

February 4, 1955

Memorandum to the Director:

In November, 1943, the Commission approved the Lapeer State Game Area as a Pittman-Robertson land acquisition project. Included within the boundary was the James Vernor estate located in central Lapeer County six miles northeast of the city of Lapeer. At that time Mr. Vernor was considering disposing of this property but no price agreement could be reached. Mr. Vernor has since passed away, and we have now been informed by the executor of his will that he has a license to sell at a price of not less than \$200,000. To conform to probate court procedure, a formal offer to purchase, at not less than that amount should now be submitted if the purchase is approved by the Commission:

Lapeer State Game Area

3,851.20 acres at \$59.63 per acre—\$200,000.00

Vendor: Raymond H. Berry, executor of will of James Vernor, deceased, of Detroit, Michigan

Description: SW $\frac{1}{4}$ Sec. 5; SE $\frac{1}{4}$ Sec. 6; entire fri. Sec. 7; W $\frac{1}{2}$ Sec. 8; entire fri. Sec. 18 except SE $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ NE $\frac{1}{4}$, NW fri. $\frac{1}{4}$, N 20 acres of NW $\frac{1}{4}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19; all in T 8 N, R 11 E; S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ except NW $\frac{1}{4}$ SW $\frac{1}{4}$, part of S $\frac{1}{2}$ NE $\frac{1}{4}$ lying W of highway, and part of NE $\frac{1}{4}$ NE $\frac{1}{4}$ lying E of highway; Sec. 12; part of NE $\frac{1}{4}$ lying E of highway, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ Sec. 13; N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ except 1 acre square in NE corner, and N 6 acres of NE $\frac{1}{4}$ SE $\frac{1}{4}$ lying E of highway, Sec. 24; all in T 8 N, R 10 E

Reservations: Occupancy and use for two months after date of deed; also excepting oil, gas, and mineral rights that may be outstanding in third parties.

Appraisal: Land \$83,122.50, timber \$12,787.45, buildings \$49,895.00, water frontage (Long and other lakes) \$04,161.60; total \$244,466.75.

This tract would be a highly desirable addition to this heavily hunted game area as it would more than double the present state ownership there. It would be difficult to find another tract of this size in such a favorable location that would be as well suited to public use and wildlife production, and if such an area could be found acquisition and overhead costs of acquiring it undoubtedly would be very high. The tract is especially scenic and no doubt would receive high use for general recreation as well as for hunting and fishing.

The land is especially favorable for game area use. It includes habitat suitable for deer, waterfowl, and small game. Waterfowl spend a large portion of the year in the area. Pheasants and other farm-game species have been limited on this land as it has been used primarily for livestock production, and most of the crops produced have been cut for hay or silage and the meadows and pasture lands have been grazed. Habitat for these species can be improved but their numbers cannot be expected to equal the populations of more fertile farming areas.

The soils are generally too poor for agriculture. About 21 per cent is low, second-grade soil, of low value for commercial agriculture but especially desirable for game. Eighteen per cent of the tract is third-grade soil, marginal for agriculture, 33 per cent is fourth-grade due to hilliness or steepness of slope, and about 21 per cent is difficult or impossible to drain. About 7 per cent is water surface area.

The tract contains about 1,630 acres of upland timber which is young second growth. Most of the larger trees are swamp conifers consisting of very good stands of cedar suitable for fence posts and tamarack suitable for poles and spiles. The area also has 218 acres of water divided between six lakes, and fishing is reported to be good. Long Lake (or Arcadia Lake), the largest of the lakes, has been artificially created and consists of 182 acres with 15,874 feet of frontage. Access points for hunting, fishing, and general recreation and camp sites could be developed at several places.

The dam that maintains Long Lake was inspected by a Department engineer in 1949. He found that the structure had stood for about 17 years and was substantially sound but probably would eventually need improvement to insure against over-topping and to make the control structure more automatic in operation. The estimated cost of these improvements was between \$5,000 and \$6,000. Over 96 per cent of the appraised value of the water area was assigned to Long Lake.

There are thirteen sets of farm buildings and one summer cottage on the property. The two main sets of buildings are situated close together at the north end of Long

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Lake. Both houses are in good condition and can be used by the Department in the administration of the area. One of these houses has been completely modernized, and the implement buildings and barns are all fairly new and well-constructed. Most of the outbuildings included in these two sets can be used for storing equipment, seed, fertilizer, etc. Adequate storage facilities are not at present available in the Lapeer State Game Area. Those not needed should be sold and removed from the area.

Of the remaining buildings, three complete sets of farm buildings and the summer cottage have been abandoned for several years and are in a very poor state of repair. The remaining eight sets of farm buildings have been tenant-occupied and are in only fair condition. The farm houses are old and none has been modernized to a significant degree. In the main, the barns are of modified shed-type, self-feeder construction suitable for stock feeding with but little utility for the general farming usually practiced in the locality. Although the building appraisal appears high it undoubtedly would require a larger investment in buildings if a comparable acreage were acquired in small tracts. It is recommended that as many units of the two main sets of buildings as can be used to advantage by the Department be retained and that authorization be given to sell the balance of the buildings for removal from the land.

