



**ADA TOWNSHIP ZONING BOARD OF APPEALS  
TUESDAY, OCTOBER 5, 2021, 4:30 P.M.  
ADA TOWNSHIP OFFICES  
7330 THORNAPPLE RIVER DR. SE, ADA, MICHIGAN**

**AGENDA**

- I. CALL MEETING TO ORDER**
- II. ROLL CALL**
- III. APPROVAL OF AGENDA**
- IV. APPROVAL OF MINUTES OF MAY 11, 2021 REGULAR MEETING**
- V. UNFINISHED BUSINESS - none**
- VI. NEW BUSINESS**
  - 1. Request for variance from private road standards to allow the subject parcel to be divided into two (2) parcels on a private road, serving as the primary access to more than four (4) parcels, that does not meet current standards for driveway width, cul-de-sac radius, and maintenance agreement requirements, Harry & June Kooyman, 1010 Fernridge Ave. SE, Parcel No. 41-15-31-476-055
- VII. CORRESPONDENCE**
- VIII. PUBLIC COMMENT**
- IX. ADJOURNMENT**

**ADA TOWNSHIP ZONING BOARD OF APPEALS**  
**MINUTES OF THE TUESDAY, MAY 11, 2021, REGULAR MEETING**

**DRAFT**

A regular meeting of the Ada Township Zoning Board of Appeals was held on Tuesday, May 11, 2021, at 4:30 p.m. at the Ada Township Hall, 7330 Thornapple River Dr. SE, Ada, Michigan

**CALL TO ORDER**

The meeting was called to order by Chair Dixon at 4:30 p.m.

**ROLL CALL**

Members present: Dixon, Nuttall, Smith

Members absent: McNamara, Norman

Staff Present: Buckley, Ferro, Suchy

Public: 1

**APPROVAL OF AGENDA**

Moved by Smith, supported by Nuttall, to approve the agenda as presented. Motion passed unanimously.

**APPROVAL OF MINUTES**

Moved by Smith, supported by Nuttall, to approve the January 5, 2021 Meeting minutes as presented. Motion passed unanimously.

**UNFINISHED BUSINESS** – None.

**NEW BUSINESS**

- 1. Request for a use variance to permit the continued use of professional mortgage office and the construction of a 36' x 52' accessory building for storage and additional office/conference room space, 6410 Knapp St., Parcel No. 41-15-09-301-001, Jonathan Arnold, for 6410 Knapp Street LLC**

Applicant, Jonathan Arnold, office located at 6410 Knapp St., presented his request for a use variance. Mr. Arnold stated he had previous approval of a use variance that was submitted in January. This new request proposes a larger accessory building. Mr. Arnold referred to the site plan included in the packet and explained the property lay out and elevations of the proposed site. Mr. Arnold stated the proposed new building expansion causes no visual obstruction to anything other than his building. Mr. Arnold shared details about the design of the proposed building and described the materials to be used.

Ferro spoke on behalf of Bajdek's staff memo. Ferro stated that in summary Brent's memo concluded that an increase in the footprint of the building from 1,200 sq. ft. (30' x 40') to 1,872 sq. ft. (36' x 52'), an increase of over 50%, is not in conformance with the standard of whether the request alters the essential character of the area.

Dixon stated to Mr. Arnold that there were only 3 board members in attendance at the meeting and he has the option to request postponing the decision today until all 5 board members are in attendance. Mr. Arnold stated that he was not only seeking an approval but also looking for direction from the board.

There was board discussion regarding the obligation of the board to protect the spirit of the zoning ordinance and the applicant options if the request is denied.

Dixon opened the public hearing at 4:56 p.m. There was no public comment and the hearing was closed.

Smith asked applicant what he plans to do with the additional space. Mr. Arnold stated he needs extra space for his employees to work within a safe distance from each other, more open-air work space with newly created offices, and create an office for himself (he is currently working out of the lunch room).

Nuttall referred to the staff memo comments for criteria #2 and asked if the 20' setbacks have been met. Ferro stated those are the rules that would apply to a residential accessory building. Nuttall stated that it seems like we are applying residential rules but have allowed them commercial use. Dixon clarified that there was a consideration for rezoning that area to a commercial node in the past but that was not viewed favorably by the Planning Commission. Dixon said that they are trying to maintain the residential form-based regulations. Nuttall stated they already have a use variance for commercial use property. Dixon agreed with Nuttall and stated that he struggled with seeing the hardship.

Smith stated when this request was before the board in January, the staff memo concluded that the proposed building would not alter the essential character of the area and the staff report of May 7 says that it would alter the essential character of the area. Smith stated if you do not see the building from the road, then how can it alter the character.

Ferro stated that would be a judgement call for the zoning board to make based on the what you are hearing from both the applicant and the staff report.

Following board discussion and based on the findings that there are unique circumstances, the variance does not alter the essential character of the area, the circumstances are not self-created, and amending the zoning ordinance is not a more appropriate remedy; it was moved by Smith, supported by Nuttall, to grant approval of the use variance subject to the following conditions:

1. The use of the property shall be limited to a mortgage office.
2. The proposed building shall only be used as an auxiliary use to a mortgage office operating from the existing building located on the property.
3. If the property is sold, any future owners must also conform to this use or apply for a new use variance.
4. A building permit application submittal satisfying all zoning and building code requirements for the construction of the subject building.
5. There shall be no vinyl siding used.

