LIMA TOWNSHIP PRIVATE ROAD ORDINANCE
Ordinance No. 23

AN ORDINANCE REGULATING PRIVATE ROADS AND STREETS AND THE USE THEREOF, TRAFFIC AND PARKING OF VEHICLES THEREON, AND CONSTRUCTION AND MAINTENANCE OF PRIVATE ROADS AND STREETS, WITHIN LIMA TOWNSHIP; TO PROVIDE FOR THE ADMINISTRATION, ENFORCEMENT, AND FEES TO DEFRAY ADMINISTRATIVE AND ENFORCEMENT COSTS INCIDENT THERETO; TO PROVIDE PENALTIES FOR VIOLATION HEREOF; AND TO REPEAL ANY ORDINANCE IN CONFLICT HEREWITH.

THE TOWNSHIP OF LIMA HEREBY ORDAINS

An Ordinance under the provisions of Public Act 246 of 1945 as amended, to regulate the construction, maintenance and use of Private Streets and Roads within Lima Township, the use thereof by traffic, the parking of vehicles thereon, the administration and enforcement hereof, to establish fees to defray the administrative and enforcement costs incident thereto, and to ensure that residences and buildings within the Township of Lima may be accessible to police and fire protection, and for other purposes, as follows:

SECTION 1 - INTENT

The Lima Township Board hereby finds that unobstructed, safe, and continuous access to lots and parcels of real estate by police, fire, ambulance and other emergency services is necessary to promote and protect the health, safety and welfare of the public through police and fire protection and ambulance service. The Lima Township Board further finds that such access is necessary to insure that such services can safely and quickly enter and exit private property at all times. The Lima Township Board further finds that access to the interior of various sections within Lima Township should be promoted through the orderly development of the Township, and that such access should meet minimum standards and specifications to permit the subsequent upgrading and public dedication of such access rights of way to the Washtenaw County Board of Road Commissioners or other municipal corporations when public dedication is desirable or required, and without future undue or unnecessary costs to abutting property owners. The procedures, standards and specifications hereinafter set forth are determined to be the minimum procedures, standards and specifications necessary to meet the intention of this Ordinance

SECTION 2 - GENERAL REQUIREMENTS

All lots or parcels in Lima Township, whether improved or not, shall have access for ingress and egress suitable for all vehicular traffic including fire, police, ambulance service and other emergency vehicles by means of a public or private road, or a multiple residential driveway (MRD) meeting the requirements of this ordinance. No lot or parcel of real estate shall be improved with a building or structure subsequent to the date of adoption of this ordinance unless a permit in accordance with this ordinance has been issued. No private road or street shall be constructed in Lima Township unless it complies with the requirements of this ordinance either

pursuant to a permit under the terms of this ordinance or a properly issued variance from the terms of this ordinance issued from the Lima Township Board.

Every lot or parcel of real estate in Lima Township in any residential, commercial, or industrial district which is improved with a building shall either: (1) abut upon a street or road dedicated to the public; or (2) abut upon a private street or road which meets the requirements of this Ordinance.

In any agricultural district every use, building, or structure established after the effective date of adoption or amendment of this ordinance shall be on a lot or parcel which adjoins a public or private road, a MRD, or have an access easement of record to a public or private road. Such public and/or private road easement, MRD, or access easement of record to a public or private road to be at least sixty six (66) feet wide, unless a lesser width was established and recorded prior to the effective date of this ordinance. The out-buildings and activities of farming operations shall be exempt from this provision.

See Section 15 herein, for language dealing with requirements for existing pre-ordinance, non-conforming private roads.

