

Mark W. Majoros  
2496 Baseview Drive  
Pinckney, MI. 48169

July 5, 2023

Amy Steffens  
Hamburg Township  
Planning and Zoning Department  
P.O. Box 157  
Hamburg, MI. 48139

Dear Amy,

On June 14, 2023, my brother and I brought before the Zoning Board of Appeals (ZBA) an application for variances (ZBA 23-0010) regarding our property at 2496 Baseview Drive, Pinckney, Michigan. During the ZBA's deliberations, board member Jason Negri sought more detail about an alleged easement mentioned in an email from the property owner at 2438 Baseview Drive (Attachment A). The following, for the record, are the results of a document search we conducted with the Livingston County Registrar of Deeds regarding the alleged easement.

**Summary: There exists a private access easement on Baseview Drive, but it does not traverse our property at 2496 Baseview Drive.**

Background: Hazel G. Davis, proprietor, on July 18, 1975, caused the land in question to be surveyed, divided, mapped, and dedicated as Sill-Ro-Ken-Beach No.2 subdivision. The subdivision had twelve lots numbered 30 through 41. We own Lot 30.

The original plat (Attachment B) depicts a 33-foot wide private access easement across Lots 31 through 41 for the purpose of ingress and egress. Notably, the plat clearly indicates the easement ends at the easterly edge of Lot 31. The easement does not cross Lot 30, our property.

Furthermore, the owners of Lots 30 through 41 on April 22, 1978, amended the easement through an access right-of-way agreement within Sill-Ro-Ken Beach No.2 (Attachment C). This agreement abandoned the original easement as shown on the plat (Attachment B), and moved the easement across the northerly 33 feet of Lots 31 through 41. Again, the easement specifically does not traverse Lot 30.

In his email, Mr. Wright claims the easement passes through our property, suggesting "This easement is the same as the easement that the Majoros (sic) share thru (sic) my

property and that of my neighbors so they can drive to and from their property.” This statement is factually incorrect. Mr. Wright also suggests that we are “privatizing” the easement. Because Lot 30 is not part of the easement, the land is indeed the private property of the Majoros family.

Attachments B and C in their entirety are available at the Livingston County Registrar of Deeds, 200 E Grand River Avenue #2, Howell, Michigan. We are available at your convenience to discuss the documentation and our findings.

Very Respectfully,

/s/ Mark W. Majoros

Attachments:

- A: Email from Carl A. Wright to Hamburg Township Board of Appeals
- B: Original Plat of Sill-Ro-Ken Beach No.2
- C: Access Right-of-Way Agreement for Sill-Ro-Ken Beach No.2

CC: Joyce Priebe  
Brian Ignatowski  
Craig Masserant  
Jason Negri  
William Rill

**Attachment A**  
**Email from Carl A. Wright to Hamburg Township Board of Appeals**  
**14 June 2023**

14 June 2023

**From:**

Carl A. Wright  
7006 Suncrest Drive  
Saline, MI 48176

**Township related property:**

2438 Baseview Drive  
Pinckney, MI

**To:**

Hamburg Township Board of Appeals  
Public Hearing  
June 14, 2023

**Regarding:**

ZBA 2023-010  
Location: 2496 Baseview Dr., Pinckney, MI  
Variance application

**Issues**

**Water Runoff**

I request the addition of an "over-engineered" water drain toward the lake portion of the proposed new home. I'd like it to be capable of carrying peak rain/water flow.

Because my property is the lowest of the lots both east and west of our lot, when it rains heavily the water from all the lots flow downward to me. It is further aggravated by the road grading which crowns the road surface to prevent water flow northward.

This represents a rare opportunity to divert toward the lake some of the of the water flow that now ends up in my garage and lakeside parking space. Please modify the development plan to drain the rear (the away from lake side) to the lake side.



**Attachment A**  
**Email from Carl A. Wright to Hamburg Township Board of Appeals**  
**14 June 2023**

Right of Way Interference

For a least 20 years we have enjoyed a clear easement supporting our passage and that of your neighbors along the "road right of way" shown in our deeds. In the last years the Majoros have put a fire ring in position that makes it necessary to pass thru what feels like private space to use the easement. Also appearing are signs telling passers something like "DO NOT ENTER"

This easement is the same as the easement that the Majoros share thru my property and that of my neighbors so they can drive to and from their property.