Motion passed unanimously.

## **CORRESPONDENCE**

No correspondence was received.

## **PUBLIC COMMENT**

There was no public comment.

**ADJOURNMENT**

Moved by Nuttall, supported by Dixon, to adjourn meeting at 5:17 p.m. Motion passed unanimously.

Respectfully submitted,

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Jacqueline Smith  
Ada Township Clerk

rs:eb



**TO:** Ada Township Zoning Board of Appeals  
**FROM:** Department of Planning  
**RE:** Agenda Item for the October 05, 2021 Meeting

**1. Request for variance from private road standards to allow the subject parcel to be divided into two (2) parcels on a private road, serving as the primary access to more than four (4) parcels, that does not meet current standards for private roadway width, cul-de-sac radius, and maintenance agreement requirements, Harry & June Kooyman, 1010 Fernridge Ave. SE, Parcel No. 41-15-31-476-064**

**Overview**

The applicant is proposing to divide the existing 2.43-acre site (*including private road easement*) into two (2) parcels on an existing private road (*Fernridge Drive*) that does not comply with the current standards of the Zoning Ordinance. The subject property is currently occupied by an existing single-family home and is located at the end of Fernridge Drive (*on its eastern side*), which extends north off Hall Street, between Cascade Road and Paradise Lake Drive. The property is zoned R-2 Single-Family Residential.

Fernridge Drive currently provides access to 12 existing single-family dwellings; the proposed land division would increase access to 13 dwellings.

The zoning regulations require any newly-created parcel to have vehicular access in accordance with current zoning standards. The existing private road (*Fernridge Drive*) has been in existence well before the enactment of the Township's current road standards and does not meet applicable standards. Specifically, the improved width of the private road varies from 21 feet near Hall Street to 13 feet at its terminus and does not comply with:

- *the minimum improved width standard of 22 feet (for a private road, serving as the primary access to more than four (4) parcels and up to the point along its course where the road will only serve three (3) parcels);*
- *the requirement for a cul-del-sac turn-around area; and*
- *maintenance agreement requirements (please see below for details).*

*Please note that the same variance request, as currently proposed, was granted in 2018 for a different property/property owner on Fernridge Drive.*

## **Private Road Maintenance Agreement**

The property owners along Fernridge Drive are currently parties to a private road maintenance agreement that is minimal in its provisions; it appears that the agreement is not recorded with the Kent County Register of Deeds.

The agreement consists of one sentence, which states, *“All parties hereto, their successors or assigns, agree to proportion equally among themselves, all of the maintenance and upkeep of the above described road, ensuring continued maintenance making it safe and suitable for vehicle access to and from their properties.”*

The agreement contains no provisions pertaining to how decisions regarding road upkeep expenditures are made, no provisions for determining amount of annual private road maintenance fees, no provisions for repair of extraordinary damage, wear and tear created by a single property owner, and no recourse provisions in the event of non-payment of fees by a property owner.

The Township's private road standards provide that:

*“Provision shall be made to ensure the continued repair and maintenance of the private road, and financing of the costs thereof by those property owners benefiting from the private road. This shall be accomplished through use of a recorded agreement between the parties in interest to the private road, or through a restrictive covenant, which shall run with the land. A copy of such agreement or restrictive covenant shall be provided to the zoning administrator prior to issuance of a permit for construction of the private road.”*

The lack of a specified procedure for decision-making, and the lack of procedures to enforce collection of dues, such as a lien provision, may call into question whether the agreement “ensures the continued repair and maintenance of the private road, and financing thereof.”

## **Analysis**

*The Board of Zoning Appeals may grant variances only upon finding that the following criteria have been satisfied:*

### **1. Whether unique physical circumstances exist which cause a “practical difficulty” in complying with the Zoning Ordinance standards.**

The existing physical state of the private road and associated conditions, which have been existence prior to current standards, cause a practical difficulty in meeting the Township's private road standards. While the construction of one (1) additional dwelling will not adversely influence the traffic flow on the existing private road, modifications to it would unnecessarily affect the natural landscape along its course.

### **2. Whether granting the variances would alter the essential character of the area.**

The granting of the variance would not alter the essential character of the area.

**3. Whether the circumstances leading to the variances are self-created.**

Circumstances leading to the variance are not self-created.

**4. Whether amending the Zoning Ordinance standards is a more appropriate remedy to the situation.**

The conditions associated with this request are not typical or reoccurring, therefore an amendment to the Zoning Ordinance is not deemed as an appropriate remedy to this situation.

**Conclusion & Recommendation**

Due to the existing physical state of the private road and associated conditions, which have been in existence prior to current standards, a practical difficulty exists. While the construction of one (1) additional dwelling will not adversely influence the traffic flow on the existing private road, modifications to it would unnecessarily affect the natural landscape along its course.

