

AMENDED USE PERMIT

Amended Use Permit (hereafter Agreement) made this 8th day of July, 2026, by and between the City of Mackinac Island, hereafter referred to as City, and Jeffrey P. Steiner, Trustee of the Jeffrey P. Steiner Revocable Trust Agreement, dated March 20, 2018 and Christine K. Steiner, Trustee of the Christine K. Steiner Revocable Trust Agreement, dated March 20, 2018, hereafter Steiner.

Recitals

Steiner owns a portion of the Plat of Hubbard's Annex to the National Park, Mackinac Island, Mackinac County, Michigan, to wit: Lot 1-3 & 14-18, of Block 2, and Lots 1-2, of Block 7, lying Westerly of the Eastern line of Huron Street, extended Northerly through Block 7, and also including adjacent Vacated Huron and Center Streets. And the Eastern ½ of Lot 2, of Block 14, lying West of the Eastern line of Huron Street, extended Southerly to Lake Huron, Hubbard's Annex in the City of Mackinac Island.

The parties hereto acknowledge that the City has a 100-foot-wide easement right-of-way, for road purposes, the centerline of which being the centerline of the traveled portion of the gravel surface of Lakeview Boulevard.

Steiner desired to erect a fence and plant hedges parallel to Lakeview Boulevard along the border of the 100-foot right-of-way as specified in Steiner's application CD22-003-072(H), which was approved on January 10, 2022 contingent to a use permit being granted by the City of Mackinac Island, said activities involving a use of the city right-of-way. Steiner requested permission from the City to use the right-of-way for such activities in 2022 and the City agreed to permit that use on May 10, 2022 and executed a Use Permit with Steiner on May 18, 2022.

Steiner now desires to amend said Use Permit to include an additional item be placed and maintained within the City's right-of-way. Specifically, Steiner desires to place an historical sign entitled "Bishop's Retreat" within the right-of-way: 12 feet off of Lakeview Boulevard and 15 feet west of the neighboring property line, as specified in Steiner's application CD26-003-026(H), which was approved by the Historic District Commission, as to the sign, on or about June 9, 2026 and by the City Council, as to the placement location within the City's right-of-way, on June 24, 2026, subject to the terms of this Amended Use Permit.

The City has agreed to amend the original use permit to allow this additional use of its right-of-way.

Witnesseth, in consideration of Ten Dollars (\$10.00), the receipt and sufficiency of which is acknowledged by all parties, the City hereby grants to Steiner a permit to use specific portions of the right-of-way necessary for the specific purposes set forth herein, subject to the following terms and conditions:

1. **Term.** This use permit shall be for a period of ten (10) years subject to termination by the City as set forth in paragraph 3. Upon expiration of the ten (10) year period, the use permit shall automatically renew for two (2) additional ten (10) year periods unless the permit has been previously terminated by the City.

2. **Purpose.** The use of any portion of the city right-of-way shall be limited to construction (or placement) and maintenance of a fence and hedges as specified and as located in Steiner’s application CD22-003-072(H), and placement and maintenance of the Bishop Retreat historical sign as specified and as located in Steiner’s application CD26-003-026(H) (the specific placement of these items are hereafter referred to as the “Use Permit Premises”).

3. **Termination.** This permit shall expire by the terms of this permit, or upon determination by the City at any time during the initial term, or any renewal term, that it will use any portion of the Use Permit Premises for the purpose of a public right-of-way, or that the placement of these items within the right-of-way are unsafe or inconvenient, whichever occurs sooner. This permit will also terminate if there is a violation by Steiner of the terms and conditions set forth herein.

4. **Waiver of Liability.** Steiner hereby waives any claim for damages to property within the use permit area that may be caused by the City, its agents or subcontractors, in its use and maintenance of the Lake View Boulevard right-of-way.

5. **Indemnification, waiver, and insurance.** Steiner agrees to indemnify and hold the City, its agents, employees, representatives, contractors, or sub-contractors harmless for any and all claims, actions, damages, and liability for any damage to any property or injury to any person that may arise out of any of the actions within, use of, or around the Use Permit Premises. Steiner also waives any right of recovery it has, now or later, against the City for any loss or damage arising out of the use of the Use Permit Premises. Steiner further acknowledges that the City is not responsible for incidental damages from plowing, deicing materials, road maintenance, or any other use, maintenance, or improvements or the Use Permit Premises to any items permitted under this Agreement.

Dated: July 8, 2026

WITNESSES:

CITY OF MACKINAC ISLAND

_____, Witness

By: _____
Margaret M. Doud, Its Mayor

_____, Witness

Dated: _____

WITNESSES:

_____, Witness

_____, Witness

WITNESSES:

_____, Witness

_____, Witness

**JEFFREY P. STEINER REVOCABLE
TRUST AGREEMENT, DATED
MARCH 20, 2018**

By: _____
Jeffrey P. Steiner

**CHRISTINE K. STEINER REVOCABLE
TRUST AGREEMENT, DATED
MARCH 20, 2018**

By: _____
Christine K. Steiner