

PARCEL DIVISION APPLICATION

You MUST answer all questions and include all attachments, or this will be returned to you.

Bring or mail to: Rick Speck, Zoning Administrator
Box 29
Beaver Island, MI 49782

ST JAMES Township

Permit 5-1881

FEE SCHEDULE: \$25.00 EA First four parcels
AFTER THE FACT FEE \$100.00

\$10.00 EA Additional Parcel

Approval of a division of land is required before it is sold, when the new parcel is less than 40 acres and not just a property line adjustment (§102 (e&f) of P.A. 288 of 1967 MCL 560.102).

In the box below, fill in where you want this form sent when the review is completed.

Name:	<u>DAVID L J STEIN TRUST</u>
Address	<u>Box 174</u>
City, State, Zip	<u>BEAVER ISLAND, MI 49782</u>

This form is designed to comply with §108, 109, 109a, 109b of the Michigan Land Division Act (formerly the subdivision control act, P.A. 288 of 1967, as amended (particularly by P.A. 591 of 1996), MCL 560.101 et. seq.)

1. LOCATION of parent parcel to be split:

Address: 25737 Road Name: NINE STREET

Parent parcel number: 15-013-223-010-10

Legal description of Parent Parcel (attach extra sheets if needed):

SEE ATTACHED PARCEL "A" DESCRIPTION

Township or Village Name: ST JAMES

2. PROPERTY OWNER information:

Name: DAVID L J STEIN TRUST Phone: (248) 652-7374

Address: 25737 Road Name: NINE ST

City: BEAVER ISLAND State: MI Zip Code 49782

3. APPLICANT information (if not the property owner)

Contact Person's Name: _____

Business Name: _____ Phone: (____) _____

Address: _____ Road Name: _____

City: _____ State: _____ Zip Code _____

4. PROPOSAL: Describe the division(s) being proposed:

A. Number of new Parcels 2 PARCELS "B" & "C"

B. Intended use (residential, commercial, etc.) RESIDENTIAL

C. The division of the parcel provides access to an existing public road by: (check one)

☐ Each new division has frontage on an existing public road.

☐ A new public road, proposed road name: _____
(Road name can not duplicate an existing road name.)

☐ A new private road, proposed road name: _____
(Road name can not duplicate an existing road name.)

☒ A recorded easement (driveway). (Can not service more than two potential sites)

4A. Write here, or attach, a legal description of the proposed new road, easement or shared driveway (attach extra sheets if needed):

SEE ATTACHED EASEMENT DESCRIPTION

4B. Write here, or attach, a legal description for each proposed new parcel (attach extra sheets if needed):

SEE ATTACHED "A", "B" & "C" DESCRIPTIONS

5A. FUTURE DIVISIONS that may be allowed but not included in this application: NONE

5B. Did the parent parcel have any unallocated divisions under the Land Division Act? YES

5C. Were any unallocated divisions transferred to the newly created parcel(s)? NO

5D. If so how many? _____

Identify the other parcel future divisions are transferred to: _____

(See section 109(2) of the Statute. Make sure your deed includes both statements as required in section 190(3) and 109(4) of the Statute.)

Parcel Number 15-013-223-010-10
Date: 11/24/14
Name: DAVID L J STEIN TRUST

6. DEVELOPMENT SITE LIMITS Check each that represents a condition which exists on the parent parcel. Any part of the parcel:

- ☐ is in a DNR-designated critical sand dune area.
☐ is riparian or littoral (it is a river or lake front parcel).
☐ is affected by a Lake Michigan High Risk Erosion setback.
☐ includes a wetland.
☒ includes a beach.
☐ is within a flood plain.
☐ includes slopes more than twenty five percent (a 1:4 pitch or 14° angle) or steeper.
☐ is on muck soils or soils known to have severe limitations for on site sewage systems.
☐ is known or suspected to have an abandoned well, underground storage tank or contaminated soils.