It is recommended that the subject variances be approved subject to:

- *the approval of a Land Division.*



1/16

RECEIVED

SEP - 2 2021

PLANNING & ZONING  
ADA TOWNSHIP

**ZONING BOARD OF APPEALS APPLICATION**  
(ZONING VARIANCE OR ADMINISTRATIVE APPEAL)

**1. Applicant Information:**

Name: Harry and June Kooyman

Address: 1010 Fernridge SE Grand Rapids MI 49546

Phone Number: 616-334-3011 Email: ZekeFlash@AOL.com

**2. OWNER (if different than above):**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**3. DESCRIPTION OF VARIANCE OR APPEAL REQUEST:**

ORDINANCES 78-804 Standards for Private Roads:  
Undue Hardship and Unreasonable and Unnecessary  
Section 4 Sub Section A and B Section 7 and Section 9

**4. PERMANENT PARCEL NUMBER:** 41-15-31-476-064

**5. PROPERTY ADDRESS:** 1010 Fernridge Ave SE **6. ZONING DISTRICT:** R-2

**7. ATTACH:**

**A. AN ACCURATE SITE PLAN OF THE PROPERTY, DRAWN TO A STANDARD ENGINEERING SCALE, SHOWING:**

- 1) Property boundaries.
- 2) Existing and proposed buildings or structures.
- 3) Distance from lot lines of each existing and proposed building or structure.
- 4) Unusual physical features of the site, building, or structure.
- 5) Abutting streets.

**B. A NARRATIVE STATEMENT WHICH ADDRESSES COMPLIANCE OF THE VARIANCE REQUEST WITH THE STANDARDS FOR APPROVAL CONTAINED IN THE ZONING ORDINANCE AND LISTED ON THE REVERSE SIDE OF THIS APPLICATION FORM.**

**\* APPLICATIONS SUBMITTED WITHOUT A NARRATIVE STATEMENT WILL NOT BE ACCEPTED \***

**8. PETITIONER AFFIDAVIT:**

I understand that if the requested variance or appeal is granted, I am not relieved from complying with all other applicable requirements of the Ada Township Zoning Ordinance or any other Township Ordinances. By signing, the applicant and owner hereby grant permission to Ada Township officials and employees to enter upon the subject property for purposes of review and evaluation of this request.

APPLICANT'S SIGNATURE: *[Signature]* DATE: 8/17/21

OWNER'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
(If different than applicant)

**9. PLEASE NOTE THE FOLLOWING BOARD OF APPEALS PROCEDURES:**

- a) The application form, application fee, site plan and narrative statement must be submitted at least one (1) month prior to the regularly scheduled Zoning Board of Appeals meeting. **Regular meetings of the Zoning Board of Appeals are generally held on the first (1<sup>st</sup>) Tuesday of each month at 4:30 p.m.**
- b) Notices of the hearing will be given at least 15 days prior to the hearing to the applicant and to all property owners and occupants within 300 ft. of the property subject to appeal.
- c) Following the hearing, the Board of Appeals will make its decision and may reverse or affirm, in whole or part, or may modify any order, requirement, decision or determination.
- d) The variance or exception expires one (1) year after it is granted if no action is taken to affect the variance within the period. The Zoning Board of Appeals may grant up to an additional one (1) year extension of this time limit.
- e) A zoning variance does not excuse the applicant from obtaining a building permit. A building permit must be secured before construction begins.

**CRITERIA FOR APPROVAL**

The Zoning Board of Appeals treats each variance or appeal request individually and approves or denies each request on its own merits. In order for the Board of Appeals to grant a variance or appeal the applicant must satisfy all of the following findings which are contained in Section 78-107 of the Ada Township Zoning Ordinance:

That where there are practical difficulties or unnecessary hardship in carrying out the strict letter of this Ordinance, the Board of Zoning Appeals shall have the power to vary or modify any of the provisions hereof so that the spirit of the Ordinance shall be observed, public safety promoted, and substantial justice done. The Board of Zoning Appeals may grant such variances only upon finding that all of the following conditions exist:

- a) *Where it is found that, by reason of the exceptional narrowness, shallowness or shape of a specific parcel of property, or by reason of exceptional topographic conditions or other extraordinary situation of the land or structure or of the use of property immediately adjoining the property in question, the literal enforcement of this Ordinance would involve practical difficulties or would cause undue hardship; provided that no variance shall be granted on a lot if the owner owns adjacent land which could, without undue hardship, be included as part of the lot in question avoiding the need for a variance.*

- b) Where it is found that there is practical difficulty or unnecessary hardship in carrying out the strict letter of this Ordinance and the ordinance can be varied in such a way that the spirit of this Ordinance shall be observed, public safety secured, and substantial justice done.
- c) Where it is found that the condition or situation of the specific piece of property or the intended use of said property for which the variance is sought is not so general or recurrent in nature as to make reasonably practicable the formulation of a general regulation in this Ordinance for such condition or situation.

Please note that the verbiage of the above stated conditions is generally abbreviated due to redundancy when reviewed by Staff and the Board.

