

**APPLICATION FOR LAYING OUT AND
DESIGNATING A COUNTY DRAINAGE DISTRICT**

GARDEN AVENUE DRAIN

To the Ottawa County Water Resources Commissioner

The undersigned Petitioner is Holland Charter Township, in the County of Ottawa, State of Michigan, where the drainage district for the proposed Garden Avenue Drain being applied for is to be located and established and where all the lands to be drained by the proposed drain are to be located and costs to be assessed.

The Petitioner further shows that the following named municipalities constitute who may be liable to an assessment for the construction of the proposed Drain:


Holland Charter Township

Petitioner therefore makes application and asks for you to lay out and establish a drainage district under the provisions of Act No. 40 of the Public Acts of 1956, as amended. The location of the drain to be substantially as follows, as may be finally determined by you, to-wit:


See Attached Description

HOLLAND CHARTER TOWNSHIP

Dated: July 21, 2016



By: Terry Nienhuis
Its: Supervisor



By: Michael Dalman
Its: Clerk

As Authorized by its governing body on
July 21, 2016

June 8, 2016
2160262

**GARDEN AVENUE DRAIN
DRAINAGE DISTRICT**

(Sections 22 of Holland Charter Township, Ottawa County, Michigan)

See attached exhibit "Garden Avenue Drain Drainage District and Route and Course" dated June 2016 (total 1 sheet).

All lands, generally described as follows:

Commencing on the northwest corner of Section 22, Holland Charter Township, Ottawa County, Michigan; thence easterly approximately 2,980 feet along the centerline of James Street (66 foot right-of-way); thence southerly approximately 33 feet to the south right-of-way of James Street to the point of beginning; thence easterly approximately 325 feet along the south right-of-way of James Street to the northeast corner of parcel 70-16-22-200-001; thence southerly approximately 630 feet along the east parcel line of parcel 70-16-22-200-001 to the southeast corner of said parcel; thence easterly approximately 665 feet along the north parcel line of parcel 70-16-22-200-005 to the northeast corner of said parcel; thence southerly approximately 660 feet along the east parcel line of parcel 70-16-22-200-005 to the southeast corner of said parcel; thence westerly approximately 340 feet along the south parcel line of parcel 70-16-22-200-005 to the northeast corner of parcel 70-16-22-200-007; thence southerly approximately 525 feet along the east parcel line of parcel 70-16-22-200-007 to the southeast corner of said parcel; thence southerly approximately 30 feet to a point in the CSX Transportation railroad right-of-way (66 foot right-of-way); thence southwesterly approximately 265 feet along the centerline of the CSX Transportation railroad right-of-way; thence southerly approximately 675 feet to a point approximately 25 feet south and approximately 70 feet west of the southeast corner of parcel 70-16-22-271-005; thence westerly approximately 100 feet to a point within the Lakewood Boulevard right-of-way (60 foot north ½ right-of-way); thence southerly approximately 70 feet to a point on the south right-of-way line of Lakewood Boulevard approximately 30 feet from the east parcel line of parcel 70-16-22-400-048; thence westerly along the south right-of-way line of Lakewood Boulevard (93 foot right-of-way) approximately 700 feet to a point approximately 55 feet west of the east parcel line of parcel 70-16-22-301-007; thence westerly approximately 2,010 feet along the south right-of-way line of Lakewood Boulevard (66 foot right-of-way) to a point on the CSX Transportation railroad north right-of-way line; thence southwesterly approximately 430 feet along the CSX Transportation railroad north right-of-way line; thence northerly approximately 170 feet to a point on the north right-of-way line of Lakewood Boulevard approximately 140 feet west of west parcel line of parcel 70-16-22-100-045; thence easterly approximately 140 feet along the north right-of-way of Lakewood Boulevard to the west parcel line of parcel 70-16-22-100-045; thence northerly approximately 350 feet along the west

