STATE OF MICHIGAN

DEPARTMENT OF CONSUMER & INDUSTRY SERVICES

BEFORE THE STATE BOUNDARY COMMISSION

In the matter of:

Boundary Commission
Docket #02-I-1

The proposed incorporation of territory in Saugatuck Township and the Village of Douglas into the City of Douglas

SUMMARY OF PROCEEDINGS
FINDINGS OF FACT AND CONCLUSIONS OF LAW

The territory approved for incorporation from Saugatuck Township and the Village of Douglas into the City of Douglas is described in Attachment A.

A. On February 12, 2002, a petition was filed asking for the incorporation of territory in Saugatuck Township and the Village of Douglas into the City of Douglas.

B. On April 11, 2002, the State Boundary Commission held an adjudicative meeting to determine the legal sufficiency of the petition. The petition was declared to be legally sufficient, pursuant to Public Act 191 of 1968, as amended, and Public Act 279 of 1909, as amended.

C. On June 26, 2002, the State Boundary Commission held a public hearing in the Village of Douglas to receive testimony given pursuant to Public Act 191 of 1968, as amended.

D. On October 10, 2002, at an adjudicative meeting, State Boundary Commissioners VerBurg, Ishbia and Allegan County Boundary Commissioner Dykstra voted to recommend that the Director of the Department of Consumer & Industry Services approve the incorporation as petitioned.

E. On November 14, 2002, at an adjudicative meeting, Boundary Commissioners VerBurg, Walker and Dykstra voted to approve the draft Summary of Proceedings, Findings of Fact and Conclusions of Law , as amended, and to recommend that the Director of the Department of Consumer & Industry Services sign the attached Order approving the incorporation.

FINDINGS OF FACT

1. The population of the Village is 1,214.1
   The population of the Village increased 17% from 1990 to 2000.*
   The population of Saugatuck Township is 3,590.*
   The population of Saugatuck Township increased 23% from 1990 to 2000.

2. The Township provides the following services to the Village of Douglas: assessing, the Board of Review, tax collection for the Township, and non-village elections.

3. The Village paid $220,819 in taxes to the Township in 2001.

4. The 2002 state equalized value for real and personal property is:
   $108,951,100 for the Village
   $285,759,250 for the Township

5. Sanitary sewer and water service are provided by the Kalamazoo Lake Sewer & Water Authority that is jointly owned and provides service to the Village of Douglas, the City of Saugatuck and Saugatuck Township.

6. The Fire District provides services to Douglas, Saugatuck and Saugatuck Township.

7. Douglas has a joint operating agreement with the City of Saugatuck for police services.

8. At the legal sufficiency meeting, Jim Ingalls, the Commission's surveyor, informed the Commission that on the Part One Map the North line of Section 16 of the bottom lands in the Kalamazoo River was was depicted in a manner not in agreement with the description. The boundary between the City of Saugatuck and the Village of Douglas would be in a different location if the call to the section line in the Kalamzoo River were depicted correctly. See Attachment B, Part One Map.

9. The City of Saugatuck was incorporated pursuant to the State Boundary Commission Act. Based on the map that was approved by the Commission when Saugatuck was incorporated, the City of Saugatuck and the Village of Douglas have operated according to the depiction of the boundary line in the Kalamazoo River on the Part I Map.

10. The City of Saugatuck submitted a resolution requesting that the boundary in the Kalamazoo River remain as depicted on the Part One Map. Village of Douglas officials also requested that the boundary line in the Kalamazoo River remain as shown on the Part I Map.

11. The Township does not object to the incorporation of the current Village boundaries.

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1 2000 United Sates Census

According to the Township, administrative costs are more economical if the Village remains part of the Township.

THE COMMISSION FINDS THAT

1. The Village has the capability of providing the necessary additional services required of a city.

2. The Township has the fiscal capacity to accommodate the decrease in property tax revenue.

3. Expectations for further population growth and urban development in the area are reasonable.

4. The proposed incorporation will not have a deleterious effect on the broader community.

5. Consolidation of the Village of Douglas and the City of Saugatuck would be desirable, but the community has rejected the proposal in the past. Incorporation as a city will not hinder the consolidation of the two units of government in the future.

6. The boundary line between the City of Saugatuck and the Village of Douglas should remain as depicted on the Part I Map because both units of government have recognized this as the boundary and requested that it remain.

CONCLUSIONS OF LAW

The record of this docket, in accordance with the criteria stipulated under Section 9 of the Public Act 191 of 1968, as amended, supports the Commission's recommendation that the Director of the Department of Consumer & Industry Services sign the attached Order approving the subject incorporation and adopting the Summary of Proceedings and Findings of Fact and Conclusions of Law.