**APPLICATION FEE: RESIDENTIAL USE: \$100.00 NON-RESIDENTIAL USE: \$300.00**

**TO BE COMPLETED BY THE ADA TOWNSHIP PLANNING DEPARTMENT**

Application received: 9-2-2021 by: eb  
(date)

Application fee of \$ 100<sup>00</sup> received: 9/2/2021 by: (B) Check No: 1808  
Harry Koopman (date)

Receipt No: 316633

Updated 05/30/19

Ada Township Zoning Board Appeals:

We, Harry and June Kooyman, residents of 1010 Fernridge Ave SE, Grand Rapids, request consideration by the township zoning board of appeals for a variance of the Code of Ordinances 78-804 Standards for Private Roads. The reason for this variance request is to allow for a single land split of 1.25 acres for issuance of a building permit to allow Nick and Sarah Truax to build a Handicap Accessible/Barrier Free home for their 100% disabled daughter.

We were told from the Planning/Zoning department that the areas of ordinance we need variance from are as follows:

**Section (4) sub section a. - "The grade of the private road shall not exceed ten percent"**

Please see Drawing 1. This is not an issue, the road meets this requirement.

**Section (4) sub section b. - "The private road shall have an improved surface at least 22 feet in width"**

Please see Drawing 2. Fernridge Ave SE starts at a width of 22 feet for 335 feet which meets this standard. After this it is reduced to 16 feet wide for the next 335 feet. This the intended land split, it is at the address of 1010 Fernridge that the road would only serve 4 addresses and thus, the requirement for the 22 foot width changes and the road again meets the standard. It is the middle of 335 feet road that requires adding 6 foot in width to meet the standard. The additional 6 feet of the road for 335 feet would create **undue and unnecessary hardship** for the affected homeowners. They would lose 6 feet of their front yard and in some cases, mature trees and landscaping changing the view of the surrounding area. It seems to be unreasonable and unnecessary to widen the road when it has not been an issue for more than 25 years. This parcel split is intended for a final house to be built with no intention for futures builds along this private road.

**Section (7) - "A Private road shall be provided with a means for turn-around of vehicles, either by use of a cul-de-sac having an improved surface as required for the associated road and having a outside radius of 40 feet"**

Please see Drawing 3. There is a turnaround located at the end of the private drive. It is not in compliance with the 40 feet outside radius but does currently provide for necessary vehicles to turn around. Large trucks, garbage truck, and lawn service trucks with trailers make the turn at the end of the road daily. The drive entrances for the house on the opposite side of the road are offset so that a "T" turn can be accomplished by larger vehicles. It would create **undue and unnecessary hardship** for owners to provide property for the added easement required to meet

this requirement. With the 66 foot wide easement and 40 foot radius combined this would call for the turnaround to be closer to 80 feet. This would require the turnaround being extended in to my front yard eliminating landscaping and useable space. This current road as worked just fine for over 45 years with no issues.

**Section (9) - "Provisions shall be made to ensure the continued repair and maintenance of the private road, and financing of the cost thereof by the property owners benefitting from the private road. This shall be accomplished through use of a recorded agreement between the parties in interest to the private road, or through a restrictive covenant shall be provided to the zoning administration prior to issuance of a permit for construction of the private road".**

See documents 10-13. There is a written agreement that the roads will be maintained and it is attached to property deeds. It is short in words but it works for this neighborhood. A meeting was held where 10 of 11 households were in agreement. It was impossible to get the 11th household to agree on any other document. Some residents refused to have additional wording added to their deed, This created **unnecessary hardship and unreasonable expectation** that a more defined agreement could be created by one owner.

We appreciate the Board's time and consideration of approval for these zoning variances.