Attached is an image of the easement with an "open door" gap in the wall and fence. Please back off "privatizing" our easement. I'm requesting the return of the open path previously available.

Public Safety

By reducing the set backs from the neighbors in #2488 and #2496, we make it harder for the Fire Department to isolate any fire from its neighbors.

Are these shrinking set backs approved by the Fire Department?

End of comments



**Attachment A**  
**Email from Carl A. Wright to Hamburg Township Board of Appeals**  
**14 June 2023**



The space on the left of the garage has been filled with a fire pit and other personal objects. There are also signs urging folks to **NOT ENTER** and not use the easement.



Here you can see the passer's view of the OPEN PATH that was present in July 2019 when Google imaged it

We used to be able to walk, run or bicycle directly to and thru the OPENING in the wall.



# Attachment B

## Original Plat of Sill-Ro-Ken Beach No. 2

(On file with Livingston County Registrar of Deeds)

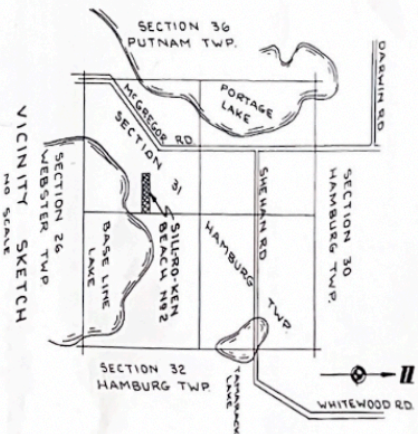
SHEET 1 of 2

### SILL-RO-KEN BEACH NO. 2

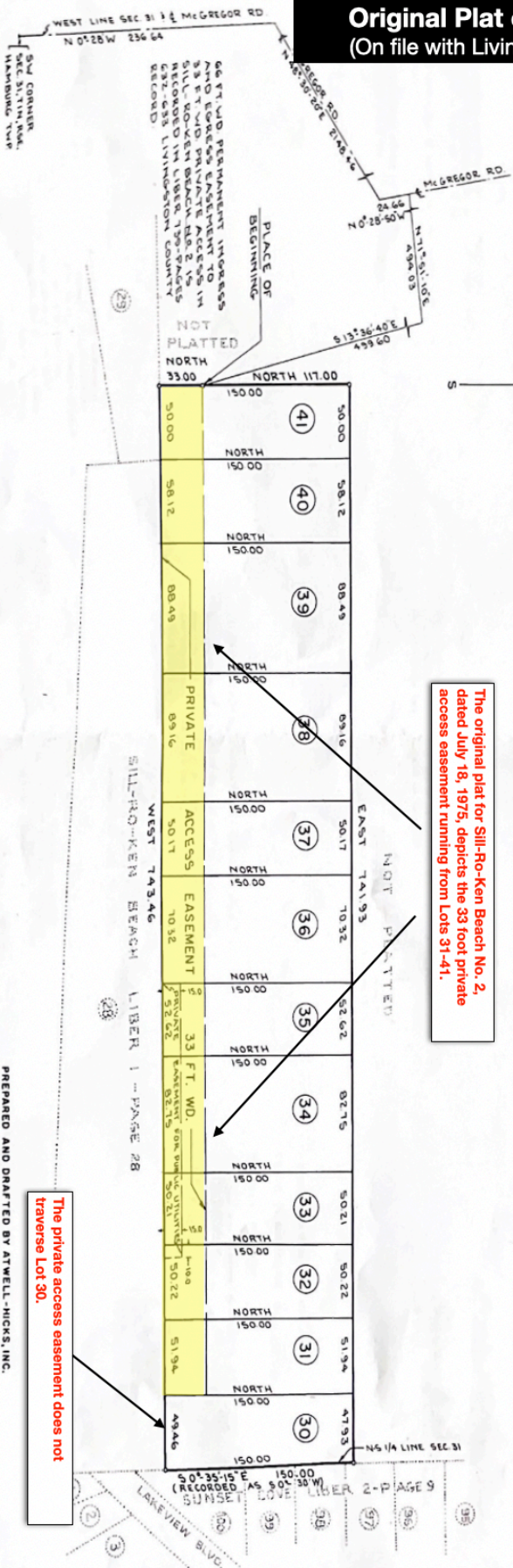
A SUBDIVISION OF PART OF THE SW 1/4 OF SECTION 31, T1N, R2E, HAMBURG TOWNSHIP, LIVINGSTON COUNTY, STATE OF MICHIGAN

