

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That we Beach Realty Co an Illinois corporation by E.C. Bedal, President and J.W. Bell, Secretary as proprietor, have caused the land embraced in the annexed plat to be surveyed, laid out and platted to be known as "Ojibway Park" and that the streets and alleys as shown on said plat are hereby dedicated to the use of the public.

Signed and sealed in the Presence of T.V. RANWOLF M.V. DEVEREY

Beach Realty Co. E.C. Bedal President E.C. Bedal Secretary J.W. Bell

STATE OF ILLINOIS County of Cook ss.

On this 4th day of MARCH A.D. 1940, before me BOYD WEEKS a Notary Public in and for said county appeared E.C. Bedal and J.W. Bell to me personally known, who being each by me duly sworn did say that they are the President and Secretary respectively of the Beach Realty Co an Illinois Corporation, and that the seal affixed to said instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors and the said E.C. Bedal and J.W. Bell acknowledged said instrument to be the free act and deed of said corporation.

My commission expires APRIL 29th 1942 Notary Public Cook County

DESCRIPTION OF LAND PLATTED

The land embraced in the annexed plat of "Ojibway Park", a portion of Gov. Lots 1, 2 and 3, Section 34 and a portion of Gov. Lot 1, Section 35, Town 19 North, Range 13 West is described as follows: Beginning at a point on the section line between sections 34 and 35, Town 19 North, Range 13 West 1573 feet N 0°47' W of the Quarter Corner common to said sections 34 and 35; thence N 0°47' W 354.9 feet, thence N 78°E 52.1 feet thence N 30°W 200 feet, thence S 67°W 200 feet, thence S 76°19' W 200 feet, thence S 59°09' W 500 feet, thence S 48°58' W 350 feet, thence S 61°58' W 200 feet, thence S 84°18' W 150 feet, thence N 74°42' W 150 feet, thence N 87°43' W 300 feet, thence S 87°07' W 350 feet, thence S 74°28' W 200 feet, thence S 57°59' W 100 feet, thence S 33°45' W 150 feet, thence S 68°35' W 100 feet, thence N 89°17' W 100 feet, thence N 74°36' W 100 feet, thence S 88°34' W 350 feet, thence S 75°34' W 200 feet, thence S 83°24' W 350 feet, thence N 84°36' W 250 feet, thence S 86°23' W 100 feet, thence N 57°57' W 157.1 feet, thence S 3°15' W 546.6 feet, thence N 89°39' E 1013.1 feet, thence N 77°34' E 593.0 feet, thence N 89°34' E 1030.6 feet, thence N 84°47' E 1854.84 feet to the point of beginning.

SURVEYOR'S CERTIFICATE

I hereby certify that the plat hereon delineated is a correct one and that permanent metal monuments consisting of bars not less than one-half inch in diameter and 48 inches in length, or shorter bars of not less than one-half inch in diameter lapped over each other at least 6 inches with an over-all length of not less than 48 inches, encased in a concrete cylinder at least 4 inches in diameter and 48 inches in depth have been placed at points marked thus (O) as thereon shown at all angles in the boundaries of the land platted, at all the intersections of streets and at the intersections of streets with the boundaries of the plat as shown on said plat.

C.E. Herman Registered Land Surveyor

PLAT OF OJIBWAY BEACH PARK

Gov. Lots 1, 2 and 3, Sec. 34 Gov. Lot 1, Sec. 35 TOWN 19 NORTH-RANGE 13 WEST PLAT NAME ALTERED PEACOCK TOWNSHIP LAKE COUNTY MICH (COPY)

Register's Office Lake County, Mich. Plat of Plat of Ojibway Beach, Peacock Township was Recorded this Eighth day of May A.D. 1940 at 2 O'clock P.M. in Volume 8 of Plate on Page H.W. Davis Register of Deeds ORIGINAL ON FILE

LAKE COUNTY COURT ORDERED Sept 25 1940 VOUCHER No. 418-60

RECORDED BY RESOLUTION VOUCHER No.

CERTIFICATE OF TOWNSHIP APPROVAL

This plat was approved by the Township Board of the Township of Peacock at a meeting held Jan 27 1940 P.L. Drewry Clerk

CERTIFICATE AS TO COUNTY ROADS

We hereby certify that said plat appears to include land located on a county road.

Andrew Alguire Judge of Probate H.W. Davis County Clerk George W. Bradford County Treasurer

CERTIFICATE OF APPROVAL BY BOARD OF COUNTY ROAD COMMISSIONERS

This plat has been examined and was approved on the Twenty-fifth (25) day of January 1940, by the Lake County Board of Road Commissioners

Thomas B. Lynch Chairman N.E. Wicks Member A.L. Lee Member

CERTIFICATE OF APPROVAL BY COUNTY BOARD

This plat was approved on the 17th day of March 1940.