SECTION 3 - APPROVING AUTHORITY

The Lima Township Board shall have the authority to approve or deny applications for private roads and access easement permits. No other permit issued by a Township Official or body, including by way of example, the Zoning Administrator, Planning Commission or Zoning Board of Appeals, or by any Washtenaw County Official or Board, including by way of example, the Chelsea Area Building Authority or its Inspector, shall be a substitute for a private road or access easement permit required by this Ordinance. If an access easement permit is necessary under the requirements of the Lima Township Zoning Ordinance or any other Ordinance, the Township Board may refer such application to the Planning Commission or other appropriate body for review, comment and recommendation. If the facts do not establish that the proposed or existing easement and roadway conforms to the standards and specifications of this Ordinance, the Township Board shall not grant an access easement permit. In the approval of any access easement permit, the Township Board shall impose such conditions as it deems necessary to meet the intention and to achieve the objectives of this Ordinance. The breach of any such condition shall automatically invalidate the permit therefore. The Township Board shall establish, by Resolution, a schedule of fees to defray the costs of inspection, administration and enforcement of this Ordinance. An applicant for an access easement under this Ordinance shall pay all Township costs and expenses incurred by the Township to process the application, including reasonable attorney fees where applicable. In addition to an application fee, the Township Board may require that the applicant for an access easement permit deposit with the Clerk of the Township a sum of money, or in lieu thereof a performance bond, upon such conditions as determined by the Township Board, which shall insure that the applicant shall perform the terms and conditions of the access easement permit, including the payment of any administrative or enforcement costs. Upon completion of the easement and roadway the applicant shall be entitled to a refund of such portions of the deposit which have not been expended for such administrative or enforcement costs.

The access easement permit shall be in a form as approved by a Resolution of the Lima Township Board. The permit shall be signed and issued to the applicant by the Clerk of the Township. The Clerk shall not issue the permit until all fees and deposits have been paid.

SECTION 4 - APPLICATION REQUIREMENTS

The application shall be made in writing and accompanied by the following information:

A. A legal description of the lot or parcel to be served by the easement. A legal description of the easement, the names and addresses of all persons or parties owning an interest in the title to the lots, parcels, and easement area.

B. A survey drawing showing the outline of the proposed easement, the dimensions and bearings thereof, the existing topographical contours at two (2) foot intervals of the easement area and all adjacent land within ten (10) feet thereof, soil characteristics, wet areas, trees, streams, and all other bodies of water within ten (10) feet of the easement area, existing buildings within twenty (20) feet of the proposed easement, the proposed easement in relation to the nearest property lines and the location of all proposed improvements to the easement area. The survey drawings shall be prepared by a Registered Land Surveyor or Civil Engineer and shall bear the seal of the same.

C. The plans and profile drawings and cross sections of the proposed improvements showing clearly all materials, grades, and dimensions. Such drawings and cross sections shall be prepared by a Registered Civil Engineer and shall bear the seal of the same.

D. A statement of the applicant detailing the parties who shall be responsible for the maintenance of the easement and roadway and the means by which such maintenance shall be accomplished.

E. A complete statement of all of the terms and conditions of the proposed easement, including all agreements or intended agreements regarding the maintenance and improvements of the easement and roadway.

F. The fee as established by Resolution of the Township Board.

G. The application shall be signed by the applicant or his agent, in which case, it shall be accompanied-by a duly executed and notarized Power of Attorney, and shall represent that the applicant is making the application on behalf of all persons having an interest in the easement of the abutting lots or real estate, and shall be made under penalties of perjury.

SECTION 5 - SPECIFICATIONS

Each access easement and its roadway shall conform to the following, specifications:

A. The specifications of the Washtenaw County Road Commission for streets and roadways which are to be dedicated to the public, or,

B. Such specifications as shall be subsequently adopted by Resolution of the Lima Township Board, and,

C. The following minimum requirements and specifications shall apply to private roads:

(1) The easement shall have a width of sixty six (66) feet.

