

CHARTER TOWNSHIP OF FENTON
Ordinance No. 659
Adopted: June 19, 2006

An ordinance to amend Ordinance No. 649, (a PUD rezoning amendment to Ordinance No. 594 of the Township of Fenton, commonly known as the Fenton Township Zoning Ordinance), to change the legal description of the property associated with the rezoning of a certain parcels of land, 06-27-100-004 & 06-27-100-015, owned by Hartland Developers, and to amend the Township Zoning Map to reflect the zoning change.

THE CHARTER TOWNSHIP OF FENTON, COUNTY OF GENESEE, MICHIGAN
ORDAINS:

After public hearing and publication of notice thereof as required by the statutes of the State of Michigan, Section 3.02 A of the Fenton Township Zoning Ordinance (Ordinance No. 594) is hereby amended as follows:

The legal description for property rezoned in Ordinance No. 649 is hereby amended to provide as follows:

Commencing at the Southwest Corner of Supervisor's Plat of Ponemah Beach, a subdivision of part of the East 1/2 of the Northwest 1/4 of Section 27 and part of the Southeast 1/4 of the Southwest 1/4 and the Southwest 1/4 of the Southeast 1/4 of Section 22, Town 5 North, Range 6 East, Fenton Township, Genesee County, Michigan as recorded in Liber 18 of Plats, Page 25, Genesee County Records; thence N 62°49'00" W 498.47 feet along the Northerly Right-of-Way of Grand Trunk and Western Railroad; thence N 41°41'40" E 154.82 feet; thence N 11°01'09" W 117.04 feet to the pob thence continuing N 11°01'09" W 181.43 feet to Intermediate Traverse Point "B"; thence continuing N 11°01'09" W 10± feet to the water's edge of Lake Ponemah; thence Southeasterly 196± feet along said water's edge; thence S 08°15'44" E 35± feet to Intermediate Traverse Point "C", said point being distant S 82°06'43" E 90.04 feet and S 37°35'11" E 100.04 feet from Intermediate Traverse Point "B"; thence continuing S 08°15'44" E 8.69 feet; thence S 50°10'33" W 73.15 feet; thence S 62°54'10" W 68.07 feet to the Place of Beginning. Being a part of the Northwest 1/4 of Section 27, Town 5 North, Range 6 East, Fenton Township, Genesee County, Michigan. Containing 0.42 acres of land, more or less. Together with a private easement for Ingress and Egress as recorded in Liber 3275, Page 436 and Liber 4107, Page 1, Genesee County Records, also subject to a certain Genesee County Circuit Court Order fixing the mean water level of 869 feet (above sea level) and the high water level of 870 feet (above sea level) for Lake Ponemah, Tupper Lake and Squaw Lake and recorded in Liber 1509, Page 443, Genesee County Records, also subject to Michigan State Law(s) pertaining Littoral and/or Riparian Rights as set forth in the "Natural Resources and Environmental Protection Act" - Act 451 of 1994, Chapter 324 "Natural Resources and Environmental Protection" Article III - Natural Resources Management, Sub - Chapter 1 "Inland Waters" (451-1994-III-1-Inland-Waters), also subject to and together with easements and restrictions of record, if any.

Beg at the Southwest Corner of Supervisor's Plat of Ponemah Beach, a subdivision of part of the East 1/2 of the Northwest 1/4 of Section 27 and part of the Southeast 1/4 of the Southwest 1/4 and the Southwest 1/4 of the Southeast 1/4 of Section 22, Town 5 North, Range 6 East, Fenton Township, Genesee County, Michigan as recorded in Liber 18 of Plats, Page 25, Genesee County Records; thence N 62°49'00" W 498.47

feet along the Northerly Right-of-Way of Grand Trunk and Western Railroad; thence N 41°41'40" E 154.82 feet; thence N 11°01'09" W 117.04 feet; thence N 62°54'10" E 68.07 feet; thence N 50°10'33" E 73.15 feet; thence N 08°15'44" W 8.69 feet to Intermediate Traverse Point "C"; thence continuing N 08°15'44" W 35± feet to the water's edge of Lake Ponemah; thence Northeasterly 342± feet along said water's edge; thence S 01°04'19" E 30± feet to Intermediate Traverse Point "D", said point being distant N 56°44'04" E 24.70 feet, N 15°36'59" W 46.87 feet, N 38°19'57" E 104.70 feet and N 66°35'01" E 174.56 feet from Intermediate Traverse Point "C"; thence continuing S 01°04'19" E 754.98 feet along the West line of said Supervisor's Plat of Ponemah Beach to the Place of Beginning. Being a part of the Northwest 1/4 of Section 27, Town 5 North, Range 6 East, Fenton Township, Genesee County, Michigan. Containing 4.44 acres of land, more or less lying Southerly of the Intermediate Traverse Line and 0.15 acres of land, more or less lying between the Intermediate Traverse Line and the water's edge of Lake Ponemah. Subject to and together with a private easement for Ingress and Egress as recorded in Liber 3275, Page 436 and Liber 4107, Page 1, Genesee County Records, also subject to a certain Genesee County Circuit Court Order fixing the mean water level of 869 feet (above sea level) and the high water level of 870 feet (above sea level) for Lake Ponemah, Tupper Lake and Squaw Lake and recorded in Liber 1509, Page 443, Genesee County Records, also subject to Michigan State Law(s) pertaining Littoral and/or Riparian Rights as set forth in the "Natural Resources and Environmental Protection Act" - Act 451 of 1994, Chapter 324 "Natural Resources and Environmental Protection" Article III - Natural Resources Management, Sub - Chapter 1 "Inland Waters" (451-1994-III-1-Inland-Waters), also subject to and together with easements and restrictions of record, if any.

This amendatory ordinance is hereby declared to have been enacted by the Fenton Township Board of Trustees at a regular meeting thereof held on the 19th day of June 2006 and is ordered to be given publication in the manner prescribed by law. It shall become effective seven (7) days after adoption and publication.

Bonnie K. Mathis, Supervisor

Robert E. Krug, Clerk