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LIBER 392 PAGE 628

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF HILLSDALE

Petition of FLOREN and MARY ELLA
KLOPFENSTEIN to Determine the
Normal Height and Level of Lake
Diane (Formerly Goforth Lake) and
for Other Relief

ORDER

At a session of said Court held in the Court House in
the City of Hillsdale on this 21st day of June, 1965

PRESENT: HON. ROBERT W. MC INTYRE, Circuit Judge

The above entitled petition having come on to be heard;
it appearing from due proof on file that public notice of said
hearing has been given by publication for six successive weeks in
the Hillsdale Daily News, and it further appearing that copies of
the published notice of hearing have been served by Certified Mail
at least three weeks prior to the hearing date on each person whose
name appears upon the last township tax assessment roll as owning
lands within the special assessment district, or that such persons
have signed waivers of such notice and consent to the granting of
the relief sought in said petition; the Court having heard the
testimony of the witnesses produced on behalf of petitioners; and
being fully advised in the premises;

It is the finding of this Court that Lake Diane is an
artificial inland lake lying entirely within the County of Hillsdale
and occupying portions of Sections 3, 4, 33, and 34 of Amboy Town-
ship in said County.

From the testimony offered, this Court determines that

the water level for said lake which will provide the most benefit to the public and best protect the public health, welfare and safety and which will best preserve the natural resources of the State and best preserve and protect the value of properties developed around said lake as a result of the creation of the normal level is ^{949.75} / feet above sea level. It is therefore ORDERED that 950 feet above sea level is the normal height and level of the said Lake Diane. It is further ORDERED that there may be a departure or lowering from the said normal height and level by about three feet, or to a level of 947 feet above sea level, when necessary to carry on repair, maintenance, construction or installation work for the purpose of maintaining the waters at the normal height and level, and to prevent ice damage.

The Court having considered and reviewed the description of lands abutting said lake contained within the special assessment district proposed by the Hillsdale County Drain Commissioner and on file in his office, it is ORDERED that said special assessment district is hereby approved and further maintenance expense of the lake level hereinbefore determined shall be assessed in accordance with such special assessment district.

Robert W. McIntyre

Circuit Judge

CERTIFICATE OF COPY OF RECORD - BY COUNTY CLERK

STATE OF MICHIGAN,
COUNTY OF HILLSDALE

SS.

I, George B. Clark Clerk of the

County of Hillsdale, and Clerk of the Circuit Court for said County, in Chancery, the same being a Court of Record and having a seal, do hereby certify that I have compared the annexed copy of Order,

Case No. 1-494



with the original record thereof now remaining in my office, and have found the said copy to be, and that the same is, a true and correct transcript therefrom, and of the whole of such original record.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court, at Hillsdale, this 28th day of June

A. D. 19 65

George B. Clark
County Clerk

Unofficial Copy