7. ATTACHMENTS (all attachments must be included). Letter each attachment as shown here.

- ☒ A. Map, drawn to scale of 11/1/21 (insert scale), of the proposed division(s) of the parent parcel showing:
(1) boundaries as of March 31, 1997, and
(2) all previous divisions made after March 31, 1997 (indicate when made or none), and
(3) the proposed division(s), and
(4) dimensions of the proposed divisions, and
(5) existing and proposed road/easement rights-of-way, and
(6) easements for public utilities from each parcel to existing public utility facilities, and
(7) any existing improvements (buildings, wells, septic system, driveways, etc.)
(8) any of the features checked in question number 6.
☐ B. A soil evaluation or septic system permit for each proposed parcel prepared by the Health Department.
☐ C. An evaluation/indication of approval will occur, or a well permit for portable water for each proposed parcel prepared by the Health Department
☐ D. Indication of approval, or permit from the County Road Commission, for each proposed new road, easement or shared driveway.
☐ E. A copy of any transferred division rights (§109(4) of the Act) in the parent parcel.
☐ F. If the division includes a new public or private road; a copy of approval by the County Addressing authority.
☐ G. Other (please list)

8. IMPROVEMENTS Describe any existing improvements (buildings, well, septic, etc.) which are on the parent parcel, or indicate none (attach extra sheets if needed): NONE

9. AFFIDAVIT and permission for county and state officials to enter the property for inspections:

I agree the statements made above are true, and if found not to be true this application and any approval will be void. Further, I agree to comply with the conditions and regulations provided with this parent parcel division. Further, I agree to give permission for officials of the County and the State of Michigan to enter the property where this parcel division is proposed for purposes of inspection to verify the information on the application is correct. Finally, I understand this is only a parcel division which conveys only certain rights under the Michigan Land Division Act (formerly the Subdivision Control Act, P.A. 288 of 1967, as amended (particularly by P.A. 591 of 1996), MCL 560.101 et. seq.), is not a representation or determination the resulting parcels comply with other ordinances or regulations, and does not include any representation or conveyance of rights in any other statute, building code, zoning ordinance, deed restriction or other property rights.

Further, I understand the township granting approval of this division(s) resulting in less than 1 acre in size is not liable if a building permit is not issued for the parcel due to nonapprovable on-site water or on-site sewage disposal. Checking with the District Health Department for septic and water is the landowner's responsibility.

Finally even if this division is approved, I understand zoning, local ordinances and State Acts change from time to time, and if changed the divisions made here must comply with the new requirements (apply for division approval again) unless deeds, land contracts, leases or surveys representing the approved divisions are recorded with the Register of Deeds or the division is built upon before the changes to laws are made.

Property Owner's Signature

David J. Stein

Date

11/24/2021

DO NOT WRITE BELOW THIS LINE

Reviewer's Action

TOTAL \$

Receipt #

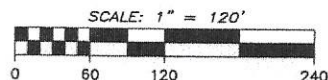
Approved: Conditions, if any:

Denied: Reasons (cite §):

Signature and date:

