

**WHITE LAKE TOWNSHIP  
INTER-OFFICE MEMORANDUM  
COMMUNITY DEVELOPMENT DEPARTMENT**

**DATE:** April 7, 2022

**TO:** Rik Kowall, Supervisor  
Township Board of Trustees

**FROM:** Sean O'Neil, AICP  
Community Development Director

**SUBJECT: Oxbow Lake Private Launch Association (OLPLA)  
Planned development agreement approval**  
Property described as parcel number 12-22-279-004 (10193 Highland Road) located on the southeast corner of Highland Road and Lakeside Drive, consisting of approximately 1.91 acres, currently zoned (PD) Planned Development.

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The above request is now ready for Township Board Consideration. The matter was considered by the Planning Commission at their regular meeting of April 7, 2022 at which time the **Planning Commission recommended conditional approval** of the proposed planned development agreement.

Please find enclosed the following related documents:

- Draft minutes from the Planning Commission meeting held on April 7, 2022.
- Review letter prepared by the Township Engineering Consultant, Mike Leuffgen, dated March 24, 2022.
- Review letter prepared by the Township Staff Planner, Justin Quagliata, dated March 25, 2022.
- Review letter prepared by the Township Attorney, Lisa Hamameh, dated March 25, 2022.
- Oxbow Lake Private Launch Association Planned Development Agreement.
- Site Plan dated October 10, 2021 (Revised March 7, 2022).

Please place this matter on the next available Township Board agenda. Do not hesitate to contact me should you require additional information.

**WHITE LAKE TOWNSHIP  
PLANNING COMMISSION**

Township Annex, 7527 Highland Road  
White Lake, MI 48383  
April 7, 2022 @ 7:00 PM

**CALL TO ORDER**

**Chairperson Anderson** called the meeting to order at 7:01 PM and led the Pledge of Allegiance. Roll was called.

**ROLL CALL**

Steve Anderson  
Merrie Carlock  
Pete Meagher  
Scott Ruggles  
Matt Slicker  
Robert Seeley  
T. Joseph Seward

Absent: Mark Fine  
Debby Dehart

Also Present: Sean O'Neil, Community Development Director  
Mike Leuffgen, DLZ  
Lisa Kane, Recording Secretary

Visitors: 15 members of the public were present

**APPROVAL OF AGENDA**

**Commissioner Meagher** moved to approve the agenda of the April 7, 2022 Planning Commission Meeting.

**Commissioner Carlock** supported and the **MOTION CARRIED** with a voice vote: 7 yes votes.

**APPROVAL OF MINUTES**

- a. Regular meeting minutes of March 17, 2022

**Commissioner Seward** moved to approve the Minutes of March 17, 2022

**Commissioner Meagher** abstained from voting.

**Commissioner Seeley** supported and the **MOTION CARRIED** with a voice vote: 6 yes votes.

**CALL TO THE PUBLIC (FOR ITEMS NOT ON THE AGENDA)**

**Kristen Ostimer** of 807 W Oxhill Drive is concerned about the Black Rock restaurant being built and the safety of the community with the traffic that will increase. Mrs. Ostimer shared pictures with the Board. '

**Tracy Saputo** of 616 E Oxhill Dr has concerns regarding Black Rock, specifically the traffic entering their subdivision, stormwater runoff and contamination from an existing nearby business, Brendels.

**Kevin Ostimer** of 807 W Oxhill Dr spoke regarding concerns of safety if the traffic increases in their neighborhood. He would like the Oakland County Road Commission perform a traffic study. Mr. Ostimer stated that the state tested a substance that is coming up from their sump pump which was determined to be run off from restaurants, Dave & Amy's and McDonalds. The substance was deemed not to be dangerous.

**Commissioner Anderson** explained that the process involved with a new development is lengthy and the recent decision was strictly changing the zoning of the parcel. There will be a traffic study and all of these concerns will be taken into consideration when the time comes to review development.

**Brian Gennero** of 615 E Oxhill Dr also has concerns about the increase of traffic if Black Rock opens at this location and believes that the addition of street lights would be beneficial.

**Christian Cassel** of 604 E Oxhill Dr asked if the Black Rock was a final deal.

**Commissioner Anderson** explained that the business has not applied for a site plan.

**Kathy Ratliff** of 691 Oxhill Ct asked if a traffic light has been considered for that intersection.

**Director O'Neil** explained that the Township does not have any jurisdiction over traffic lights and the traffic study process.

**Commissioner Seely** explained the process of requesting a traffic study be completed by M-DOT by citizen request.

## PUBLIC HEARING

None

## CONTINUING BUSINESS

### A. Preserve at Hidden Lake

Property identified as parcel numbers 12-36-101-001.

Located on the west side of Union Lake Road, and south of Hutchins Road, consisting of approximately 38.33 acres. Currently zoned (PD) Planned Development.

Requests: **1) Amended final site plan approval**  
**2) Amended planned development agreement approval**

Applicant: PH Homes (Craig Piasecki)  
8255 Cascade Ave, Suite 110  
Commerce Twp, MI 48382

**Director O'Neil** presented the request to amend the final site plan and planned development agreement approvals that were previously reviewed by the Township Board in January 2022. There were issues with the retention basin had some inconsistencies and setbacks for individual units that needed to be addressed. The revised plans change the units from townhomes to duplexes and reduced the total number of units. Some of the unit's patios encroach in the stormwater easement, therefore indemnification language to acknowledge this in the Master Deed is necessary. It will clearly state that

any future repairs will be the responsibility of the homeowner's association and not that of the Township. All amendments that were discussed in January are included in review documents.

**Commissioner Carlock** asked for clarification of which unit's patios were encroaching in the stormwater easement.

**Commissioner Meagher** asked Director O'Neil if he is comfortable with all of the issues being resolved administratively.

**Director O'Neil** stated that the applicant has agreed to resolve the issues.

**Commissioner Anderson** stated that the applicant has a positive history of complying with staff comments.

**Director O'Neil** stated that he does not have any reservations or concerns that the applicant will be able to meet the requests. The issues with the pond have been resolved by the Township Board and the Planning Commission only needs to address the site plan revisions and planned development agreement amendment.

**Director O'Neil** requested that the applicant add more trees to unit 97.

**Applicant present: Craig Piasecki** responded that they will add additional trees to unit 97.

**Commissioner Carlock** inquired the location of the trees at unit 97.

**Mr. Leuffgen** presented the engineering review and noted that not much is changing. He provided clarification of the review letter dated March 30, 2022 of the final site plan, and stated that the clarifications on all documentations are providing continuity, so that the final site plan matches the Master Deed. They recommend that the Master Deed be updated to include hold-harmless language regarding the stormwater easement and recommends approval subject to all documentation reflecting updates and clarifications.

**Commissioner Seward** inquired if the hold-harmless language should include personal liability.

**Commissioner Meagher** moved to forward a favorable recommendation to the Township Board, the amendment of the final site plan subject to all staff and consultants' review comments being addressed and the addition of trees at unit 97 for the property described as parcel number 12-36-101-001 Located on the west side of Union Lake Road, and south of Hutchins Road, consisting of approximately 38.33 acres. Currently zoned (PD) Planned Development.

**Commissioner Seward** supported, and the MOTION CARRIED with a roll call vote (7 yes votes): (Seely/yes, Slicker/yes, Meagher/yes, Anderson/yes, Seward/yes, Carlock/yes, Ruggles/yes)

**Commissioner Seward** moved to forward a favorable recommendation to the Township Board, the amendment of the planned development agreement subject to all staff and consultants' review comments being addressed and the addition of the personal liability hold-harmless indemnification for the property described as parcel number 12-36-101-001 Located on the west side of Union Lake Road, and south of Hutchins Road, consisting of approximately 38.33 acres. Currently zoned (PD) Planned Development.

**Commissioner Carlock** supported, and the MOTION CARRIED with a roll call vote (7 yes votes): (Seely/yes, Slicker/yes, Meagher/yes, Anderson/yes, Seward/yes, Carlock/yes, Ruggles/yes)

## NEW BUSINESS

### A. Oxbow Lake Private Launch Association

Property identified as parcel number 12-22-279-004, (10193 Highland Road) located on the south side of Highland Road between Lakeside Drive and Hilltop Drive, consisting of approximately 1.9 acres. Currently zoned (PD) Planned Development

Requests: **1) Final site plan approval**  
**2) Planned development agreement approval**

Applicant: Oxbow Lake Private Launch Association, Inc.  
10835 Oxbow Lakeshore Drive  
White Lake, MI 48386

**Director O'Neil** presented the project, stating that final site plan includes changing the type of trees to deciduous trees along Highland Road. Director O'Neil also presented the planned development agreement which will include language that defers the applicant's obligation to install a sidewalk until a triggering event, such as a sidewalk project from M-DOT is proposed.

**Commissioner Anderson** inquired about a timeline or what would trigger the sidewalk needing to be installed and requested that a notation be added that indicates the cost that would be involved to the applicant.

**Commissioner Seward** inquired about the special conditions listed that indicate the easement would be maintained by the Township.

**Director O'Neil** stated that the only maintenance that the Township would be responsible for is in the event that the Township makes any improvements to the easement.

**Commissioner Carlock** asked for clarification on the material that will be used for the fence on Highland Road.

**Commissioner Meagher** moved to approve the final site plan subject to all staff and consultants' review comments being addressed for the property described as parcel number 12-22-279-004, (10193 Highland Road) located on the south side of Highland Road between Lakeside Drive and Hilltop Drive, consisting of approximately 1.9 acres. Currently zoned (PD) Planned Development Commissioner Seely supported, and the MOTION CARRIED with a roll call votes (7 yes votes): (Seely/yes, Slicker/yes, Meagher/yes, Anderson/yes, Seward/yes, Carlock/yes, Ruggles/yes)

**Commissioner Seward** moved to forward a favorable recommendation to the Township Board, the planned development agreement subject to all staff and consultants' review comments being addressed and that the Township would only be responsible for maintenance in the easement of improvements made by the Township for the property described as parcel number 12-22-279-004, (10193 Highland Road) located on the south side of Highland Road between Lakeside Drive and Hilltop Drive, consisting of approximately 1.9 acres. Currently zoned (PD) Planned Development. Commissioner Carlock supported, and the MOTION CARRIED with a roll call votes (7 yes votes): (Seely/yes, Slicker/yes, Meagher/yes, Anderson/yes, Seward/yes, Carlock/yes, Ruggles/yes)

## OTHER BUSINESS

**A. Eagles Landing**

Property identified as parcel 12-33-100-008. Located on the east side of Bogie Lake Road, south of Cedar Island. Consisting of approximately 10 acres. Currently zoned (R1-C) Single Family Residential.

Request: **Final site plan extension request**

Applicant: Better Built Homes  
Charles Burt  
156 East Meadow Circle  
White Lake, MI 48383

**Director O'Neil** presented the request for an extension of the final site plan to expire February 18, 2023.

**Commissioner Anderson** explained that this is not setting any precedent as extensions have been issued in the past based on particular circumstances.

**Commissioner Carlock** inquired how many extensions can be granted and if there is a limit to how many can be approved for one project.

**Director O'Neil** explained that there is a limit to how many extensions would be granted. Projects which have received extensions would be required to conform to all existing ordinances and ordinance changes which have occurred since the extension was granted.

**Applicant present: Charles Burt** stated that the issue with DTE was resolved and has been in contact with the Oakland County Health Department regarding the test wells.

Discussion occurred about easements being provided to retain access to the school and the utility easement.

**Commissioner Seely** moved to approve the extension of final site plan to expire on February 18, 2023 for the property described as parcel number 12-33-100-008. Located on the east side of Bogie Lake Road, south of Cedar Island. Consisting of approximately 10 acres. Currently zoned (R1-C) Single Family Residential.

**Commissioner Meagher** supported, and the MOTION CARRIED with a roll call votes (7 yes votes): (Seely/yes, Slicker/yes, Meagher/yes, Anderson/yes, Seward/yes, Carlock/yes, Ruggles/yes)

**LIAISON'S REPORT**

**Commissioner Dehart:** Zoning Board of Appeals has no report. Director O'Neil noted that a workshop is going to occur soon to discuss the sign ordinance.

**Commissioner Carlock:** The Parks & Rec Board has no report.

**Commissioner Ruggles:** There has not been a Township Board since the last Planning Commission meeting. Commissioner Ruggles participated in an Elections Committee meeting, there are three districts that will vote on a bond issue for the school district.

**DIRECTOR'S REPORT**

**Director O'Neil** reported that two public hearings will be presented at next meeting. The draft of the Request for Proposal for review of the future land use Master Plan is being prepared. The Parks and Rec

Board Master Plan is in development.

**COMMUNICATIONS**

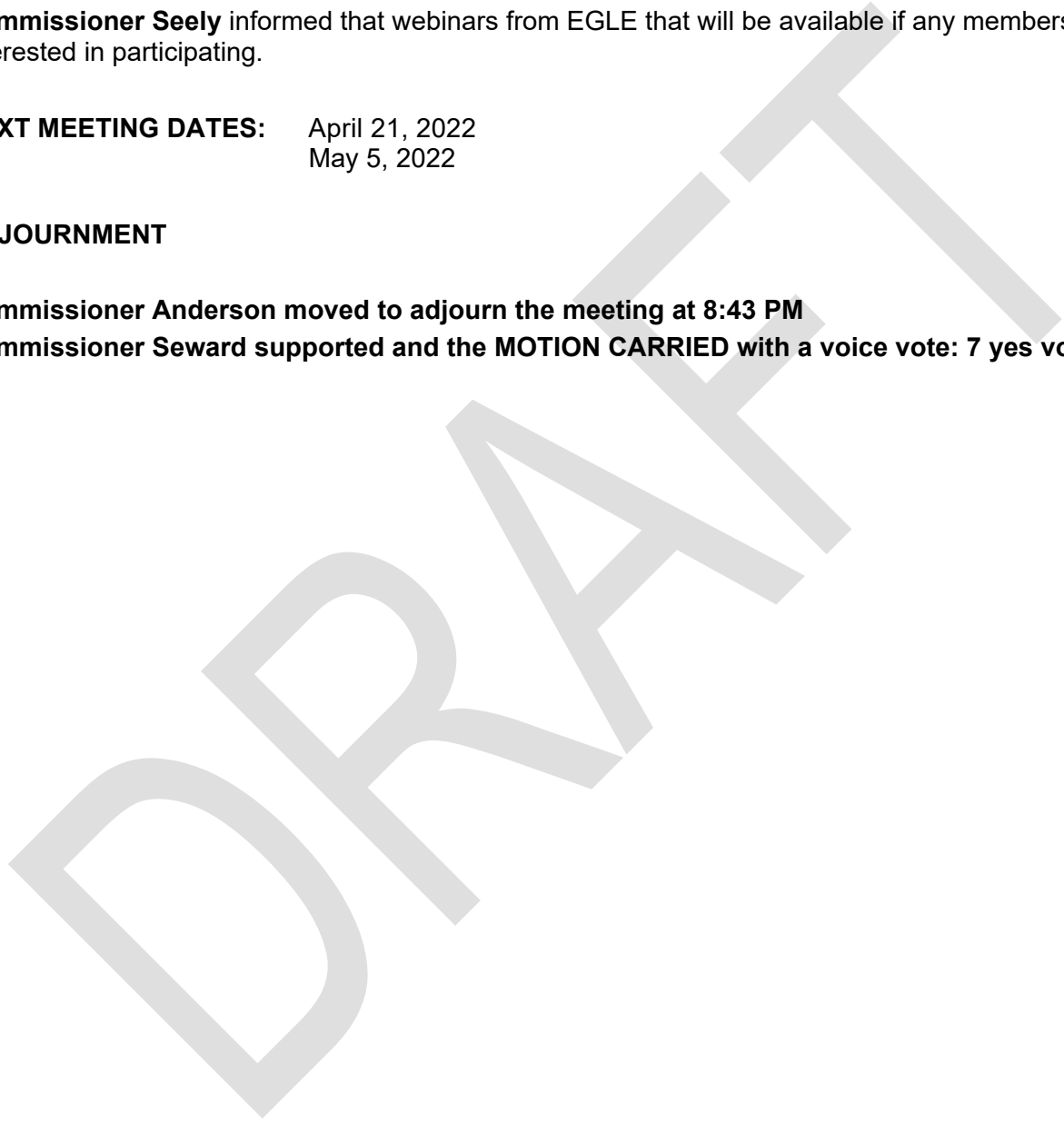
**Commissioner Slicker** inquired if the Township would be able to assist the residents of the Suburban Knolls subdivision in requesting a traffic light to be installed by M-DOT.