Andrew Alguire Judge of Probate H.W. Davis County Clerk George W. Bradford County Treasurer

COUNTY TREASURER'S CERTIFICATE RELATING TO TAXES

Office of County Treasurer, Lake County. I hereby certify that there are no tax liens or titles held by the State on the lands described hereon, and that there are no tax liens or titles held by individuals on said lands, for the five years preceding the 17th day of March 1940 and that the taxes for said period of five years are paid, as shown by the records of this office. This certificate does not apply to taxes, if any, now in process collection by township, city or village collecting officers.

George W. Bradford County Treasurer

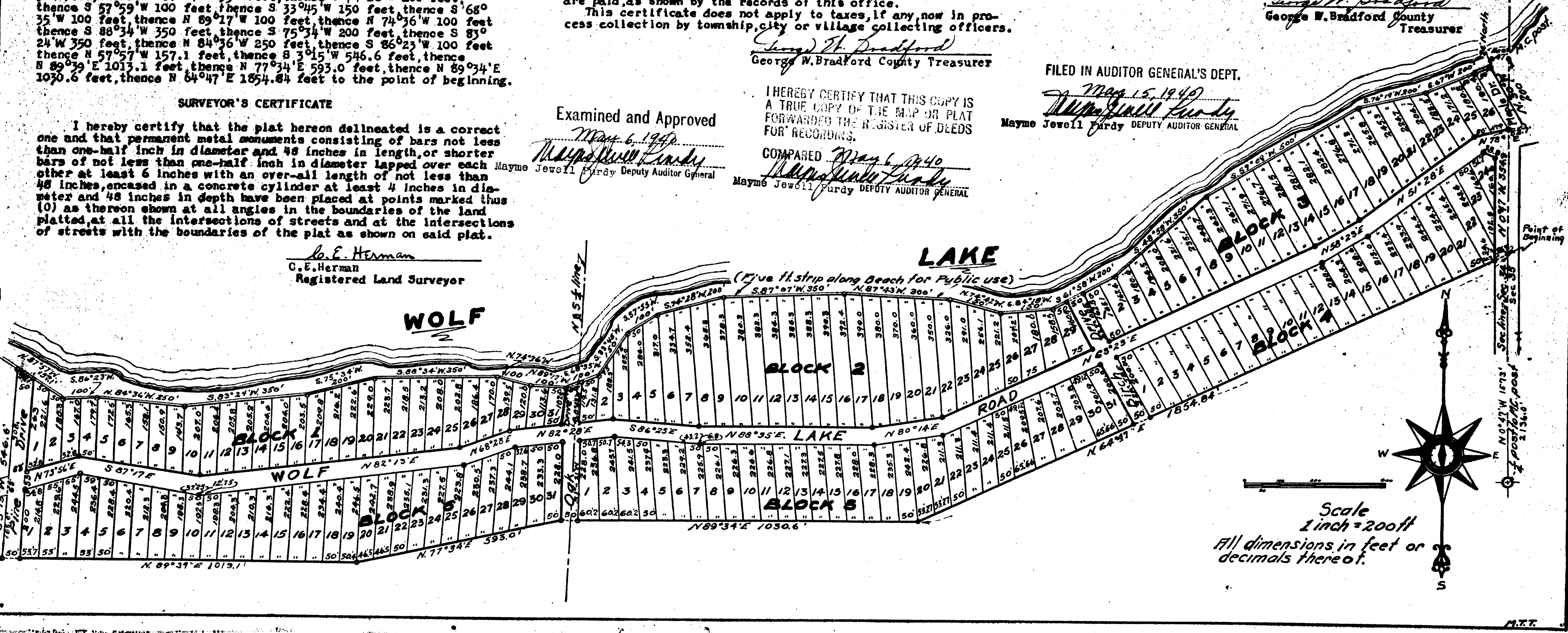
I HEREBY CERTIFY THAT THIS COPY IS A TRUE COPY OF THE MAP OR PLAT FORWARDED THE REGISTER OF DEEDS FOR RECORDING.

COMPARED May 6 1940 Mayme Jewell Purdy DEPUTY AUDITOR GENERAL

FILED IN AUDITOR GENERAL'S DEPT.

Mayme Jewell Purdy DEPUTY AUDITOR GENERAL

Examined and Approved May 6 1940 Mayme Jewell Purdy DEPUTY AUDITOR GENERAL



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STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF LAKE

MARY G. DEAN,

Petitioner

File No. 87-2601-CH

vs.
ROBERT A. BOWMAN, STATE TREASURER
FOR THE STATE OF MICHIGAN,
LOUIS GHENT, CHAIRMAN, LAKE
COUNTY BOARD OF ROAD COMMISSIONERS,
LAKE COUNTY ROAD COMMISSION (acting for and on behalf
of the Drain Commissioner for Lake County),
TOWNSHIP OF PEACOCK, Lake County, Michigan,
MICHIGAN BELL TELEPHONE COMPANY, O & A ELECTRIC,
MICHIGAN DEPARTMENT OF TRANSPORTATION,
ORVIL OSBORN & BETTY OSBORN, husband and wife,
PETER NAMMENSMA AND CHRISTEL E. NAMMENSMA, husband and wife,
FLOYD JERDON, JR. AND DONNA JERDON, husband and wife,
HERMAN WOLF AND RUTH WOLF,
RON DYKSTRA, PAUL KALKMAN, BRYAN BOUWS AND JOHN BOUWS
LOIS KELLOGG, BRIAN ROSE AND DARRYL ROSE,
WILLIAM C. HOPPENRATH, EUGENE SANDELL
CARL H. PETERSEN AND ETHEL F. PETERSEN, and
HOWARD E. PETERSEN AND MARY H. PETERSEN,
Defendants

JUDGMENT OF VACATION
(pursuant to MCL 560.221 et seq)

At a session of said Court held in the Courthouse in
the Village of Baldwin the 4th day of June, 1990.

