

TOWNSHIP OF OAKLAND
COUNTY OF OAKLAND, STATE OF MICHIGAN
HISTORIC DISTRICT
ORDINANCE NUMBER 37-A

An ordinance to provide for the preservation of historic resources; to provide for the establishment of historic districts; to provide for the creation of an Historic District Commission to regulate the construction, alteration, repair, removal and demolition of resources; to provide the Historic District Commission with powers and duties; to provide for the acquisition of grants, gifts, sites and structures for historic purposes; to provide for enforcement of this Ordinance; and to provide for penalties for violation of this Ordinance. This Ordinance is intended to be in compliance with Michigan’s Local Historic District Act, Act 169 of the Public Acts of 1970, of the State of Michigan, as amended, see MCLA sec. 399.201, et seq.

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01.00.00 ARTICLE I SHORT TITLE

This Ordinance shall be known and may be cited as the Historic District Ordinance.

02.00.00 ARTICLE II PURPOSE

The purpose of this Ordinance is to:

- (a) Safeguard the heritage of the Township by preserving one or more historic districts in the Township that reflect elements of the Township's history, architecture, archaeology, engineering, or culture.
- (b) Stabilize and improve property values in each district and the surrounding areas.
- (c) Foster civic beauty.
- (d) Strengthen the local economy.
- (e) Promote the use of historic districts for the education, pleasure, and welfare of the citizens of the Township and of the State.

03.00.00 ARTICLE III DEFINITIONS

"Alteration" means work that changes the detail of a resource but does not change its basic size or shape.

"Center" or "Historical Center" means the Michigan Historical Center, (formerly known as the Bureau of History).

"Certificate of appropriateness" means the written approval of a permit application for work that is appropriate and that does not adversely affect a resource.

"Commission" refers to the Oakland Township Historic District Commission, as created by the Township Board of Trustees pursuant to Article VII.

"Committee" means a historic district study committee appointed by the Township Board of Trustees pursuant to Article V.

"Demolition" means the razing or destruction, whether entirely or in part, of a resource and includes, but is not limited to, demolition by neglect.

"Demolition by neglect" means neglect in maintaining, repairing, or securing a resource that results in deterioration of an exterior feature of the resource or the loss of structural integrity of the resource.

"Denial" means the written rejection of a permit application for work that is inappropriate and that adversely affects a resource.

"Historic district" means an area, or group of areas not necessarily having contiguous boundaries, that contains one resource or a group of resources that are related by history, architecture, archaeology, engineering, or culture, created by the Township for the purposes of this Ordinance and designated in Article IV.

"Historic District Permit" means a permit issued by the Township Clerk's Office, following the Commission's issuance of a Certificate of Appropriateness or a Notice to Proceed, which allows for construction and/or alteration to be made upon a structure regulated by this ordinance as provided in Article VI of this ordinance.

"Historic preservation" means the identification, evaluation, establishment, and protection of resources significant in history, architecture, archaeology, engineering, or culture.

"Historic resource" means a publicly or privately owned building, structure, site, object, feature, or open space that is significant in the history, architecture, archaeology, engineering, or culture of this state or a community within this state, or of the United States.

"Notice to proceed" means the written permission to issue a permit for work that is inappropriate and that adversely affects a resource, pursuant to a finding under sections 06.04.00 – 06.04.04.

"Open space" means undeveloped land, a naturally landscaped area, or a formal or man-made landscaped area that provides a connective link or a buffer between other resources.

"Ordinary maintenance" means keeping a resource unimpaired and in good condition through ongoing minor intervention, undertaken from time to time, in its exterior condition. Ordinary maintenance does not change the external appearance of the resource except through the elimination of the usual and expected effects of weathering. Ordinary maintenance does not constitute work for purposes of this Ordinance.

"Person" shall include any individual, partnership, firm, association, corporation, organization, institution, or agency of government.

"Proposed historic district" means an area, or group of areas not necessarily having contiguous boundaries, that has delineated boundaries and that is under review by a committee or a standing committee for the purpose of making a recommendation as to whether it should be established as a historic district or added to an established historic district.

"Repair" means to restore a decayed or damaged resource to a good or sound condition by any process. A repair that changes the external appearance of a resource constitutes work for purposes of this Ordinance. Ordinary Maintenance shall not constitute a "repair" as used in this ordinance. Repair does not constitute ordinary maintenance.

"Resource" means one or more publicly or privately owned historic or nonhistoric buildings, structures, sites, objects, features, or open spaces located within a historic district.

"Standing committee" means a permanent body established by the Township Board of Trustees pursuant to Article V to conduct the activities of a historic district study committee on a continuing basis.

"Work" means construction, addition, alteration, repair, moving, excavation, or demolition.

04.00.00. ARTICLE IV ESTABLISHMENT OF HISTORIC DISTRICTS

There are hereby created historic districts, which includes historic homesites and historic landmarks previously designated and now referred to as historic districts, which shall include the following:

- 04.01.01 The Cranberry Lake Farm Historic District, which shall include the area described in Appendix 1.
- 04.01.02 The Goodison Historic District, which shall include the area described in Appendix 2.
- 04.01.03 The Kading-Sauer Historic District, which shall include the area described in Appendix 3.
- 04.01.04 The Smith-Kulow-Glass Historic District, which shall include the area described in Appendix 4.
- 04.01.05 The Dernberger – Campbell Corners Historic District, which shall include the area described in Appendix 5.
- 04.01.06 The Woodbeck – Noble Historic District, which shall include the area described in Appendix 6.
- 04.01.07 The Kline - Middleton Historic District, which shall include the area described in Appendix 7.
- 04.01.08 The Bowlby – Matheys Historic District, which shall include the area described in Appendix 8.
- 04.01.09 The Braid Farm Historic District, which shall include the area described in Appendix 9.
- 04.01.10 The Lacy – Landon Historic District, which shall include the area described in Appendix 10.
- 04.01.11 The Hixson-Berean Historic District, which shall include the area described in Appendix 11.
- 04.01.12 The Anderson Farm Historic District, which shall include the area described in Appendix 12.
- 04.01.13 The Axford – Chamberlin Historic District, which shall include the area described in Appendix 13.
- 04.01.14 The Chamberlin Farm Historic District, which shall include the area described in Appendix 14.