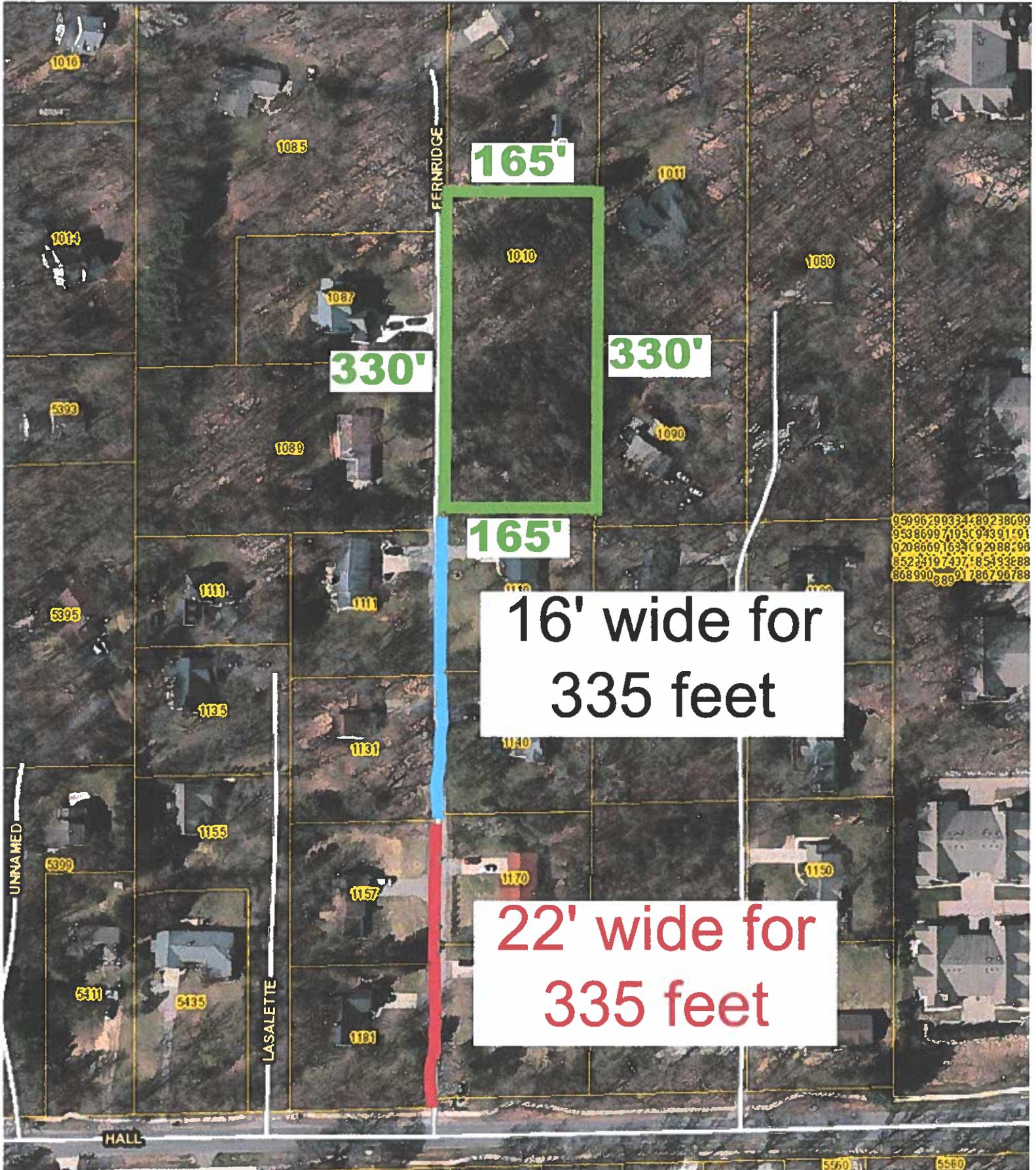
Sincerely,

Harry Kooyman  Date: 8/17/21

June Kooyman  Date: 8/17/21

1010 Fernridge Ave SE  
Grand Rapids MI 49546





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 9538699719509439191  
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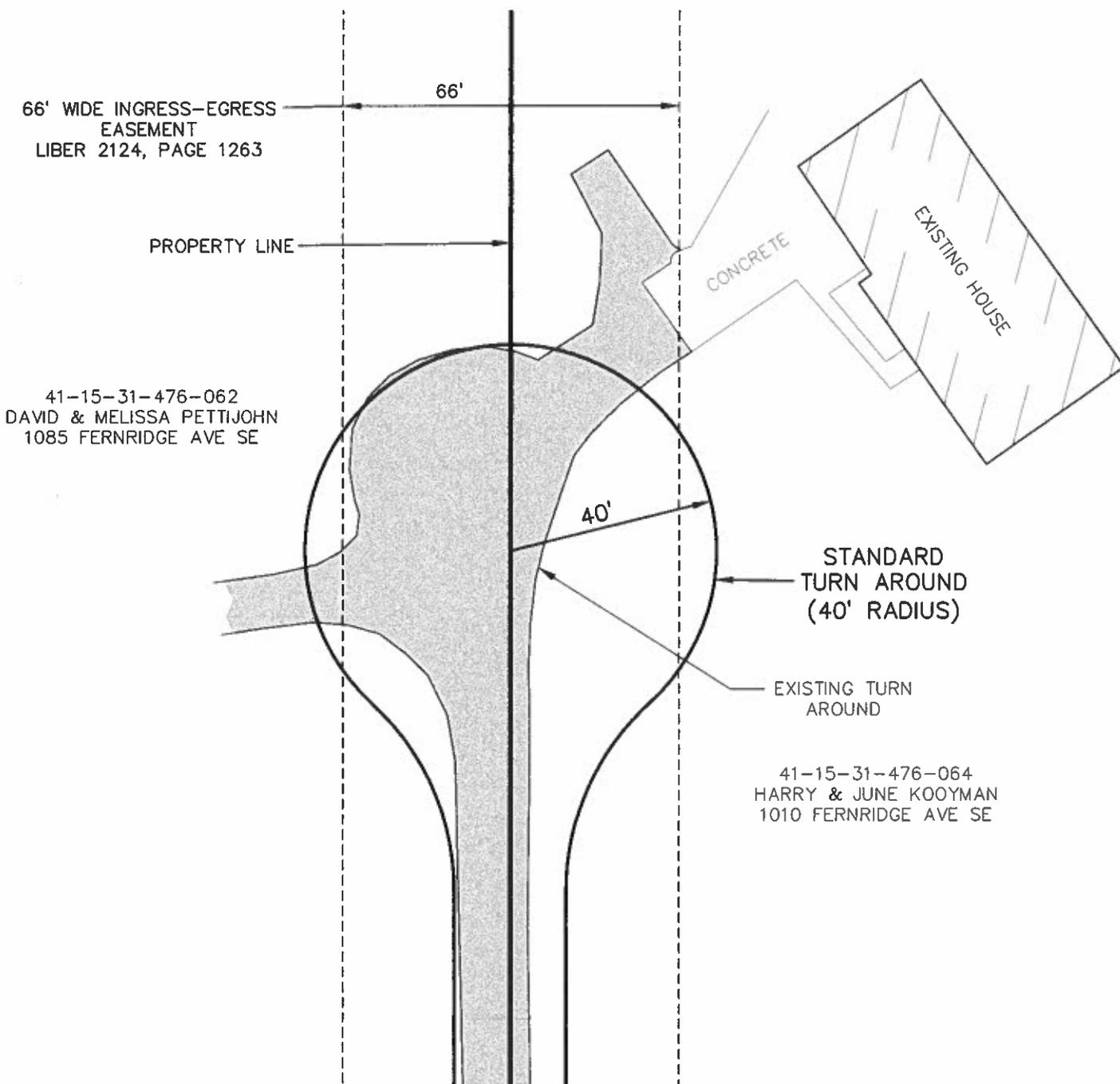
8/16