**Commissioner Seely** informed that webinars from EGLE that will be available if any members are interested in participating.

**NEXT MEETING DATES:**   April 21, 2022  
                                  May 5, 2022

**ADJOURNMENT**

**Commissioner Anderson moved to adjourn the meeting at 8:43 PM**  
**Commissioner Seward supported and the MOTION CARRIED with a voice vote: 7 yes votes**





INNOVATIVE IDEAS  
EXCEPTIONAL DESIGN  
UNMATCHED CLIENT SERVICE

March 24, 2022

Sean O' Neil  
Community Development Department  
Charter Township of White Lake  
7525 Highland Road  
White Lake, Michigan 48383

**RE: Proposed Boat Launch for Oxbow Lake Private Launch Association- Final Site Plan and Final Engineering Review**

Ref: DLZ No. 2145-7233-20

Design Professional: David P. Smith & Associates

Dear Mr. O' Neil,

Our office has performed the Final Site Plan and Final Engineering Review of the revised plan dated March 7, 2022. The plans were reviewed for feasibility based on general conformance with the Township Engineering Design Standards.

The following comments from our Preliminary Site Plan review letter dated January 28, 2022 are listed below and are in *italics*. We have provided responses to those in **Bold** typeface.

The following items should be noted with respect to Planning Commission review:

- a) *The plan proposes a privacy fence closer than 30' to the shoreline along the southwestern portion of the property. Township Ordinance Section 5.12 D. ii. states that privacy fences shall not be located closer than 30' to a shoreline. A variance would be required for placement of the fence in this location. **Comment outstanding. Comment addressed; the variance has been included in the required list of variances on the plans and in the Planned Development Agreement. This variance must be achieved prior to final approval.***
- b) *The drive is currently proposed as 16' wide which is a typical RCOC standard width for a residential driveway. DLZ questions if this should be widened to 24' similar to Township Zoning Ordinance 5.11Q.v. which requires a minimum width of 24' for two-way drives. If the intent for this drive is two-*



way traffic, the drive width will need to be widened. **Comment partially addressed. While driveway has now been marked as a one-way drive, Township Zoning Ordinance section 5.11.Q.v requires a minimum of 20' width for one-way drives. A variance for the proposed 16' wide one-way drive would be required. Comment addressed; the drive width has been increased to 20 feet.**

- c) A sidewalk located 1' inside the ROW line is required along the Lakeside Drive frontage per Township Zoning Ordinance 5.21. A waiver from this requirement would be required. **Comment outstanding. Comment addressed; the variance has been included in the required list of variances on the plans and in the Planned Development Agreement. This variance must be achieved prior to final approval.**
- d) The overhead electric lines are shown within the limits of private property with no easement. Does an easement exist for these utilities? If so, please indicate the easement limits on the drawings. If an easement does exist, please provide confirmation that the proposed improvements are allowable within the easement limits. Additionally, DLZ notes that there are lower wires within the limits of the proposed ramp. The applicant shall provide detail showing there is adequate clearance from these utilities and approval from the applicable utility providers. **Comment partially addressed. The applicant has indicated that a title search has been done on the property and that no easements were found. In addition, the applicant has met with DTE and ATT on site and has received verbal confirmation that there is no concern with the overhead wires with respect to vehicle or boat trailer heights. We recommend that the Township request written confirmation from both utilities with regard to the above item. DLZ understands that DTE intends to relocate utility poles away from the current location and closer towards Highland Road which will alleviate previous clearance concerns.**

### Final Site Plan/Final Engineering Plan Comments-

#### General

1. Plan shall contain notes per White Lake Township Engineering Design Standards Section A. 8. a.-d. **Comment outstanding. Comment addressed.**
2. A permit will be required from EGLE for the boat launch. Additional details will be required for EGLE submittal. **Comment remains a notation, please provide EGLE permit upon completion. Any changes required by EGLE will need to be updated on the proposed construction drawings and PD Agreement documents.**

#### Paving/Grading

1. Additional details regarding drainage and proposed spot grades shall be required for the proposed drive and the proposed fill and regrade area. Provide details regarding the proposed gravel drive and
-

*paved drive cross sections. The amount of fill shall also be indicated. **Comment remains. Comment partially addressed, cross section for paved drive provided, cross section for proposed gravel drive still required.***

- 2. Drainage at the drive entrance shall be clarified; a permit from RCOC will be required for work within the Lakeside Drive ROW. **Comment remains. Comment addressed.***
- 3. Indicate whether the 'Lake Shoreline (High Water)' mark is the ordinary high water mark or the floodplain elevation of 944.2. The 944.00 contour as well as the floodplain line shall be shown on the plan. **Comment partially addressed. Note that no fill shall be placed within the floodplain. Comment addressed.***

#### Landscape Notes

- 1. Show location of proposed large Evergreen tree. The tree shall be planted such that it is located a minimum of 10' horizontal separation from all existing watermain, sanitary sewer, and storm sewer. **Comment remains. Comment addressed; the proposed plantings are sufficiently spaced from the existing watermain.***

#### Required Permits/Agreements

1. A permit from EGLE is required for the proposed boat launch and work within the waters of the state, please provide permit once achieved.
2. A soil erosion permit is required from Oakland County Water Resources Commissioners Office, please provide permit once achieved.

#### Planned Development Agreement Comments

1. DLZ defers content of the PD Agreement to the Township Attorney.
2. Exhibit A will need to be updated with a clean legal description as indicated on the submittal.
3. The Township Clerk needs to be updated to Anthony Noble.

#### Recommendation

DLZ recommends approval upon successful inclusion of the above referenced plan corrections, achievement of permits referenced above, and approval of the PD agreement/required variances.

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INNOVATIVE IDEAS  
EXCEPTIONAL DESIGN  
UNMATCHED CLIENT SERVICE

WLT-Oxbow Lake Private Boat Launch- FSP/FEP Review.01

March 24, 2022

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Please feel free to contact our office should you have any questions.

Sincerely,

DLZ Michigan

Michael Leuffgen, P.E.  
Department Manager

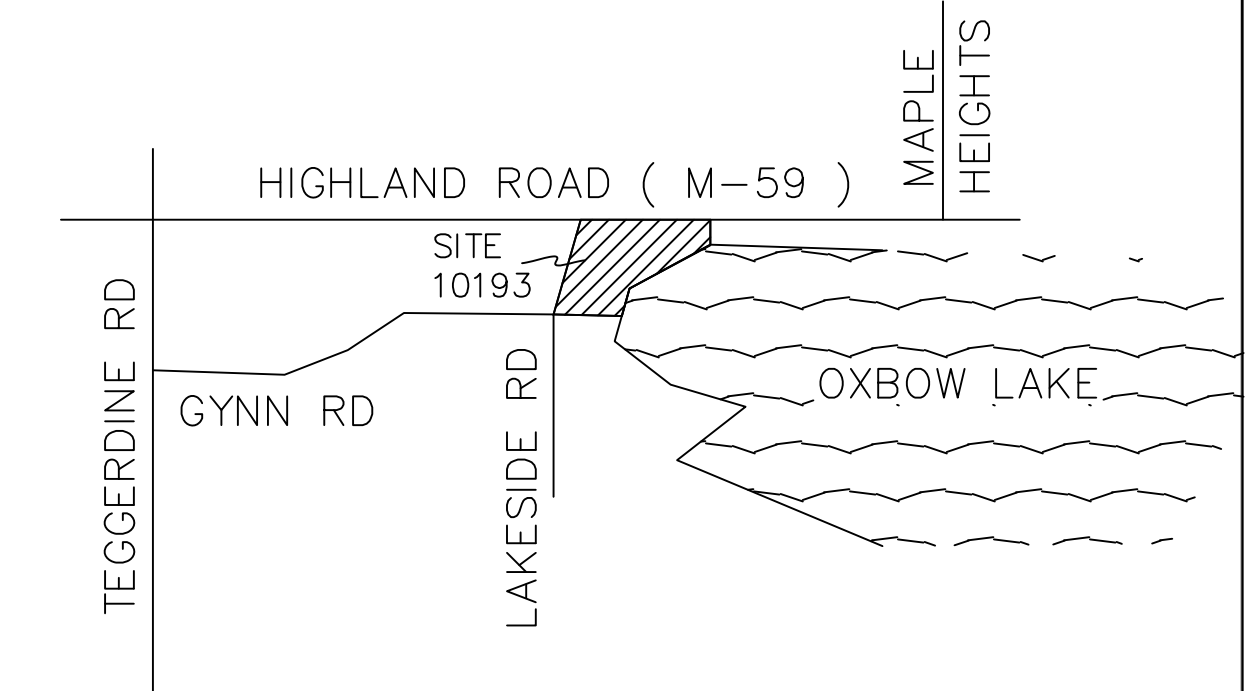
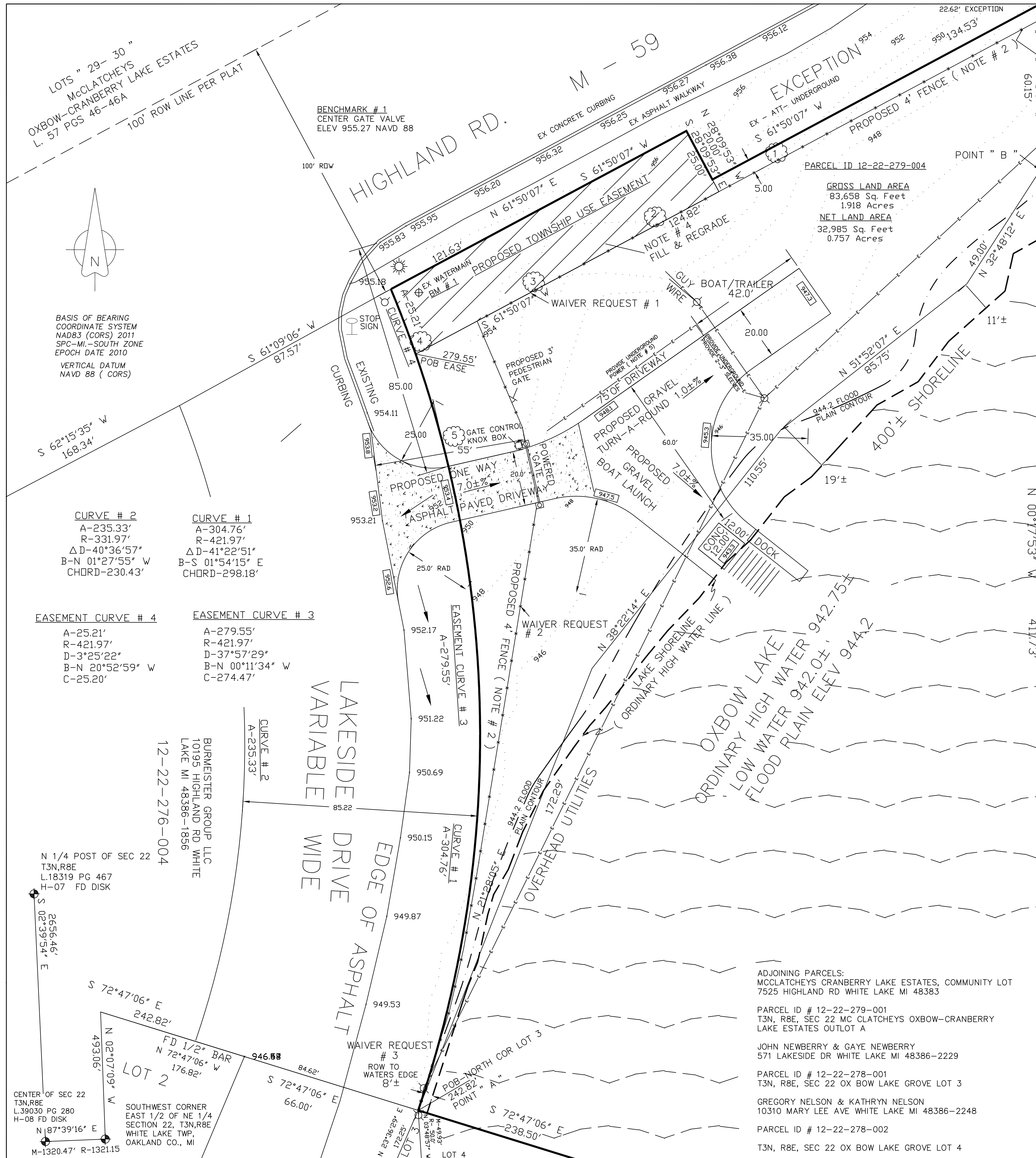
Suyoung Daniel Hong, EIT  
Civil Engineer I

Cc: Justin Quagliata, Community Development, *via email*  
Hannah Micallef, Community Development, *via email*  
Lisa Hamameh, RSJA Law, *via email*

X:\Projects\2021\2145\723320 WLT Oxbow Lk Priva\FSP and FEP Review.01

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FOR: OXBOW LAKE PRIVATE LAUNCH ASSC, INC  
 PROPOSED BOAT LAUNCH  
 SITE PLAN