- 04.01.15 The Parks-Newberry Historic District, which shall include the area described in Appendix 15.
- 04.01.16 The Hadden Historic District, which shall include the area described in Appendix 16.
- 04.01.17 The Redfield-Davis-Harmon Historic District, which shall include the area described in Appendix 17.
- 04.01.18 The Axford-Thomas Historic District, which shall include the area described in Appendix 18.
- 04.01.19 The Taylor Historic District, which shall include the area described in Appendix 19.
- 04.01.20 The Cole-Major-Carpenter Historic District, which shall include the area described in Appendix 20.
- 04.01.21 The Fink Historic District, which shall include the area described in Appendix 21.
- 04.01.22 The Pike Historic District, which shall include the area described in Appendix 22.
- 04.01.23 The Wilber Historic District, which shall include the area described in Appendix 23.
- 04.01.24 The Fosdick-Pine Row Farm Historic District, which shall include the area described in Appendix 24.
- 04.01.25 The Bromley-Synder-Veen Historic District, which shall include the area described in Appendix 25.
- 04.01.26 The Chamberlin SW Historic District, which shall include the area described in Appendix 26.
- 04.01.27 ~~The Freer Historic District, which shall include the area described in Appendix 27.~~ **Removed in 2005.**
- 04.01.28 The Kremer Historic District, which shall include the area described in Appendix 28.
- 04.01.29 ~~The Van Saw Historic District, which shall include the area described in Appendix 29.~~ **Removed on Date January 4, 2006.**
- 04.01.30 The Kline Presbyterian Cemetery Historic District, which shall include the area described in Appendix 30.
- 04.01.31 The Dewey Historic District, which shall include the area described in Appendix 31.
- 04.01.32 The Paint Creek Cemetery Historic District, which shall include the area described in Appendix 32.
- 04.01.33 The Perry Historic District, which shall include the area described in Appendix 33.
- 04.01.34 The Bigler Cemetery Historic District, which shall include the area described in Appendix 34.
- 04.01.35 The Schuette Oak Tree Historic District, which shall include the area described in Appendix 35.
- 04.01.36 The George Farmstead Historic District, which shall include the area described

in Appendix 36.

- 05.00.00 ARTICLE V HISTORIC DISTRICTS; ESTABLISHMENT; STUDY COMMITTEE; DUTIES; PUBLIC HEARING; NOTICE; ACTIONS; AVAILABILITY OF WRITINGS TO PUBLIC; LOCAL UNITS; ESTABLISHING, MODIFYING, OR ELIMINATING HISTORIC DISTRICTS; STUDY COMMITTEE; CONSIDERATIONS; REVIEW OF APPLICATIONS WITHIN PROPOSED HISTORIC DISTRICT; EMERGENCY MORATORIUM
- 05.01.00 The Township Board of Trustees may, by ordinance, establish one or more historic districts. The historic districts shall be administered by the Historic District Commission established pursuant to Article VII. The Township Board of Trustees shall also appoint a standing committee to be known as the Historic District Study Committee. The committee shall contain a majority of persons who have a clearly demonstrated interest in or knowledge of historic preservation, and shall contain representation from 1 or more duly organized local historic preservation organizations. The Historic District Study Committee shall be comprised of at least five (5) individuals, including at least two individuals who are owners of a historic resource and at least two (2), but not more than three (3), who are members of the Historic District Commission. The committee shall do all of the following:
- 05.01.01 Conduct a photographic inventory of resources within each proposed historic district following procedures established or approved by the Historical Center.
- 05.01.02 Conduct basic research of each proposed historic district and the historic resources located within that district.
- 05.01.03 Determine the total number of historic and non-historic resources within a proposed historic district and the percentage of historic resources of that total. In evaluating the significance of historic resources, the committee shall be guided by the selection criteria for evaluation issued by the United States Secretary of the Interior for inclusion of resources in the National Register of Historic Places, as set forth in 36 C.F.R. part 60, and criteria established or approved by the Historical Center, if any.
- 05.01.04 Prepare a preliminary historic district study committee report that addresses at a minimum all of the following:
- (i) The charge of the committee.
 - (ii) The composition of the committee membership.
 - (iii) The historic district or districts studied.

- (iv) The boundaries for each proposed historic district in writing and on maps.
 - (v) The history of each proposed historic district.
 - (vi) The significance of each district as a whole, as well as a sufficient number of its individual resources to fully represent the variety of resources found within the district, relative to the evaluation criteria.
- 05.01.05 Transmit copies of the preliminary report for review and recommendations to the Township Planning Commission, to the Historical Center, to the Michigan Historical Commission, and to the State Historic Preservation Review Board.
- 05.01.06 Make copies of the preliminary report available to the public pursuant to Section 05.04.00.
- 05.02.00 Not less than 60 calendar days after the transmittal of the preliminary report, the committee shall hold a public hearing in compliance with Act No. 267 of the Public Acts of 1976, as amended, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the hearing shall be given in the manner required by Act No. 267 of the Public Acts of 1976, as amended. Written notice shall be mailed by first-class mail not less than 14 calendar days before the hearing to the owners of properties within the proposed historic district, as listed on the tax rolls of the Township.
- 05.03.00 After the date of the public hearing, the committee and the Township Board of Trustees shall have not more than 1 year, unless otherwise authorized by the Township Board of Trustees, to take the following actions:
- 05.03.01 The committee shall prepare and submit a final report with its recommendations and the recommendations, if any, of the Township Planning Commission, to the Township Board of Trustees. If the recommendation is to establish a historic district or districts, the final report shall include a draft of a proposed ordinance or ordinances.
- 05.03.02 After receiving a final report that recommends the establishment of a historic district or districts, the Township Board of Trustees, at its discretion, may introduce and pass or reject an ordinance or ordinances. If the Board of Trustees passes an ordinance or ordinances establishing 1 or more historic districts, the Board of Trustees shall file a copy of that ordinance or those ordinances, including a legal description of the property or properties located within the historic district or districts, with the register of deeds. The Board of Trustees shall not pass an ordinance establishing a contiguous historic district less than 60 days after a simple majority of the property owners within the proposed historic district, as listed on the tax rolls of the Township, have approved the

establishment of the historic district by a written petition.