parcel line of parcel 70-16-22-100-045 to the northwest corner of said parcel; thence easterly approximately 190 feet along the north parcel line of 70-16-22-100-045 to a point approximately 90 feet west of the northeast corner of said parcel; thence northerly approximately 455 feet to a point approximately 120 feet south and approximately 90 feet west of the northeast corner of parcel 70-16-22-100-049; thence northeasterly approximately 150 feet to the northeast corner of parcel 70-16-22-100-049; thence northerly approximately 370 feet along the west right-of-way of Garden Avenue (66 foot right-of-way) to the northeast corner of parcel 70-16-22-100-048; thence easterly approximately 66 feet across Garden Avenue to the northwest corner of parcel 70-16-22-100-006; thence easterly approximately 2,330 feet along the north parcel lines of 70-16-22-100-006, 70-16-22-100-041, 70-16-22-100-053, 70-16-22-100-047, 70-16-22-100-065, 70-16-22-100-055, and 70-16-22-100-071 to a point approximately 345 feet east of the northwest corner of parcel 70-16-22-100-071; thence northerly approximately 1,280 feet to a point approximately 340 feet east of the northwest corner of parcel 70-16-22-200-001 to the point of beginning.

**HOLLAND CHARTER TOWNSHIP
RESOLUTION AUTHORIZING APPLICATION FOR LAYING OUT AND
DESIGNATING A COUNTY DRAINAGE DISTRICT
GARDEN AVENUE DRAIN**

At a regular meeting of the Township Board for Holland Charter Township, County of Ottawa, State of Michigan, held in said Township on the 21st day of July, 2016, at 7:00 o'clock, p.m.

The following resolution was offered by Mr. Nykamp and seconded by Mr. TeSlaa.

WHEREAS, the Garden Avenue Drain ("Drain") is a proposed county drain to be established pursuant to the Michigan Drain Code, Public Act 40 of 1956, as amended (the "Drain Code"); and

WHEREAS, the Section 51 of the Drain Code authorizes a municipality, which will be liable for an assessment at large against it for a percentage of the cost of a proposed drain, to file an application with the Water Resources Commissioner for the laying out and designating of a drainage district if the proposed drain is necessary for the public health of such municipality; and

WHEREAS, the Township will be liable for an assessment at large against it for a percentage of the cost of the proposed Drain; and

WHEREAS, the Township recognizes that the proposed Drain is necessary for the public health of the Township.

NOW, THEREFORE BE IT RESOLVED THAT, the Township Board for Holland Charter Township does authorize that an application be made in the name of the Township.

BE IT FURTHER RESOLVED THAT the Supervisor and Clerk are authorized to execute the Application for the Laying Out and Designating a Drainage District for the Garden Avenue Drain to be executed by the Supervisor and Clerk.

BE IT FURTHER RESOLVED that the Clerk shall forward to the Ottawa County Water Resources Commissioner a copy of this Resolution for the Application for Laying Out and Designating a County Drainage District for the Garden Avenue Drain.

July 21, 2016

Yeas: Nienhuis, Dalman, Bush, Becker, Church, Nykamp, and TeSlaa

Nays: None

Abstain: None

Absent: None

Resolution No. 16-96

I, the undersigned, being duly qualified and acting Clerk of Holland Charter Township, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Township Board for the Holland Charter Township at a regular meeting held on the 21st day of July, 2016.



Michael Dalman, Clerk
Holland Charter Township

July 21, 2016

Date

**RESOLUTION FOR
PETITION TO LOCATE, ESTABLISH AND CONSTRUCT A DRAIN**

HOLLAND CHARTER TOWNSHIP

GARDEN AVENUE DRAIN

At a regular meeting of the Holland Charter Township Board, held in Ottawa County, State of Michigan on the 21st day of July, 2016, at 7:00 p.m.

PRESENT: Nienhuis, Dalman, Bush, Becker, Church, Nykamp, and TeSlaa

ABSENT: None

The following resolution was offered by Mr. TeSlaa and seconded by Mr. Nienhuis

WHEREAS, the Township has determined that the location, establishment and construction of the proposed drain is necessary for the public health in the Township pursuant to Chapter 4 of Public Act 40 of 1956, as amended; and

WHEREAS, the Township will be liable for an assessment at large against it for a percentage of the cost of the proposed drain.