SCALE: 1"=50'

ALL DIMENSIONS IN FEET  
ALL BEARINGS ARE RELATED TO THE PLAT OF "SILL-RO-KEN BEACH" CONCRETE MONUMENT SET AT POINTS MARKED "0-3/4" X 18" IRON PIPE SET AT ALL LOT CORNERS



The original plat for Sill-Ro-Ken Beach No. 2, dated July 18, 1976, depicts the 33 foot private access easement running from Lots 31-41.



The private access easement does not traverse Lot 30.



EXAMINED AND APPROVED  
DATE Feb. 6, 1976  
ALLEN G. SMITH  
STATE TOWNSHIP CLERK

PREPARED AND DRAFTED BY ATWELL-HICKS, INC.  
110 NORTH FIRST ST., ANN ARBOR, MICHIGAN, 48108

LIBER 18 PAGE 17



LINE 862 PAGE 232

**Attachment C**  
**Access Right-Of-Way Agreement for Sill-Ro-Ken Beach No. 2**  
(On file with Livingston County Registrar of Deeds)

ACCESS RIGHT-OF-WAY AGREEMENT  
WITHIN SILL-RO-KEN BEACH NO. 2

THIS INSTRUMENT, made this 22nd day of April, 1978 by Hazel G. Davis, whose address is 1680 Cliffs Landing Drive, Ypsilanti, Michigan 48197; John Richard Faust, whose address is 2458 Baseview Drive, Pinckney, Michigan 48169; Marilyn H. Bohlander, whose address is 2448 Baseview Drive, Pinckney, Michigan 48169; Lee M. Augustus, whose address is 1680 Cliffs Landing Drive, Ypsilanti, Michigan 48197; Herman and Ernestine E. Shelton, whose address is 3784 New Salem Avenue, Okemos, Michigan 48864; Cornelia and Olga Everard, whose address is 310 Olive, Ypsilanti, Michigan 48197; and John T. and Maxine Cieluch, whose address is 523 Roe Street, Plymouth, Michigan 48170, being owners of Lots 30 through 41 inclusive of SILL-RO-KEN BEACH NO. 2, a subdivision of part of the SW  $\frac{1}{4}$  of Section 31, T1N, R5E, Hamburg Township, Livingston County, Michigan as recorded in Liber 18 of Plats, pages 17 and 18 of Livingston County Records, hereby abandon the 33 foot wide private access easement as shown on the plat of SILL-RO-KEN BEACH NO. 2, as recorded in Liber 18 of Plats, pages 17 and 18 of Livingston County Records, and do hereby create a 33 foot wide private access easement across the northerly 33 feet of Lots 31-41 of said Sill-Ro-Ken Beach No. 2. Said easement is to be for the use of the lot owners of SILL-RO-KEN BEACH as recorded in Liber 1 of Plats, page 28, Livingston County Records, and the lot owners of said SILL-RO-KEN BEACH NO. 2.

Said easement is not exclusive for the use of owners of said properties, but shall be used in common with others.

IN WITNESS THEREOF:

John T. Cieluch  
John T. Cieluch

John L. Snyder  
John L. Snyder

Hazel G. Davis  
Hazel G. Davis  
1680 Cliffs Landing Drive  
Ypsilanti, Michigan 48197  
1680 Cliffs Landing Dr  
JG Davis

On April 22, 1978, the owners of Lots 30-41 modified the original private access easement (as created in the original Sill-Ro-Ken Beach No. 2 plat, July 18, 1975)

The access right-of-way agreement made 22 April 1978 was established by and was binding on the owners of Lots 30 through 41

"... do hereby create a 33 foot wide private access easement across the northerly 33 feet of Lots 31-41 of said Sill-Ro-Ken Beach No. 2." The agreement specifically omitted Lot 30 because it was the last lot of Sill-Ro-Ken Beach No. 2 subdivision.

NANCY HAYLAND  
REGISTER OF DEEDS  
LIVINGSTON COUNTY, MICH.

MAY 11 11 39 AM '78

RECORDED