjacent to, the shoreline of Lake Michigan, thereby bringing the above captioned action within the purview of Act No. 341 of the Public Acts of 1927 (MSA §9.51, et seq.;

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AVIS
&
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and, M.C.L.A. §247.41, et seq.) dealing with the discontinuation or alteration of public highways bordering lakes, as well as within the purview of Act No. 288 of the Public Acts of 1967 (MSA §26.430(101) et seq.; and, M.C.L.A. §560.101 et seq.), the same being the Subdivision Control Act of 1967; and

WHEREAS, this Court entered an Order setting a date for the holding of a hearing on said Petition and/or Application for the vacating of the aforesaid right-of-way, which hearing was set for May 24, 1968, at 2:00 P.M.; and

WHEREAS, at the time of the hearing on May 24, 1968, proper and sufficient proofs were made to this Court showing that all notices required under Act No. 341 of the Public Acts of 1927, and under Act No. 288 of the Public Acts of 1967, were properly given, and the necessary affidavits and other proofs in connection therewith were properly filed with this Court before the date of said hearing, as is evidenced by the entries in the Court file in this cause; and

WHEREAS, on the date set for hearing, as aforesaid, the Petitioners and all interested parties appearing in the Court were heard, either personally or through their respective counsel, and at the conclusion thereof, the Court adjourned the hearing to allow additional study by the Petitioners and interested parties and to permit such additional hearings as might be determined necessary by the Court; and

WHEREAS, the Petitioners and all interested parties appearing in this action have agreed that the best interest and welfare of the public will be served by the vacating of the public right-of-way in question, as requested by the Petitioners, providing a private right-of-way is maintained in place thereof for use by all owners

11759
of all lots within the plat of Little Point Sable, South Plat, Benona Township, Oceana County, Michigan; and

WHEREAS, it satisfactorily appears to this Court that there is no reasonable objection to the vacating of this public right-of-way, and that it is necessary for the best interest and welfare of the public that such right-of-way be abandoned and discontinued, and, that a private right-of-way and/or easement be reserved in place thereof, for use by all lot owners within the plat of Little Point Sable, South Plat, Benona Township, Oceana County, Michigan; and

The Court being fully informed in the premises.

N O W T H E R E F O R E:

IT IS ORDERED AND ADJUDGED that the entire public right-of-way denominated as "Lake Michigan Drive" on the Plat of Little Point Sable, South Plat, Benona Township, Oceana County, Michigan, which is described as follows, to wit:

The entire right-of-way denominated as "Lake Michigan Drive" on the Plat of Little Point Sable, South Plat, Benona Township, Oceana County, Michigan, and which is more specifically described as follows: That certain parcel of land which is bounded on the East by the continuous line which is formed by the Western lot lines of all lakefront lots in said Plat as extended from the "North Boundary" of said Plat to the "South Boundary" of said Plat, and is bounded on the West by the shoreline formed by the waters of Lake Michigan, and is bounded on the North by the "North Boundary" of said Plat, and is bounded on the South by the "South Boundary" of said Plat, all situated in the Plat of Little Point Sable, South Plat, T14N, R19W,

Benona Township, Oceana County,
Michigan, in accordance with the
Plat thereof as recorded in Liber
2 of Plats, Page 23, Office of the
Register of Deeds of Oceana County,
Michigan,

11759

be and the same hereby is vacated.

IT IS FURTHER ORDERED AND ADJUDGED that the title to the
lands heretofore encompassed within the right-of-way of "Lake
Michigan Drive", as described hereinbefore, shall and does hereby
vest in the owner and/or owners of the Lots, or portions thereof,
in said Plat of Little Point Sable, South Plat, Benona Township,
Oceana County, Michigan, abutting said vacated right-of-way of "Lake
Michigan Drive", in accordance with the statutes in such case made
and provided, and, that all of said lots, or portions thereof, shall
extend to the waters' edge of Lake Michigan in the same manner as if
they had been originally platted as such.

IT IS FURTHER ORDERED AND ADJUDGED that a private right-of-
way and/or easement is hereby reserved in the exact location as was
formerly occupied by the aforementioned "Lake Michigan Drive", which
right-of-way and/or easement is reserved solely for use by all of the
owners of lots, or portions thereof, within the entire plat of Little
Point Sable, South Plat, Benona Township, Oceana County, Michigan,
their heirs, administrators, executors, successors and/or assigns.

IT IS FURTHER ORDERED AND ADJUDGED that the right-of-way for
"South Road", as depicted on the Plat of Little Point Sable, South
Plat, Benona Township, Oceana County, Michigan, shall continue to
extend to the waters' edge of Lake Michigan, and shall continue as
a public right-of-way.

IT IS FURTHER ORDERED AND ADJUDGED that the Petitioners and/or their attorneys shall record a certified copy of this Order in the Office of the Register of Deeds of Oceana County, Michigan, within 30 days of the date of this Order.

Harold E. Van Domeley
HAROLD E. VAN DOMELEN, Circuit Judge

Countersigned:

D. Sears Crosby
D. Sears Crosby, County Clerk

Approved as to form and content:

FRANK J. KELLEY
Attorney General

By Jerome Maslowski
Jerome Maslowski
Assistant Attorney General
Attorneys for the State of Michigan,
Departments of Treasury and
Conservation

HINDS, SIKKENG & PRINCE

By Clifford W. Prince
Clifford W. Prince
Attorneys for Oceana County Road
Commission, and Attorneys for
Oceana County Drain Commissioner

FRASER, TREBILCOCK, DAVIS & FOSTER

By Donald A. Hines
Donald A. Hines
Attorneys for Petitioners

I certify that I have compared this copy
with the original on file in this court &
that it is a correct copy of the whole of
such original.

Dated August 27, 1969
Circuit Court, Oceana County
Hart, Michigan

D. Sears Crosby
Oceana County Clerk