NOW, THEREFORE BE IT RESOLVED THAT, the Township Board does authorize the filing of a petition for the location, establishment and construction of the drain.

BE IT FURTHER RESOLVED THAT the Supervisor and Clerk are authorized to execute the petition for the location, establishment and construction of the drain.

BE IT FURTHER RESOLVED that the Clerk shall forward to the Ottawa County Water Resources Commissioner a copy of this Resolution for the petition for the location, establishment and construction of the drain.

July 21, 2016

Yeas: Nienhuis, Dalman, Bush, Becker, Church, Nykamp, and TeSlaa

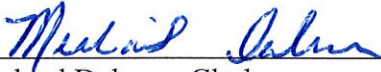
Nays: None

Abstain: None

Absent: None

Resolution No. 16-97

I, the undersigned, being duly qualified and acting Clerk of Holland Charter Township, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Township Board for the Holland Charter Township at a regular meeting held on the 21st day of July, 2016, and that notice of said meeting was given in accordance with the Open Meetings Act.



Michael Dalman, Clerk
Holland Charter Township

July 21, 2016

Date

HOLLAND CHARTER TOWNSHIP

PETITION FOR LOCATING, ESTABLISHING
AND CONSTRUCTING A DRAIN

GARDEN AVENUE DRAIN

To the Ottawa County Water Resources Commissioner:

The undersigned is Holland Charter Township, Ottawa County, Michigan. This petition has been duly authorized by the governing body of Holland Charter Township and requests that the Garden Avenue Drain be located, established and constructed under the provisions of Chapter 4 of Public Act 40 of 1956, as amended, to alleviate drainage issues in the Drainage District.


The proposed drain is located in Holland Charter Township, Ottawa County, Michigan.

The proposed drain is necessary for the public health, convenience or welfare and is further necessary for the protection of the public health in Holland Charter Township.

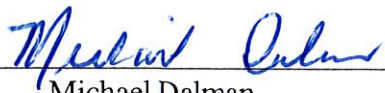
Holland Charter Township understands that it will be liable for an assessment at large against it for a percentage of the cost of the proposed drain.

The tentative location of the proposed Garden Avenue Drain is as described in the Order Laying Out and Designating a Drainage District.

Dated: July 21, 2016



By: Terry Nienhuis
Its: Supervisor



By: Michael Dalman
Its: Clerk

June 8, 2016
2160262

**GARDEN AVENUE DRAIN
DRAINAGE DISTRICT**

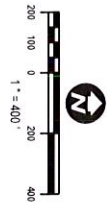
(Sections 22 of Holland Charter Township, Ottawa County, Michigan)

See attached exhibit "Garden Avenue Drain Drainage District and Route and Course" dated June 2016 (total 1 sheet).

All lands, generally described as follows:

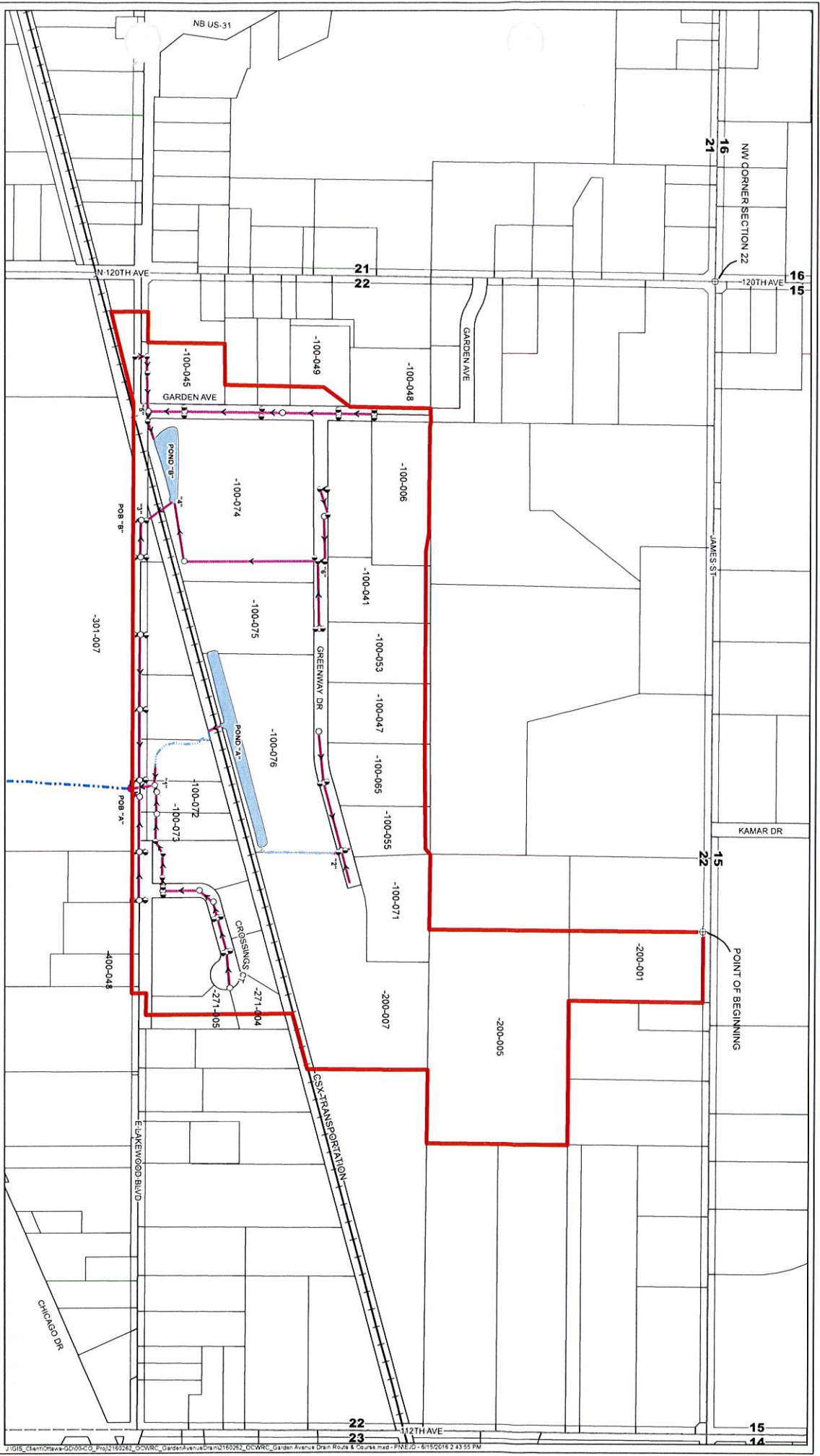
Commencing on the northwest corner of Section 22, Holland Charter Township, Ottawa County, Michigan; thence easterly approximately 2,980 feet along the centerline of James Street (66 foot right-of-way); thence southerly approximately 33 feet to the south right-of-way of James Street to the point of beginning; thence easterly approximately 325 feet along the south right-of-way of James Street to the northeast corner of parcel 70-16-22-200-001; thence southerly approximately 630 feet along the east parcel line of parcel 70-16-22-200-001 to the southeast corner of said parcel; thence easterly approximately 665 feet along the north parcel line of parcel 70-16-22-200-005 to the northeast corner of said parcel; thence southerly approximately 660 feet along the east parcel line of parcel 70-16-22-200-005 to the southeast corner of said parcel; thence westerly approximately 340 feet along the south parcel line of parcel 70-16-22-200-005 to the northeast corner of parcel 70-16-22-200-007; thence southerly approximately 525 feet along the east parcel line of parcel 70-16-22-200-007 to the southeast corner of said parcel; thence southerly approximately 30 feet to a point in the CSX Transportation railroad right-of-way (66 foot right-of-way); thence southwestwardly approximately 265 feet along the centerline of the CSX Transportation railroad right-of-way; thence southerly approximately 675 feet to a point approximately 25 feet south and approximately 70 feet west of the southeast corner of parcel 70-16-22-271-005; thence westerly approximately 100 feet to a point within the Lakewood Boulevard right-of-way (60 foot north ½ right-of-way); thence southerly approximately 70 feet to a point on the south right-of-way line of Lakewood Boulevard approximately 30 feet from the east parcel line of parcel 70-16-22-400-048; thence westerly along the south right-of-way line of Lakewood Boulevard (93 foot right-of-way) approximately 700 feet to a point approximately 55 feet west of the east parcel line of parcel 70-16-22-301-007; thence westerly approximately 2,010 feet along the south right-of-way line of Lakewood Boulevard (66 foot right-of-way) to a point on the CSX Transportation railroad north right-of-way line; thence southwestwardly approximately 430 feet along the CSX Transportation railroad north right-of-way line; thence northerly approximately 170 feet to a point on the north right-of-way line of Lakewood Boulevard approximately 140 feet west of west parcel line of parcel 70-16-22-100-045; thence easterly approximately 140 feet along the north right-of-way of Lakewood Boulevard to the west parcel line of parcel 70-16-22-100-045; thence northerly approximately 350 feet along the west