While gas, oil, and mineral rights that may be outstanding in third parties are excepted from the purchase, the executor is not aware of any such outstanding rights, but this exception was made to permit completion of the transaction if a search of the title showed some outstanding mineral rights.

The above-described lands have been carefully investigated to determine their suitability for wildlife restoration and public hunting. They are well suited to these uses, the price is fair and reasonable, and it is recommended that the Department be authorized to submit a bid in the amount of \$200,000 for purchase of these lands and, if sale to the State is approved by the Probate Court, that acquisition funds be taken from the Pittman-Robertson budget.

H. D. RUEL
Game Division
CHARLES E. MILLAR
Lands Division

It was moved by Mr. Calcaterra, supported by Mr. Brevitz, that the above recommendations be concurred in. The question being stated by the Chair, the motion prevailed.

Park Lands

The following memorandums were presented to the Commission:

Memorandum to the Director:

January 26, 1955

Hartwick Pines State Park

100 acres at \$50 per acre—\$8,000.

SE $\frac{1}{4}$ Sec. 2, T 27 N, R 8 W

Vendors: Wm. J. and Cora B. Friday, 1450 Glencoe Road, Winter Park, Florida

Reservations: Reservation of oil, gas, and other minerals not including sand and gravel for a term of 20 years. Life use of parcel of land and cabin thereon described as beginning at NE corner of bridge on East Branch of Au Sable River near S line of said SE $\frac{1}{4}$, thence E 350 feet, N to SE bank of said river, SW $\frac{1}{4}$ along said bank of river to point of beginning.

Appraisal: Land \$1,600.00, timber \$1,468.00, stream value \$3,100.00, improvements \$4,541.00; total \$10,707.00; less \$2,049.85 value of life reservation above stated; net total \$8,657.15.

This tract is bordered on three sides by state ownership and is one of the few remaining parcels to be acquired in the park. The East Branch of the Au Sable

FREE SIMPLE Lead Acquisition Lic 592
 288-344 128-1008-300-007 P3600-7
 Verner Estate, James *** reserves occupancy Lapeer State Game Area Lapeer Co
 Raymond H. Berry, Exr for two months after T 8 N R 11 E Secs 5, 6, 7, 8, 18, 19 Arcadia Twp
 date of deed
 1000 Penobscot Bldg T 8 N R 10 E Secs 12, 13, 24 Mayfield Twp
 Detroit 26, Mich SEE FILE for descriptions Called "Arcadia Park
 3,351.20 A \$242,000 "Parks"
 ✓ Burton Abst & Title Co Ins Commitment 63360 Com OK Feb 11, 1955 \$200,000
 Mar 16, 1955 \$242,000 OAKLAND CO PRO FILE Com OK Mar 11, 1955 \$242,000
 63422 SUBJ to oil & gas lease by Edward J. Schland and wife to A.W. Herring
 159/248 1/2 SW 5-8-11 Letter to Mr Berry, Executor March 11, 1955
 (SUBJ to oil & gas lease by Wm Jenkinson to A.W. Herring 159/255 SW NW 7-8-11 Accepted by Executor March 14, 1955
 Mrs Bert Clara, Lums, Mich - TO OCCUPY DWELLING?? V 3/30/55 Raymond H. Berry Exr James Verner Es
 *** reserve rt to enter and thresh winter wheat etc W/ S 129367 dated Apr 19 55
 COPIES of Letters testamentary to Raymond H. Berry Check taken by Kay apr 4 1955
 Petition for license to sell (amended) to be exchanged for Executor's Deed to Stat
 License to sell of - be sure about the 1954 rec on NE NE 12
 Order confirming sale NEEDS
 Copy of Deed at Private Sale to State NEEDS
 Addition of bond successors
 NEED FULLY EXECUTED DEED & 1954 receipt for NE NE 120X ✓ 1955 State
 19 tax receipts - photo'd and returned to Mr Berry (1954) ✓ Progress ✓
 to atty genl (taken by Paul)
 ✓ opinion March 30 To Atty Gen. for Final Opin. 5/25/55 to Aud Gen - 1/31/57
 ✓ Final Opin. sent to Game 6/10/55
 box of abstracts is in the back of the file where the mens mail is kept Lit 984, Gen 1

Know All Men by these Presents: That I, Raymond H. Berry, Executor
of the Estate of James Vernor, Deceased,

5-5-55
pursuant to an order of the Judge of Probate for the County of Oakland and State of
Michigan, made at a session of said Probate Court, held at the Probate Office in the City
of Pontiac, in said County and State, on the 7th day of
February, 1955, authorizing, empowering and licensing me, the said
Raymond H. Berry, Executor,

to sell and dispose of in conformity to the Statute in such case made and provided, so much of the real estate, whereof
the said James Vernor died

seized, for the purpose as in said order mentioned, did sell and dispose of,
at private sale, all the estate, right, title and interest of said estate

in and to a certain real estate and premises, in
said order set forth, and hereinafter described, to State of Michigan

which said sale was, by an order made by the said Judge of Probate, on the 23rd
day of March, 1955, duly approved and confirmed, and I, the said
Raymond H. Berry, Executor

was directed and empowered to execute and deliver a proper conveyance of said real estate so sold and disposed of at
private sale to State of Michigan

the purchaser thereof, agreeable to the Statute in such case made and provided.