- 05.04.00 A writing prepared, owned, used, in the possession of, or retained by the Historic District Study Committee in the performance of an official function shall be made available to the public in compliance with Act No. 442 of the Public Acts of 1976, as amended, being sections 15.231 to 15.246 of the Michigan Compiled Laws.
- 05.05.00 The Board of Trustees may at any time establish by ordinance additional historic districts, including proposed districts previously considered and rejected, may modify boundaries of an existing historic district, or may eliminate an existing historic district. Before establishing, modifying, or eliminating a historic district, the Historic District Study Committee appointed by the Township Board of Trustees shall, except as provided in Section 05.06.00, comply with the procedures set forth in Sections 05.01.00-05.04.00 and shall consider any previously written committee reports pertinent to the proposed action.
- 05.06.00 If considering elimination of a historic district, a committee shall follow the procedures set forth in Section 05.01.00-05.04.00 for issuing a preliminary report, holding a public hearing, and issuing a final report but with the intent of showing 1 or more of the following:
- (i) The historic district has lost those physical characteristics that enabled establishment of the district.
 - (ii) The historic district was not significant in the way previously defined.
 - (iii) The historic district was established pursuant to defective procedures.
- 05.07.00 Upon receipt of substantial evidence showing the presence of historic, architectural, archaeological, engineering, or cultural significance of a proposed historic district, the Township Board of Trustees may, at its discretion, adopt a resolution requiring that all applications for building permits within a proposed historic district be referred to the Commission as prescribed in Article VI. The Commission shall review building permit applications with the same powers that would apply if the proposed historic district was an established historic district. The review may continue in the proposed historic district for not more than 1 year, or until such time as the Board of Trustees approves or rejects the establishment of the historic district by ordinance, whichever occurs first.
- 05.08.00 If the Township Board of Trustees determines that pending work will cause irreparable harm to resources located within an established historic district or a proposed historic district, the Board of Trustees may by resolution declare an emergency moratorium of all such work for a period not to exceed 6 months. The Board of Trustees may extend the emergency moratorium for an additional

period not to exceed 6 months upon finding that the threat of irreparable harm to resources is still present. Any pending building permit application concerning a resource subject to an emergency moratorium may be summarily denied.

06.00.00 ARTICLE VIREGULATION OF STRUCTURES; APPLICATION PROCEDURE

No person shall construct, alter, repair, move or demolish any resource within a historic district without first making application for and receiving a Historic District Permit therefore from the Township Clerk as set forth herein.

06.01.00 Work Without Permit. When work has been done upon a resource without a Historic District Permit, and the Commission finds that the work does not qualify for a Certificate of Appropriateness, the Commission may require an owner to restore the resource to the condition of the resource prior to the inappropriate work or to modify the work so that it qualifies for a Certificate of Appropriateness. If the owner does not comply with the restoration or modification requirement within a reasonable time, the Commission may, in addition to other penalties as provided in this ordinance, seek an order from the circuit court to require the owner to restore the resource to its former condition or to modify the work so that it qualifies for a Certificate of Appropriateness. If the owner does not comply or cannot comply with the order of the court, the Commission or its agents may enter the property and conduct work necessary to restore the resource to its former condition or modify the work so that it qualifies for a Certificate of Appropriateness in accordance with the court's order. The cost of the work shall be charged to the owner, and may be levied by the local unit as a special assessment against the property. When acting pursuant to an order of the circuit court, the Commission or its agents may enter a property for purposes of this section.

06.02.00 Application. Applications for a Historic District Permit to construct, alter, repair, move or demolish any resource within a historic district shall be delivered to the Township Clerk or designated agent, to be forwarded to the Commission for review and consideration. The Township Clerk shall upon receipt of a complete application, notify the Commission within seven (7) calendar days and transmit such application and plans thereto for review. No fee shall be collected by the Commission for any application required hereunder. Only one-half (1/2) of such building permit fee, if a building permit should be required, shall be collected by the Township, pursuant to its published and adopted schedule of fees incidental to such construction activities. In the event an application is denied by the Commission, the application fee will be returned. The balance of the building permit fee shall be paid prior to the issuance of the Historic District Permit.

- 06.03.00 Commission Review. The Commission, if it approves an application for a Historic District Permit, shall file a Certificate of Appropriateness or a Notice to Proceed with the Township Clerk and the inspector of buildings or other delegated authority. A Historic District Permit shall not be issued until the Commission has issued a Notice to Proceed or a Certificate of Appropriateness as prescribed by this Ordinance. If the Commission denies a Historic District Permit application, the decision shall be binding on the Township Clerk and the building inspector or other authority. A denial shall be accompanied with a written explanation by the Commission of the reasons for denial and, if appropriate, a notice that an application may be resubmitted for Commission review when suggested changes have been made. The denial shall also include notification of the applicant's rights of appeal to the State Historic Preservation Review Board and to the Circuit Court.
- 06.04.00 Standards for Review. In reviewing plans, the Commission shall follow the U.S. Secretary of the Interior's Standards for Rehabilitation and guidelines for rehabilitating historic buildings, as set forth in 36 C.F.R. part 67. The Commission shall also consider all of the following:
- 06.04.01 The historic or architectural value and significance of the resource and its relationship to the historic value of the surrounding area.
- 06.04.02 The relationship of any architectural features of the resource to the rest of the resource and to the surrounding area.
- 06.04.03 The general compatibility of the design, arrangement, texture, and materials proposed to be used.
- 06.04.04 Other factors, such as aesthetic value, that the Commission finds relevant.
- 06.05.00 Interior Alterations. The Commission shall review and act upon only exterior features of a resource and shall not review and act upon interior arrangements unless specifically authorized to do so by the Township Board of Trustees or unless interior work will cause visible change to the exterior of the resource. The Commission shall not disapprove an application due to considerations not prescribed in 06.04.00-06.04.04, except as set forth in 06.07.00-06.07.04.
- 06.06.00 Failure to Act. The failure of the Commission to act within sixty (60) calendar days after the date a complete application submitted in full compliance with Township requirements is received and accepted by the Commission shall be considered to constitute approval unless the applicant and the Commission agree upon an extension in writing.