LOCATION MAP  
 NO SCALE

PLANNED DEVELOPMENT WAIVER  
 REQUEST TABLE

- FENCE LINE SETBACK:  
 REQUIRED 40' ALONG M-59  
 WAIVER REQUEST :  
 A) REDUCTION OF FENCE LINE SETBACK TO 5' ALONG M-59
- FENCE LINE SETBACK: ROADWAY  
 REQUIRED 40' ALONG LAKESIDE DRIVE:  
 WAIVER REQUEST :  
 B) REDUCTION OF FENCE LINE SETBACK TO 0.0' TO FOLLOW ALONG LAKESIDE DRIVE: FROM PROPOSED GATE TO SOUTHWEST PROPERTY CORNER, TO REDUCE UNAUTHORIZED SITE ACCESS
- FENCE LINE SETBACK: WATER AND PROPERTY LINE  
 C) REQUIRED 30' FROM ORDINARY HIGH WATER LINE TO 8'
- SIDEWALK: REQUEST NOT TO ADD SIDEWALK  
 D) M-59 ( HIGHLAND ROAD ) REQUIRED 8'SIDEWALK EXISTING ASPHALT WALKWAY:  
 E) LAKESIDE DRIVE: REQUIRED 5' SIDEWALK

SITE NOTES:

- PROPOSED DRIVE TO BE PAVED AS SHOWN AND TURN-AROUND TO BE GRAVEL. PROVIDE CONCRETE LAUNCH ( 12'x30' )
- PROVIDE 4' WOOD PRIVACY FENCE AS SHOWN. ( SEE WAIVER TABLE )
- PROVIDE 5 DECIDUOUS TREES @ 50' ON CENTER, AS REQUIRED BY TOWNSHIP. AND OR :  
 a) 2.5" - 3" CALIPER - SUGAR MAPLES  
 b) 2.5" - 3" SMALL LEAF LINDEN  
 c) 2.5" - 3" HONEY LOCOST
- NOTE UNDERGROUND UTILITIES/WATERMAIN IN THIS AREA
- ADD FILL REGRADE & LEVEL PROPOSED TOWNSHIP USE EASEMENT.
- PROVIDE UNDERGROUND POWER TO GATE, LOCATION TO BE DETERMINED IN FIELD. PROVIDE SLEEVES AS SHOWN.
- PROVIDE KNOX BOX FOR EMERGENCY ACCESS AS SHOWN.
- THE AMOUNT OF FILL TO BE 200 - 250 CUBIC YARDS OF CLEAN FILL, 22 AA AGGREGATE, OR EQUIVALENT, WITH NO CONSTRUCTION DEGRIS
- NO FILL IS PROPOSED IN FLOODPLAIN, CONSTRUCTION OF BOAT RAMP TO BE COMPENSATING CUTS AND OR FILL
- GATE SPECIFICATIONS ARE SUBJECT TO TOWNSHIP APPROVAL, PRIOR TO INSTALLATION, AND WILL BE ADDED TO THE DEVELOPMENT AGREEMENT

CONTACT:  
 OXBOW LAKE PRIVATE LAUNCH ASSOCIATION INC.  
 MR. RICK WALKLET II  
 10835 OXBOW LAKESHORE DRIVE  
 WHITE LAKE MI. 48386  
 CELL - 248-396-6197  
 EMAIL - i467vettes@aol.com

REVISED 3-7-2022  
 REVISED 1-14-2022  
 REVISED 12-7-2021  
 REVISED 12-2-2021

LEGEND

- INLET BASIN
- STORM MANHOLE
- SANITARY MANHOLE
- SANITARY SEWER
- STORM SEWER
- WATERMAIN
- EXISTING GRADES
- PROPOSED GRADES
- DRAINAGE ARROW
- SOIL EROSION FENCE
- EXISTING CONTOUR
- PROPOSED CONTOUR
- FENCE LINE
- GATE VALVE
- HYDRANT
- POWER POLE
- POWER LINE
- CATCH BASIN
- DRAINAGE SWALE
- UTILITY PAD/PEDISTAL
- PINE TREE
- DECIDUOUS TREE
- SOIL BORING/PERK TEST
- TO BE REMOVED
- PROP AC UNIT
- PROP GENERATOR
- GAS METER
- ELECTRIC METER
- PROPOSED DOWNSPOUT
- LANDSCAPE SCREENING
- KNOX BOX



<b>DPS&amp;A</b> DAVID P SMITH & ASSOCIATES PROFESSIONAL LAND SURVEYORS 8615 RICHARDSON ROAD-SUITE 100 WALLED LAKE, MICHIGAN 48390 (248)363-1515 (FAX)363-1646 © 2021 DPS&A, INC. ALL RIGHTS RESERVED EMAIL ADDRESS: AASURVEYOR@AOL.COM	DATE	10-12-2021
	SCALE	1" = 20'
	JOB NO.	21-100800
	SHEET NO.	1 OF 2

PROPOSED BOAT LAUNCH  
 OXBOW LAKE PRIVATE LAUNCH ASSC, INC  
 10193 HIGHLAND ROAD ( VACANT )  
 PRELIMINARY SITE PLAN  
 DRAWN DPS COMP. NET DIRECTORY F/2021DWG

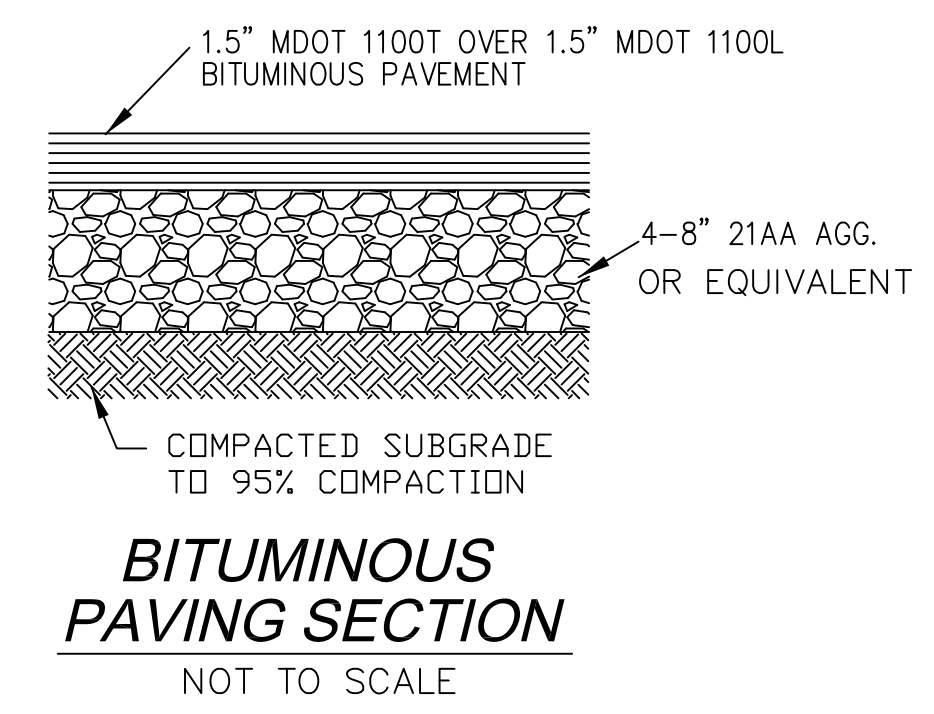
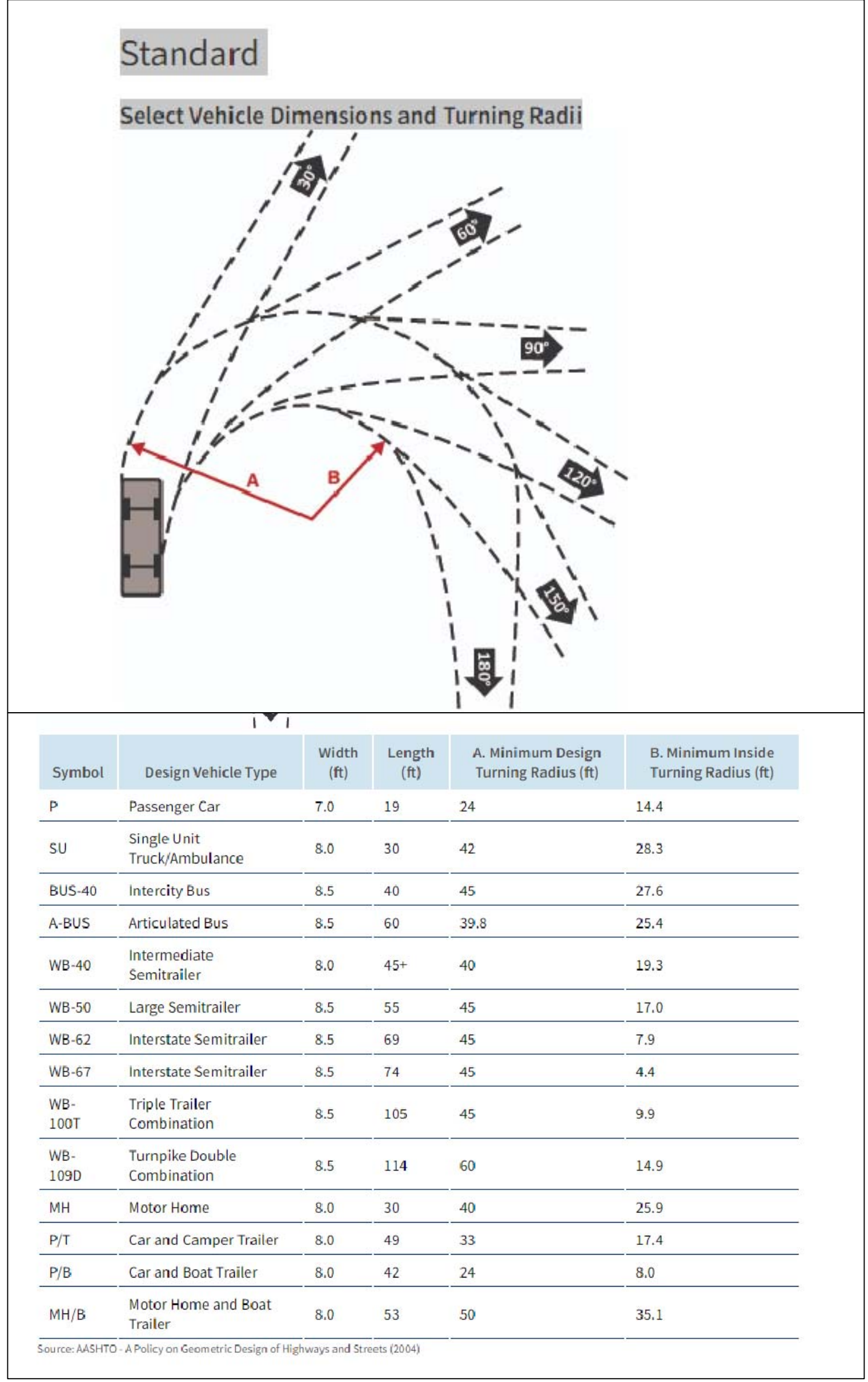


**UTILITY WARNING**  
 UNDERGROUND UTILITY LOCATIONS, AS SHOWN ON THE PLAN, WERE OBTAINED FROM UTILITY OWNERS AND WERE NOT FIELD LOCATED. PRIOR TO BEGINNING CONSTRUCTION, THE CONTRACTOR SHALL NOTIFY THE UTILITY OWNERS OF ANY UNDERGROUND UTILITIES STAKED BEFORE ANY WORK MAY BEGIN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND OR RELOCATION OF ALL UTILITIES THAT MAY INTERFERE WITH CONSTRUCTION.

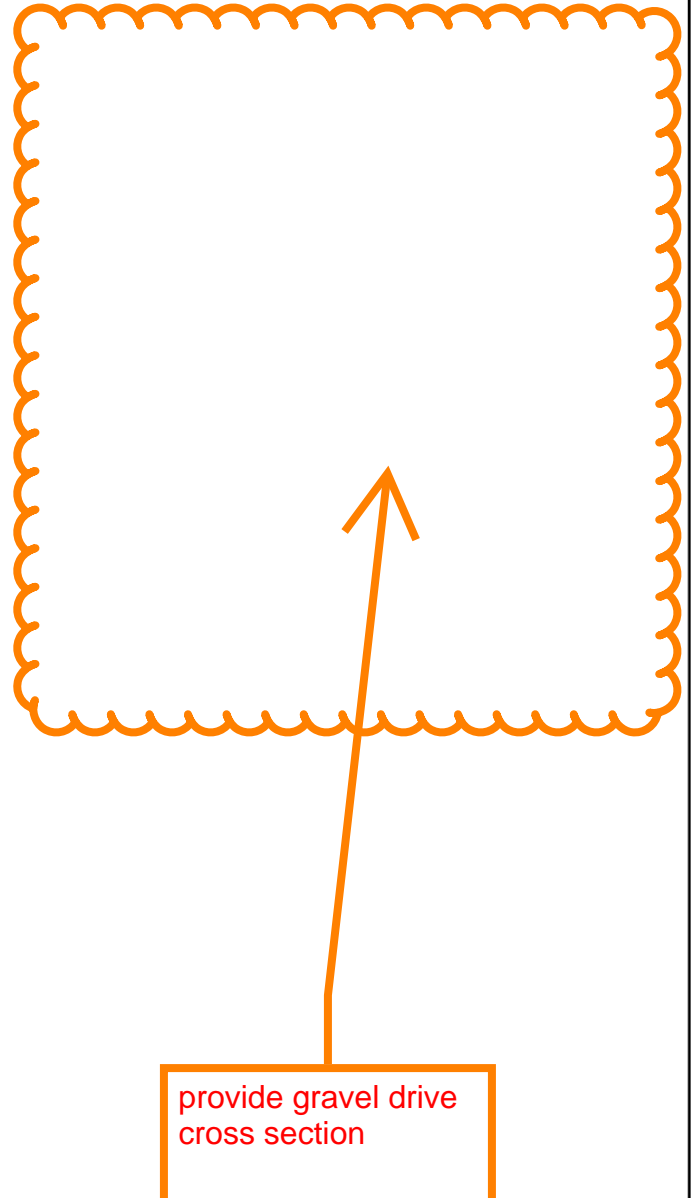
STEVEN LOWE  
671 HILLTOP DR WHITE LAKE MI 48386-2330  
SITE ADDRESS: 10193 HIGHLAND RD WHITE LAKE MI 48386-1804  
PARCEL ID # 12-22-279-004