parcel line of parcel 70-16-22-100-045 to the northwest corner of said parcel; thence easterly approximately 190 feet along the north parcel line of 70-16-22-100-045 to a point approximately 90 feet west of the northeast corner of said parcel; thence northerly approximately 455 feet to a point approximately 120 feet south and approximately 90 feet west of the northeast corner of parcel 70-16-22-100-049; thence northeasterly approximately 150 feet to the northeast corner of parcel 70-16-22-100-049; thence northerly approximately 370 feet along the west right-of-way of Garden Avenue (66 foot right-of-way) to the northeast corner of parcel 70-16-22-100-048; thence easterly approximately 66 feet across Garden Avenue to the northwest corner of parcel 70-16-22-100-006; thence easterly approximately 595 feet to a point approximately 20 feet south and approximately 65 feet west of the northeast corner of parcel 70-16-22-100-006; thence easterly approximately 1,450 feet (along a line approximately 20 feet south of the north parcel lines of parcels 70-16-22-100-041, 70-16-22-100-053, 70-16-22-100-047, 70-16-22-100-065, and 70-16-22-100-055) to a point approximately 20 feet south and approximately 30 feet west of the northeast corner of parcel 70-16-22-100-055; thence northeasterly approximately 35 feet to a point on the northeast corner of parcel 70-16-22-100-055; thence easterly approximately 345 feet along the north parcel line of parcel 70-16-22-100-071; thence northerly approximately 1,280 feet to a point on the south right-of-way line of James Street and approximately 340 feet east of the northwest corner of parcel 70-16-22-200-001 and to the point of beginning.



- LEGEND**
- GARDEN AVENUE DRAINAGE BOUNDARY
 - GARDEN AVENUE STORM SEWER
 - GARDEN AVENUE OPEN DRAIN
 - GARDEN AVENUE DET. POND
 - OUTLET WATERCOURSE
 - STORM CATCH BASIN
 - STORM MANHOLE
 - RIGHT OF WAY

OTTAWA COUNTY WATER RESOURCES COMMISSIONER
 SECTION 22 HOLLAND CHARTER TOWNSHIP OTTAWA COUNTY MI
GARDEN AVENUE DRAIN
DRAINAGE DISTRICT AND ROUTE & COURSE
 JUNE 2016
 PROJECT NUMBER 218282



**GARDEN AVENUE DRAIN
TENATIVE ROUTE & COURSE**

(Section 22 of Holland Charter Township, Ottawa County, Michigan)

See attached exhibit "Garden Avenue Drain Drainage District and Route and Course" dated June 2016 (total 1 sheet).