Rural Standards - Lots of one (1) acre or more in size:

(2) For private roads that serve ten (10) single-family units or less, the following requirements apply: The surface shall be gravel or paved and shall have a minimum width for vehicular traffic of: twenty (20) feet of driving surface, plus two (2), two (2) foot shoulders for a total width of twenty four (24) feet. If paved the requirement shall be: three (3) inches of HMA 13A. (See Sub Base and Aggregate Base below). For fire/emergency and vehicle access, the first one hundred (100) feet of the road shall have a minimum width for vehicular traffic of: twenty four (24) feet with two (2), four (4) foot shoulders for a total width of thirty two (32) feet.

(3) For private roads that serve more than ten (10) single-family units, but not more than sixteen (16), the following requirements apply: Twenty four (24) feet of driving surface, plus two, four (4) foot shoulders for a total width of thirty two (32) feet. If paved the requirement shall be: two (2) inches of HMA 11A and three (3) inches of HMA 13A.

Sub-Base

(4) The sub-base material shall have a minimum thickness of six (6) inches of compacted sand spread to a minimum width sufficient to extend to the front slope of the roadside ditch.

Aggregate Base

(5) Aggregate base material shall consist of eight (8) inches of crushed limestone or slag or MDOT 22 gravel and shall be placed in two (2) courses of equal thickness. Each course shall be thoroughly compacted. The minimum width of the base shall be sufficient to meet the finished width of a gravel road. If the roadway is paved,

the base shall extend an additional four (4) feet beyond the pavement upon each side of the roadway.

(6) Private roads that serve more than sixteen (16) single-family units shall be paved. The Washtenaw County Road Commission Rural Design Standards for public roads shall apply

Urban Standards – Lots less than one (1) acre in size.

(7) Private roads that serve lots that are less than one (1) acre in size shall be paved; the Washtenaw County Road Commission Urban standards for public roads shall apply.

Other Regulations

(8) The maximum length of a dead end access shall be sixteen hundred (1,600) feet for developments of up to sixteen (16) lots. For developments that are greater than sixteen (16) lots, the maximum length of a dead end access shall be one thousand (1,000) feet. The minimum length of a dead end access shall be one hundred forty (140) feet, as measured from the centerline of the public street to which it connects to the centerline of the turning circle or turnaround area. The turning area shall be provided at the end of a dead end access easement which shall be sufficient to permit the quick and unobstructed change in direction of police and fire vehicles. The turning circle, where used, shall have a minimum radius of seventy-five (75) feet for the easement and a minimum radius of fifty (50) feet for the roadway surface. A "T" type turn-around maybe substituted for a turning circle, if the applicant can show that it will meet the standards herein before set forth for a turning circle.

(9) Unless a variance is approved by the Lima Township Board, the roadway surface and turning area shall be centered within the easement area.

(10) The connection between the access easement and public street shall conform to the standards and specifications of the Washtenaw County Road Commission and the applicant shall obtain a permit issued by said Road Commission prior to the approval of any access easement by the Lima Township Board.

(11) Underground cross-road drainage shall be provided where the proposed access easement crosses a stream or other drainage course. Necessary culverts and erosion treatments shall be provided in accordance with the specifications and recommendations of the Washtenaw County Road Commission.

(12) The easement and roadway shall be adequately drained so as to prevent flooding or erosion of the roadway. Ditches shall be located within the access easement and shall have minimum grade of five-tenths (0.5) percent. Grades of five tenths (0.5) percent to four (4) percent shall be sodded or otherwise stabilized. Front and back slopes shall have a minimum slope of one (1) on four (4). Grades exceeding four (4) percent shall be rip-rapped. Roadway drainage shall be constructed so that the run-off water shall be conveyed to existing water courses. The discharged water shall not be cast upon the land of another property owner unless the water is following an established water course. Connection to roadside ditches within public road right of ways shall be approved by the Washtenaw County Road Commission prior to the issuance of a permit under this

Ordinance. Drainage easements shall be required across lots to guarantee uninterrupted continuance of road and lot drainage to the ultimate discharge point off-site. The site shall comply with the current standards of the Washtenaw County Drain Commissioner regarding site detention and off-site discharge of developed storm water.