- 06.07.00 Preservation Planning. In case of an application for a Historic District Permit to alter, repair, move or demolish a resource which the Commission deems so valuable to the Township, State or Nation that the loss thereof will adversely affect the public purpose thereof, the Commission shall endeavor to work out with the owner an economically feasible plan for preservation of the resource. In reviewing an application for a Historic District Permit to determine whether to approve a Notice to Proceed, the Commission shall, in addition to the determinations set forth in 06.04.00-06.04.04, determine whether the proposed work can be demonstrated to be necessary to substantially improve or correct any of the following conditions:
- 06.07.01 The resource constitutes a hazard to the safety of the public or to the structure's occupants;
- 06.07.02 The resource is a deterrent to a major improvement program that will be of substantial benefit to the community and the applicant proposing the work has obtained all necessary planning and zoning approvals, financing, and environmental clearances;
- 06.07.03 Retaining the resource will cause undue financial hardship to the owner when a governmental action, act of God, or other events beyond the owner's control created the hardship, and all feasible alternatives to eliminate the financial hardship, which may include offering the resource for sale at its fair market value or moving the resource to a vacant site within the historic district, have been attempted and exhausted by the owner.
- 06.07.04 Retaining the resource is not in the interest of the majority of the community.
- 06.08.00 Permit Required for Work to Proceed. Work within a historic district shall be permitted after the issuance of a Historic District Permit from the Township Clerk and the issuance of all necessary building permits from the Building Department.
- 06.09.00 Appeal. An applicant aggrieved by a decision of the Commission concerning a Historic District Permit application may file an appeal with the State Historic Preservation Review Board. The appeal shall be filed within 60 days after the decision is furnished to the applicant. The applicant may submit all or part of the applicant's evidence in written form. The review board may affirm modify or set aside the Commission's decision and may order the Commission to issue a Certificate of Appropriateness or a Notice to Proceed. A permit applicant aggrieved by the decision of the State Historic Preservation Review Board may appeal the decision to the circuit court.

06.10.00 Design Standards. Design review standards and guidelines that address special design characteristics of historic districts administered by the Commission may be adopted by the Commission if they are equivalent in guidance to the Secretary of Interior Standards and Guidelines and are established or approved by the Historical Center.

07.00.00 ARTICLE VII CREATION OF COMMISSION

07.01.00 Establishment. There is hereby created the Oakland Township Historic District Commission. Each member of the Commission shall reside within the Township, with a majority of the members having a clearly demonstrated interest in or knowledge of historic preservation. The membership of the Commission shall be comprised of seven (7) members, with at least one member from a list of citizens submitted by the Oakland Township Historical Society. The Commission shall also include as a member, if available, a graduate of an accredited school of architecture who has 2 years of architectural experience or who is an architect registered in this state. The Commission shall also include, if available, at least two (2) individuals chosen from among the owners of property regulated by this Ordinance and listed in Article IV hereof.

07.02.00 Appointment. The Township Board of Trustees shall appoint all members. Members shall be appointed for 3-year terms with the initial appointments of some members to be for less than 3 years so that the initial appointments are staggered and that subsequent appointments do not recur at the same time. Members shall be eligible for reappointment. All members shall hold office until their successors are appointed.

07.03.00 Compensation. The members of the Commission shall be paid on a per meeting basis at a rate set by resolution of the Township Board of Trustees.

07.04.00 Vacancies. A vacancy occurring in the membership of the Commission shall be filled by a person appointed by the Township Board of Trustees and shall be made within 60 calendar days of the vacancy. Members may be removed by the Township Board of Trustees for cause upon written charges and after a public hearing.

08.00.00 ARTICLE VIII RULES OF COMMISSION

08.01.00 Public Meetings. The business that the Commission may perform shall be conducted at a public meeting of the Commission held in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of 1976, as amended, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the

time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976, as amended. A meeting agenda shall be part of the notice and shall include a listing of each permit application to be reviewed or considered by the Commission.

08.02.00 Record. The Commission shall keep a record of its resolutions, proceedings, and actions. A writing prepared, owned, used, in the possession of, or retained by the Commission in the performance of an official function shall be made available to the public in compliance with the Freedom of Information Act, Act No. 442 of the Public Acts of 1976, as amended, being sections 15.231 to 15.246 of the Michigan Compiled Laws.

08.03.00 Rules. The Commission shall adopt its own rules of procedure and shall adopt design review standards and guidelines for resource treatment to carry out its duties in accordance with Public Act No. 169.

08.04.00 Delegation of Duties. The Commission may delegate the issuance of Certificates of Appropriateness and/or Notices to Proceed for specified minor classes of work to its staff, to the inspector of buildings, or to another delegated authority. The Commission shall provide to the delegated authority specific written standards for issuing Certificates of Appropriateness and/or Notices to Proceed under this subsection. On at least a quarterly basis, the Commission shall review the Certificates of Appropriateness and/or Notices to Proceed, if any, issued for work by its staff, the inspector, or another authority to determine whether or not the delegated responsibilities should be continued.

09.00.00 ARTICLE IX DUTIES OF COMMISSION

09.01.00 Record Keeping. The Commission shall keep and maintain a copy of the Historic District Study Committee report for each historic district listed in Article IV.

09.02.00 Regulatory. The Commission shall regulate the construction, alteration, repair, moving and demolition of all resources contained in the historic districts, and of all historic resources as listed in Article IV.

09.03.00 Annual Reporting. The Commission shall submit an annual report of its activities to the Township Board of Trustees.

09.04.00 Maintenance. The Commission shall maintain all publicly owned historic resources and landmarks in Oakland Township, from its own funds or funds otherwise made available for the purpose of maintaining historic resources.

10.00.00 ARTICLE X POWERS OF COMMISSION

- 10.01.00 The Commission may recommend to the Township Board of Trustees the adoption of incentive programs to encourage the preservation of historic resources, or to encourage the inclusion of such resources in Article IV.

- 10.02.00 The Commission may recommend to the Township Board of Trustees or other appropriate Township boards or commissions the granting of variances or other relief from building, use or other limitations established by ordinance or other regulations to encourage or ensure preservation of historic resources. It is the intent of this Ordinance to encourage other boards and commissions to favorably consider such variances and other relief.