All drainage facilities, including storm sewers, manholes, detention ponds, open drains, catch basins, and catch basin leads, as shown in the attached exhibit and described more specifically as follows:

Beginning at a point approximately 20 feet south of the south right-of-way of Lakewood Boulevard (66 foot right-of-way) approximately 285 feet west of the east parcel line of parcel 70-16-22-301-007 also known as point of beginning A; thence northerly approximately 120 feet to a point (point 1) approximately 35 feet north of the north right-of-way line of Lakewood Boulevard and approximately 20 feet east of the west parcel line of parcel 70-16-22-100-072; thence meandering westerly, northwesterly, northerly, westerly, and northwesterly approximately 525 feet to a point located at the outlet of the detention pond (pond A) and on the north right-of-way line of the CSX Transportation railroad approximately 330 feet east of the west parcel line of parcel 70-16-22-100-076; thence northeasterly through the detention pond approximately 625 feet to a point located at the inlet of the detention pond and on the east parcel line of parcel 70-16-22-100-076 approximately 45 feet north of the southeast corner of said parcel; thence northerly approximately 335 feet to the northeast corner of parcel 70-16-22-100-076; thence northwesterly approximately 20 feet to a point (point 2) in Greenway Drive (66 foot right-of-way) approximately 30 feet west and 60 feet south of the southeast corner of parcel 70-16-22-100-055; thence northerly approximately 45 feet to the north right-of-way line of Greenway Drive approximately 40 feet west of the southeast corner of parcel 70-16-22-100-055 to the point of ending.

Also beginning at point of beginning A: thence northwesterly approximately 45 feet to the south right-of-way line of Lakewood Boulevard (66 foot right-of-way) to a point approximately 330 feet west of the northeast corner of parcel 70-16-22-301-007; thence northerly approximately 30 feet to a point on the centerline of Lakewood Boulevard approximately 1,700 feet east of the intersection of Garden Avenue (66 foot right-of-way); thence westerly approximately 670 feet to a point located approximately 1,030 feet east of the intersection of Garden Avenue to the point of ending.

Also beginning at point of beginning A: thence northeasterly approximately 60 feet to a point on the centerline of Lakewood Boulevard (66 foot right-of-way) approximately 1,775 feet east of the intersection of Garden Avenue (66 foot right-of-way); thence easterly approximately 475 feet

to a point approximately 2,250 feet east of the intersection of Garden Avenue to the point of ending.

Also beginning at point 1: thence easterly approximately 260 feet to a point on the east parcel line of parcel 70-16-22-100-073 approximately 380 feet south of the northeast corner of said parcel; thence northeasterly approximately 65 feet to a point approximately 60 feet east and 345 feet south of the northeast corner of said parcel; thence easterly approximately 175 feet to the centerline of Crossings Court; thence northerly, northeasterly, and easterly approximately 660 feet in Crossings Court to a point approximately 10 feet west of the northwest corner of parcel 70-16-22-271-005 to the point of ending.

Also beginning at point 2: thence southwesterly and westerly in Greenway Drive (66 foot right-of-way) approximately 560 feet to a point in Greenway Drive approximately 50 feet west and approximately 45 feet south of the southeast corner of parcel 70-16-22-100-047; thence northerly approximately 35 feet to the point of ending.

Also beginning at point 2: thence northeasterly approximately 155 feet in Greenway Drive (66 foot right-of-way) to the point of ending.

Beginning at a point on the south right-of-way line of Lakewood Boulevard (66 foot right-of-way) approximately 1,520 feet west of the northeast corner of parcel 70-16-22-301-007 also known as point of beginning B: thence northerly approximately 30 feet to a point (point 3) on the centerline of Lakewood Boulevard; thence northerly approximately 25 feet to a point located approximately 5 feet south of the north right-of-way of Lakewood Boulevard; thence northwesterly approximately 145 feet to a point (point 4) located at outlet of detention pond (pond B) approximately 365 feet west and approximately 50 feet south of the southeast corner of parcel 70-16-22-100-074; thence southwesterly through the detention pond approximately 300 feet to the inlet of detention pond approximately 30 feet north of the Lakewood Boulevard north right-of-way and approximately 95 feet east of the Garden Avenue (66-foot right-of-way) east right-of-way; thence westerly approximately 130 feet to a point (point 5) on the centerline of Garden Avenue; thence northerly approximately 1,040 feet to a point approximately 10 feet north and approximately 33 feet west of the southwest corner of parcel 70-16-22-100-006 to the point of ending.