PRESENT: HON. RICHARD I. COOPER, CIRCUIT JUDGE.

This matter having come before the Court upon the
Petition of Mary G. Dean under the provisions of the Michigan
Subdivision Control Act requesting a vacation of that portion of
Birch Drive lying and being between Blocks 4 and 5 of the plat of

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ATTEST
TRUE COPY

FILED
CIRCUIT COURT
JUN 22 AM 10:08
BY [Signature]

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Ojibway Beach, Peacock Township, Lake County, Michigan; the Court
having reviewed the file and having received and considered the
testimony and evidentiary documents offered in this matter and
also having received and considered the Briefs of the attorney
for the Petitioner as well as the attorney for the objecting
Peacock Township and the Court having acknowledged the fact that
the State of Michigan appeared by Assistant Attorney General
Terry L. Norton and having consented to the vacation subject to
the recording of a judgment properly reflecting a vacation and
amendment of the plat and also the Court having considered the
fact that the Lake County Road Commission appeared and consented
to the vacation.

NOW THEREFORE, as outlined in its Opinion dated May
12th, 1988, the Court finds:

1. That there has been no expenditure of public funds
either to open or maintain that portion of Birch Drive lying and
being between Blocks 4 and 5 of the plat of Ojibway Beach.
2. That the said street deadends at the north boundary
of the said plat.
3. That the Petitioner, Mary G. Dean, is the
titleholder of record as to the lots adjoining and on both sides
of the subject street, being Lot 31 of Block 5 and Lot 1 of Block
4 of the said plat.
4. That the plat of Ojibway Beach was dedicated in
1940 and that the objecting Township has failed and neglected
during the ensuing 48 years to formally accept the dedication or

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to expend public funds or to take any other action so as to
affirm use or acceptance.

5. That in the instant matter, the Court received
testimony to the effect that certain lot owners within the
platted subdivision may from time to time have used the street as
a path or trail so as to gain access to the wooded area lying and
being south of the plat, and except for this, the Court would
vacate and totally close the said street.

NOW THEREFORE, upon motion of Ronald C. Wilson,
attorney for the Petitioner, IT IS ORDERED that the plat of
Ojibway Beach be modified by vacation of that portion of Birch
Drive lying and being between Blocks 4 and 5 of the said plat and
to this extent, the said portion of the street is no longer a
public easement, and that the said Petitioner-Plaintiff may post
trespassing signs. However, other lot owners within the plat of
Ojibway Beach are to continue to have the right of passage over
and across Birch Drive so as to gain access to the unplatted
wooded property lying and being south of the said plat. In this
latter regard, the no trespassing signs will not affect the right
of passage by any other property owners within the said
subdivision including their family members and those accompanying
them.

IT IS FURTHER ORDERED AND ADJUDGED that the Petitioner
shall obtain and file an amended plat of that portion of Ojibway
Beach which is affected by this Judgment, and the said amended
plat is to be submitted to the Lake County Register of Deeds

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Office for filing. Attached hereto and made a part hereof by
reference is a copy of the proposed amended plat prepared by the
Lake County Surveyor, Clint Cole. This is to be filed with the
Lake County Register of Deeds Office pursuant to Section 229 of
the Subdivision Control Act [MCL 560.229; MSA 26.430(229)]. It
shall be submitted to the Commerce Department for review and approval.

IT IS FINALLY ORDERED AND ADJUDGED that the records of
the Lake County Register of Deeds Office and the amended plat
itself shall include wording verifying the vacation of that
portion of Birch Drive lying and being south of Wolf Lake Road
within the said plat excepting that the lot owners within the
said subdivision may use the vacated portion of Birch Drive for
pedestrian (non-vehicle) passage from the subdivision for access
to the wooded areas lying and being south of the said plat. In
this respect, it is ordered and affirmed that Birch Drive is
vacated as far as any improvement as a road, and may not be used
for vehicle passage of any type and is only to be used as
indicated hereinabove.

Dated: June 4, 1990 [Signature]
HON. RICHARD I. COOPER
CIRCUIT JUDGE

[Signature]
Terry L. Norton (P21730)
Assistant Attorney General

[Signature]
Mark S. Wickens (P30845)
Attorney for Peacock Township

[Signature]
Ronald C. Wilson (P22419)
Attorney for Petitioner

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