- 10.03.00 The Commission may recommend to the Township Board of Trustees to accept any grant, loan or aid of any nature from any federal, state or private source for the purpose of historic preservation, including the survey of historic resources, and for the acquisition, restoration or maintenance of historic resources.

- 10.04.00 Upon a finding by the Commission that a historic resource within a historic district or a proposed historic district subject to its review and approval is threatened with demolition by neglect, the Commission may do either of the following:
 - 10.04.01 Require the owner of the resource to repair all conditions contributing to demolition by neglect.

 - 10.04.02 If the owner does not make repairs within a reasonable time, the Commission may, upon fourteen (14) days notice, seek an order to enter the property and make such repairs as are necessary to prevent demolition by neglect. The costs of the work shall be charged to the owner, and may be levied by the local unit as a special assessment against the property. The Commission or its agents may enter the property for purposes of this section upon obtaining an order from the circuit court.

- 10.05.00 When work has been done upon a resource without a Historic District Permit, and the Commission finds that the work does not qualify for a Certificate of Appropriateness, the Commission may recommend issuance of a Municipal Civil Infraction Citation and may require restoration or modification of the work as set forth in section 06.01.00 of this ordinance.

- 10.06.00 The Commission may, within the limitations of its budget, call in experts to assist in the carrying out of its duties.

10.07.00 The Commission may, within the limits of its budget, organize, manage, advertise, and hold events and activities in the Township for the purpose of promoting and educating the public regarding the existence and preservation of historic resources located in the Township, provided the Commissioner obtains advance permission from the person or entity having jurisdiction over or ownership of the property at which the event or activity is to take place and complies with all applicable laws, regulations, and Township ordinances, policies and cash handling and audit requirements in connection with such events and activities. Such events and activities shall not involve fundraising. For purposes of this subsection, the term “fundraising” does not mean, include, or preclude charges or fees to participants that are assessed and applied for purposes of offsetting the costs of holding such events and activities.

10.08.00 The Township Board of Trustees may prescribe powers and duties of the Commission, in addition to those prescribed in this ordinance, that foster historic preservation activities, projects, and programs in the Township.

11.00.00 ARTICLE XI APPEAL

11.01.00 Appeals. Any citizen or duly organized historic preservation organization in the Township, as well as resource property owners, jointly or severally aggrieved by a decision of the Commission, may appeal the decision to the circuit court, except that a permit applicant aggrieved by a decision rendered under Article VI may not appeal to the court without first exhausting the right to appeal to the State Historic Preservation Review Board under Article VI, section 06.09.00.

12.00.00 ARTICLE XII MISCELLANEOUS

12.01.00 Ordinary Maintenance. Nothing in this Ordinance shall be construed to prevent ordinary maintenance or repair of a resource within an historic district.

12.02.00 Inspection. The Township Clerk or designated agent shall, subsequent to the issuance of a Historic District Permit hereunder, inspect the construction or alteration approved therein, and shall take such action as is necessary to effect compliance with the permit.

12.03.00 Enforcement. The Township Clerk shall be charged with enforcement of the provisions of this Ordinance. Violations shall be processed through the Township attorney by Municipal Civil Infraction Complaint. The Commission may also request that the Township attorney proceed to have enjoined any violation of this Ordinance or violation of any decision of the Commission.

12.04.00 Penalties. Any person who violates any of the provisions of this Ordinance

shall be responsible for a Municipal Civil Infraction and may be fined not more than \$5,000.00.

A person that violates any of the provisions of this Ordinance may, in addition to any fine assessed for a violation, be ordered by the court to pay the costs to restore or replicate a resource unlawfully constructed, added to, altered, repaired, moved, excavated, or demolished.

12.05.00 Budget. There shall be appropriated in the annual budget of the Township a sum of money that may be expended by the Commission in furtherance of its powers and duties hereunder.

12.06.00 Severability. It is hereby declared to be the legislative intent of the Township Board of Trustees that the various provisions, subsections and sentences of this Ordinance are severable. If any court declares any such portion invalid, such finding shall not affect or invalidate any other portion of this Ordinance.

12.07.00 Amendment. The Township Board of Trustees reserves the right to hereafter amend this Ordinance in whole or in part or to repeal the same.

12.08.00 Repeal. All other ordinances or portions thereof inconsistent with any portion of this Ordinance are, to the extent of such inconsistency, hereby repealed.

12.09.00 Effective Date. The provisions of this Ordinance shall take effect after thirty (30) days have elapsed after the publication of this Ordinance.

I, Lisa Platz, Oakland Township Clerk, do hereby certify that the foregoing is a true and complete copy of the Oakland Township Historic District Ordinance Number 37 adopted by the Oakland Township Board at a regular meeting held on _____, 2001.

Lisa Platz, Oakland Township Clerk

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APPENDIX 1

Cranberry Lake Farm Historic District
384-388 West Predmore Road, legally described as:

A parcel of land located in and being a part of the southeast $\frac{1}{4}$ of section 3, T.4N., R.11E., Oakland Township, Oakland County, Michigan, being described as follows: Commencing at the south $\frac{1}{4}$ corner of section 3, thence N88 degrees 21' 45'' E 378.61' along the south line of section 3 to the point of beginning. Thence N02 degrees 29' 34'' W 800.09'; thence N88 degrees 21' 45'' E 907.08'; thence S02 degrees 29' 34'' E 800.09'; thence S 88 degrees 21' 45'' W 907.08' along the south line of section 3 to the point of beginning.

APPENDIX 2

Goodison Historic District

I.

Wangelian Thrush House

4450 Collins Road, legally described as:

T4N, R11E, SEC 28 Supervisor's plat No 1, Lot 27

II.

Paint Creek United Methodist Church

4420 Collins Rd., legally described as:

T4N, R11E, SEC 28 SUPERVISOR'S PLAT NO 1, LOT 28 – and -
T4N, R11E, SEC 28 SUPERVISOR'S PLAT NO 1, LOT 28, ALSO ALL OF LOTS 92
TO 98, INCL OF 'GRAMPIAN HILLS SUB'.

III.