T3N, R8E, SEC 22 PART OF E 1/2 OF NE 1/4 BEG AT PT DIST N 02-00-00 W 493.20 FT FROM SW COR OF E 1/2 OF NE 1/4, TH N 02-00-00 W 92.28 FT, TH N 62-08-00 E 525.02 FT, TH S 490.90 FT, TH N 71-36-00 W 485.76 FT TO BEG EXC THAT PART LYING WLY OF LINE LOC 40 FT ELY OF FOL DESC LINE, BEG AT PT DIST N 02-06-19 W 13.78 FT & N 62-23-41 E 1664.21 FT FROM CEN OF SEC, TH S 27-36-19 E 15.76 FT, TH ALD CURVE TO RIGHT, RAD 381.97 FT, CHORD BEARS S 02-11-49 E 327.28 FT, DIST OF 338.80 FT, TH S 23-12-51 W 200.00 FT TO PT OF ENDING, ALSO EXC BEG AT PT DIST N 02-06-19 W 13.78 FT & N 62-23-41 E 1969.31 FT & S 27-36-19 E 50.16 FT FROM CEN OF SEC, TH S 62-23-41 W 145.10 FT, TH S 27-36-19 E 20.00 FT, TH N 62-23-41 E 134.53 FT, TH N 00-15-41 E 22.62 FT TO BEG 1.86 A

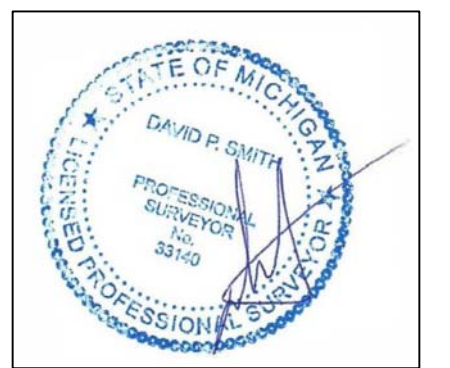
PARCEL DESCRIPTION AS SURVEYED: ( 10-12-2021 )  
PART OF E 1/2 OF NE 1/4 OF SECTION 22, T3N, R8E, WHITE LAKE TWP, OAKLAND CO., MICHIGAN  
BEING MORE PARTICULARLY DESCRIBED A COMMENCING AT THE CENTER POST OF SECTION 22, WHITE LAKE TWP, OAKLAND CO., MI  
SAID POINT BEING DISTANT S 02°39'54" E, A DISTANCE OF 2656.46', FROM THE NORTH 1/4 POST, OF SECTION 22, THENCE PROCEEDING ALONG THE EAST AND WEST 1/4 LINE, AS DENOTED ON THE PLAT OF " LARSON ACRES ", L. 58 OF PLATS, PG 12, OCR:  
N 87°39'16" E, A DISTANCE OF 1320.47', TO A POINT BEING THE SOUTHEAST CORNER OF SAID " LARSON ACRES ", SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THE EAST 1/2 OF THE NORTHEAST 1/4, OF SAID SECTION 22.  
THENCE ALONG THE WESTERLY LINE OF " OXBOW LAKE GROVE " L. 39 OF PLATS PG 4 OCR, N 02°07'09" W, A DISTANCE OF 493.06', TO THE NORTHWESTERLY CORNER OF LOT 2:  
THENCE IN PART ALONG THE NORTHERLY LINE OF LOT 2, OF SAID " OXBOW LAKE GROVE ", AND THE EXTENSION THEREOF, S 72°47'06" E, A DISTANCE OF 242.82', TO THE MOST NORTHERLY CORNER OF LOT 3, OF SAID " OXBOW LAKE GROVE ", SAID POINT ALSO BEING, KNOWN AS POINT " A " AND THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.  
THENCE CONTINUING ALONG SAID EXTENSION S 72°47'06" E, A DISTANCE OF 238.50', TO THE SOUTHWEST CORNER OF " OUTLOT A ", OF McCLATCHEYS OXBOW-CRANBERRY LAKE ESTATES, L. 57 OF PLATS PG 46 AND 46A, OCR.  
THENCE ALONG THE WEST LINE OF SAID " OUTLOT A ", N 00°17'53" W A DISTANCE OF 411.73', TO A POINT ON A SHORELINE TRAVERSE, TO BE KNOWN AS POINT " B ", SAID POINT BEING DISTANT THE FOLLOWING FOUR ( 4 ) COURSES:  
1) N 21°28'05" E, A DISTANCE OF 172.29';  
2) N 38°22'14" E, A DISTANCE OF 110.55';  
3) N 51°52'07" E, A DISTANCE OF 85.75';  
4) AND N 32°48'12" E, A DISTANCE OF 49.00'; FROM SAID POINT " A " ;  
THENCE CONTINUING ALONG SAID WEST LINE OF " OUTLOT A ", N 00°17'53" W, A DISTANCE OF 60.15', TO A POINT OF EXCEPTION;  
THENCE ALONG THE SOUTHERLY LINE OF SAID EXCEPTION, S 61°50'07" W, A DISTANCE OF 134.53';  
THENCE N 28°09'53" W, A DISTANCE OF 20.00' TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF M-59, ( AKA HIGHLAND ROAD );  
THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE, S 61°50'07" W, A DISTANCE OF 121.63', TO A POINT ON THE EASTERLY LINE OF " LAKESIDE DRIVE ", ( VARIABLE WIDTH ), UNPLATTED;  
THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, WITH AN ARC LENGTH OF 304.76', WITH A RADIUS OF 421.97', DELTA ANGLE OF 41°22'51", THE CHORD OF SAID CURVE BEARS, S 01°54'15" E, WITH A CHORD LENGTH OF 298.18'; TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.  
CONTAINING GROSS : 83,658 SQUARE FEET OR 1.918 ACRES OF LAND MORE OR LESS  
CONTAINING NET : 39,985 SQUARE FEET OR 0.757 ACRES OF LAND MORE OR LESS  
SUBJECT TO THE RIGHTS OF THE PUBLIC OR ANY GOVERNMENTAL UNIT IN THAT PART THERE OF M-59 ( AKA HIGHLAND ROAD ) OR LAKESIDE DRIVE, TAKEN, USED OR DEEDED FOR STREET, ROAD OR HIGHWAY PURPOSES.  
ALSO SUBJECT TO THE CORRELATIVE RIGHTS OF OTHER RIPARIAN OWNERS AND TO THE CORRELATIVE RIGHTS OF OTHER RIPARIAN OWNERS AND TO THE PUBLIC TRUST IN THE WATERS OF OXBOW LAKE.  
AND ALSO BEING SUBJECT TO ANY EASEMENTS RESTRICTIONS, OR CONDITION OF RECORD.  
PROPOSED TOWNSHIP USE EASEMENT  
A 25' WIDE EASEMENT FOR TOWNSHIP PURPOSES, ON OVER, UNDER AND ACROSS A PARCEL OF LAND BEING: PART OF E 1/2 OF NE 1/4 OF SECTION 22, T3N, R8E, WHITE LAKE TWP, OAKLAND CO., MICHIGAN.  
BEING MORE PARTICULARLY DESCRIBED A COMMENCING AT THE CENTER POST OF SECTION 22, WHITE LAKE TWP, OAKLAND CO., MI  
SAID POINT BEING DISTANT S 02°39'54" E, A DISTANCE OF 2656.46', FROM THE NORTH 1/4 POST, OF SECTION 22, THENCE PROCEEDING ALONG THE EAST AND WEST 1/4 LINE, AS DENOTED ON THE PLAT OF " LARSON ACRES ", L. 58 OF PLATS, PG 12, OCR:  
N 87°39'16" E, A DISTANCE OF 1320.47', TO A POINT BEING THE SOUTHEAST CORNER OF SAID " LARSON ACRES ", SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THE EAST 1/2 OF THE NORTHEAST 1/4, OF SAID SECTION 22.  
THENCE ALONG THE WESTERLY LINE OF " OXBOW LAKE GROVE " L. 39 OF PLATS PG 4 OCR, N 02°07'09" W, A DISTANCE OF 493.06', TO THE NORTHWESTERLY CORNER OF LOT 2:  
THENCE IN PART ALONG THE NORTHERLY LINE OF LOT 2, OF SAID " OXBOW LAKE GROVE ", AND THE EXTENSION THEREOF, S 72°47'06" E, A DISTANCE OF 242.82', TO THE MOST NORTHERLY CORNER OF LOT 3, OF SAID " OXBOW LAKE GROVE ", .  
THENCE ALONG THE ARC OF A CURVE TURNING TO THE LEFT, HAVING AN ARC LENGTH OF 279.55', WITH A RADIUS OF 421.97', WITH A DELTA ANGLE OF 37°57'29", THE CHORD OF SAID CURVE BEARS, N 00°11'34" W, WITH A CHORD LENGTH OF 274.47';  
THE POINT OF BEGINNING OF THE EASEMENT HEREIN DESCRIBED.  
THENCE CONTINUING ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING AN ARC LENGTH OF 25.21', WITH A RADIUS OF 421.97', AND A DELTA ANGLE OF 03°25'22", THE CHORD OF SAID CURVE BEARS, N 20°52'59" W, WITH A CHORD LENGTH OF 25.20', TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF M-59, ( AKA HIGHLAND ROAD );  
THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE, N 61°50'07" E, A DISTANCE OF 121.63';  
THENCE S 28°09'53" E, A DISTANCE OF 25.00';  
THENCE S 61°50'07" W, A DISTANCE OF 124.82'; TO THE POINT OF BEGINNING OF THE EASEMENT HEREIN DESCRIBED.  
CONTAINING .3077 SQ FT  
REVISED DATED 12-7-2021



**NOTE:**  
Engineering Design Standards Notes:  
1) ASPHALT ( BITUMINOUS ) PAVING SPECIFICATIONS AND DRIVEWAY SURFACE MATERIALS SPECIFICATIONS , ( GRAVEL/AGGREGATE ) WILL BE PROVIDED AND ARE SUBJECT TO THE TOWNSHIP ENGINEERING APPROVAL: PRIOR TO START OF CONSTRUCTION :  
2) a. All construction shall be in accordance with the Township's current standards and specifications.  
b. The Contractor shall notify the Township Engineer and/or authority having jurisdiction, 48 hours prior to the beginning of construction.  
c. Contractor shall contact MISS DIG at 800-482-7171, 72 hours in advance of construction, for existing underground utility locations.  
d. In order to verify compliance with approved plans, full time construction observation will generally be required during all phases of underground site construction including installation of sanitary sewer, storm sewers, drains, watermains and appurtenances as well as private street curbing and paving construction. Intermittent observations will be made for site grading, parking lot curbing and paving, retaining wall construction and other surface activity.  
3) No fill shall be placed within the floodplain" Aprox "amount of fill shall be 200 - 250 cubic yards of clean fill soil with no construction debris" (or appropriate description) where FILL is indicated.



CONTACT:  
OXBOW LAKE PRIVATE LAUNCH ASSOCIATION INC.  
MR. RICK WALKLET 11  
10835 OXBOW LAKESHORE DRIVE  
WHITE LAKE MI. 48386  
CELL - 248-396-6197  
EMAIL - i467vettes@aol.com



REVISED 3-7-2022  
REVISED 1-14-2022  
REVISED 12-7-2021  
REVISED 12-2-2021

<b>DPS&amp;A</b> DAVID P SMITH & ASSOCIATES PROFESSIONAL LAND SURVEYORS 8615 RICHARDSON ROAD-SUITE 100 WALLED LAKE, MICHIGAN 48390 (248)363-1515 (FAX)363-1646 © 2021 DPS&A, INC. ALL RIGHTS RESERVED EMAIL ADDRESS: AASURVEYOR@AOL.COM	DATE	10-12-2021
	SCALE	1" = 20'
PROPOSED BOAT LAUNCH OXBOW LAKE PRIVATE LAUNCH ASSC,INC	JOB NO.	21-100800
10193 HIGHLAND ROAD ( VACANT ) PRELIMINARY SITE PLAN	SHEET NO.	2 OF 2
DRAWN DPS COMP. NET DIRECTORY F/2021DWG		

# WHITE LAKE TOWNSHIP PLANNING COMMISSION

## REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

**TO:** Planning Commission

**FROM:** Sean O’Neil, AICP, Community Development Director  
Justin Quagliata, Staff Planner

**DATE:** March 25, 2022

**RE:** Oxbow Lake Private Launch Association, Inc.  
Final site plan and development agreement – Review #1

---

Staff reviewed the final site plan and planned development agreement (PDA) for the Oxbow Lake Private Launch Association, Inc. (OLPLA) project. The applicant intends to establish a private watercraft launch at 10193 Highland Road (Parcel Number 12-22-279-004), located on the south side of Highland Road, east of Lakeside Drive. The Township Board approved the preliminary site plan on February 15, 2022 and adopted the zoning amendment (rezoning the site from Local Business to Planned Development) on March 15, 2022.

Below is list of items relevant to the final site plan:

- The title block shall be revised to indicate the plan is the final site plan, not the preliminary site plan.
- The driveway was widened to 20 feet to comply with the Fire Code and Zoning Ordinance. The plan labels the paved portion of the driveway as asphalt.
- Where “FILL” is indicated on the plan, approximately 200-250 cubic yards of clean fill soil is proposed. No fill is proposed in the floodplain.
- The applicant provided a copy of its EGLE permit application to install the launch.
- Five deciduous trees are proposed (four along Highland Road and one along Lakeside Drive). The plan indicates trees will be 2.5-3 inches in caliper at the time of planting. Sugar Maples, Small Leaf Linden, and Honey Locust are the proposed species. Such species are acceptable; however, the plan shall indicate the species of each tree at the planted location.

Below is list of items relevant to the planned development agreement:

- Add the following recitals to the PDA:
  - The date the Planning Commission recommended approval of a waiver from the minimum PD acreage requirement.
  - The date the Township Board approved a waiver from the minimum PD acreage requirement.
  - The date the Planning Commission recommended approval of the preliminary site plan and rezoning to PD, subject to conditions, after holding a public hearing.
  - The date the Township Board approved the preliminary site plan and introduced the rezoning to PD.
  - The date the Township Board adopted the rezoning to PD.
  - The date the Planning Commission approved the final site plan and recommended approval of the PDA.
  - The date the Township Board approved the PDA and authorized the Supervisor and Clerk to execute the Agreement.
  
- Consideration should be given to incorporating the OLPLA Statement of Formation and Operations as an exhibit to the PDA.
  
- Article 2, Section 5 shall be revised to replace all references to “variances” with the word “waivers.”
  
- Article 5, Section 3 shall be revised to add the following language after the last sentence of the existing text. “If, following the approval of the PD Plan (as defined in the Agreement), Developer elects to make minor changes to the PD Plan, such minor changes may be made subject only to Administrative Approval. The term "minor changes" shall be those changes set forth in the Township Zoning Ordinance, Article 6, Section 7(E)(i)(a-k). For purposes of this Agreement, "Administrative Approval" shall mean the approval by the Community Development Director of the Township, or his designee, or such other individual as may be designated by the Township Board, without the necessity of review by the Township Board or the Township Planning Commission or any amendment to this Agreement.”
  
- Article 5, Section 9 shall be revised to eliminate the option of recording a Notice of Development Agreement. Township policy requires the PDA be recorded.
  
- Prior to the execution of the PDA, a corporate resolution shall be provided authorizing the signer to execute the Agreement on behalf of the Developer.
  