CERTIFICATE OF BOUNDARY SURVEY

CERTIFIED TO: DAVILYN J. STEIN
25737 PINE ST.
PO BOX 174
BEAVER ISLAND, MI 49782

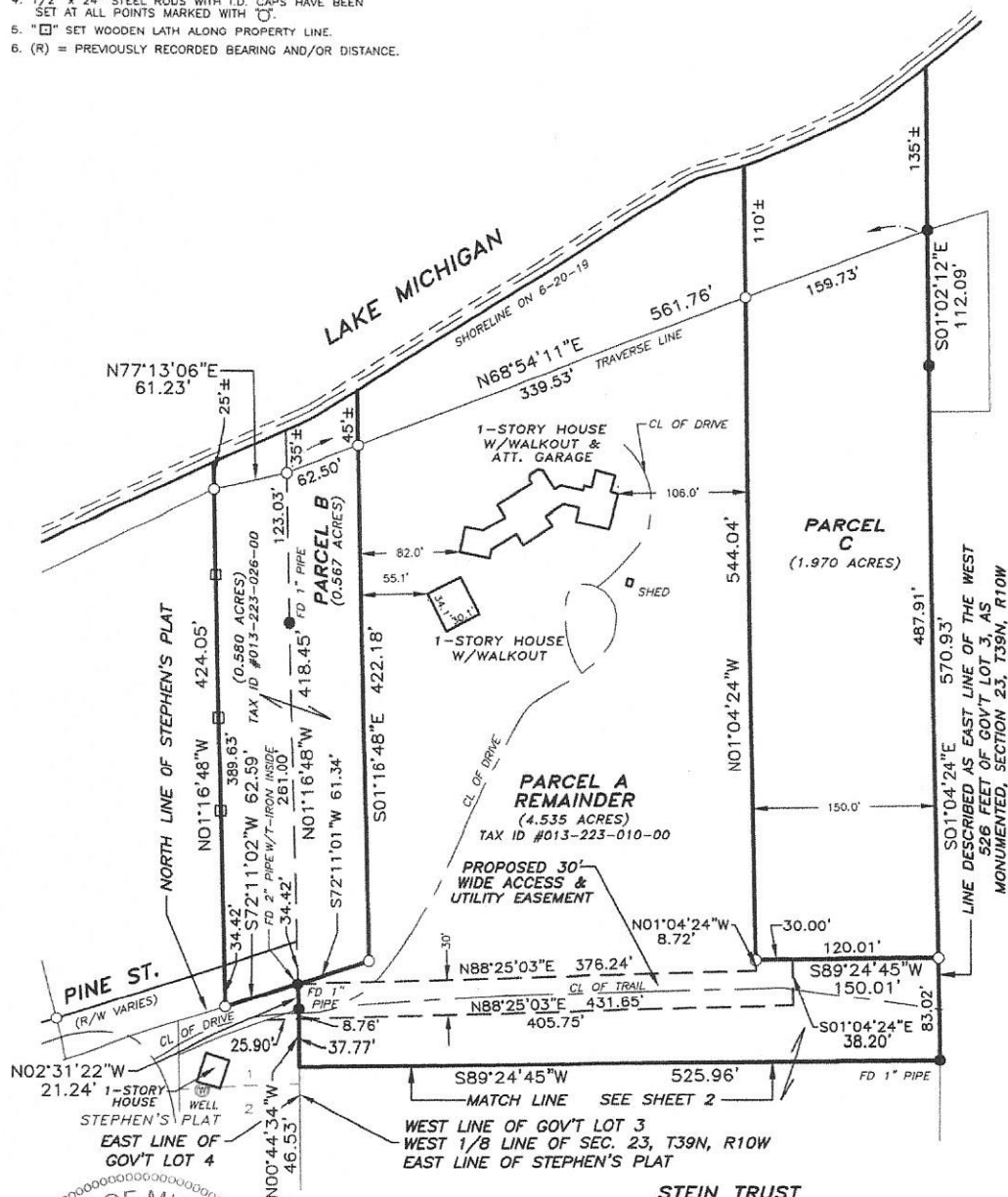


PART OF GOV'T LOTS 3 & 4

AND PART OF BLOCKS 4 & 5 OF STEPHENS PLAT
(LIBER 2, PAGE 11, CHARLEVOIX COUNTY RECORDS)
ALL IN SECTION 23, TOWN 39 NORTH, RANGE 10 WEST
ST. JAMES TOWNSHIP, CHARLEVOIX COUNTY, MICHIGAN

LEGEND:

1. DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
2. BEARINGS BASED ON GPS OBSERVATION OF EXISTING MONUMENTATION.
3. "●" FOUND T-IRON STAKE UNLESS OTHERWISE NOTED.
4. 1/2" x 24" STEEL RODS WITH I.D. CAPS HAVE BEEN SET AT ALL POINTS MARKED WITH "●".
5. "□" SET WOODEN LATH ALONG PROPERTY LINE.
6. (R) = PREVIOUSLY RECORDED BEARING AND/OR DISTANCE.