Kline Falls House

4511 Collins Road, legally described as:

T4N, R11E, SEC 28 Supervisor's plat No 1, Lot 36, except that part taken for Orion Rd.
described as BEG AT NW COR, TH S 32-11-55 E 54.75 FT, TH N 60-29-40 W 35 FT,
TH N 02-32-00 E 29.12 FT TO BEG.

APPENDIX 3

Kading-Sauer District
1674 East Romeo Road, legally described as:

T4N, R11E, Sec 1 PART OF W ½ of NE ¼ BEG AT PT
DIST N 89-27-00 W 1334.35 FT FROM NE SEC COR, TH
S 00-23-30 W 1748.19 FT, TH N 89-27-00 W 498.30 FT,
TH N 00-23-30 E 1748.19 FT, TH S 89-27-00 E 498.30 FT
TO BEG

APPENDIX 4

Smith-Kulow-Glass Historic District
68777 Dequindre Road, legally described as:

T4N, R11E, SEC 1 PART OF NE FRC ¼ BEG AT PT DIST S
544.45 FT FROM NE SEC COR, TH N 88-29-20 W 494.44
FT, TH S 00-26-40 W 251.04 FT, TH S 88-22-00 E 496.55
FT, TH N 252.47 FT TO BEG

APPENDIX 5

Dernberger – Campbell Corners Historic District
180 Rochester Road, legally described as:

T4N, R11E, SEC 2 SUPERVISOR'S PLAT OF GEORGE
PIERCE'S REPLAT PART OF LOT 1 BEG AT PT DIST N 89-
39-50 W 215 FT FROM SE LOT COR, TH N 89-39-50 W 31
FT, TH N 02-30-10 E 240 FT, TH N 89-39-50 W 87.37 FT,
TH N 00-43-00 E 508.20 FT, TH S 88-57-10 E 35 FT, TH S
00-43-00 W 354 FT, TH S 88-57-10 E 290.89 FT, TH S 00-
43-00 W 238 FT, TH N 89-39-50 W 215 FT, TH S 00-43-00
W 152 FT TO BEG

APPENDIX 6

Woodbeck – Noble Historic District
320 East Romeo Road, legally described as:

T4N, R11E, SEC 2 PART OF NE FRC ¼ BEG AT N ¼ COR,
TH S 89-58-19 E 165.00 FT, TH S 00-39-00 W 348.00 FT,
TH N 89-58-19 W 165.00 FT, TH N 00-39-00 E 348.00 FT
TO BEG

APPENDIX 7
Kline - Middleton Historic District

Kline – Middleton Historic District
1600 West Predmore, legally described as:

T4N, R11E, SEC 4 PART OF SW ¼ BEG AT PT DIST S 03-00-00 W 349.10 FT & S 73-00-00 W 497.84 FT FROM CEN OF SEC, TH S 73-00-00 W 234.80 FT, TH N 02-45-00 W 612.12 FT, TH S 86-33-20 E 228.93 FT, TH S 02-45-00 E 529.67 FT TO BEG

APPENDIX 8

Bowlby – Matheys Historic District
2751 West Predmore, legally described as:

T4N, R11E, SEC 8 PART OF NE $\frac{1}{4}$ OF NW $\frac{1}{4}$ BEG AT NW
COR OF SD NE $\frac{1}{4}$ OF NW $\frac{1}{4}$, TH E 132 FT, TH S 330FT, TH
W 132 FT, TH N 330 FT TO BEG

APPENDIX 9

Braid Farm Historic District
2610 Stoney Creek Road, legally described as:

T4N, R11E, SEC 8 PART OF NW ¼ BEG AT PT DIST N 89-57-00 E 2022.78 FT FROM W ¼ COR, TH N 89-57-00 E 330 FT, TH N 00-03-00 W 1345.95 FT, TH N 89-46-30 W 330.01 FT, TH S 00-03-00 E 1347.53 FT TO BEG

APPENDIX 10

Lacy – Landon Historic District
1080 Lake George Road, legally described as:

T4N, R11E, SEC 8 NE ¼ OF NE ¼ EXC BEG AT PT DIST S
00-25-03 W 676.21 FT FROM NE SEC COR, TH S 00-25-03
W 655.57 FT, TH S 89-59-54 W 1343.81 FT, TH N 00-41-27
E 655.59 FT, TH N 89-59-54 E 1340.69 FT TO BEG, ALSO
EXL BEG AT PT DIST N 89-38-32 017.38 FT FROM NE
SEC COR, TH S 18-42-54 W 343.99 FT, TH N 89-38-32 W
213.56 FT, TH N 00-41-27 E 326.49 FT, TH S 89-38-32 E
320 FT TO BEG

APPENDIX 11

Hixson-Berean Historic District
1325 N. Rochester Road, legally described as:

T4N, R11E, SEC 11 PART OF NW ¼ BEG AT PT DIST S
1647.19 FT FROM NW SEC COR, TH N 88-13-14 E 795.46
FT, TH N 00-03-28 W 220.31 FT, TH N 88-13-14 E 226.23
FT, TH S 00-04-01 W 407.77 FT, TH S 87-36-21 W 1011.38
FT, TH N 59.95 FT, TH S 87-36-21 W 10.01 FT, TH N 138.45
FT TO BEG

APPENDIX 12

Anderson Farm Historic District
575 Letts Road, legally described as:

T4N, R11E, SEC 11 PART OF E ½ OF SEC BEG AT PT
DIST S 00-10-05 E 3283.60 FT & S 88-50-30 E 332.50 FT
FROM N ¼ COR, TH N 00-15-27 W 680.62 FT, TH S 88-50-
30 E 160.00 FT, TH S 00-15-27 E 680.62 FT, TH N 88-50-30
W 160.00 FT TO BEG

APPENDIX 13

Axford – Chamberlin Historic District
811 Letts Road, legally described as:

T4N, R11E, SEC 11 PART OF E ½ OF SE ¼ BEG AT PT
DIST S 88-57-00 W 577.22 FT FROM E ¼ COR, TH S 88-
57-00 W 33.85 FT, TH N 00-00-22 W 28.00 FT, TH S 89-54-
38 W 266.07 FT, TH S 00-06-00 E 608.52 FT, TH S 88-24-30
E 300.00 FT, TH N 00-06-00 W 589.89 FT TO BEG

APPENDIX 14

Chamberlin Farm Historic District
Parcel ID 10-12-300-005
1585 Rush Road, legally described as:

T4N, R11E, SEC 12 PART OF SW $\frac{1}{4}$ BEG AT W $\frac{1}{4}$ COR, TH
S 660.FT, TH S 88-55-03 E, 660.78 FT, TH N 660.00 FT., TH
N. 88-55-03 W 660.78 FT TO BEG.