(13) The minimum grade of the roadway surface shall be five tenths (0.5) percent. The maximum grade of the roadway surface shall be seven (7) percent. The minimum sight distance at a point where the access easement roadway intersects a public street shall be at least seven hundred fifty (750) feet, in each direction, unless a lesser distance is approved by the Washtenaw County Road Commission. Sight distances shall be measured as specified by the Washtenaw County Road Commission (WCRC) standards and specifications. Horizontal curves shall have a minimum radius of two hundred thirty (230) feet. Vertical curves and all other road design elements shall meet the WCRC standards and the AASHTO guidelines.

(14) Residential parcels with less one hundred fifty (150) feet of frontage are permitted only one (1) driveway/street access.

(15) Residential lots on a corner are permitted only one (1) driveway/street access. Such driveway/street access is to be no closer than fifty (50) feet from the corner right-of-way line unless greater distance is required by the Lima Township Zoning Ordinance's schedule of regulations.

(16) Driveway culverts are to be a minimum length of thirty (30) feet and a minimum diameter of fifteen (15) inches.

SECTION 6 - INSPECTIONS

Roadway improvements shall be inspected by the Lima Township Engineer at various stages of construction. The owner shall retain and pay for a testing agency to test and document all roadway materials, test roadway earthwork densities, and sub-base, base, and asphalt density.

The Township Engineer shall make a final inspection upon completion of the construction and he/she shall certify the fact of completion in accordance with the terms and provisions of the permit. No final certificate of zoning compliance or certificate of occupancy shall be issued by the Lima Township Zoning Administrator for buildings upon lots or parcels of real estate which are to be provided access by means of a private roadway until the final inspection and certification by the Township Engineer has been given. The results of the final inspection shall be in writing. The certificate of completion by the Township Engineer shall be-provided to the Lima Township Board. One copy of the Certificate of Completion shall also be delivered to the Lima Township Clerk and the applicant. The costs of inspection including compensation of the Township Engineer shall be paid by the applicant prior to the issuance of the certificate of completion. The Township Board shall establish and determine the costs of inspection. If the applicant does not directly pay the costs of inspection, the same shall be paid from the deposit established by the Township Board and held by the Township Clerk, and the balance if any shall be returned to the applicant.

Required Inspections:

A. Sub-grade or rough grade; proof rolling will be required;

B. Sub-base;

C. Aggregate base;

D. Surface grade, if other than aggregate; and

E. Final site stabilization.

The Contractor shall notify Lima Township and the Township Engineer 72 hours in advance of road construction, and must coordinate the activities with the Engineer's inspector.

SECTION 7 - INSURANCE POLICIES

The contractor shall secure and maintain insurance policies to protect the contractor, subcontractor(s), Lima Township, and the Township's Engineering Consultant from all claims for bodily death or property damage which may arise during the project, whether such operations are made by contractor or by subcontractor (s) or anyone employed by them directly or indirectly. The following insurance policies are required.

A. Statutory Workers Compensation in accordance with provisions of the Michigan Worker's Compensation Act;

B. Professional Liability Insurance in the amount of not less than $1,000,000 for injuries including accidental death of any one (1) person;

C. Property Damage Liability Insurance in the amount of not less that $1,000,000;

D. Vehicle Liability Insurance in the amount of not less than $500,000.

The insurance certificates shall be filed with the Township giving satisfactory evidence of insurance as stipulated above, before work begins. Certificates shall be maintained until final approval and acceptance of the private road by the Township. All insurance certificates shall name Township, the Washtenaw County Road Commission, The Townships Consulting Engineers, and their respective employees and representatives as additionally insured parties.

SECTION 8 - TESTING AND REPORTS

The owner(s) shall be required to retain an independent testing consultant who must provide the following services and who will furnish testing reports to the Township Engineer,

A. Testing of all aggregate material must be completed and approved prior to construction.

B. Soil density testing for embankment construction (fills) exceeding one (1) foot in depth;

C. Sub-base and base density testing; and

D. Asphalt extraction testing if applicable.

Upon completion of construction and prior to final inspection of the project, the following must be accomplished.