STEIN TRUST

(6.588 ACRES)
TAX ID #013-223-011-00

This survey plat was prepared for the exclusive use of the person, persons, or entity named in the certification hereon. Said certificate does not extend to any unnamed third person without an express recertification by the surveyor naming said third person.

SHEET NO. 1 OF 5



SCOTT A. PAPINEAU, PROFESSIONAL SURVEYOR, NO. 50446
I HEREBY CERTIFY that I have surveyed and mapped the parcels herein described and that the relative positional precision of each corner is within the limits accepted by the practice of professional surveying and that all the requirements of P.A. 132 of 1970, as amended, have been complied with.

FIELD: 06-20-19 STAKED: SAP DRAWN: IDS
JOB: SB-27470c.19 DATE: 11/01/2021

FERGUSON & CHAMBERLAIN ASSOCIATES, INC.

PROFESSIONAL SURVEYORS

103 W. UPRIGHT STREET, CHARLEVOIX, MICHIGAN 49720

(231) 547-6882 - FAX (231) 547-0021

EMAIL: info@fcasurveying.com

November 9, 2021


Job No. SB-27470C-19 (21)

Legal Description for: Davilyn Stein

Parcel A (Stein Trust Remainder)

In the Township of St. James, Charlevoix County, Michigan, Commencing at a Boat Spike at the Meander Corner on the North Shore of Beaver Harbor of Section 23, Town 39 North, Range 10 West; thence North 78°21'05" East 1345.44 feet (recorded as North 82°07'24" East 1345.56 feet) to the Southeast corner of Lot 14 of Stephen's Plat as recorded in Liber 2, Page 11 of Plats of Charlevoix County Records, also being on the East line of Government Lot 4 of said section; thence along the East line of said plat and the East line of said Government Lot 4, North 2°52'41" West 115.20 feet (recorded as 115.00 feet); thence continuing along said plat line and Government Lot line North 0°36'51" West 171.11 feet (recorded as 171.20 feet) to a ½" iron pipe; thence North 89°21'22" East 328.23 feet (recorded as 326.00 feet) to a T-iron stake; thence North 0°55'53" West 13.84 feet (recorded as 13.80 feet) to a T-iron stake; thence North 89°20'49" East 200.00 feet to a T-iron stake on the East line of the West 526 feet of Government Lot 3 of said section as monumented; thence along said East line North 2°07'19" West 274.89 feet to a 1" iron pipe; thence continuing along said East line North 0°11'30" East 263.62 feet to a 1" iron pipe being the POINT OF BEGINNING; thence continuing along said East line North 1°04'24" West 83.02 feet to a ½" iron rod; thence South 89°24'45" West 150.01 feet to a ½" iron rod; thence North 1°04'24" West 544.04 feet to a ½" iron rod on an intermediate traverse line of Lake Michigan; thence along said traverse line South 68°54'11" West 339.53 feet to a ½" iron rod; thence South 1°16'48" East 422.18 feet to a ½" iron rod; thence South 72°11'01" West 61.34 feet to a 2" iron pipe with a T-iron inside at the Northeast corner of said plat; thence along the East line of said plat, also being the West line of Government Lot 3 of said section, South 2°31'22" East 21.24 feet to a 1" iron pipe at the Northeast corner of Lot 1 of said plat; thence continuing along said East plat line and Government Lot line, South 0°44'34" East 46.53 feet to a ½" iron rod; thence North 89°24'45" West 525.96 feet to the Point of Beginning, being a part of Government Lot 3, Section 23, Town 39 North, Range 10 West and containing 4.535 acres. The above described property extends to the water's edge of Lake Michigan Northerly of the course described as being along the intermediate traverse line. Subject to the rights of the public and of any governmental unit in any part thereof taken, used, or deeded for street, road, or highway purposes.