# EXISTING VS. STANDARD TURN AROUND

Drawing 3



SCALE: 1" = 30'





Ada Township Zoning Board  
Re. Kooyman Variance request/additional information  
August 17, 2021

Please find the attached Road Maintenance agreement for Fernridge Dr. SE. This original signed and dated copy is attached to the deed of all property owners. This agreement will be passed on with the approval of the split to the 13th and final resident on the street. This agreement has been in place since December 6, 1991.

"We, the undersigned parties, desire to enter into a joint maintenance agreement for the road known as Fernridge Dr Se. Each party owning a portion of said road".

Therefore, all parties herein, their successors or assigns, agrees to proportion equally among themselves, all of the maintenance and upkeep of the above described road, assuring continued maintenance making it safe and suitable for vehicles access to and from their properties.

The above provision shall apply to all parties hereby undersigned, their heirs, successors or assigns.

Dated the 6th day of December, 1991.

"On this 6th day of December, 1991, before me, personally appeared \_\_\_\_\_, to me known to be the persons described in and who executed the foregoing instrument and acknowledge that they executed the name as their free act and deed."

the original, attached, has notarized signatures of 10 property owners at that time. This agreement has worked for the past 30 years and has been passed through to all current owners.

Harry Kooyman  Date: 8/17/21  
June Kooyman  Date: 8/17/21

1010 Fernridge Ave SE  
Grand Rapids, MI 49546

We, the undersigned parties, desire to enter into a joint maintenance agreement for the road known as FERNRIDGE DR SE. Each party owning a portion of said Road.

Therefore, all parties hereto, their successors or assigns, agree to proportion equally among themselves, all of the maintenance and upkeep of the above described road, assuring continued maintenance making it safe and suitable for vehicle access to and from their properties.

The above provision shall apply to all parties hereby undersigned, their heirs, successors or assigns.

Dated the 6th day of December, 1991.

6

WITNESSES AS TO THE SIGNATURES OF THIS PARTY

Gerald Flory  
Jane Flory

State of Michigan  
County of Kent

SIGNED AND SEALED

Harry and June Kooyma

Harry & June Kooyma  
Harry Kooyma

On this 6th day of December, 1991, before me, personally appeared Harry & June Kooyma, to me known to be the persons described in and who executed the foregoing instrument and acknowledge that they executed the same on their free act and deed.

Gary Meverden

Gary Meverden - expires 12/31/94  
NOTARY PUBLIC

WITNESSES AS TO THE SIGNATURES OF THIS PARTY

Harry Kooyma  
Gerald Flory

State of Michigan  
County of Kent

SIGNED AND SEALED

Frank and Nancy Letherby

Nancy Letherby  
Frank Letherby

On this 6th day of December, 1991, before me, personally appeared Frank & Nancy Letherby, to me known to be the persons described in and who executed the foregoing instrument and acknowledge that they executed the same on their free act and deed.

Gary Meverden

Gary Meverden - expires 12/31/94  
NOTARY PUBLIC

Joan Flory  
State of Michigan  
County of Kent

~~Harold and June Engen~~  
Betty Engen

On this 6th day of December, 19 91 before me, personally appeared Karl + Helen Fenzers to me known to be the persons described in and who executed the foregoing instrument and acknowledge that they executed the same as their free act and deed.

Gary Meverden  
Gary Meverden - expires 12/16/92  
Notary Public

WITNESSES AS TO THE SIGNATURES OF THIS PARTY

Gerald Flory  
Joan Flory

SIGNED AND SEALED  
Harold and June Engen  
Harold Engen  
June Engen

State of Michigan  
County of Kent

On this 6th day of December, 19 91 before me, personally appeared Harold + June Engen to me known to be the persons described in and who executed the foregoing instrument and acknowledge that they executed the same as their free act and deed.

Gary Meverden  
Gary Meverden - expires 12/16/92  
Notary Public

WITNESSES AS TO THE SIGNATURES OF THIS PARTY

Gerald Flory  
Joan Flory

SIGNED AND SEALED  
Samuel Cummings  
Samuel Cummings

State of Michigan  
County of Kent

On this 6th day of December, 19 91 before me, personally appeared Samuel Cummings to me known to be the persons described in and who executed the foregoing instrument and acknowledge that they executed the same as their free act and deed.