A. Three (3) sets of blueprint as-built drawings

B. Recorded utility easements must be submitted;

C. Completion of the initial punch list must be accomplished; and

D. Completion of the final punch list which will be developed after all grading, all paving and all street landscaping is complete.

SECTION 9 - PRE - CONSTRUCTION MEETING

A pre-construction meeting will be held with the Township Zoning Administrator, the Washtenaw County Road Commission, the developer, and The Township Engineer(s) prior to the start of construction. The meeting will be held to discuss the construction schedule, shop drawings, insurance requirements, activities, and permit status.

A Soil Erosion Control Permit must be received from the Chelsea Area Construction Agency, or the agency designated to issue a Soil Erosion Control Permit, prior to the start of construction.

SECTION 10 - EXPIRATION OF APPROVAL

The private road permit shall be valid for a period on one (1) year from the date of issuance, or such longer period as determined by the Township Board. If the improvement has not been completed upon the expiration of said one (1) year or such longer period of time, then the permit shall be void and of no force and effect and all deposits shall be forfeited to the township.

SECTION 11 - RECORDING

All access easements shall be recorded in the office of the Register of Deeds for Washtenaw County prior to issuance of a final certificate of completion, or the issuance of any zoning permit, including a final certificate of zoning compliance or a certificate of occupancy.

SECTION 12 - BUILDING PERMITS

No zoning or building permit shall be issued for any lot or parcel of real estate subject to the provisions of this Ordinance unless an access easement permit has been issued by the Township Board.

SECTION 13 - VARIANCES

Where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this Ordinance, such as topographical and other physical characteristics of a parcel, the Township Board shall have the power to vary or modify the application of the provisions of this Ordinance so that the intent and purpose of the Ordinance shall be observed, public safety secured and substantial justice done. Any applicant may apply for a variance from any provision of the Ordinance.

The Township Board shall hold a public hearing upon such application within a reasonable period of time from its filing. The Township Clerk shall give notice of the hearing to the owners of all property abutting and/or having access for ingress and egress of traffic by means of the private road described in the variance application, as well as police, fire and emergency service officials known by the Clerk to serve such property. The notice shall be mailed to each such party and published in a newspaper of general circulation in the Township not later than seven (7) days prior to the hearing. Upon the hearing, any party may appear in person or by agent, or by attorney. The Township Board shall keep a record of said hearing and shall render a written decision.

The Township Board may attach reasonable conditions in granting any variance from any provision of the Ordinance, and the breach of any conditions or the failure of any applicant to comply with the conditions shall void the variance. It is the intent of this provision of the Ordinance that easements and rights-of-way which have been established, recorded, constructed, or maintained prior to the date of adoption of this Ordinance and which can not be brought into conformity with the provisions of this Ordinance without unnecessary hardship or where such rights-of-way and easements by reason of soil conditions, topographical considerations, or other factors can not be brought into conformance with the Ordinance without practical difficulties, that variances shall be granted and conditions attached to the variance to facilitate the upgrading of such prior nonconforming easements and rights-of-way as is reasonably practical to the standards of the Ordinance.

Variance procedures. The following apply to all variance requests under this Ordinance.

A. Applicant shall file an appeal to the Township Clerk for a variance for a pre-ordinance private road. (Use Private Road Variance Application.)

B. Application shall be accompanied by a fee according to the Township Fee schedule.

C. Application will be submitted to Township Road Engineer and Fire Authority for evaluation and recommendation. Recommendations will be based upon safety and reasonableness.

D. Minimum requirements for variances will include:

(1) Follow the recommendations of the Township Engineer and Fire Authority as accepted by the Township Board.

(2) Provide sufficient passing and turnaround space to accommodate emergency vehicles.