Subject to a 30 foot wide access and utility easement, more particularly described as follows: In the Township of St. James, Charlevoix County, Michigan, Commencing at a Boat Spike at the Meander Corner on the North Shore of Beaver Harbor of Section 23, Town 39 North, Range 10 West; thence North 78°21'05" East 1345.44 feet (recorded as North 82°07'24" East 1345.56 feet) to the Southeast corner of Lot 14 of Stephen's Plat as recorded in Liber 2, Page 11 of Plats of Charlevoix County Records, also being on the East line of Government Lot 4 of said section; thence along the East line of said plat and the East line of said Government Lot 4, North 2°52'41" West 115.20 feet (recorded as 115.00 feet); thence continuing along said plat line and Government Lot line North 0°36'51" West 171.11 feet (recorded as 171.20 feet) to a ½" iron pipe; thence North 89°21'22" East 328.23 feet (recorded as 326.00 feet) to a T-iron stake; thence North 0°55'53" West 13.84 feet (recorded as 13.80 feet) to a T-iron stake; thence North 89°20'49" East 200.00 feet to a T-iron stake on the East line of the West 526 feet of Government Lot 3 of said section as monumented; thence along said East line North 2°07'19" West 274.89 feet to a 1" iron pipe; thence continuing along said East line North 0°11'30" East 263.62 feet to a 1" iron pipe; thence continuing along said East line North 1°04'24" West 83.02 feet to a ½" iron rod; thence South 89°24'45" West 120.01 feet to the POINT OF BEGINNING; thence continuing South 89°24'45" West 30.00 feet; thence South 1°04'24" East 8.72 feet; thence South 88°25'03" West 376.24 feet to a 2" iron pipe with a T-iron inside at the Northeast corner of said plat; thence along the East line of said plat, South 2°31'22" East 21.24 feet to a 1" iron pipe at the Northeast corner of Lot 1 of said plat; thence along the North line of said Lot 1, South 69°48'56" West 27.47 feet; thence North 88°25'03" East 25.90 feet to the said East plat line; thence continuing North 88°25'03" East 405.75 feet; thence North 1°04'24" West 38.20 feet to the Point of Beginning, being a part of Government Lot 3, Section 23, Town 39 North, Range 10 West.


 Scott A. Papineau, P.S. No. 50446



November 9, 2021

Job No. SB-27470C-19 (21)

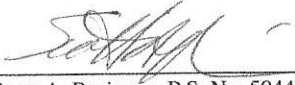
Legal Description for: Davilyn Stein

Parcel B

In the Township of St. James, Charlevoix County, Michigan, Commencing at a Boat Spike at the Meander Corner on the North Shore of Beaver Harbor of Section 23, Town 39 North, Range 10 West; thence North 78°21'05" East 1345.44 feet (recorded as North 82°07'24" East 1345.56 feet) to the Southeast corner of Lot 14 of Stephen's Plat as recorded in Liber 2, Page 11 of Plats of Charlevoix County Records, also being on the East line of Government Lot 4 of said section; thence along the East line of said plat and the East line of said Government Lot 4, North 2°52'41" West 115.20 feet (recorded as 115.00 feet); thence continuing along said plat line and Government Lot line North 0°36'51" West 171.11 feet (recorded as 171.20 feet) to a ½" iron pipe; thence North 89°21'22" East 328.23 feet (recorded as 326.00 feet) to a T-iron stake; thence North 0°55'53" West 13.84 feet (recorded as 13.80 feet) to a T-iron stake; thence North 89°20'49" East 200.00 feet to a T-iron stake on the East line of the West 526 feet of Government Lot 3 of said section as monumented; thence along said East line North 2°07'19" West 274.89 feet to a 1" iron pipe; thence continuing along said East line North 0°11'30" East 263.62 feet to a 1" iron pipe; thence South 89°24'45" West 525.96 feet to a ½" iron rod on the East line of said plat, also being the East line of Government Lot 4 of said section; thence along said East plat line and Government Lot line, North 0°44'34" West 46.53 feet to a 1" iron pipe at the Northeast corner of Lot 1 of said plat; thence continuing along said East plat line and Government Lot line, North 2°31'22" West 21.24 feet to a 2" iron pipe with a T-iron inside, being the POINT OF BEGINNING; thence North 72°11'01" East 61.34 feet to a ½" iron rod; thence North 1°16'48" West 422.18 feet to a ½" iron rod on an intermediate traverse line of Lake Michigan; thence along said traverse line, South 68°54'11" West 62.50 feet to a ½" iron rod; thence continuing along said traverse line, South 77°13'06" West 61.23 feet to a ½" iron rod; thence South 1°16'48" East 389.63 feet to the North line of Pine Street; thence continuing South 1°16'48" East 34.42 feet to a ½" iron rod on the North line of said plat; thence along said North plat line, North 72°11'02" East 62.59 feet to the Point of Beginning, being a part of Government Lots 3 and 4, Section 23, Township 39 North, Range 10 West and containing 1.147 acres. The above described property extends to the water's edge of Lake Michigan Northerly of the course described as being along the intermediate traverse line. Subject to the rights of the public and of any governmental unit in any part thereof taken, used, or deeded for street, road, or highway purposes.

