

Exhibit C



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

SHELLY EDGERTON
DIRECTOR

#2016-029
June 14, 2016

Gerald T. Ford, P.S.
Nederveld, Inc.
217 Grandville Avenue, Suite 302
Grand Rapids, MI 49503

RE: The Proposed Plat, *Lincoln Pines Subdivision*, Part of the S.W. ¼ and Part of the S.E. ¼ of Section 12, T7N, R16W, Grand Haven Township, Ottawa County, Michigan.

Dear Mr. Ford:

We have completed review of the proposed plat and note the following reasons for rejection:

1. Provide the revised plat on **mylar* (signed, sealed and certified by all applicable agencies); [R 560.101-135; MCL 560.101-293] Note, we reviewed the uncertified paper plat copy.
2. Please address the requirements of the *MDEQ* as stated in their (new) preliminary plat approval letter dated June 13, 2016 (**copy enclosed**). Please confirm that the preliminary and final plat approvals are in the proper sequence. Call to discuss if any questions. Note, the final plat may not commence until after a valid Section 120 approval. The township's preliminary plat approval must be after all of the other preliminary plat approvals. [MCL 560.111-120; MCL 560.131]
3. Please name each park with a unique proper name, as applicable; [MCL 560.137] Please note that lots are numbered and outlots lettered. [MCL 560.140]
4. Confirm that all persons having an ownership interest in the land in the proposed plat sign the plat as a *proprietor*. [MCL 560.144] Note, the Commitment (dated, 8/18/14) shows Beach Crest LLC as the land owner.
5. Please confirm the proprietor does not own the abutting half right of way for Lincoln Street. Revise the plat to *include and dedicate* the abutting half right of way for Lincoln Street, if applicable, if the proprietor owns; [MCL 560.134; MCL 560.136]

6. Add the automatic *termination clause* to the shown temporary street turn around easement on proposed Lots 23-25; Confirm it is acceptable with the county road commission, as applicable.
7. Please provide the following *documentation*:
 - a. Current *proof of ownership* current; [MCL 560.245] A title policy that is current to the most recent proprietor certificate and no later than 90 days of most recent plat submittal would satisfy this item. The Commitment (dated, 8/18/14) does not address this item.
 - b. The *certified true plat copies*; [R 560.115; MCL 560.142; MCL 560.161-168]
 - c. County *receipt* for the plat recording fee and the *recording fee* for restrictions; [MCL 560.241]
 - d. A traverse *closure sheet*, [R 560.112]
 - e. A *recorded copy of the following items*:
 - i. *Release* of the apparent blanket type easements listed in items 2 and 4 of the Commitment (Liber 284, Page 245; Document No. 2010-0015672);
 - ii. The 30' *Consumer's Energy easement*; [R 560.112]
 - iii. *Deed* in which proprietor took title to the land in the proposed plat;
 - iv. *Liber 716, Page 798* (as shown for the adjacent Lincoln Street right of way);
 - f. A copy of the survey *field notes* for the solar observation bearing basis;
 - g. *Written confirmation* that there is no open permanent water affecting the proposed plat; [R 560.112]
 - h. Resigned original *revised restrictions* that address the following items, as applicable:

