

M E M O R A N D U M

To: Porter Township Board and all others

From: Harold Schuitmaker
Attorney for Porter Township

Date: June 3, 2015

Re: Gravel Lake License Agreement/North and South Drives

In the Fall of 2013, the Township received a number of complaints about parties, docks, boats, and storage of items on North Drive. The Plat of Streeter Beach provides that North Drive and South Drive are Public Roads. See MCL 324.30111b, as added by 2012 Public Act 56, and Public Act 168 effective June 12, 2014.

These Public Act(s) allows the township to control a road end at a lake.

In 2014, the Township became aware that the back lot owners had a history of using both North Drive and South Drive for docking boats, traveling to/from the lake, bathing, etc.

So that the actions of property owners could be conducted in a controlled manner, the Township appointed a committee to come up with a plan that addresses use, hours of use, docks, decks, building code, liability coverage, as it relates to both North Drive and South Drive. A License Agreement for each drive was then prepared for those who owned a residence on the back lots to sign.

This License Agreement does not affect the use of either North Drive or South Drive by the front lot owners to travel over North Drive and South Drive to launch boats, or traverse the road ends for lawnmowers and other equipment.

The Agreement controls the use of North Drive and South Drive by back lot owners to:

1. Access Gravel Lake.
2. Boat docking, piers, and structures, subject to Porter Township Ordinances, as amended.
3. Gathering area at the lake shore.

Under the License, the uses are subject to the following:

1. Users shall properly dispose of trash and food items and food and drink containers.
2. Users shall keep the grounds mowed and otherwise free from noxious weeds.
4. Users shall maintain the area to prevent erosion and contaminants from reaching the lake.
5. The number of boats docked overnight shall not exceed four (4).
6. Any pier shall not exceed the length and width of the average of the nearest four (4) piers on either side.
7. Any shoreline structures shall meet all the building code, and zoning restrictions and shall be maintained at all times.
8. The Township will survey the property to determine the legal area to be maintained.

As to the remaining lot owners in the Plat; i.e., lake front lot owners, the Township felt they do not need to be regulated as to docks, parties, boats, etc., on North Drive and South Drive as they have their own lot for docks, parties, decks, etc. and to do as they legally please.

It has never been the Township's intent to restrict front lot owners the right to use North Drive and South Drive for boat launching, moving lawn mowers and equipment, etc.

Nor is it the Township's intent to convey any ownership interest to back lot owners in North Drive and/or South Drive under the terms of the License Agreement.