- Page 8 (signature page) shall be revised to amend the Township Clerk signatory to Anthony L. Noble.
  
- Page 8 (signature page) shall be revised to list the Attorney who drafted the PDA.

- Exhibit A shall be updated with a clean legal description as indicated on the submittal.
- Exhibit C shall be updated to include the following conditions:
  - Only Oxbow Lake Riparians shall have the right to be Members of OLPLA, Inc. and have access to use of the Subject Property.
  - No keyhole access to Oxbow Lake shall be permitted through the Subject Property.
  - Information on the operation of the gate (including gate controls) such as, but not limited to, manufacturer’s specifications, shall be provided to the Township upon request.
- Exhibit C, Number 8 shall be revised to replace “M59” with “Highland Road.”
- Exhibit C, Number 9 shall be revised to add the following text after the existing language: “and not visible from the adjacent roadways. Signage is subject to approval by the Community Development Director or his designee prior to installation.”
- Exhibit E (page 14) shall be revised in title to “Approved Final PD Waivers.”
- Exhibit E (page 14): “Variance” 1-4 shall be revised to “Waiver” 1-4.
- Exhibit E (page 14): Waiver 1 is to allow a 5’ setback, not a 35’ setback (the waiver is 35’). Revise accordingly.
- Exhibit E (page 14): The following text shall be inserted prior to the existing language listed for Waiver 4: “Township will allow deferral of the installation of a minimum five-foot-wide sidewalk placed one-foot from the inside edge of the right-of-way along the Lakeside Drive property frontage, and a minimum eight-foot-wide sidewalk along the Highland Road property frontage.”
- Exhibit E (page 14): For Waiver 1 and Waiver 4, all references to “M59” shall be revised to “Highland Road.”

### **Planning Commission Options**

The Planning Commission has the option to approve, approve with conditions, or deny the final site plan and recommend approval, approval with modifications, or denial of the development agreement to the Township Board. **Staff recommends approval of the final site plan and approval of the planned development agreement subject to the items identified in this memorandum being addressed prior to execution of the development agreement.**

### **Attachments:**

1. Final site plan dated October 12, 2021 (revision date March 7, 2022).
2. Planned Development Agreement.



LISA J. HAMAMEH  
lhamameh@rsjalaw.com

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Farmington Hills, Michigan 48331  
P 248.489.4100 | F 248.489.1726  
rsjalaw.com



ROSATI | SCHULTZ  
JOPPICH | AMTSBUECHLER

March 25, 2022

*Via electronic mail only ([soneil@whitelaketwp.com](mailto:soneil@whitelaketwp.com))*

Sean O'Neil  
Community Development Director  
White Lake Township  
7525 Highland Road  
White Lake, Michigan 48383

**RE: 1<sup>st</sup> Review of Planned Development Agreement  
Oxbow Lake Private Boat Launch Association**

Dear Sean:

You asked that we review the proposed Planned Development Agreement for the Oxbow Lake Private Boat Launch ("Agreement") submitted by Oxbow Lake Private Boat Launch Association, Inc. ("Developer"). We offer the following comments regarding the Agreement:

1. General Comments:
  - a. The Township Engineer or other qualified personnel need to review the legal descriptions within Exhibit A and the Exhibit B drawing.
  - b. Prior to the execution of this Agreement, the Owner must provide proof of ownership and Developer must provide a corporate resolution authorizing the signer to execute the Agreement on behalf of the Developer.
2. The following are suggested additions to the Recitals:
  - a. Current zoning of the property (Planned District).
  - b. General site information/Description of Development.
  - c. Ordinance authorization for Township entry into the Agreement (Article 6 Section 6.7 of Zoning Ordinance).
  - d. On December 21, 2021, the Township Board, on recommendation of the Planning Commission, waived the minimum lot size requirement for PD Zoning Districts.
  - e. On February 3, 2022, the Planning Commission recommended approval of the Preliminary Site Plan, subject to conditions, after holding a public hearing.
  - f. On March 15, 2022, the Township Board approved the Preliminary Site Plan for the Development, subject to staff, consultants, Planning Commission and the Community Development Department Director.
  - g. On \_\_\_\_\_ the Planning Commission approved the Final Site Plan ("PD Plans")
  - h. On \_\_\_\_\_ the Township Board determined the Development qualifies for PD Development in accordance with the Township Zoning Ordinance, Article 6, Section 6.7 of the Zoning Ordinance, and approved the entry, execution and recording the this Agreement.

3. The following are suggested additions to the Agreement:
  - a. According to the Planning Commission meeting minutes, the Developer's representative advised that the public benefit provided by the Development, includes public safety (the Knox box) and the Grant of Easement for the beautification of the site. The Grant of Easement is not a condition imposed, but an offer of public benefit, and, therefore should be a separate provision in the Agreement. This provision is where any requirement of easement maintenance would be appropriate.
  - b. The Township's Zoning Ordinance, Article 6, Section 6.7B.i.c, requires an affirmative representation that the proposed use(s) will not exceed the performance criteria of the zoning ordinance. This provision, similar to the following, must be added as Paragraph 2.8: "Developer and Owner affirmatively submit that the proposed use(s) on the Subject Property shall not exceed the performance criteria in the Township's Zoning Ordinance, Article 5, Section 5.18."
  - c. As stated in Mr. Quagliata's Report, a provision addressing Minor Modifications should be included either as part of Paragraph 5.3 or as a new Paragraph in Article V of the Agreement.
  - d. A provision that states the ZBA shall have no jurisdiction over the property or the application of the Agreement.
  - e. A provision stating the Agreement shall be governed by the laws of the State of Michigan and in the event of any litigation related to the Agreement or the PD, venue shall be in and to the exclusive jurisdiction of the courts in Michigan, including the Federal District Court for the Eastern District of Michigan.
  - f. A provision added to Article IV defining breach and the remedies associated therewith.
  - g. A provision acknowledging that at the time of execution of the Agreement, the Developer will not have yet obtained engineering approvals for the Development and that additional conditions may be imposed, provided that no such conditions be inconsistent with the PD Plan or this Agreement and shall not change or eliminate any development right authorized thereby. Those conditions shall be incorporated into and made part of this Agreement automatically upon issuance of said conditions.
4. With regard to the proposed PD Agreement, I offer the following comments:
  - a. The Agreement defines Owner, but the Agreement refers to a "Current Owner." The reference to the Owner should be as defined by removal of the term "current."
  - b. Paragraph 5.9 should be revised to eliminate the option of recording a Notice of Development Agreement in accordance with the Township's revised policy.
  - c. Paragraph 5.11 is not consistent with the Township's Zoning Ordinance for the reversion process (Article 6, Section 6.7G). While the Agreement cannot be "contingent," the applicant is welcome to add termination language similar to the following: "Notwithstanding the foregoing provisions of this Agreement, Developer and Owner retain the right at any time prior to commencement of construction of the improvements contemplated by this Agreement to terminate the Planned Development by filing with the Township and recording with the Oakland County Register of Deeds an Affidavit so stating. No approved Planned Development shall

be terminated after development commences, except with the approval of the Township Board and of all parties interested in the land.”

- d. Restructuring Exhibit C to limit its scope to the Conditions and Restrictions imposed by the Township. For example, discussion regarding members using the site at their own risk (Paragraph 3), membership termination (Paragraph 5A. and D.), and maintenance by third-party contractors (Paragraph 4.A.) are not conditions imposed by the Township. Additionally, some of the conditions found in Paragraph 2.2 are more appropriately listed in Exhibit C. For example, no keyhole access, no commercial use of the Subject Property. Finally, references to signage and lighting must first be approved by the Township and must be in conformance with Township Ordinances.
- e. The Township should consider whether the listed variances are correct. Additionally, we support the changes suggested by Mr. Quagliata to variance 4. We suggest additional changes to clarify the triggers. For example, after the language suggested by Mr. Quagliata, I would add language that states, the “Developer and/or Owner shall reimburse the Township for the costs and expenses of the deferred sidewalk installation when...”

Please let us know if you have any questions or would like to discuss this matter further.

Very truly yours,

ROSATI SCHULTZ JOPPICH  
& AMTSBUCHLER PC



Lisa J. Hamameh

## PLANNED DEVELOPMENT AGREEMENT

This Planned Development Agreement (“Agreement”) is made this \_\_\_\_ day of March, 2022, by the **Oxbow Lake Private Launch Association, Inc.**, a Michigan nonprofit corporation (“Developer”), whose address is 10835 Oxbow Lakeshore Drive, White Lake, Michigan 48386, **Steven F. Lowe** (“Current Owner”), whose address is 671 Hilltop, White Lake, Michigan 48386, and the **Charter Township of White Lake**, a Michigan municipal corporation (“Township”), whose address is 7525 Highland Road, White Lake, MI 48383.

### Recitals

- A. Current Owner owns real estate situated in the Township, more particularly described on *Exhibit A* (the “Subject Property”).
- B. Developer has applied to the Township to establish the Subject Property as a planned development (“PD”), pursuant to provisions of the Township Zoning Ordinance.
- C. By entering into this Agreement, the parties desire to set forth their respective obligations with respect to the PD and the conditions under which the Township has granted final PD approval. The Township is willing to establish the property as a PD, and Developer is willing to develop and maintain the PD, subject to the terms and conditions of this Agreement.

NOW, THEREFORE, Current Owner, Developer and Township hereby declare that the Subject Property is and shall be held, transferred, sold, conveyed and occupied, subject to any covenants, conditions, easements, restrictions, grants, and reservations set forth herein; all of which covenants, conditions, easements, restrictions, grants and reservations are for the benefit of and shall run with and bind the Subject Property and all parties having any right, title or interest in any or all portion of the Subject Property, or any improvements therein, as well as their heirs, successors, personal representatives, and assigns.

## ARTICLE I

### DEFINITIONS

1.1 “Developer” shall mean the Oxbow Lake Private Launch Association, Inc. (“OLPLA, Inc.”), or its successors and assigns.

1.2 “Owner” shall mean the holder or holders of record fee simple title to any portion of the Subject Property. The term “Owner” shall include any grantee or lessee to all or any portion of the Subject Property. If more than one person owns fee simple title to any portion of the Subject Property, then the interest of all such persons, collectively, shall be that of one “Owner”.

1.3 “Person” shall mean any individual, partnership, corporation, limited liability company, trust, or any other form of business or governmental entity.

1.4 “PD Plan” shall mean the final PD site plan and related plans and specifications approved by and on file with the Township, as itemized on *Exhibit B*.

1.5 “PD Conditions” shall mean the conditions established and required by the Township Board in connection with its approval of the PD Plan and rezoning, as listed on *Exhibit C*.

## ARTICLE II

### ESTABLISHMENT OF PD AND PD PLANS

2.1 Approved Final PD Plan; Exhibits. The PD Plan, dated \_\_\_\_\_, has been approved by the Township as a final PD site plan under the Township Zoning Ordinance. The PD site plan approval grants Owner and/or Developer the right to construct facilities as set forth in the PD site plan, subject to obtaining permits for said construction in the ordinary course. All exhibits attached hereto are incorporated herein and made a part hereof by reference.

2.2 Statement of Planning Objectives to be Achieved by the Development. The primary planning objectives of this development are as follows:

To purchase, develop, and maintain a privately owned watercraft launch area on the Subject Property, for owners of property with frontage on Oxbow Lake (“Riparians”) who voluntarily choose to participate as Members of OLPLA, Inc. Only Riparians will have the right to be Members of OLPLA, Inc. No keyhole access shall be permitted. No commercial use shall be permitted.

An easement for the public benefit will be granted to the Township at the northwest corner of the Subject Property, as reflected in the PD Plan, pursuant to separate Easement Agreement.

The Subject Property will be purchased with the funds received from participating Members of OLPLA, Inc.

Use of the Subject Property will be legally linked to the participating Oxbow Lake Riparian property parcels by providing OLPLA, Inc. Members the right to shared use of the launch site. Membership in OLPLA, Inc. will transfer with the Member’s property if/when ownership changes.

The Subject Property will be developed consistent with the PD Plan, and maintained by third-party companies through competitive bids jointly funded by participating Members

of OLPLA, Inc. through the initial start-up fee and annual maintenance fees paid by Members.

Only OLPLA, Inc. Members will have access to the launch site. The property shall be fenced, gated, pass card secured to control access, and shall have 24/7 camera surveillance on both the gate and the property.

2.3 Development Schedule. The proposed approximate development schedule for the development of Subject Property is attached as *Exhibit D*, which may be modified by Developer as necessary or appropriate, with the Township's consent.

2.4 Statement of Developer and Owner's Intentions Regarding Future Sale or Lease. The Owner intends to sell the Subject Property to Developer, after which Developer intends to retain this Subject Property in perpetuity.

2.5 Adherence to Ordinances. Except as otherwise provided herein, Developer and Owner shall adhere to the Ordinances of the Township. To the extent that developing the Subject Property in accordance with the PD Plan will deviate from the Township Zoning Ordinance or any other ordinance, resolution, rule or regulation of the Township, currently in effect or which may be adopted in the future, the Township shall be deemed to have granted, and hereby grants, variances for all such deviations. Variances from the Township Zoning Ordinance which the Township shall be deemed to have granted, and hereby grants, are as set forth on *Exhibit E*.

2.6 Traffic Impact Study. The Township has determined that a Traffic Impact Study is not required.

2.7 Community Impact Statement. The Township has determined that a Community Impact Statement is not required.

### ARTICLE III

#### CONDITIONS, PERMITS AND STIPULATIONS

3.1 Permits and Authorizations. All state, county and federal permits required for completion of the project shall be approved prior to the scheduling of a pre-construction meeting with Developer and the Township staff and consultants.

3.2 Improvements and Alterations. Developer shall not engage in any improvements or alterations on the Subject Property, including, without limitation, site grading work or installation of utilities, until completion of the pre-construction meeting.

3.3 Conditions. The conditions attached by the Township Board to approval of the PD Plan, as listed on *Exhibit C* attached hereto, are incorporated into the Township's PD approval. Any violation of these conditions shall be considered a breach of this Agreement.