(3) A recorded maintenance agreement signed by all property owners provided access along the road.

(4) A recorded 66 foot easement which includes the existing roadbed.

(5) Approval of the Washtenaw County Road Commission for access to the public road.

(6) A road name with a private road sign and stop sign that comports with the uniform system of traffic signs installed at access to public roads.

(7) Safety improvements as recommended by the Township Engineer, Fire Authority, and approved by the Township Board.

SECTION 14 - PRIVATE ROAD MAINTENANCE AGREEMENTS

Continued maintenance of private roads and road drainage facilities shall be the responsibility of the property owners served by such roads. Prior to issuance of construction permits, such property owners shall enter into a legally binding private road maintenance agreement, which shall be subject to review and approval by the Township attorney. At a minimum, the easement maintenance agreement shall contain the following:

A. *Maintenance costs.* The private road maintenance agreement shall acknowledge that the road surface and easement area are privately owned, and therefore, all *mainenance work,* construction and improvements within the easement will be contracted and paid for by the signatories to the agreement.

B. *Method of apportioning maintenance costs.*

(1) Original users. The agreement shall describe the method by which maintenance costs and costs of improvements will be apportioned among the original users of the private road.

(2) Subsequent users.

a. The agreement shall describe the method for apportioning new users for a proportionate share of the maintenance costs and costs of improvements of the private road.

b. The agreement shall indicate that the method of apportioning costs applies whether the new users are a result of:

- Extension of the private road beyond its initial length;
- Connection to another private road; or
- Division of property which is served by the private road.

c. The apportionment formula may be designed to apportion costs in relation to the benefit to be derived from the private road, and therefore, shall

include two variables: the number of parcels to be served, and the amount of frontage that each parcel has along the private road. For example, the formula could apportion 50 percent of the costs on the basis of the number of parcels being served, and apportion the remaining 50 percent of cost on the basis of frontage for each parcel.

d. The apportionment formula may include provisions to reduce the cost for parcels that have existing access to another public or private road, and therefore, would not derive full benefit from the private road.

C. *Township not responsible.* The provisions of the private road maintenance agreement shall in no way be construed to obligate the Township to perform regular inspections of the easement area, or to provide necessary repairs or maintenance. The Township may intercede in maintenance of a private road only if a potential health or safety hazard is brought to the attention of Township officials, or if the road is not being maintained in accordance with Township standards.

D. *Special assessment provision.* The private road maintenance agreement shall contain a provision to permit the Township Board to authorize the repair of any private road which is not being maintained adequately to permit safe access by users and emergency vehicles, and to assess the cost of such repair, including the costs of engineering and administration, to the signatories to the private road maintenance agreement. The decision to authorize repair of a private road shall be at the Township Board's sole discretion in accordance with its legislative powers.

E. *Maintenance needs.* The private road maintenance agreement shall acknowledge the responsibility of the signatories to such agreement to maintain the surface grading and resurfacing at regular intervals; snow and ice removal; repair of potholes; maintenance of road drainage systems; maintenance of unobstructed vision at any intersection with another private road or a public road; annual dust control; and regular cutting of weeds and grass within the easement.

F. *Continuing obligation.* The private road maintenance agreement shall specify that the obligation to maintain the easement shall be an obligation running with the land to be served by the private road, and shall be binding upon the owners of such land and their heirs, successors and assigns.

To insure that all private roads are maintained, the property owners covered by the maintenance agreement must file a report with the township every five (5) year that is signed by a registered engineer, certifying that the private road meets the standard contained herein

SECTION 15 - POLICY FOR PRE - ORDINANCE PRIVATE ROADS

All private roads which were in existence prior to adoption of this **Section** shall comply with the provisions of this Ordinance. The following requirements apply to all roads established prior to this Ordinance:

Requirements for Pre-Ordinance Private Roads. The following requirements pertain to private roads which do not meet the requirements of this Ordinance as of date of adoption.