Transfer Parcel

In the Township of St. James, Charlevoix County, Michigan, Commencing at a Boat Spike at the Meander Corner on the North Shore of Beaver Harbor of Section 23, Town 39 North, Range 10 West; thence North 78°21'05" East 1345.44 feet (recorded as North 82°07'24" East 1345.56 feet) to the Southeast corner of Lot 14 of Stephen's Plat as recorded in Liber 2, Page 11 of Plats of Charlevoix County Records, also being on the East line of Government Lot 4 of said section; thence along the East line of said plat and the East line of said Government Lot 4, North 2°52'41" West 115.20 feet (recorded as 115.00 feet); thence continuing along said plat line and Government Lot line North 0°36'51" West 171.11 feet (recorded as 171.20 feet) to a ½" iron pipe; thence North 89°21'22" East 328.23 feet (recorded as 326.00 feet) to a T-iron stake; thence North 0°55'53" West 13.84 feet (recorded as 13.80 feet) to a T-iron stake; thence North 89°20'49" East 200.00 feet to a T-iron stake on the East line of the West 526 feet of Government Lot 3 of said section as monumented; thence along said East line North 2°07'19" West 274.89 feet to a 1" iron pipe; thence continuing along said East line North 0°11'30" East 263.62 feet to a 1" iron pipe; thence South 89°24'45" West 525.96 feet to a ½" iron rod on the East line of said plat, also being the East line of Government Lot 4 of said section; thence along said East plat line and Government Lot line, North 0°44'34" West 46.53 feet to a 1" iron pipe at the Northeast corner of Lot 1 of said plat; thence continuing along said East plat line and Government Lot line, North 2°31'22" West 21.24 feet to a 2" iron pipe with a T-iron inside, being the POINT OF BEGINNING; thence North 72°11'01" East 61.34 feet to a ½" iron rod; thence North 1°16'48" West 422.18 feet to a ½" iron rod on an intermediate traverse line of Lake Michigan; thence along said traverse line, South 68°54'11" West 62.50 feet to a ½" iron rod; thence South 1°16'48" East 418.45 feet to the Point of Beginning, being a part of Government Lot 3, Section 23, Township 39 North, Range 10 West. The above described property extends to the water's edge of Lake Michigan Northerly of the course described as being along the intermediate traverse line. Subject to the rights of the public and of any governmental unit in any part thereof taken, used, or deeded for street, road, or highway purposes.


 Scott A. Papineau, P.S. No. 50446


November 9, 2021

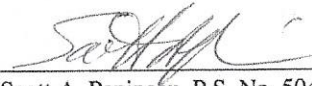
Job No. SB-27470C-19 (21)