## ARTICLE IV

### ACTION BY THE TOWNSHIP

4.1 Maintenance of Property. In the event Developer or Owner fail at any time to maintain the Property using commercially reasonable standards consistent with the approved site plan and this Agreement, the Township may serve written notice upon Owner setting forth the manner in which Developer or Owner have failed to maintain the Property, and such notice shall include a demand that deficiencies be cured within a stated reasonable time period no less than sixty (60) days, and shall set forth the date, time and place of a hearing before the Township Board for the purpose of allowing Owner to be heard as to why the Township should not proceed to perform the maintenance which has not been undertaken. In that hearing, the time for curing such deficiencies and the hearing itself may be extended. If, following the hearing, the Township Board shall determine that the deficiency has not been cured within the time specified at the hearing, then upon five (5) days written notice to Owner, the Township shall thereupon have the power and authority, but not the obligation, to enter upon the Property or cause its agents or contractors to enter upon the Property to cure such deficiency as reasonably found by the Township to be appropriate and/or necessary, in a manner so as to reasonably minimize any interference with the business operations on the Property and the cost and expense of such curative action, including the cost of notices by the Township and reasonable legal, planning, and engineering fees and costs incurred by the Township, shall be paid by the Owner. Such amount shall constitute a lien on the Property and the Township may require such costs and expenses to be paid prior to the commencement of work. If such costs and expenses have not been paid within sixty (60) days of a billing to the Owner, all unpaid amounts may be a) placed on a delinquent tax roll of the Township as to the Property and shall accrue interest and penalties and shall be collected as and shall be deemed delinquent real property taxes according to the laws made and provided for the collection of delinquent real property taxes in the discretion of the Township; or b) assessed against the Owner and collected as a special assessment on the next annual Township tax roll; or c) collected by use of the applicable provisions of Michigan law providing for foreclosure by advertisement, the Owner having specifically granted the Township the required power of sale to do so; or d) collected by suit against the Owner. If suit is initiated, the Owner shall pay all the Township's legal fees and costs. The selection of remedy shall be at the sole option of the Township, and election of one remedy shall not waive the use of any other remedy.

## ARTICLE V

### MISCELLANEOUS

5.1 Binding Effect. This Agreement shall be binding upon and inure to the benefit of the parties, their heirs, successors and assigns. The rights and obligations contained in this Agreement shall run with the property.

5.2 Authority. This Agreement has been duly authorized by all necessary action of the Developer, the Owner and the Township. By execution of this Agreement, the parties each warrant that they have the authority to execute this Agreement and bind the Subject Property and the respective entities to its terms and conditions.

5.3 Amendment. This Agreement shall only be amended pursuant to an instrument executed by the Township, Owner and Developer, or their successor in title. No consent to the amendment of this Agreement shall be required from any other person, including mortgagees.

5.4 Validity. Invalidation of any of the provisions contained in this Agreement, or of the application thereof to any person by judgment or court order shall in no way effect any of the other provisions herein or the application thereof to any other person. The same shall remain in full force and effect.

5.5 Partnership. None of the terms or provisions of this Agreement shall be deemed to create a partnership or joint venture between Developer and the Township.

5.6 Time. Time is of essence to this Agreement.

5.7 Waiver. Failure of either party to insist upon strict performance of any of the terms, conditions or covenants hereof shall not be deemed to be a waiver of any rights or remedies that such party may have hereunder, at law or in equity, and shall not be deemed a waiver of any subsequent breach or default under this Agreement. No waiver by either party of any default under this Agreement shall be effective or binding unless made in writing and no such waiver shall be implied from any omission by the party to take an action with respect to the default. No express written waiver of any default shall affect any other default or cover any other period of time, and one or more written waivers of any default shall not be deemed to be a waiver of any subsequent default in performance of the same or any other term or provision contained in this Agreement.

5.8 Violations. Violations of the provisions of this Agreement shall be deemed to be violations of the Township Zoning Ordinance and shall entitle the Township to all the rights and remedies provided by the Zoning Ordinance or any other applicable law for such violation.

5.9 Notice. This PD Agreement or a Notice of the PD Agreement, as determined in the Township's sole discretion, shall be recorded by the Township at the Office of the Oakland County Register of Deeds.

5.10 Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all such counterparts shall constitute one and the same instrument.

5.11 Agreement Contingent Upon All Necessary Approvals. This Agreement is contingent upon Developer obtaining all necessary permits required for the project as set forth in the PD Plan, including without limitation, a permit from EGLE to install the launch and dock. If such approvals cannot be obtained despite Developer's good faith efforts, Developer may provide written notice to the Township of Developer's inability to proceed, upon which this Agreement shall terminate, and the Township shall work cooperatively with Owner and Developer to revert zoning back to LB or to an alternate zoning acceptable to the Township.

[SIGNATURES ON FOLLOWING THREE PAGES]



The undersigned have executed this Agreement effective as of the day and year first written above.

**DEVELOPER:**

Oxbow Lake Private Launch Association,  
Inc., a Michigan nonprofit corporation

By: \_\_\_\_\_  
Richard Walklet, President

STATE OF MICHIGAN     )  
                                          ) SS  
COUNTY OF OAKLAND    )

The foregoing PD Agreement was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by Richard Walklet, President of Oxbow Lake Private Launch Association, Inc., a Michigan nonprofit corporation, on behalf of said corporation.

\_\_\_\_\_  
, Notary Public  
Oakland, County, Michigan  
Acting in Oakland County, Michigan  
My commission expires:\_\_\_\_\_

*[SIGNATURES CONTINUE ON FOLLOWING PAGE]*

**CURRENT OWNER:**

\_\_\_\_\_  
Steven F. Lowe

STATE OF MICHIGAN     )  
                                          ) SS  
COUNTY OF OAKLAND    )

The foregoing PD Agreement was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by Steven F. Lowe.

\_\_\_\_\_  
, Notary Public  
Oakland County, Michigan  
Acting in Oakland County, Michigan  
My commission expires: \_\_\_\_\_

*[SIGNATURES CONTINUE ON FOLLOWING PAGE]*

**TOWNSHIP:**

CHARTER TOWNSHIP OF WHITE LAKE  
a Michigan municipal corporation

By: \_\_\_\_\_

Rik Kowall

Its: Supervisor

By: \_\_\_\_\_

Terry Lilley

Its: Clerk

STATE OF MICHIGAN     )  
                                          ) ss  
COUNTY OF OAKLAND    )

The foregoing PD Agreement was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_, by Rik Kowall, Supervisor and Terry Lilley, Clerk of the Charter Township of White Lake, a Michigan municipal corporation, on behalf of said municipal corporation.

\_\_\_\_\_  
, Notary Public  
Oakland County, Michigan  
Acting in Oakland County, Michigan  
My commission expires: \_\_\_\_\_

**Drafted by/Return to:**  
**Lisa J. Hamameh**  
Rosati Schultz Joppich & Amtsbuechler  
27555 Executive Drive, Suite 250  
Farmington Hills, MI 48331  
(248) 489-4100

## EXHIBIT A

### LEGAL DESCRIPTION OF SUBJECT PROPERTY

[Developer has requested its surveyors provide a clean copy of the legal description, which will be inserted here. The following page is a rough copy/placeholder.]

SITE ADDRESS: 10193 HIGHLAND RD WHITE LAKE MI 48386-1804  
PARCEL ID # 12-22-279-004

T3N, R8E, SEC 22 PART OF E 1/2 OF NE 1/4 BEG AT PT DIST N 02-00-00 W 493.20 FT FROM SW COR OF E 1/2 OF NE 1/4, TH N 02-00-00 W 92.28 FT, TH N 62-08-00 E 525.02 FT, TH S 490.90 FT, TH N 71-36-00 W 485.76 FT TO BEG EXC THAT PART LYING WLY OF LINE LOC 40 FT ELY OF FOL DESC LINE, BEG AT PT DIST N 02-06-19 W 13.78 FT & N 62-23-41 E 1664.21 FT FROM CEN OF SEC, TH S 27-36-19 E 15.76 FT, TH ALG CURVE TO RIGHT, RAD 381.97 FT, CHORD BEARS S 02-11-49 E 327.28 FT, DIST OF 338.80 FT, TH S 23-12-51 W 200.00 FT TO PT OF ENDING, ALSO EXC BEG AT PT DIST N 02-06-19 W 13.78 FT & N 62-23-41 E 1969.31 FT & S 27-36-19 E 50.16 FT FROM CEN OF SEC, TH S 62-23-41 W 145.10 FT, TH S 27-36-19 E 20.00 FT, TH N 62-23-41 E 134.53 FT, TH N 00-15-41 E 22.62 FT TO BEG 1.86 A

PARCEL DESCRIPTION AS SURVEYED: ( 10-12-2021 )

PART OF E 1/2 OF NE 1/4 OF SECTION 22, T3N., R8E, WHITE LAKE TWP, OAKLAND CO., MICHIGAN

BEING MORE PARTICULARLY DESCRIBED A COMMENCING AT THE CENTER POST OF SECTION 22, WHITE LAKE TWP, OAKLAND CO., MI.

SAID POINT BEING DISTANT S 02°39'54" E, A DISTANCE OF 2656.46', FROM THE NORTH 1/4 POST, OF SECTION 22, THENCE PROCEEDING ALONG THE EAST AND WEST 1/4 LINE, AS DENOTED ON THE PLAT OF " LARSON ACRES ", L. 58 OF PLATS, PG 12, OCR.

N 87°39'16" E, A DISTANCE OF 1320.47', TO A POINT BEING THE SOUTHEAST CORNER OF SAID " LARSON ACRES ", SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THE EAST 1/2 OF THE NORTHEAST 1/4, OF SAID SECTION 22.

THENCE ALONG THE WESTERLY LINE OF " OXBOW LAKE GROVE " L. 39 OF PLATS PG 4 OCR, N 02°07'09" W, A DISTANCE OF 493.06', TO THE NORTHWESTERLY CORNER OF LOT 2:

THENCE IN PART ALONG THE NORTHERLY LINE OF LOT 2, OF SAID " OXBOW LAKE GROVE ",

AND THE EXTENSION THEREOF, S 72°47'06" E, A DISTANCE OF 242.82',

TO THE MOST NORTHERLY CORNER OF LOT 3, OF SAID " OXBOW LAKE GROVE ", SAID POINT ALSO BEING, KNOWN AS POINT " A " AND THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

THENCE CONTINUING ALONG SAID EXTENSION S 72°47'06" E, A DISTANCE OF 238.50',

TO THE SOUTHWEST CORNER OF " OUTLOT A ", OF

McCLATCHEYS OXBOW-CRANBERRY LAKE ESTATES, L. 57 OF PLATS PG 46 AND 46A, OCR.

THENCE ALONG THE WEST LINE OF SAID " OUTLOT A ", N 00°17'53" W A DISTANCE OF 411.73',

TO A POINT ON A SHORELINE TRAVERSE, TO BE KNOWN AS POINT " B ",

SAID POINT BEING DISTANT THE FOLLOWING FOUR ( 4 ) COURSES:

1) N 21°28'05" E, A DISTANCE OF 172.29';

2) N 38°22'14" E, A DISTANCE OF 110.55';

3) N 51°52'07" E, A DISTANCE OF 85.75';

4) AND N 32°48'12" E, A DISTANCE OF 49.00'; FROM SAID POINT " A ";

THENCE CONTINUING ALONG SAID WEST LINE OF " OUTLOT A ", N 00°17'53" W, A DISTANCE OF 60.15', TO A POINT OF EXCEPTION:

THENCE ALONG THE SOUTHERLY LINE OF SAID EXCEPTION, S 61°50'07" W, A DISTANCE OF 134.53';

THENCE N 28°09'53" W, A DISTANCE OF 20.00' TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF M-59, ( AKA HIGHLAND ROAD );

THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE, S 61°50'07" W, A DISTANCE OF 121.63';

TO A POINT ON THE EASTERLY LINE OF " LAKESIDE DRIVE ", ( VARIABLE WIDTH ), UNPLATTED:

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, WITH AN ARC LENGTH OF 304.76',

WITH A RADIUS OF 421.97', DELTA ANGLE OF 41°22'51",

THE CHORD OF SAID CURVE BEARS, S 01°54'15" E, WITH A CHORD LENGTH OF 298.18';

TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

CONTAINING GROSS : 83,658 SQUARE FEET OR 1.918 ACRES OF LAND MORE OR LESS

CONTAINING NET : 39,985 SQUARE FEET OR 0.757 ACRES OF LAND MORE OR LESS

SUBJECT TO THE RIGHTS OF THE PUBLIC OR ANY GOVERNMENTAL UNIT IN THAT PART THERE OF M-59 ( AKA: HIGHLAND ROAD )

OR LAKESIDE DRIVE, TAKEN, USED OR DEEDED FOR STREET, ROAD OR HIGHWAY PURPOSES.

ALSO SUBJECT TO THE CORRELATIVE RIGHTS OF OTHER RIPARIAN OWNERS AND TO THE CORRELATIVE RIGHTS OF OTHER RIPARIAN OWNERS AND TO THE PUBLIC TRUST IN THE WATERS OF OXBOW LAKE.

AND ALSO BEING SUBJECT TO ANY EASEMENTS RESTRICTIONS, OR CONDITION OF RECORD.

**EXHIBIT B**  
**SITE PLAN**  
**AND RELATED PLANS AND SPECIFICATIONS**

[Attach approved Site Plan]

Scope of project and property development (shall include but not be limited to):

- Grade and/or fill, as required, to create a driveway and turnaround area from Lakeside Drive to the water's edge
- Install asphalt and aggregate drive and turnaround area
- Clear 25 feet of water's edge for launch access to water
- Install launch ramp from water's edge into the water
- Install 30' of removable or permanent dock to facilitate launch activity
- Add DTE power hook-up and meter
- Secure site with fencing, powered gate, surveillance cameras, and security gate pass control to limit access to only participating OLPLA, Inc. Members.
- Regrade and reseed as required, and maintain site
- Install Knox Box for access for emergency situations

## EXHIBIT C

### TOWNSHIP SPECIAL CONDITIONS

1. There will be no vehicle parking on the site.
2. No watercraft/trailer storage is permitted on the site.
3. Members shall use the site at their own risk.
4. The launch site will be operated and maintained under the following rules:
  - A. The launch site will be maintained by third-party contractors, as approved by the Board of OLPLA, Inc.
  - B. Access to the site will be controlled with unique key cards linked to individual Member's properties.
  - C. Individual key card activity will be retained for a record of access.
  - D. The launch site will be closed from dusk to 8:00 a.m., to ensure neighbors are not inconvenienced by noise from the property.
  - E. Overnight mooring of watercraft is prohibited.
  - F. An online scheduling tool for launch times will be used to minimize the chance for congestion at the site.
  - G. There shall be no commercial activity allowed on the Launch site.
  - H. There will be no fueling at the launch site.
5. Membership in OLPLA, Inc. may be suspended or terminated by the Board of Directors on the occurrence of any of the following events:
  - A. Failure to pay dues/annual maintenance fee;
  - B. Sharing launch access with Oxbow Lake riparian owners who are not Members of the corporation;
  - C. Use of the launch to enable non-Riparian watercraft keyhole activity (e.g. allowing a friend who does not live on the Lake to dock their boat at a Member's property for an extended period of time (e.g., more than a week);
  - D. Other violation of the spirit and conditions of Membership.
6. The key card gate pass system and multiple security cameras will be used to ensure Member compliance with these conditions. Each Member will have a unique key card, so that activity is tracked to the Member.
7. OLPLA, Inc. will construct and maintain the fence and trees along the fence as shown on the PD Plan.
8. White Lake Township will be responsible for insurance, mowing and maintenance of the +/- 25' X 120' easement area and adjacent property to the M59 and Lakeside Drive

roadway.

