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BUREAU OF CONSTRUCTION CODES
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Memorandum

DATE: March 30, 2012

TO: Members of the State Boundary Commission

FROM: Kevin O'Brien, P.S.
Office of Land Survey and Remonumentation (OLSR)

SUBJECT: **Legal Sufficiency: Docket #11-C-1 Petition for Consolidation of the City of Saugatuck, the City of the Village of Douglas and Saugatuck Township as a Home Rule City**

The petition to request the consolidation of the City of Saugatuck, the City of the Village of Douglas and Saugatuck Township as a Home Rule City, Docket #11-C-1, was filed with the State Boundary Commission on November 2, 2011.

Staff Review of Legal Sufficiency:

1. The signature requirement per 1968 PA 191, MCL 123.1012(1) is met. The total population of the area proposed to be consolidated is 5,101. Five percent of the total population of the area proposed to be consolidated is 255. Three-hundred ninety-eight (398) signatures of the 430 signatures contained in the petition have been validated by the Saugatuck Township clerk, the clerk of the City of Saugatuck, and the clerk of the City of the Village of Douglas, as being registered electors residing in the area proposed to be consolidated.
2. The Part I Map submitted with the petition for consolidation is substantially accurate and unambiguous as required by State Boundary Commission Rules 25 and 27. The Part I Map consists of 19 – 11" x 17" sheets and clearly identifies the area proposed to be consolidated. The Part I Map was also the map distributed for signatures and clearly identifies the area proposed to be consolidated with respect to identifiable roads, section lines, existing local government boundaries, and major geographic features.
3. The Part III Legal Description is substantially accurate and consistent with the Part I Map as required by State Boundary Commission Rules 25 and 27.
4. The State Boundary Commission staff reviews the records on file with the Office of the Great Seal at the Department of State to verify consistency and contiguity between the boundaries of the areas proposed for consolidation, in accordance with 1968 PA 191,

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MCL 123.1012(2). Our review of these records, provided on December 21, 2011, indicates that the area proposed to be consolidated is contiguous and encompasses the entire land area of the Township of Saugatuck, the City of Saugatuck and the City of the Village of Douglas.

Staff Opinion on Legal Sufficiency:

Based upon our review of the content of the petition, we are of the opinion that the petition to request the consolidation of the City of Saugatuck, the City of the Village of Douglas and Saugatuck Township as a Home Rule City, Docket #11-C-1, meets legal sufficiency. The Commission may consider our review and opinion, along with the petition and other evidence and testimony presented at the April 11, 2012 meeting, when making their decision.

Additional Comments for Consideration:

1. The Part I Map consists of 19 – 11”x17” pages.
 - a. The map’s title identifies the “Area of Proposed Consolidation” as the City of Saugatuck, City of the Village of Douglas and Saugatuck Township.
 - b. The map does not identify the surveyed town and range numbers; however, the description identifies the surveyed town and range numbers as “Town 3 North, Range 16 West” for the area proposed to be consolidated.
 - c. Sheet No. 1 of 19 is a master map of the overall area proposed to be consolidated and includes an index map for Sheet Nos. 2 through 19.
 - d. Sheet No. 1 of 19 identifies the municipalities that are adjacent to the area proposed to be consolidated.
 - e. Sheet No. 2 of 19 thru Sheet No. 19 of 19, are 18 break-out sheets that show individual portions of the area proposed to be consolidated at greater detail.
 - f. Sheet 3 of 19 mislabels “Maple Gate Drive” as “Destin Court” and does not include any signatures with addresses on Maple Gate Drive.
 - g. Sheet 9 of 19 does not depict “Silver Lake Drive” at the west end of 131st Street, south of Silver Lake and does not include any signatures with addresses on Silver Lake Drive.