STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

STATE BOUNDARY COMMISSION

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**In the matter of:**

**The proposed annexation of land in Lodi Township to the City of Saline, Washtenaw County.**

**State Boundary Commission**
**Docket #'s 11-AP-1**

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# SUMMARY OF PROCEEDINGS, FINDINGS OF FACT AND CONCLUSIONS OF LAW

## SUMMARY OF PROCEEDINGS

1. On April 4, 2011, a petition requesting the annexation of land area in Lodi Township to the City of Saline in Washtenaw County was filed with the State Boundary Commission and designated as 11-AP-1. The legal description of this area contained in the petition is shown in Attachment A.

2. On September 15, 2011, the State Boundary Commission examined the petition for legal sufficiency at an adjudicative meeting held in Okemos. The Commission unanimously declared this petition to be legally insufficient.

3. On November 17, 2011, at an adjudicative meeting, a motion was made by Commissioner , and supported by Commissioner , to adopt the draft Summary of Proceedings, Findings of Fact, and Conclusions of Law, that they be signed by the Chairman, (and that commission staff transmit the Order shown in Attachment B for signature to the Director of the Department of Licensing and Regulatory Affairs.)

## FINDINGS OF FACT

1. The petition contains an 11"x17" site plan map, an aerial map, and city tax maps labeled PART I map. The area proposed for annexation is shown but is not labeled and the limits of the **City of Saline** or **Lodi Township** are not labeled on the north, east or west side of the area proposed for annexation on the PART I map as required by commission rule 25. The PART I map incorrectly depicts the area north of the proposed annexation as being the recorded subdivision plat of "Colony Estates; however the Washtenaw County tax maps, descriptions and the records at the Washtenaw County Register of Deeds show this area as being "Northview Condominiums."

2. According to the PART III legal description, a gap of 3.94' exists between the northwest corner of the City of Saline and southwest corner of the territory proposed for annexation and a gap of 4.10' exists between the north line of the City of Saline and the southeast corner of the territory proposed for annexation based upon the documentation provided by the Secretary of State as of April 19, 2011. The PART I map and the PART III legal description are substantially consistent with each other; however, both do not agree with the limits of the City of Saline and are therefore not accurate.

3. PART Va of the petition is not signed by the petitioner or acknowledged by a notary as required by Rule 123.3(2), R123.1 and R123.41.

DRAFT

## CONCLUSIONS OF LAW

1. The Findings of Fact in this docket support the unanimous decision of the Commission to recommend that the Director of the Department of Licensing and Regulatory Affairs **reject** this petition for legal sufficiency on the grounds that it fails to conform to the State Boundary Commission Administrative Rules R123.3.3 (2), R123.1, R123.41 and R123.25.

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Dennis Schornack, Chairman

REF

# ATTACHMENT A

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# PART III
# ANNEXATION BY AT LEAST 75% OF LAND

DESCRIPTION

BEGINNING at the West ¼ corner of Section 36, T3S, R5E, Lodi Township, Washtenaw County, Michigan; thence N89°35'38"E 625.00 feet along the East and West ¼ line of said Section and the centerline of Saline-Waterworks Road; thence S01°04'08"W 528.00 feet; thence S89°35'37"W 624.90 feet to a point on the West line of said Section 36; thence N01°03'30"E 528.00 feet along said West line to the Point of Beginning. Being a part of the Southwest ¼ of Section 36, T3S, R5E, Lodi Township, Washtenaw County, Michigan and containing 7.57 acres of land, more or less. Being subject to the rights of the public over the Southerly 33 feet of Saline-Waterworks Road. Also being subject to easements and restrictions of record, if any.

Dept. of Energy, Labor & Economic Growth
FILED

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STATE BOUNDARY COMMISSION

# ATTACHMENT B

DRAFT

RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF CONSTRUCTION CODES
IRVIN J. POKE
DIRECTOR

STEVEN H. HILFINGER
DIRECTOR

**In the matter of:**

**Boundary Commission Docket # 11-AP-1**

**The proposed Incorporation of the Village of Dexter as a Home Rule City Washtenaw County.**

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## ORDER

**IT IS ORDERED THAT** the petition for the proposed incorporation of the village of Dexter as a Home Rule City in Washtenaw County, as described in Attachment A, is denied due to legal insufficiency.

**IT IS FURTHER ORDERED THAT** the State Boundary Commission shall transmit a copy of this Order with the Summary of Proceedings, Findings of Fact and Conclusions of Law to the clerk of Lodi Township, the City of Saline, the County of Washtenaw, and to the Secretary of State.

DRAFT

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Steven T. Hilfinger, Director
Michigan Department of Licensing and Regulatory Affairs

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Date