9. All signage will be within the fence line of the Subject Property.
10. No lighting is planned for the Subject Property.
11. A Knox Box with a key to the pedestrian gate and a key card for the powered gate will be installed for Fire and Rescue access only. The Knox Box will be located as shown on the PD Plan.

## **EXHIBIT D DEVELOPMENT SCHEDULE**

**The following schedule is based upon completing all of the following by 5/1/22. If all are not completed by this date, then timing will be delayed on a month-to-month basis:**

- Rezoning of the property to Planned Development.
  - Receiving EGLE permit approval for the physical launch.
  - Receiving PD Final Site Plan approval.
- 

April 2022

- Apply for necessary permits to develop the property
- Complete bid process for development work

May 2022

- Complete the Pre-construction meeting with the Township (if required by the Township)
- Sign contracts for the scope of development work to be performed

June 2022 to May 2023

- Perform development work described below (not limited to these items)
- Grade and/or fill, as required, to create a driveway and turnaround area from Lakeside Drive to the water's edge
- Fill and level the Township easement area at the northwest corner of the property
- Clear approximately 25 feet of water's edge for launch access to water
- Install launch ramp from water's edge into the water
- Install 30' of removable or permanent dock to facilitate launch activity
- Install asphalt drive, aggregate turnaround area, and concrete pad at water's edge
- Add DTE power hook-up and meter
- Secure site with fencing, powered gate, surveillance cameras, and security gate pass control to limit access to only participating OLPLA, Inc. Members.
- Install Knox Box as shown on the PD Plan for emergency vehicle access
- Add landscape trees, regrade, reseed areas disturbed during construction, and maintain site



**EXHIBIT E**  
**APPROVED FINAL PD VARIANCES**

Variance 1:

Township will allow a 35' setback along M59 instead of the 40' requirement.

Variance 2:

Township will allow a 0' setback instead of the 40' requirement along Lakeside Drive to support securing of the launch site.

Variance 3:

Township will allow a 22 foot variance from 30' requirement from the ordinary high water mark line at the southernmost property line on Lakeside Drive to support securing of the launch site.

Variance 4:

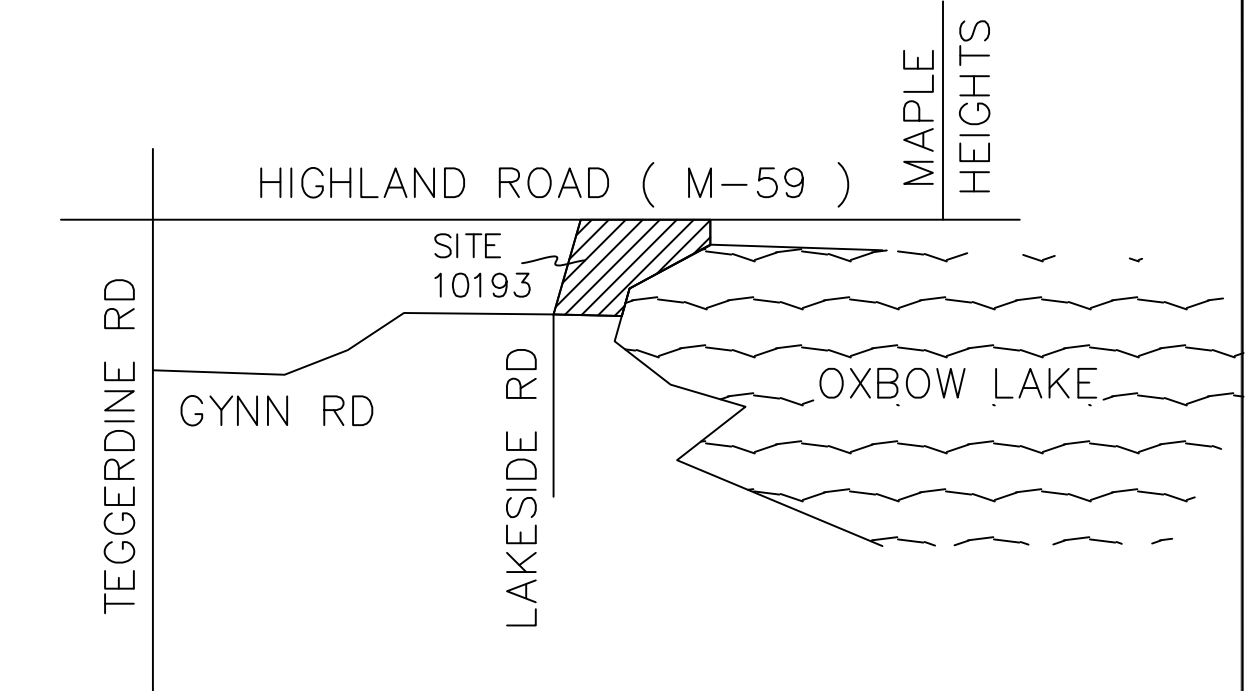
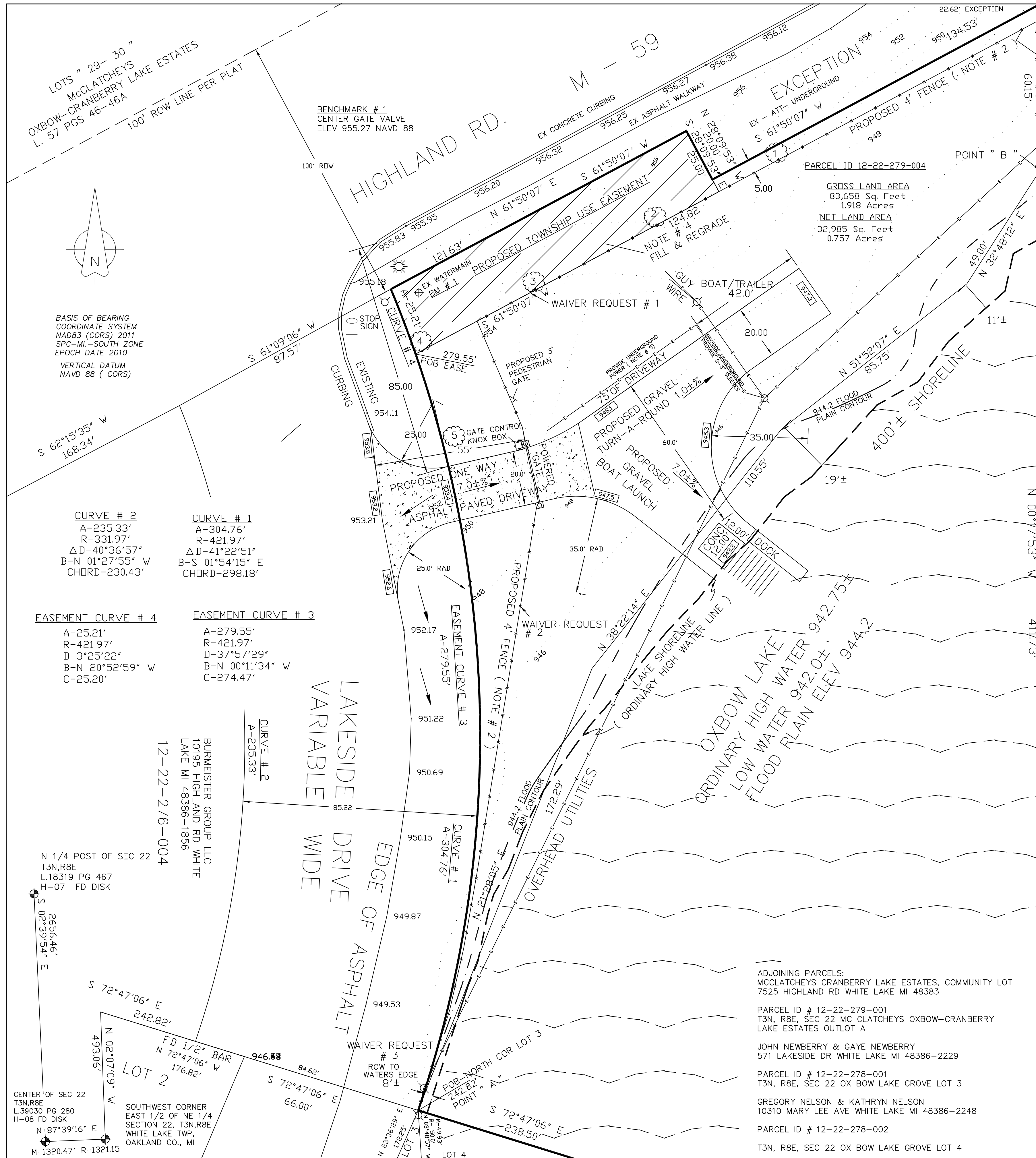
Township will accept reimbursement for the required sidewalks along both M59 and Lakeside Drive as described below:

When the sidewalk is added to the length of M-59 pursuant to the Township Master Plan, Developer will reimburse the Township for the sidewalk cost from the northeast corner of the proposed Township easement along M-59 to the corner of M-59 and Lakeside Drive.

When the Township executes a plan for sidewalks on Lakeside Drive, Developer will reimburse the Township for the cost of sidewalk from the corner of M-59 and Lakeside Drive to the southern end of the Subject Property.

Execution in this manner will ensure the sidewalks, when installed, will conform in appearance and construction to those installed by the Township.

FOR: OXBOW LAKE PRIVATE LAUNCH ASSC, INC  
 PROPOSED BOAT LAUNCH  
 SITE PLAN



LOCATION MAP  
 NO SCALE

PLANNED DEVELOPMENT WAIVER  
 REQUEST TABLE

- FENCE LINE SETBACK:  
 REQUIRED 40' ALONG M-59  
 WAIVER REQUEST :  
 A) REDUCTION OF FENCE LINE SETBACK TO 5' ALONG M-59
- FENCE LINE SETBACK: ROADWAY  
 REQUIRED 40' ALONG LAKESIDE DRIVE:  
 WAIVER REQUEST :  
 B) REDUCTION OF FENCE LINE SETBACK TO 0.0'  
 TO FOLLOW ALONG LAKESIDE DRIVE:  
 FROM PROPOSED GATE TO SOUTHWEST  
 PROPERTY CORNER, TO REDUCE  
 UNAUTHORIZED SITE ACCESS
- FENCE LINE SETBACK: WATER AND PROPERTY LINE  
 C) REQUIRED 30' FROM ORDINARY HIGH WATER LINE TO B
- SIDEWALK: REQUEST NOT TO ADD SIDEWALK  
 D) M-59 ( HIGHLAND ROAD ) REQUIRED 8'SIDEWALK  
 EXISTING ASPHALT WALKWAY:  
 E) LAKESIDE DRIVE: REQUIRED 5' SIDEWALK

SITE NOTES:

- PROPOSED DRIVE TO BE PAVED AS SHOWN AND TURN-AROUND TO BE GRAVEL.
- PROVIDE CONCRETE LAUNCH ( 12'x30' )
- PROVIDE 4' WOOD PRIVACY FENCE AS SHOWN. ( SEE WAIVER TABLE )
- PROVIDE 5 DECIDUOUS TREES @ 50' ON CENTER , AS REQUIRED BY TOWNSHIP. AND OR :  
 a) 2.5" - 3" CALIPER - SUGAR MAPLES  
 b) 2.5" - 3" SMALL LEAF LINDEN  
 c) 2.5" - 3" HONEY LOCOST
- NOTE UNDERGROUND UTILITIES/WATERMAIN IN THIS AREA
- ADD FILL REGRADE & LEVEL PROPOSED TOWNSHIP USE EASEMENT.
- PROVIDE UNDERGROUND POWER TO GATE, LOCATION TO BE DETERMINED IN FIELD. PROVIDE SLEEVES AS SHOWN.
- PROVIDE KNOX BOX FOR EMERGENCY ACCESS AS SHOWN.
- THE AMOUNT OF FILL TO BE 200 - 250 CUBIC YARDS OF CLEAN FILL, 22 AA AGGREGATE, OR EQUIVALENT , WITH NO CONSTRUCTION DEGRIS
- NO FILL IS PROPOSED IN FLOODPLAIN, CONSTRUCTION OF BOAT RAMP TO BE COMPENSATING CUTS AND OR FILL
- GATE SPECIFICATIONS ARE SUBJECT TO TOWNSHIP APPROVAL, PRIOR TO INSTALLATION, AND WILL BE ADDED TO THE DEVELOPMENT AGREEMENT

CONTACT:  
 OXBOW LAKE PRIVATE LAUNCH ASSOCIATION INC.  
 MR. RICK WALKLET II  
 10835 OXBOW LAKESHORE DRIVE  
 WHITE LAKE MI. 48386  
 CELL - 248-396-6197  
 EMAIL - i467vettes@aol.com

LEGEND

- INLET BASIN
- STORM MANHOLE
- SANITARY MANHOLE
- SANITARY SEWER
- STORM SEWER
- WATERMAIN
- EXISTING GRADES
- PROPOSED GRADES
- DRAINAGE ARROW
- SOIL EROSION FENCE
- EXISTING CONTOUR
- PROPOSED CONTOUR
- FENCE LINE
- GATE VALVE
- HYDRANT
- POWER POLE
- POWER LINE
- CATCH BASIN
- DRAINAGE SWALE
- UTILITY PAD/PEDISTAL
- PINE TREE
- DECIDUOUS TREE
- SOIL BORING/PERK TEST
- TO BE REMOVED
- PROP AC UNIT
- PROP GENERATOR
- GAS METER
- ELECTRIC METER
- PROPOSED DOWNSPOUT
- LANDSCAPE SCREENING
- KNOX BOX



REVISED 3-7-2022  
 REVISED 1-14-2022  
 REVISED 12-7-2021  
 REVISED 12-2-2021

 DAVID P SMITH & ASSOCIATES PROFESSIONAL LAND SURVEYORS 8615 RICHARDSON ROAD-SUITE 100 WALLED LAKE, MICHIGAN 48390 (248)363-1515 (FAX)363-1646 © 2021 DPS&A, INC. ALL RIGHTS RESERVED EMAIL ADDRESS: AASURVEYOR@AOL.COM	DATE	10-12-2021
	SCALE	1" = 20'
	JOB NO.	21-100800
	SHEET NO.	1 OF 2
PROPOSED BOAT LAUNCH OXBOW LAKE PRIVATE LAUNCH ASSC, INC 10193 HIGHLAND ROAD ( VACANT ) PRELIMINARY SITE PLAN		DRAWN DPS COMP. NET DIRECTORY F/2021DWG



**UTILITY WARNING**  
 UNDERGROUND UTILITY LOCATIONS, AS SHOWN ON THE PLAN, WERE OBTAINED FROM UTILITY OWNERS AND WERE NOT FIELD LOCATED. PRIOR TO BEGINNING CONSTRUCTION, THE CONTRACTOR SHALL NOTIFY THE UTILITY OWNERS OF ANY UNDERGROUND UTILITIES STAKED BEFORE ANY WORK MAY BEGIN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND OR RELOCATION OF ALL UTILITIES THAT MAY INTERFERE WITH CONSTRUCTION.