Kenneth VerBurg

Kenneth VerBurg, Chairperson
State Boundary Commission

11/14/02
Date

STATE OF MICHIGAN
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES
BEFORE THE STATE BOUNDARY COMMISSION

In the matter of:

Boundary Commission
Docket # 02-I-1

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FINAL ORDER

IT IS ORDERED THAT these Findings of Fact, Conclusions of Law and Order approving the incorporation of territory in Saugatuck Township and the Village of Douglas, described in Attachment A and Attachment B, shall be effective on the date signed by the Director of the Department of Consumer & Industry Services, unless prior to 45 days after that date, a valid petition for a referendum is filed with the State Boundary Commission.

IT IS FURTHER ORDERED THAT if a valid petition for a referendum is filed during the 45-day period, the Order for a referendum on the question of incorporation shall include a new effective date for these Findings of Fact, Conclusions of Law and Order, which shall be at least 10 days later than the date of the referendum.

IT IS FURTHER ORDERED THAT if a referendum is held with the majority of the voters in the area proposed for incorporation voting no on the question, then the Order approving the incorporation is null and void.

IT IS FURTHER ORDERED THAT the Manager of the State Boundary Commission shall transmit a certified copy of this Order and the attached Summary of Proceedings and Findings of Fact and Conclusions of Law to the clerks of Saugatuck Township, the Village of Douglas and Allegan County, and the Secretary of State.

Noelle A. Clark

Noelle A. Clark, Director
Michigan Department of Consumer & Industry Services

12-6-2002
Date

Area of Proposed Incorporation (Village of Douglas, Saugatuck Township, Allegan County, Michigan), June 2001, as expressed in State Plane Grid Bearings.

Part of Sections 15, 16, 17, 20, 21 and 22 of Town 3 North, Range 16 West, Saugatuck Township, Allegan County, Michigan described as beginning at the Northwest corner of Section 16 and proceeding thence North 89 degrees 56 minutes 30 seconds East along the North line of Section 16 to the waters edge of Kalamazoo River; thence North 89 degrees 56 minutes 30 seconds East on a non-riparian line to the thread of the Kalamazoo River; thence Southeasterly and Northeasterly along the thread of the Kalamazoo River to the Northwesterly line of I-196; thence South 18 degrees 32 minutes 30 seconds West along the Northwesterly line of I-196 to the East line of the West 1/4 of the Southwest 1/4 of Section 15; thence South 00 degrees 16 minutes 03 seconds West 2039.11 feet along the East line of the West 1/4 of the Southwest 1/4 of Section 15 to the Southeast corner of the West 1/4 of the Southwest 1/4 of Section 15; thence South 00 degrees 17 minutes 13 seconds West 654.81 feet along the East line of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of Section 22 to the South line of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of Section 22; thence North 89 degrees 04 minutes 16 seconds West 656.49 feet along the South line of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of Section 22 to the Southwest corner of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of Section 22; thence North 89 degrees 37 minutes 10 seconds West 2614.24 feet along the South line of the North 1/4 of the Northeast 1/4 of Section 21 to the Southwest corner of the North 1/4 of the Northeast 1/4 of Section 21; thence along an intermediate traverse line along the Southeasterly shore of an existing controlled level lake South 42 degrees 10 minutes 00 seconds West (recorded as North 42 degrees 25 minutes 20 seconds East) 74.94 feet (recorded as 68.17 feet); thence South 72 degrees 23 minutes 48 seconds West (recorded as North 71 degrees 08 minutes 12 seconds East) 77.82 feet; thence South 44 degrees 42 minutes 46 seconds West (recorded as North 43 degrees 27 minutes 10 seconds East) 218.92 feet; thence North 51 degrees 56 minutes 04 seconds West (recorded as South 53 degrees 11 minutes 40 seconds East) 149.77 feet; thence South 66 degrees 53 minutes 36 seconds West (recorded as North 65 degrees 38 minutes 00 seconds East) 122.50 feet; thence North 72 degrees 26 minutes 24 seconds West (recorded as South 73 degrees 42 minutes 00 seconds East) 143.33 feet; thence South 06 degrees 26 minutes 46 seconds East (recorded as North 07 degrees 42 minutes 22 seconds West) 159.22 feet; thence South 02 degrees 22 minutes 08 seconds West (recorded as North 01 degree 05 minutes 08 seconds East) 153.61 feet (recorded as 154.14 feet); thence South 28 degrees 30 minutes 25 seconds West (recorded as North 27 degrees 15 minutes 12 seconds East) 56.58 feet; thence South 13 degrees 35 minutes 47 seconds East (recorded as North 14 degrees 51 seconds 00 minutes West) 53.92 feet; thence leaving the intermediate traverse line South 35 degrees 39 minutes 17 seconds East (recorded as North 36 degrees 54 minutes 30 seconds West) 26.78 feet; thence South 12 degrees 17 minutes 03 seconds West (recorded as North 11 degrees 01 minutes 50 seconds East) 129.30 feet to the East line of the West 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 21; thence South 00 degrees 29 minutes 55 seconds West (recorded as North 00 degrees 45 minutes 18 seconds West) 1247.09 feet along the East line of the West 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 21 to the East-West 1/4 line of Section 21; thence North 89 degrees 33 minutes 23 seconds West 1966.82 feet along the East and West 1/4 line of Section 21 to the West 1/4 corner of Section 21; thence South 00 degrees 36 minutes 01 second West 326.90 feet along the East line of Section 20