Gary Meverden  
Gary Meverden - expires 12/16/92  
Notary Public

WITNESSES AS TO THE SIGNATURES OF THIS PARTY

Gerald Flory  
Joan Flory

SIGNED AND SEALED  
Gerald and Joan Flory  
Gerald Flory  
Joan Flory

State of Michigan  
County of Kent

On this 6th day of DECEMBER, 19 91 before me, personally appeared Gerald + Joan Flory to me known to be the persons described in and who executed the foregoing instrument and acknowledge that they executed the same as their free act and deed.

Donald Fry  
Jean Haley  
State of Michigan  
County of Kent

Edward J. ...  
...

On this 6th day of December, 19<sup>91</sup> before me, personally appeared Ed + Luanna ... to me known to be the persons described in and who executed the foregoing instrument and acknowledge that they executed the same as their free act and deed.

Gary Meverden  
Gary Meverden - expires 12/14/92  
Notary Public

WITNESSES AS TO THE SIGNATURES OF THIS PARTY

Donald Fry  
Jean Haley

SIGNED AND SEALED  
Masato and Abigail Yamazaki

Masato Yamazaki  
Abigail Yamazaki

State of Michigan  
County of Kent

On this 6th day of December, 19<sup>91</sup> before me, personally appeared Masato + Abigail Yamazaki to me known to be the persons described in and who executed the foregoing instrument and acknowledge that they executed the same as their free act and deed.

Gary Meverden  
Gary Meverden - expires 12/14/92  
Notary Public

WITNESSES AS TO THE SIGNATURES OF THIS PARTY

Donald Fry  
Jean Haley

SIGNED AND SEALED  
John and Barbara Malestein

John Malestein  
Barbara Malestein

State of Michigan  
County of Kent

On this 6th day of December, 19<sup>91</sup> before me, personally appeared John + Barbara Malestein to me known to be the persons described in and who executed the foregoing instrument and acknowledge that they executed the same as their free act and deed.

Gary Meverden  
Gary Meverden - expires 12/14/92  
Notary Public

WITNESSES AS TO THE SIGNATURES OF THIS PARTY

Donald Fry  
Jean Haley

SIGNED AND SEALED  
Greg and Pamela Hughes

Greg Hughes  
Pamela J. Hughes

State of Michigan  
County of Kent

On this 6th day of December, 19<sup>91</sup> before me, personally appeared Greg + Pamela Hughes to me known to be the persons described in and who executed the foregoing instrument and acknowledge that they executed the same as their free act and deed.

14/16

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INTENTIONALLY

Intended use of the property from Nick and Sarah Truax

It is our intent, upon the approval by the board for splitting of the Kooyman's property, to purchase 1.25 acres from them. There are several advantages to building a handicap accessible home for our daughter at this location. Please see below for the important factors.

### **1. Handicap Accessible Home/Barrier Free**

Our seven-year-old daughter is severely disabled. She is one of 15 in the entire world with her disability. There is no name for it; however, she is blind, unable to walk unassisted, unable to speak, and cannot eat independently. She requires a zero step entry for her wheelchair and a wide open floor plan to utilize her therapeutic equipment to include Gait Trainer, Stander, Track System, Swing, Bike and many more pieces of equipment. When given the proper amount of space and opportunity Alexis will walk with the assistance of medical devices which is extremely beneficial to her overall growth and development.

### **2. Significance of Location**

This location is significant because it is only 4 miles away from her school, Lincoln Developmental Center near the corner of Leonard and Crahen, where she will be attending until she is 26 years old. She does not ride the bus because there is no nurse present. This requires us to drive her back and forth from our current home in Rockford right now. This commute is 30 minutes each way. This adds up to 2 hours of driving time which does not benefit Alexis. That time can be better used as therapy time.

### **3. Family members as Neighbors**

Alexis's aunt (Sarah's sister), uncle, and cousins live adjacent to this property at 1110 Fernridge. The Vanderheide's: Cyndee, Greg, and their four children (all under the age of 10) are an important part in the growth and development of Alexis as a person. The more family that can interact and communicate with her on a regular basis, the better life will be for Alexis. This is just another form of therapy for her that she relies heavily upon.

#### 4. Significance of Property Shape

The shape of this property is significant because it is what I consider a wide 1.25 acre vs a narrow one. This allows for the property (with all setbacks taken into account) to build the appropriate size home Alexis needs for future growth. She needs a long wide open floor plan to accommodate the equipment mentioned earlier. This will be her forever home so that we can take care of her to the best of our ability.