APPENDIX 15

Parks-Newberry Historic District
1851 Parks Road, legally described as:

T4N, R11E, SEC 12 PART OF SE ¼ BEG AT PT DIST N 88-15-32 W 655.50 FT FROM SE SEC COR, TH N 88-15-32 W 325 FT, TH N 00-50-56 E 590.60 FT, TH S 88-15-32 E 325FT, TH S 00-50-56 W 590.60 FT TO BEG

APPENDIX 16

Hadden Historic District
3000 Hixon Road, legally described as:

T4N, R11E, SEC 13 PART OF SW ¼ BEG AT PT DIST N
00-05-30 E 660.00 FT FROM S ¼ COR, TH N 00-08-10 E
200.00 FT, TH N 89-49-51 W 556.60 FT, TH S 59-03-55 W
381.64 FT, TH S 89-49-51 E 883.48 FT TO BEG

APPENDIX 17

Redfield-Davis-Harmon Historic District
2914 Stoney Creek Road, legally described as:

T4N, R11E, SEC 18, PART OF NW ¼ BEG AT PT. DIST. E
306.14 FT FROM W ¼ COR, TH N 00-44-00 E 426.86 FT,
TH E 213.61 FT, TH. S 00-44-00 W 426.86 FT, TH W 213.61
FT TO BEG

APPENDIX 18

Axford-Thomas Historic District
2725 East Clarkston Road, legally described as:

T4N, R11E, SEC 17 PART OF NE ¼ OF NW ¼ BEG AT PT
DIST N 89-59-00 E 1495.15 FT FROM NW SEC COR, TH N
89-59-00 E 150 FT, TH S 00-01-00 E 290.40 FT, TH S 89-
59-00 W 150 FT, TH N 00-01-00 W 290.40 FT TO BEG.

APPENDIX 19

Taylor Historic District
487 East Gunn Road, legally described as:

T4N, R11E, SEC 23 PART OF SW ¼ BEG AT S ¼ COR, TH
S 88-03-00 W 215 FT, TH N 00-08-00 W 400 FT, TH N 88-
03-00 E 212.49 FT, TH S 00-29-33 E 399.93 FT TO BEG

APPENDIX 20

Cole-Major-Carpenter Historic District
3341 Hadden Road, legally described as:

T4N, R11E, SEC 24 PART OF W ½ OF NW ¼ BEG AT PT
DIST N 00-41-50 E 590 FT FROM W ¼ COR, TH N 00-41-50
E 600 FT, TH S 88-13-40 E 726.20 FT, TH S 00-41-50 W
600 FT, TH N 88-13-40 W 726.20 FT TO BEG

APPENDIX 21

Fink Historic District
1731 East Gunn Road, legally described as:

T4N, R11E , SEC 24 E 165 FT OF S 264 FT OF SW ¼ OF
NE ¼

APPENDIX 22

Pike Historic District
2250 East Gunn Road, legally described as:

T4N, R11E, SEC 24 PART OF SE ¼ OF SE ¼ BEG AT PT
DIST N 01-44-55 E 403.12 FT FROM SE SEC COR, TH S
89-52-50 W 432.88 FT, TH N 25-40-30 E 384.32 FT, TH N
85-05-00 E 223.54 FT, TH S 34-19-00 E 93.00 FT, TH S 01-
44-55 W 287.95 FT TO BEG

APPENDIX 23

Wilber Historic District
880 East Snell Road, legally described as:

T4N, R11E, SEC 26 PART OF NE ¼ OF SE ¼ BEG AT PT
DIST W 89-13-00 W 335.55 FT FROM E ¼ COR, TH S 00-
43-57 E 352.83 FT, TH S 45-46-59 W 113.47 FT, TH N 89-
13-00 W 229.64 FT, TH N 00-43-57 W 433.09 FT, TH S 89-
13-00 E 312 FT TO BEG

APPENDIX 24

Fosdick-Pine Row Farm Historic District
521 West Snell Road, legally described as:

T4N, R11E, SEC 27 PART OF S ½ OF SEC BEG AT PT
DIST S 83-28-00 W 2801.10 FT FRM E ¼ COR, TH S 08-
38-00 E 684.79 FT, TH S 84-04-29 W 709.56 FT, TH N 01-
13-26 W 679.61 FT, TH N 83-28-00 E 621.54 FT TO BEG
EXC THAT PART IN PARCEL DESC AS BEG AT PT DIST
S 85-16-00 W 3303.57 FT FROM E ¼ COR, TH S 04-44-
00 E 293.80 FT, TH S 85-16-00 W 146.41 FT, TH N 00-34-
35 E 177.31 FT, TH N 12-00-00 W 28.20 FT, TH N 04-56-
10 W 89.28 FT, TH N 85-16-00 E 133.88 TO BEG

APPENDIX 25

Bromley-Synder-Veen Historic District
1160 Silver Bell Road, legally described as:

T4N, R11E, SEC 28 PART OF SE ¼ BEG AT PT DIST N 87-50-06 W 738.52 FT FROM SE SEC COR, TH N 87-50-06 W 331.71 FT, TH N 02-54-54 E 726 FT, TH N 87-50-06 W 300 FT, TH N 02-54-54 E 494.67 FT, TH N 62-37-54 E 227.11 FT, TH N 21-44-18 E 87.04 FT, TH N 79-33-50 E 205.06 FT, TH ALG CURVE TO RIGHT, RAD 2006.06 FT. CHORD BEARS S 08-39-31 E 709.26 FT, DIST OF 713.01 FT, TH S 02-00-32 E 764.65 FT TO BEG

APPENDIX 26

Chamberlin SW Historic District
3950 Dutton Road, legally described as:

T4N, R11E, SEC 31 PART OF W ½ OF SW ¼ BEG AT PT
DIST E 200 FT FROM SW SEC COR, TH N 00-33-25 E
700.00 FT, TH E 667.47 FT, TH S 00-15-25 W 699.97 FT,
TH W 671.13 FT TO BEG.