STEVEN LOWE  
671 HILLTOP DR WHITE LAKE MI 48386-2330

SITE ADDRESS: 10193 HIGHLAND RD WHITE LAKE MI 48386-1804  
PARCEL ID # 12-22-279-004

T3N, R8E, SEC 22 PART OF E 1/2 OF NE 1/4 BEG AT PT DIST N 02-00-00 W 493.20 FT FROM SW COR OF E 1/2 OF NE 1/4, TH N 02-00-00 W 92.28 FT, TH N 62-08-00 E 525.02 FT, TH S 490.90 FT, TH N 71-36-00 W 485.76 FT TO BEG EXC THAT PART LYING WLY OF LINE LOC 40 FT ELY OF FOL DESC LINE, BEG AT PT DIST N 02-06-19 W 13.78 FT & N 62-23-41 E 1664.21 FT FROM CEN OF SEC, TH S 27-36-19 E 15.76 FT, TH ALD CURVE TO RIGHT, RAD 381.97 FT, CHORD BEARS S 02-11-49 E 327.28 FT, DIST OF 338.80 FT, TH S 23-12-51 W 200.00 FT TO PT OF ENDING, ALSO EXC BEG AT PT DIST N 02-06-19 W 13.78 FT & N 62-23-41 E 1969.31 FT & S 27-36-19 E 50.16 FT FROM CEN OF SEC, TH S 62-23-41 W 145.10 FT, TH S 27-36-19 E 20.00 FT, TH N 62-23-41 E 134.53 FT, TH N 00-15-41 E 22.62 FT TO BEG 1.86 A

PARCEL DESCRIPTION AS SURVEYED: ( 10-12-2021 )  
PART OF E 1/2 OF NE 1/4 OF SECTION 22, T3N, R8E, WHITE LAKE TWP, OAKLAND CO., MICHIGAN

BEING MORE PARTICULARLY DESCRIBED A COMMENCING AT THE CENTER POST OF SECTION 22, WHITE LAKE TWP, OAKLAND CO., MI  
SAID POINT BEING DISTANT S 02°39'54" E, A DISTANCE OF 2656.46', FROM THE NORTH 1/4 POST, OF SECTION 22, THENCE PROCEEDING ALONG THE EAST AND WEST 1/4 LINE, AS DENOTED ON THE PLAT OF " LARSON ACRES ", L. 58 OF PLATS, PG 12, OCR:  
N 87°39'16" E, A DISTANCE OF 1320.47', TO A POINT BEING THE SOUTHEAST CORNER OF SAID " LARSON ACRES ", SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THE EAST 1/2 OF THE NORTHEAST 1/4, OF SAID SECTION 22.

THENCE ALONG THE WESTERLY LINE OF " OXBOW LAKE GROVE " L. 39 OF PLATS PG 4 OCR, N 02°07'09" W, A DISTANCE OF 493.06', TO THE NORTHWESTERLY CORNER OF LOT 2:  
THENCE IN PART ALONG THE NORTHERLY LINE OF LOT 2, OF SAID " OXBOW LAKE GROVE ", AND THE EXTENSION THEREOF, S 72°47'06" E, A DISTANCE OF 242.82', TO THE MOST NORTHERLY CORNER OF LOT 3, OF SAID " OXBOW LAKE GROVE ", SAID POINT ALSO BEING, KNOWN AS POINT " A " AND THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

THENCE CONTINUING ALONG SAID EXTENSION S 72°47'06" E, A DISTANCE OF 238.50', TO THE SOUTHWEST CORNER OF " OUTLOT A ", OF McCLATCHEYS OXBOW-CRANBERRY LAKE ESTATES, L. 57 OF PLATS PG 46 AND 46A, OCR.

THENCE ALONG THE WEST LINE OF SAID " OUTLOT A ", N 00°17'53" W A DISTANCE OF 411.73', TO A POINT ON A SHORELINE TRAVERSE, TO BE KNOWN AS POINT " B ", SAID POINT BEING DISTANT THE FOLLOWING FOUR ( 4 ) COURSES:  
1) N 21°28'05" E, A DISTANCE OF 172.29';  
2) N 38°22'14" E, A DISTANCE OF 110.55';  
3) N 51°52'07" E, A DISTANCE OF 85.75';  
4) AND N 32°48'12" E, A DISTANCE OF 49.00'; FROM SAID POINT " A ";

THENCE CONTINUING ALONG SAID WEST LINE OF " OUTLOT A ", N 00°17'53" W, A DISTANCE OF 60.15', TO A POINT OF EXCEPTION.

THENCE ALONG THE SOUTHERLY LINE OF SAID EXCEPTION, S 61°50'07" W, A DISTANCE OF 134.53'; THENCE N 28°09'53" W, A DISTANCE OF 20.00' TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF M-59, ( AKA HIGHLAND ROAD );

THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE, S 61°50'07" W, A DISTANCE OF 121.63', TO A POINT ON THE EASTERLY LINE OF " LAKESIDE DRIVE ", ( VARIABLE WIDTH ), UNPLATTED;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, WITH AN ARC LENGTH OF 304.76', WITH A RADIUS OF 421.97', DELTA ANGLE OF 41°22'51".  
THE CHORD OF SAID CURVE BEARS, S 01°54'15" E, WITH A CHORD LENGTH OF 298.18'; TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

CONTAINING GROSS : 83,658 SQUARE FEET OR 1.918 ACRES OF LAND MORE OR LESS  
CONTAINING NET : 39,985 SQUARE FEET OR 0.917 ACRES OF LAND MORE OR LESS

SUBJECT TO THE RIGHTS OF THE PUBLIC OR ANY GOVERNMENTAL UNIT IN THAT PART THERE OF M-59 ( AKA HIGHLAND ROAD ) OR LAKESIDE DRIVE, TAKEN, USED OR DEEDED FOR STREET, ROAD OR HIGHWAY PURPOSES.

ALSO SUBJECT TO THE CORRELATIVE RIGHTS OF OTHER RIPARIAN OWNERS AND TO THE CORRELATIVE RIGHTS OF OTHER RIPARIAN OWNERS AND TO THE PUBLIC TRUST IN THE WATERS OF OXBOW LAKE.

AND ALSO BEING SUBJECT TO ANY EASEMENTS RESTRICTIONS, OR CONDITION OF RECORD.

**PROPOSED TOWNSHIP USE EASEMENT**

A 25' WIDE EASEMENT FOR TOWNSHIP PURPOSES, ON OVER, UNDER AND ACROSS A PARCEL OF LAND BEING: PART OF E 1/2 OF NE 1/4 OF SECTION 22, T3N, R8E, WHITE LAKE TWP, OAKLAND CO., MICHIGAN.

BEING MORE PARTICULARLY DESCRIBED A COMMENCING AT THE CENTER POST OF SECTION 22, WHITE LAKE TWP, OAKLAND CO., MI  
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THENCE IN PART ALONG THE NORTHERLY LINE OF LOT 2, OF SAID " OXBOW LAKE GROVE ", AND THE EXTENSION THEREOF, S 72°47'06" E, A DISTANCE OF 242.82', TO THE MOST NORTHERLY CORNER OF LOT 3, OF SAID " OXBOW LAKE GROVE ", .

THENCE ALONG THE ARC OF A CURVE TURNING TO THE LEFT, HAVING AN ARC LENGTH OF 279.55', WITH A RADIUS OF 421.97', WITH A DELTA ANGLE OF 37°57'29".  
THE CHORD OF SAID CURVE BEARS, N 00°11'34" W, WITH A CHORD LENGTH OF 274.47'.  
THE POINT OF BEGINNING OF THE EASEMENT HEREIN DESCRIBED.

THENCE CONTINUING ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING AN ARC LENGTH OF 25.21', WITH A RADIUS OF 421.97', AND A DELTA ANGLE OF 03°25'22".  
THE CHORD OF SAID CURVE BEARS, N 20°52'59" W, WITH A CHORD LENGTH OF 25.20', TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF M-59, ( AKA HIGHLAND ROAD );

THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE, N 61°50'07" E, A DISTANCE OF 121.63';  
THENCE S 28°09'53" E, A DISTANCE OF 25.00';  
THENCE S 61°50'07" W, A DISTANCE OF 124.82'; TO THE POINT OF BEGINNING OF THE EASEMENT HEREIN DESCRIBED.

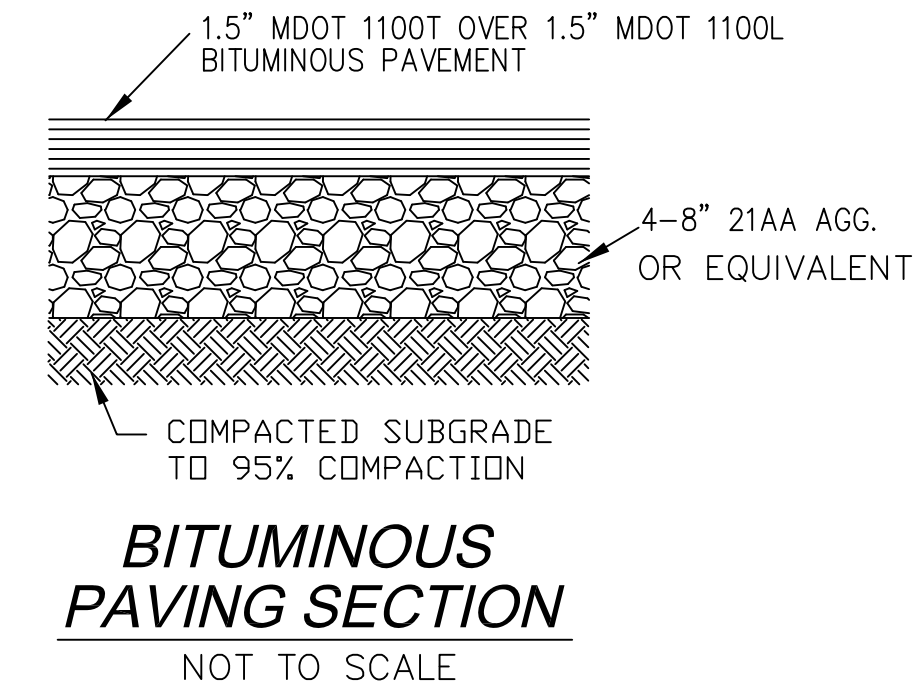
CONTAINING .3077 SQ FT  
REVISED DATED 12-7-2021

**Standard**

**Select Vehicle Dimensions and Turning Radii**

Symbol	Design Vehicle Type	Width (ft)	Length (ft)	A. Minimum Design Turning Radius (ft)	B. Minimum Inside Turning Radius (ft)
P	Passenger Car	7.0	19	24	14.4
SU	Single Unit Truck/Ambulance	8.0	30	42	28.3
BUS-40	Intercity Bus	8.5	40	45	27.6
A-BUS	Articulated Bus	8.5	60	39.8	25.4
WB-40	Intermediate Semitrailer	8.0	45+	40	19.3
WB-50	Large Semitrailer	8.5	55	45	17.0
WB-62	Interstate Semitrailer	8.5	69	45	7.9
WB-67	Interstate Semitrailer	8.5	74	45	4.4
WB-100T	Triple Trailer Combination	8.5	105	45	9.9
WB-109D	Turnpike Double Combination	8.5	114	60	14.9
MH	Motor Home	8.0	30	40	25.9
P/T	Car and Camper Trailer	8.0	49	33	17.4
P/B	Car and Boat Trailer	8.0	42	24	8.0
MH/B	Motor Home and Boat Trailer	8.0	53	50	35.1

Source: AASHTO - A Policy on Geometric Design of Highways and Streets (2004)



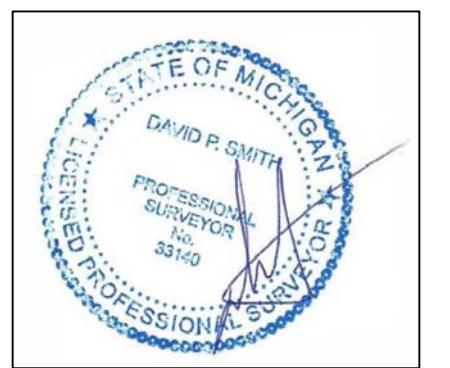
**NOTE:**

Engineering Design Standards Notes:  
1) ASPHALT ( BITUMINOUS ) PAVING SPECIFICATIONS AND DRIVEWAY SURFACE MATERIALS SPECIFICATIONS , ( GRAVEL/AGGREGATE ) WILL BE PROVIDED AND ARE SUBJECT TO THE TOWNSHIP ENGINEERING APPROVAL: PRIOR TO START OF CONSTRUCTION :

2) a. All construction shall be in accordance with the Township's current standards and specifications.  
b. The Contractor shall notify the Township Engineer and/or authority having jurisdiction, 48 hours prior to the beginning of construction.  
c. Contractor shall contact MISS DIG at 800-482-7171, 72 hours in advance of construction, for existing underground utility locations.  
d. In order to verify compliance with approved plans, full time construction observation will generally be required during all phases of underground site construction including installation of sanitary sewer, storm sewers, drains, watermains and appurtenances as well as private street curbing and paving construction. Intermittent observations will be made for site grading, parking lot curbing and paving, retaining wall construction and other surface activity.

3) No fill shall be placed within the floodplain" Aprox "amount of fill shall be 200 - 250 cubic yards of clean fill soil with no construction debris" (or appropriate description) where FILL is indicated.

CONTACT:  
OXBOW LAKE PRIVATE LAUNCH ASSOCIATION INC.  
MR. RICK WALKLET 11  
10835 OXBOW LAKESHORE DRIVE  
WHITE LAKE MI. 48386  
CELL - 248-396-6197  
EMAIL - i467vettes@aol.com



REVISED 3-7-2022  
REVISED 1-14-2022  
REVISED 12-7-2021  
REVISED 12-2-2021

<b>DPS&amp;A</b> DAVID P SMITH & ASSOCIATES 	PROFESSIONAL LAND SURVEYORS 8615 RICHARDSON ROAD-SUITE 100 WALLED LAKE, MICHIGAN 48390 (248)363-1515 (FAX)363-1646 © 2021 DPS&A, INC. ALL RIGHTS RESERVED EMAIL ADDRESS: AASURVEYOR@AOL.COM	DATE	10-12-2021
		SCALE	1" = 20'
PROPOSED BOAT LAUNCH OXBOW LAKE PRIVATE LAUNCH ASSC,INC		JOB NO.	21-100800
10193 HIGHLAND ROAD ( VACANT ) PRELIMINARY SITE PLAN		SHEET NO.	2 OF 2
DRAWN <u>DPS</u> COMP. <u>NET DIRECTORY</u> F/2021DWG			