Also beginning at point 3: thence easterly approximately 170 feet to a point on the centerline of Lakewood Boulevard (66 foot right-of-way) approximately 675 feet east of the intersection of Garden Avenue (66 foot right-of-way) to the point of ending.

Also beginning at point 4 (detention pond inlet): thence easterly approximately 275 feet to a point located approximately 90 feet west and approximately 5 feet north of the southeast corner of parcel 70-16-22-100-074; thence northerly approximately 615 feet to a point (point 7) located in Greenway Drive (66 foot right-of-way) approximately 100 feet west and approximately 20 feet north of the northeast corner of parcel 70-16-22-100-074; thence northerly approximately 35

feet to a point approximately 20 feet east and 15 feet south of the southwest corner of parcel 70-16-22-100-041; thence westerly approximately 205 feet in Greenway Drive; thence northerly to a point located on the north right-of-way line of Greenway Drive; thence southwesterly approximately 125 feet to a point in Greenway Drive approximately 310 feet west and approximately 35 feet south of the southwest corner of parcel 70-16-22-100-041; thence northerly approximately 35 feet to the north right-of-way line of Greenway Drive to the point of ending.

Also beginning at point 6: thence easterly approximately 310 feet to a point in Greenway Drive (66 foot right-of-way) approximately 30 feet east and approximately 40 feet south of the southeast corner of parcel 70-16-22-100-041 and the point of ending.

Also beginning at point 6: thence southwesterly approximately 25 feet to south right-of-way line of Greenway Drive (66 foot right-of-way) approximately 115 feet west of the northeast corner of parcel 70-16-22-100-074 to the point of ending.

Also beginning at point 5: thence westerly approximately 250 feet to a point approximately 5 feet south of the north right-of-way of Lakewood Boulevard (66 foot right-of-way); thence southerly approximately 55 feet to a point approximately 5 feet north of the south right-of-way line of Lakewood Boulevard to the point of ending.

**STATE OF MICHIGAN
COUNTY OF OTTAWA
HOLLAND CHARTER TOWNSHIP**

RESOLUTION

WHEREAS, the Garden Avenue Drain (“Drain”) is an established drain under Chapter 20 of the Michigan Drain Code, MCL 280.1 *et seq.*, with the drainage facilities located wholly within the boundaries of Holland Charter Township (“Township”), and with no outstanding indebtedness or contract liability; and

WHEREAS, the Township wishes to obtain jurisdiction and control of the Drain; and

WHEREAS, the Township recognizes that pursuant to Section 478 of the Drain Code, MCL 280.478, the Township will assume the maintenance, jurisdiction, control and operation of the Drain and all costs attendant thereto until such time the Drain is established pursuant to Chapter 4 of the Drain Code.

NOW THEREFORE BE IT RESOLVED THAT, pursuant to Section 478 of the Drain Code, MCL 280.478, the Township hereby authorizes the assumption of jurisdiction and control of the Drain to the Township, and that the Supervisor and Clerk are authorized to sign all documents necessary to effectuate the relinquishment of jurisdiction of the Drain to the Township. Any remaining funds in the account for the Drain shall be held in escrow by the Ottawa County Water Resources Commissioner for purposes of the establishment of the Drain under Chapter 4 of the Drain Code.

July 21, 2016

Yeas: Nienhuis, Dalman, Bush, Becker, Church, Nykamp, and TeSlaa

Nays: None

Abstain: None

Absent: None

Resolution No. 16-95

I, the undersigned, being duly qualified and acting Clerk of Holland Charter Township, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Township Board for the Holland Charter Township at a regular meeting held on the 21st day of July, 2016.



Michael Dalman, Clerk
Holland Charter Township

July 21, 2016

Date