to the South line of the North 1/4 of the North 1/2 of the Southeast 1/4 of Section 20; thence North 89 degrees 47 minutes 15 seconds West 1249.46 feet along the South line of the North 1/4 of the North 1/2 of the Southeast 1/4 of Section 20 to the East line of the West 1360.00 feet of the Southeast 1/4 of Section 20; thence North 00 degrees 26 minutes 33 seconds East 326.75 feet along the East line of the West 1360.00 feet of the Southeast 1/4 of Section 20 to the East-West 1/4 line of Section 20; thence North 89 degrees 47 minutes 41 seconds West 54.82 feet along the East and West 1/4 line of Section 20 to the West line of the East 1/2 of the Northeast 1/4 of Section 20; thence North 00 degrees 30 minute 52 seconds East 1738.58 feet along the West line of the East 1/2 of the Northeast 1/4 of Section 20; thence North 89 degrees 42 minutes 41 seconds West (recorded as West) 500.00 feet; thence North 00 degrees 30 minutes 52 seconds East (recorded as North 00 degrees 13 minutes 53 seconds East) 875.00 feet to the North line of Section 20; thence South 89 degrees 42 minutes 41 seconds East (recorded as East) 1154.93 feet along the North line of Section 20 to the West line of the East 1/2 of the Southeast 1/4 of the Southeast 1/4 of Section 17; thence North 00 degrees 18 minutes 09 seconds East 1232.57 feet along the West line of the East 1/2 of the Southeast 1/4 of the Southeast 1/4 of Section 17 to the Easterly extension of the South line of Wilderness Ridge (Allegan County Subdivision Plan No. 62); thence North 89 degrees 43 minutes 54 seconds West (recorded as South 89 degrees 40 minutes East) 1961.88 feet along the South line of Wilderness Ridge (Allegan County Subdivision Plan No. 62) and the Easterly extension thereof to the Southwest corner of Wilderness Ridge also being the Southeast corner of Felker's Lake Shore Subdivision; thence North 89 degrees 45 minutes 01 second West (recorded as South 89 degrees 40 minutes East) 705.69 feet along the South line of Felker's Lake Shore Subdivision to the Southeast corner of Felker's High Pines Lake Shore Development Subdivision; thence North 89 degrees 53 minutes 59 seconds West (recorded as South 89 degrees 45 minutes East) along the South line of Felker's High Pines Lake Shore Development Subdivision and the Westerly extension thereof to the Ordinary High Water Mark of Lake Michigan; thence Northerly along the Ordinary High Water Mark of Lake Michigan to the North line of Section 17; thence North 89 degrees 55 minutes 54 seconds East along the North line of Section 17 to the North 1/4 corner of Section 17; thence North 89 degrees 55 minutes 54 seconds East 2604.50 feet along the North line of Section 17 to the point of beginning, EXCEPT all land lying West of and between said intermediate traverse line and existing controlled level lake.

Recorded Plats

Bryan Development
Felker's High Pines Lake Shore Development Subdivision
Felker's Lake Shore Subdivision
Finlay's Addition to the Village of Douglas
Helmer's Addition to the Village of Douglas
Macke Subdivision
McVea Plat
Mixer's Addition to the Village of Dudleyville
Oakley Acres
Town of Douglas
Spencer's Addition to the Village of Douglas
Spencer's Second Addition
St. Peter's Subdivision
Terrace Park Heights
The Gerber Plat
Trumbull's Addition to the Village of Douglas
Trumbull's Second Addition to the Village of Douglas
Village of Dudleysville