APPENDIX 27

Freer Historic District
1145 Silver Bell Road, legally described as:

T4N, R11E, SEC 33 PART OF NE ¼ OF NE ¼ BEG AT
PT DIST N 89-59-38 W 786.05 FT & S 04-08-21 E 37.84
FT FROM NE SEC COR, TH S 04-08-21 E 131.13 FT, TH
N 81-34-24 W. 254.95 FT, TH N 00-01-00 E. 104.84 FT.
TO CEN LI OF SILVER BELL RD, TH S 87-28-50 E.
243.00 FT. TO BEG.

Removed 2005.

APPENDIX 28

Kremer Historic District
1480 Dutton Road, legally described as:

T4N, R11E, SEC 33 PART OF SE ¼ BEG AT S ¼ COR,
TH E 220 FT, TH N 04-57-00 W 363.22 FT, TH S 89-16-00
W 208.96 FT, TH S 03-14-00 E. 359.77 FT TO BEG

APPENDIX 29

Van Saw Historic District
5410 Rochester Road, legally described as:

T4N, R11E, SEC 34 & 35 PART OF NE ¼ OF SEC 35 ALL
DESC AS BEG AT PT DIST S 00-03-34 E 1995.71 FT
FROM NE COR OF SEC 34, TH N 87-15-39 E 134.62 FT,
TH S 16-48-26 E 145.35 FT, TH ALG CURVE TO RIGHT,
RAD 1143.02 FT, CHORD BEARS S 08-02-14 E 354.30
FT, DIST OF 355.73 FT TH S 00-58-00 W 80.55 FT, TH S
82-38-32 W 1620.57 FT, TH N 00-58-04 W 704.99 FT, TH
N 87-15-39 E 1396.08 FT TO BEG

Van Saw Historic District was removed from the local Ordinance 37-A.
On January 4, 2006 Application 2006-290 was filed by Jerry Hudson,
Trustee for the estate of Mildred Van Saw Revocable Living Trust. A
public hearing was held on June 22, 2006. The request to demolish two
outbuildings ca.1960 (non contributing) and the home with modifications
was approved by the Oakland Township Board of Trustees on May 22,
2007.

APPENDIX 30

Kline Presbyterian Cemetery Historic District
Rochester and Stoney Creek Roads, legally described as:

T4N, R11E, SEC 15 PART OF NE ¼ OF NE ¼ BEG AT PT
DIST S 341 FT FROM NE SEC COR, TH W 165 FT, TH S
160 FT, TH E 165 FT, TH N 160 FT TO BEG.

APPENDIX 31

Dewey Historic District

Stone with plaque located at 2787 Orion Road, legally described as:

T4N, R11E, SEC 18 PART OF SE ¼ BEG AT PT DIST N 89-30-00 W 947 FT & S 258 FT FROM E ¼ COR, TH S 1559.46 FT, TH ALG CURVE TO RIGHT, RAD 3289.08 FT, CHORD BEARS N 45-58-30 W 442.96 FT, DIST OF 443 FT, TH N 42-06-50 W 452 FT, TH N 41-11-20 W 675.08 FT, TH N 48-43-00 E 627.12 FT, TH S 89-30-00 E 595.81 FT TO BEG.

APPENDIX 32

Paint Creek Cemetery Historic District
Orion Road, north of Gunn Road, legally described as:

T4N, R11E, SEC. 20 SUPERVISOR'S PLAT NO 2 LOT 1
AND
T4N, R11E, SEC 20 SUPERVISOR'S PLAT NO 2 LOT 2

APPENDIX 33

Perry Historic District

1877 Oliver Perry Stone marker located on 2150 Silverbell Road, legally described as:

T4N, R11E, SEC 29 W ½ OF E ½ OF SE ¼, ALSO E 25
ACRES OF W ½ OF SE ¼, also E 25 ACRES OF W ½ OF
SE ¼

APPENDIX 34

Bigler Cemetery Historic District
Kern and Gunn Roads, SW corner, legally described as:

T4N, R11E, SEC 30 N 253 FT OF W 213 FT OF NW 1/4

APPENDIX 35

Schuette Oak Tree Historic District
Southwest corner of Rush and Letts Roads, legally described as:

A 15' X 15' WIDE EASEMENT FOR THE HISTORIC SCHUETTE OAK TREE, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 11, T.4N., R.1E., OAKLAND COUNTY TOWNSHIP, MICHIGAN. THIS TREE IS LOCATED AT THE INTERSECTION OF LETTS RD. AND RUSH RD., UPON EXISTING TAX PARCEL NUMBER 10-11-400-016, AND IS IN THE PROPOSED FUTURE 60' WIDE ONE-HALF RIGHT OF WAY OF RUSH RD. SAID EASEMENT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 11, T.4N., R.1E. THENCE DUE NORTH 1814.33' ALONG THE EAST LINE OF SECTION 11 TO THE SOUTHEAST CORNER OF TAX PARCEL NUMBER 10-11-400-016, THENCE CONTINUING DUE NORTH 258.0' ALONG THE EAST LINE OF SECTION 11 TO THE POINT OF BEGINNING; THENCE DUE WEST 15.0'; THENCE DUE NORTH 15.0'; THENCE DUE EAST 15.0'; THENCE DUE SOUTH 15.0' ALONG THE EAST LINE OF SECTION 11 TO THE POINT OF BEGINNING.

APPENDIX 36

George Farmstead Historic District

North side of Mead Road, one mile east of Rochester Road and, legally described as:

The George Farmstead historic district consists of parcel number 10-35-400-004.

The legal description is T4N, R11E, Section 35, Part of SE ¼ beginning at PT DIST N 88-20-04 W 547.33 FT from SE SEC COR, TH N 88-20-04 W 466.69 FT, TH N 01-39-56 E 466.69 FT, TH S 88-20-04 E 466.69 FT, TH S 01-39-56 W 466.69 FT TO BEG EXC E 120 FT 3.72 A 7-15-91 CORR.

Added February 12, 2013