Nick Truax  Date 8-16-2021

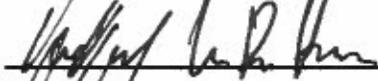
Sarah Truax  Date 8-16-2021

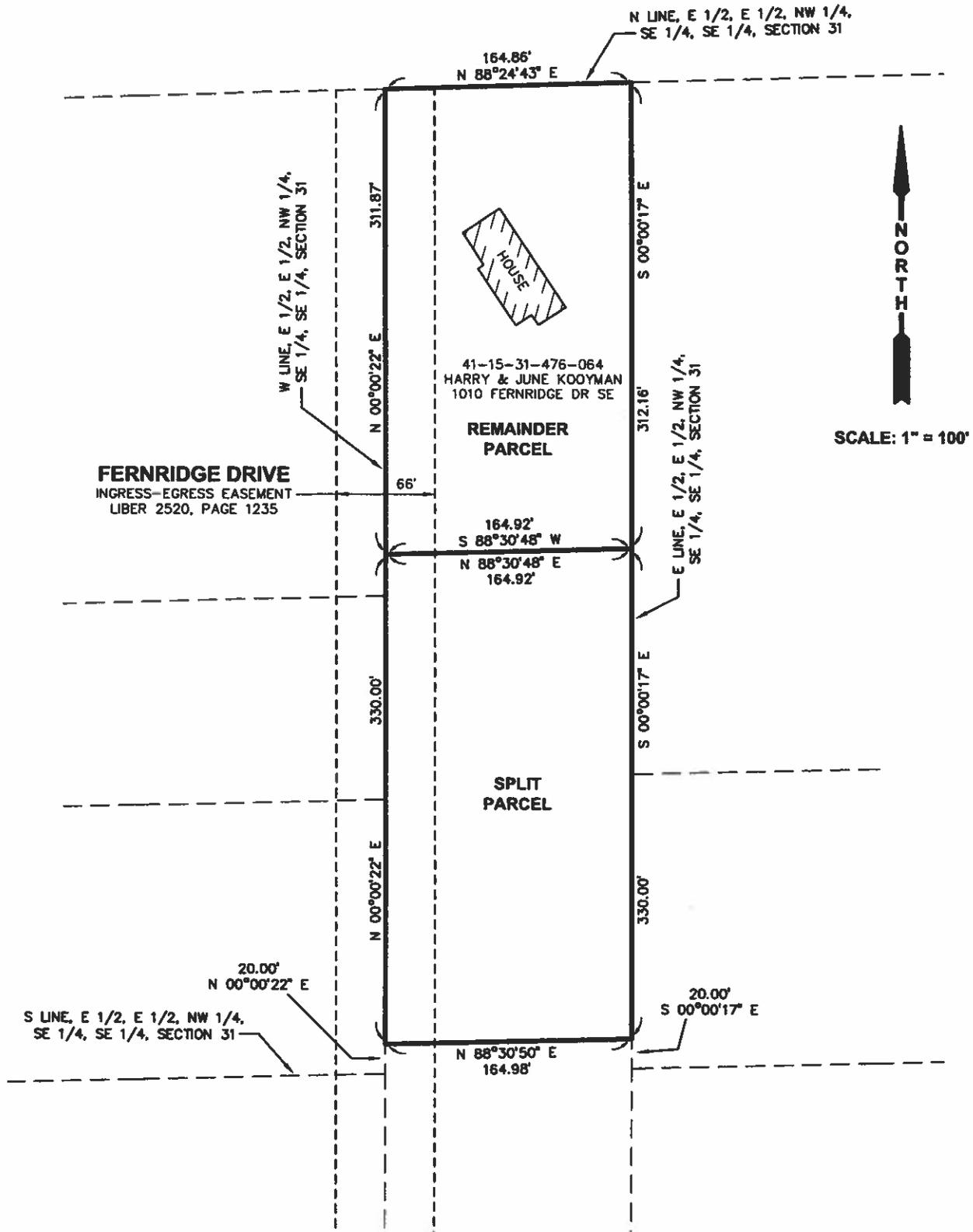
**CERTIFICATION**

To: Harry & June Kooyman

We hereby certify that we have surveyed the property described hereon; that the building and improvements are located entirely thereon; and that there are no encroachments either way across the property lines except as shown hereon.

Date: August 13, 2021

  
 Gregory H. Van Der Heide  
 Professional Surveyor No. 4001071252



1 OF 2

FIELD SURVEY BY: M&B	CHECKED BY: SJD	Prepared By:  <b>Moore+Bruggink</b> Consulting Engineers 2020 Monroe Ave. Grand Rapids, MI 49505 (616) 363-9801 mailbox@mbce.com
DRAWN BY: GHV	CONTACT INFO: gvanderheide@mbce.com	
DATE: AUGUST 11, 2021	PROJECT NO.:	

**PROPERTY DESCRIPTION**  
Remainder Parcel

The East one-half of the East one-half of the Northwest one-quarter of the Southeast one-quarter of the Southeast one-quarter, **EXCEPT** the South 350 feet thereof, Section 31, Town 7 North, Range 10 West, Ada Township, Kent County, Michigan.

1.1807 acres

**PROPERTY DESCRIPTION**  
Split Parcel

The South 350 feet of the East one-half of the East one-half of the Northwest one-quarter of the Southeast one-quarter of the Southeast one-quarter, **EXCEPT** the South 20 feet thereof, Section 31, Town 7 North, Range 10 West, Ada Township, Kent County, Michigan.

1.2492 acres

**2 OF 2**

<b>FIELD SURVEY BY:</b> M&B	<b>CHECKED BY:</b> SJG	<b>Prepared By:</b>  <b>Moore+Bruggink</b> Consulting Engineers 2020 Monroe Ave. Grand Rapids, MI 49505 (616) 363-9801 mailbox@mbce.com
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