A. For an existing residence(s) on a non-conforming private road, no variance is required for adding or altering non-habitable, non-traffic impact structures such as a deck, unenclosed porch, pole barn, garage or similar structure.

B. For an existing residence on a non-conforming private road, a private road variance or upgrade of the road to current private road standards is required to add any addition of habitable space or traffic increasing structure, activity or use. If the road is upgraded to current private road standards a road maintenance agreement is required per Section 14, herein.

C. For a new residence, whether on an existing unimproved lot or replacing an existing residence, a private road variance or upgrade of the existing access way to current private road standards is required. If the road is upgraded to current private road standards a road maintenance agreement is required per Section 14, herein.

D. For any parcel requesting a land division, the existing non-conforming private road is required to be improved to meet current private road standards of this ordinance; road maintenance agreement is required.

E. Prior to any zoning compliance permits being issued by the township for any lot or structure accessing an existing non-conforming private road, an acceptable executed, recorded private road maintenance agreement must be filed with the township.

SECTION 16 - VIOLATIONS

Any person who violates any provision of this Ordinance shall be guilty of a misdemeanor and shall be subject to a fine not exceeding FIVE HUNDERD ($500.00) DOLLARS or by imprisonment not exceeding ninety (90) days, or by both such fine and imprisonment. Each day a violation occurs shall be deemed a separate offense. Any access which is used in violation of the terms of this Ordinance be and the same is hereby declared to be a nuisance per se, and such use may be abated, restrained enjoined, and prohibited, upon the commencement of an appropriate action in the Circuit Court.

SECTION 17 - SEVERABILITY

The provisions of this ordinance are hereby declared to be severable. If any clause, sentence, paragraph, section or subsection is declared void or inoperable for any reason by any court, it shall not affect any other part or portion hereof other than the part declared void or inoperable.

SECTION 18 - REPEALER

The existing private road ordinance of Lima Township being the Lima Township Private Road Ordinance No. 3, adopted July 7, 1979 as amended, is hereby repealed. The adoption of this Ordinance, however, shall not affect or prevent any pending or future prosecution of, or action to abate, any existing violation of the aforementioned Ordinance No. 3, adopted July 7, 1979, as amended, if the use so in violation is in violation of the provisions of this Ordinance.

SECTION 19 - EFFECTIVE DATE

The Ordinance herein shall be effective thirty (30) days after publication

This Ordinance was duly adopted by the Lima Township Board at its regular meeting called and held on the 10th day of April, 2006, and was ordered given publication in the manner required by law.

Arlene R. Bareis, Clerk
Lima Township

Kenneth Unterbrink, Supervisor
Lima Township

Adoption: April 10, 2006

Publication: April 20, 2006

Effective Date: May 20, 2006

RESOLUTION FOR ADOPTION OF LIMA TOWNSHIP PRIVATE ROAD ORDINANCE

BE IT RESOLVED AND IT IS HEREBY RESOLVED that the Lima Township Board does hereby adopt as Lima Township Ordinance No. 23, the attached Lima Township Private Road Ordinance, and the Clerk is hereby directed to enroll in said Ordinance in the books and records of the township, file a copy with the County Clerk, and cause the same to be published immediately. The Ordinance shall be effective (30) days after publication.

STATE OF MICHIGAN
COUNTY OF WASHTENAW ss

I, ARLENE R. BAREIS, Clerk of Lima Township, do hereby certify that the above Resolution and Ordinance was adopted at a regular meeting of the Lima Township Board, held on the 10th day of April, 2006, at the Lima Township Hall, at eight o'clock in the evening, by the following roll call vote:

AYES: Trustee Laier, Treasurer Havens, Trustee McKenzie, Clerk Bareis, Supervisor Unterbrink.

NAYS: None.

ABSENT : None.

Arlene R Bareis

ARLENE R. BAREIS
CLERK OF LIMA TOWNSHIP

Dated: April 10, 2006