Now, Therefore, Know Ye, That I, Raymond H. Berry, Executor,

by virtue and in pursuance of the said several orders and decrees
above referred to, and in consideration of the sum of Two Hundred Forty-Two Thousand (\$242,000.00)

Dollars, paid to me the
said Raymond H. Berry, Executor, by the said
State of Michigan

the receipt whereof is hereby acknowledged, I have sold and disposed of, and do hereby grant, sell, and convey unto
the said State of Michigan, and its

~~HEREBY~~ assigns, forever, all the estate, right, title and interest of the said estate

in and to the following described lands, to-wit:

Land sometimes referred to as "ARCADIA RIDGE FARMS", situated in the Townships
of Arcadia and Mayfield, County of Lapeer, State of Michigan, to-wit:

T 8 N., R 11 E., TOWNSHIP OF ARCADIA

ACRES

Section 5: - SW 1/4	160.00
Section 6: - SE 1/4	160.00
Section 7: - Entire Frl.	630.88
Section 8: - W 1/2	320.00
Section 18: - Entire Frl. except SE 1/4 of NE 1/4	587.44
Section 19: - N 1/2 of NE 1/4	80.00
-NW Frl. 1/4	150.88
-N 20 acres of NW 1/4 of SW 1/4	20.00
-W 1/2 of NW 1/4 of SW 1/4 of NE 1/4	5.00

T 8 N., R 10 E., TOWNSHIP OF MAYFIELD

Section 12: - S 1/2 of NW 1/4	80.00
-S 1/2 except NW 1/4 of SW 1/4	280.00
-Part NE 1/4 of NE 1/4 lying E of Hwy.	11.00
-Part S 1/2 of NE 1/4 lying W of Hwy.	66.00
Section 13: -Part NE lying E of Hwy.	75.00
-E 1/2 of SW 1/4	80.00
-SE 1/4	160.00
Section 24: - N 1/2	320.00

- NE 1/4 of SW 1/4 40.00
 - W 1/2 of SE 1/4 80.00
 - SE 1/4 of SE 1/4 except 1 acre square in NE corner 39.00
 - N 6 acres NE 1/4 of SE 1/4 lying E of Hwy. 6.00

Containing 3,351.20 acres, more or less;



Together, with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any-wise appertaining:

In Witness Whereof, I _____ have hereunto set my hand and seal, the 13th day of April, 1955.

In Presence of:

Edna Boddy
 Edna Boddy

Raymond H. Berry (L.S.)
 Raymond H. Berry, Executor
 of the Estate of James Vernor, Deceased. (L.S.)

John L. King
 John L. King
 STATE OF MICHIGAN, } ss.

COUNTY OF Wayne On this 13th day of April, 1955, before me appeared Raymond H. Berry to me personally known, who, being by me duly sworn, did say that he is the Executor of the estate of James Vernor, Deceased, and that as such he executed the foregoing deed by virtue and in pursuance of the orders and decrees of the Probate Court for the County of Oakland acknowledged that he executed the same for the intents and purposes therein mentioned.

P560-7

Edna Boddy
 Edna Boddy, Notary Public, Wayne County, Michigan.

commission expires: June 21, 1957.

5,6,7,8,11,12,13,14,15,16,17,18,19,20,21,22,23,24,25,26,27,28,29,30,31,32,33,34,35,36,37,38,39,40,41,42,43,44,45,46,47,48,49,50,51,52,53,54,55,56,57,58,59,60,61,62,63,64,65,66,67,68,69,70,71,72,73,74,75,76,77,78,79,80,81,82,83,84,85,86,87,88,89,90,91,92,93,94,95,96,97,98,99,100
 PROJECT
 Leeper 88A
 Dis. 10
 Initials 100254
 \$242,000.00
 Deed of Real Estate
 1955-assessed
 SOLD AT PRIVATE SALE

TYPEWRITE OR STAMP names of persons executing this instrument, also names of the Witnesses and Notary immediately underneath such Signatures.

By Raymond H. Berry,
 Executor of the Estate of
 James Vernor, Deceased,
 Detroit, Michigan,
 State of Michigan.

REGISTERS OFFICE,
 COUNTY OF Lapeer
 Received for Record the 14th
 day of April, 1955
 at 8:45 o'clock A.M. and Recorded in
 Liber. 218 of Deeds, on Page 250

Jenna Kewen
 Register of Deeds.

DOUGLASS-HUNTZMAN COMPANY
 Notary and Stationers
 TALLMADGE, MICHIGAN
Paula Huntzman
My Commission Expires March 1957