Legal Description for: Davilyn Stein

Parcel C

In the Township of St. James, Charlevoix County, Michigan, Commencing at a Boat Spike at the Meander Corner on the North Shore of Beaver Harbor of Section 23, Town 39 North, Range 10 West; thence North 78°21'05" East 1345.44 feet (recorded as North 82°07'24" East 1345.56 feet) to the Southeast corner of Lot 14 of Stephen's Plat as recorded in Liber 2, Page 11 of Plats of Charlevoix County Records, also being on the East line of Government Lot 4 of said section; thence along the East line of said plat and the East line of said Government Lot 4, North 2°52'41" West 115.20 feet (recorded as 115.00 feet); thence continuing along said plat line and Government Lot line North 0°36'51" West 171.11 feet (recorded as 171.20 feet) to a ½" iron pipe; thence North 89°21'22" East 328.23 feet (recorded as 326.00 feet) to a T-iron stake; thence North 0°55'53" West 13.84 feet (recorded as 13.80 feet) to a T-iron stake; thence North 89°20'49" East 200.00 feet to a T-iron stake on the East line of the West 526 feet of Government Lot 3 of said section as monumented; thence along said East line North 2°07'19" West 274.89 feet to a 1" iron pipe; thence continuing along said East line North 0°11'30" East 263.62 feet to a 1" iron pipe; thence continuing along said East line North 1°04'24" West 83.02 feet to a ½" iron rod being the POINT OF BEGINNING; thence continuing along said East line North 1°04'24" West 487.91 feet to a T-iron stake; thence continuing along said East line North 1°02'12" West 112.09 feet to a T-iron stake on an intermediate traverse line of Lake Michigan; thence along said traverse line South 68°54'11" West 159.73 feet to a ½" iron rod; thence leaving said traverse line South 1°04'24" East 544.04 feet to a ½" iron rod; thence North 89°24'45" East 150.01 feet to the Point of Beginning, being a part of Government Lot 3, Section 23, Town 39 North, Range 10 West and containing 1.970 acres. The above described property extends to the water's edge of Lake Michigan Northerly of the course described as being along the intermediate traverse line. Subject to the rights of the public and of any governmental unit in any part thereof taken, used, or deeded for street, road, or highway purposes.

Together with a 30 foot wide access and utility easement, more particularly described as follows: In the Township of St. James, Charlevoix County, Michigan, Commencing at a Boat Spike at the Meander Corner on the North Shore of Beaver Harbor of Section 23, Town 39 North, Range 10 West; thence North 78°21'05" East 1345.44 feet (recorded as North 82°07'24" East 1345.56 feet) to the Southeast corner of Lot 14 of Stephen's Plat as recorded in Liber 2, Page 11 of Plats of Charlevoix County Records, also being on the East line of Government Lot 4 of said section; thence along the East line of said plat and the East line of said Government Lot 4, North 2°52'41" West 115.20 feet (recorded as 115.00 feet); thence continuing along said plat line and Government Lot line North 0°36'51" West 171.11 feet (recorded as 171.20 feet) to a ½" iron pipe; thence North 89°21'22" East 328.23 feet (recorded as 326.00 feet) to a T-iron stake; thence North 0°55'53" West 13.84 feet (recorded as 13.80 feet) to a T-iron stake; thence North 89°20'49" East 200.00 feet to a T-iron stake on the East line of the West 526 feet of Government Lot 3 of said section as monumented; thence along said East line North 2°07'19" West 274.89 feet to a 1" iron pipe; thence continuing along said East line North 0°11'30" East 263.62 feet to a 1" iron pipe; thence continuing along said East line North 1°04'24" West 83.02 feet to a ½" iron rod; thence South 89°24'45" West 120.01 feet to the POINT OF BEGINNING; thence continuing South 89°24'45" West 30.00 feet; thence South 1°04'24" East 8.72 feet; thence South 88°25'03" West 376.24 feet to a 2" iron pipe with a T-iron inside at the Northeast corner of said plat; thence along the East line of said plat, South 2°31'22" East 21.24 feet to a 1" iron pipe at the Northeast corner of Lot 1 of said plat; thence along the North line of said Lot 1, South 69°48'56" West 27.47 feet; thence North 88°25'03" East 25.90 feet to the said East plat line; thence continuing North 88°25'03" East 405.75 feet; thence North 1°04'24" West 38.20 feet to the Point of Beginning, being a part of Government Lot 3, Section 23, Town 39 North, Range 10 West.


 Scott A. Papineau, P.S. No. 50446