- i. Add the MDEQ *flood plain restrictions*; [MCL 560.194; MDEQ preliminary plat approval letter dated June 13, 2016 (copy enclosed)]
- ii. Clarify the Section A.2, as applicable, as follows:
 1. Clarify the *common areas* references by referring to their names shown on the proposed plat and by adding "*as shown on the final plat*", as applicable;
 2. Clarify the *access, ingress and egress* references by referring to their labels shown on the proposed plat and by adding "*as shown on the final plat*", as applicable;
- i. As may be applicable, confirm the *variance* (Section A.26) *rules* (Section A.27) and the *amendment section* (Section G.1) are consistent with Maata court case; [Maata v Dead River Campers Inc, 263 Mich. App. 604 (2004)]
- ii. Remove the *condominium reference* in Section B.2, if it is not applicable;
- iii. Revise Section C. Open Space by addressing the following as applicable:
 1. Clarify the *open space references* to refer to the names shown on the plat, as applicable,
 2. Attach an *Exhibit A*; [MCL 560.255]
 3. Revise C.3 as may be applicable. Note, parks and lots and their uses are generally fixed upon recording of the plat and sale of the first lot. Any future changes in use of a park or lot may require a replat or a court ordered amended plat. Please consider adding the reference, "*in accordance with the Land Division Act, 1967 PA 288, MCL 560.101-293*", as applicable.
- iv. Clarify Section *D.2 Reserved Rights of Developer*, as applicable. Easement purposes, grantees and locations must be shown and are fixed upon the recorded plat. Add "*as shown on the plat*" to clarify the references to the easements and "*in accordance with the Land Division Act*" to clarify any future changes thereof. [MCL 560.102; MCL 560.144; MCL 560.190; MCL 560.221-229]

- iii. If applicable, add reference (and map exhibits) to/for the wetlands and *green space buffer areas*;
- iv Clarify any *other* portions of restrictions as indicated on the enclosed mark-up copy thereof, as applicable;

Have the restrictions *resigned* after all necessary revisions. **(We are returning the original draft restriction copy enclosed.)**

8. Please address the following *drafting items* as indicated in the enclosed plat copy:
- a. Completely label and dimension the MDEQ 100 year established *flood plain*, include the elevation and datum; [MCL 560.138]
 - b. Add and refer to an overall *park detail*, as applicable; [R 560.112]
 - c. Revise the *upside down text*;
 - d. Clarify the *detail*; [R 560.112]
 - e. Add the *date* of the solar observation to the legend;
 - f. Remove the references to the *wetlands* and *green space buffer areas*, or, show as private easements, as applicable; [R 560.112] Note, for further clarity, consider further defining or clarifying these items in the restrictions, if applicable.
 - g. Add the bearings and/or *dimensions*; [R 560.112]
 - h. Clarify/revise the *easements* as shown; [R 560.112]
 - i. Clarify the *match sheet key*; [R 560.112]
 - j. Revise the *certificate forms and the Acknowledgement* form as indicated on the enclosed plat copy; [R 560.106; R 560.107; R 560.114]
 - k. Address the *other minor drafting clarification(s)*, [1967 PA 288, MCL 560.101 et seq; 2008 MR 10, R 560.101-135]
9. *Please note that we will accept another revised *paper plat copy* in advance of the mylar.

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Please feel free to contact our office for clarification of the above issues, if necessary

The revisions are based on the Land Division Act 1967 PA 288, MCL 560.101 et seq. and the administrative rules (2008 MR10, R560.101-135)

If any governmental reviewing agency believes that any of the above requested revisions to the proposed plat drawing would alter their conditions of approval for this subdivision, please contact the Office of Land Survey and Remonumentation (OLSR). If the OLSR is not contacted by any governmental reviewing agency which expresses their concerns in regard to the revisions requested by the OLSR, OLSR will continue to process this subdivision for recording.

Please be aware that plat records will be held for two years after the date of our last rejection letter. A plat that is resubmitted after the two years will be treated as a new file, and all required documentation must then be resubmitted with the plat.

If you wish to resubmit this plat to our office for approval it must be accompanied by the State Plat Review fee prescribed in Section 241(1) (b) of the Land Division Act.

Thank you.

Sincerely,



Brent Pennala, P.S.
Michigan Department of Licensing and Regulatory Affairs
Bureau of Construction Codes
Office of Land Survey & Remonumentation
611 W. Ottawa Street
Lansing, Michigan 48933
Phone: (517) 241-6324; Fax: (517) 241-6301
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**CC Signature Land Development Corporation
Grand Haven Township
Ottawa County Drain Commissioner
Ottawa County Road Commission
Ottawa County Plat Board
MDEQ**