

Exhibit A



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

SHELLY EDGERTON
DIRECTOR

#2016-028
June 7, 2016

Randall J. Vugteveen, P.S.
Nederveld, Inc.
217 Grandville Avenue, Suite 302
Grand Rapids, MI 49503

**RE: The Proposed Plat, *Settlers Grove No. 2*, Part of the NW 1/4 of Section 34,
T5N, R14W, Zeeland Township, Ottawa County, Michigan.**

Dear Mr. Vugteveen:

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

1. We are coordinating our review with the MDEQ. We will forward a copy of their comments when available; [MCL 560.138; MCL 560.194]
2. Please provide the following *documentation*:
 - a. Current *proof of ownership* (within 90 days of most recent plat submittal); Note, a signed dated *endorsement* updating the title policy effective date to the current date would satisfy this item.
 - b. A copy of the proof of *surety* for the water and sewer, [R 560.121]
 - c. A copy of a *list* of the current managers and members of the LLC;
 - d. The township's *certified true plat copy*, if available; [MCL 560.168] Note, if it is not available, please confirm why.
 - e. County *receipt* for the plat recording fee and the *recording fee* for restrictions; [MCL 560.241] Note, we are returning the restriction recording fee (check no. 65361) enclosed.
 - f. A copy of the recorded *LCRC* for the second government corner needed; [R 560.112]

- g. *Written explanation* of the apparent difference in location of the shown electric easement (recorded in document no. 20150015741) from the recorded description;
 - h. A copy of the original easement recorded in *Liber 541, Page 266* (as referred to in the electric easement release document);
 1. Please revise the *printed name* in the Proprietor Certificate and County Road Commission Certificate to match the signature, as applicable; [R 560.108; R 560.128]
 - J. Revised original re-signed *restrictions* that address the applicable items listed on *attached restriction comments addendum*, as applicable; **(We are returning original restrictions enclosed.)**
3. Please address the following *drafting items* as indicated in the enclosed plat copy:
- a. Add a second nearest *government corner*; [R 560.112]
 - b. Clarify the *easements* (dimensions and limits) as shown; [R 560.112]
 - c. Clarify the *ingress and egress and utility* easements located in the park, as applicable
 - d. Add a *detail* to show separate monuments at the west corner of Lot 59;
 - e. Address the *other minor drafting clarification(s)*; [1967 PA 288, MCL 560.101 et seq; 2008 MR 10, R 560.101-135]

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

June 8, 2016
Randall J. Vugteveen, P S.
Plat # 2016-028
Page 3 of 3

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
Mail: pennalab@michigan.gov

Enc.: Restrictions

**CC: RJC Development, LLC
Zeeland Township
Ottawa County Drain Commissioner
Ottawa County Road Commission
Ottawa County Plat Board
MDEQ**



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June 8, 2016

**Restrictions Comments Addendum-
Proposed plat, Settlers Grove No. 2, Ottawa County**

Please provide revised original re-signed *restrictions* that address the following items listed in this *attached restriction comments addendum*, as applicable; (**We are returning original restrictions enclosed.**)

1. Add the *title* to the **Acknowledgment**,
2. Revise the *plat name* on the **first page**,
3. Consider adding the *plat caption* to **Exhibit A**; [MCL 560.255]
4. Consider revising **Article I, Section 2** to remove reference to *metes and bounds description*, if not applicable; [R 560.255; MCL 560.263]
5. Revise **Article I, Section 8, Article II, Section 11 and Article VI, Section 6.c**, as may be applicable, so that the *common areas* are referenced and defined consistent with the proposed plat:
 - a. Confirm whether there is a subdivision *sign* will be maintained in 68th Street right of way (a public right of way?);
 - b. If applicable, add and refer to a *metes and bounds description* for the offsite signage or landscape easement area(s);
 - c. Amend the *restriction document name/caption* and description to also refer to any offsite easement area, as/if applicable,
 - d. Confirm that the applicable/necessary landscaping or signage *easements* are shown on the plat
6. Consider adding the *name of the llc* to **Article I, Section 9**, for clarity and consistency,
7. Consider revising the apparent *typographical error* in **Article II, Section 9.a**;
8. Consider clarifying **Article II, Section 29** to specify the *sidewalk locations* (either on the lots or in the street right of ways in front of the lots, as applicable?);
9. Revise **Article IV, Section 3 and Article VI, Section 1.a** to remove or revise the reference to the *MDEQ and/or 100 year flood plain* as applicable, [MCL 560.138; MCL 560.194]
10. Consider revising **Article IV, Section 3** to:

- a. Revise the *amendment provision* (At any time developer owns a lot, may only be amended by Developer) to be consistent with the Maata court case, as applicable. [Maata v Dead River Campers Inc, 263 Mich. App. 604 (2004)]
 - b. Revise “*retention*” to detention, as applicable,
11. Consider defining the “*local datum*” basis in **Article VI, Section 1.6**, as applicable,
 12. Consider revising **Exhibit B** so that all *text height* meets minimum height required for recordable form, and, the *lot lines* are shown as continuous solid lines;

Please have the restrictions *resigned* after all necessary revisions.