



THREE MILE LAKE NEWS

April 2011 - Volume 5, Number 1

P.O. Box 482, Paw Paw, MI 49079

www.threemilelakepawpaw.org

Email - threemilelakepawpaw@yahoo.com

2011 Meeting Schedule

Spring Board Meeting
1st Sat. of May
May 7th
Joyce Beedie's home
10:00 a.m.

Spring Membership
Meeting
3rd Sat. of May
May 21st
Paw Paw Twp. Bldg.
114 N. Gremps
10:00 a.m.

Annual Membership
Meeting
Last Sat. of June
June 25th

Fall Board Meeting
1st Sat. of August
August 6th

Fall Membership Meeting
Sat. of Labor Day
Weekend
Sept. 3rd

*The board of
Directors have set this
meeting schedule for the
coming year, but it is
subject to change. Any
changes in dates and
times along with meeting
locations will be
announced at a later date.*

2011 BOATERS SAFETY CLASSES

All classes are held at the
Lawrence Fire Department, 205 N. Paw Paw St., Lawrence, MI
June 4th, 11th, 18th, July 9th, 16th, 30th, Aug 6th, 13th, 20th
From 8 a.m. to 3 p.m. All students must pre-register for the classes.
Call 269-657-3101 or register on-line at:
www.vanburencountysheriff.com/marinepatrol.htm#Classes

CONTRACT WITH PLM TO BE RENEWED FOR ANOTHER 5 YEARS

The current five year contract between the Three Mile Lake Corporation and Professional Lake Management ends December 31, 2011. The Lake Management Committee will be looking to extend this contract for another five years. Later this year they will submit their recommendations to the Paw Paw Township board. The township will be asked to roll over any excess assessment money from the last contract into the new contract. All of the lake quality test results provided to us by PLM, along with past editions of their newsletter, are available online at our website or can be obtained from a board member.

VOLUNTEERS NEEDED

Volunteers are needed to host our annual membership meeting/picnic and to host our fall membership meeting. Please contact a board member if you can help.

NOMINATIONS NEEDED

Each year three board positions open as a result of completed terms of service. This year the board members who have completed their service are Joyce Beedie, Jim Chlada and Joe Posada. It is important to our association to have NEW people volunteer to sit on the Board of Directors. Everyone has knowledge, talent or a passion that would benefit our lake and its residents. Nominations will begin at our May 21st membership meeting. If you would like to be nominated or need additional information about the position, contact any board member or email threemilelakepawpaw@yahoo.com.

MICHIGAN INLAND LAKES PARTNERSHIP

The Michigan Inland Lakes Partnership welcomes you to visit their website!
www.mishorelinepartnership.org/

The Partnership is a collaborative effort of agencies and organizations interested in stewardship of Michigan's inland lakes. They envision this website as the central source of lake information for everyone interested in protecting and managing Michigan lakes.

MICHIGAN LAKE AND STREAM ASSOCIATIONS

Our association continues to maintain its membership with the Michigan Lake and Stream Associations and sends a lake representative to their spring and fall meetings and to their Fall Seminar. These meetings are open to MLSA members and guests. If you are interested in attending a meeting, contact Joyce Beedie.

About ML&SA:

- ML&SA is a 501-c3 non-profit federal tax deductible corporation, made up of organizations, corporations, associations and individuals who share an interest in the use and maintenance of Michigan's WATER resources.
- The corporation was organized in 1961 and now includes over 150 individual members and more than 350 lake, river and stream associations whose aggregate membership exceeds 100,000.

2010 – 2011 Board of Directors

Joyce Beedie
President
term expires 2011
269-657-4409

Ron Cicchini
Vice President
term expires 2013
269-657-5096

Jim Chlada
Treasurer
term expires 2011
708-610-2065

Millie Pawlowski
Director
term expires 2012
630-977-9796

Rich Maxwell
Director
term expires 2013
269-657-7343

Charlie Bear
Director
term expires 2012
269-657-7590

Joe Posada
Director
term expires 2011
269-655-5015

Dave Schmidt
Director
term expires 2013
269-655-0159

Roland Harring
Director
term expires 2012
269-657-3767

The terms of three directors are up for re-election this year and your association needs to fill these positions. If you would like to be nominated or know of someone you would like to nominate to the board please contact a board member. Elections are held at the annual meeting in June.

- The primary goal of ML&SA is to assist lake, river and stream, and watershed associations and individual riparian property owners in their management of their investment in waterfront property.
- Another goal of equal importance is to prevent the degradation, contamination and pollution of the surface waters of the state of Michigan.
- Membership in Michigan Lake and Stream Associations is open to any individual, lake, stream, or watershed association/organization, or corporation who shares a concern and interest in Michigan's water resources.

For more information about the MLSA visit www.mlswa.org/.

SUPREME COURT EXPANSIVELY DEFINES LAKEFRONT RIPARIAN PROPERTY RIGHTS ABUTTING PUBLIC ROADWAYS

On December 29, 2010, the Michigan Supreme Court released its lengthy 4-3 opinion regarding Michigan riparian rights, a term to describe legal rights to use waterfront property for certain activities like building recreational boat docks.

The case, 2000 Baum Family Trust v. Babel, involved property owners with lots that front Lake Charlevoix (the "front-lot owners") yet are separated from the water by Beach Drive, a public road maintained by the Charlevoix County Road Commission. These front-lot owners along Beach Drive, believing they have riparian rights, built seasonal docks from the shoreline into Lake Charlevoix even though their lots do not touch the shoreline. Local neighbors without lake front access (the "back-lot owners") also began maintaining their own docks and storing their boats along Beach Drive on Lake Charlevoix. In 2007, the front-lot owners sued the back-lot owners and the Charlevoix County Road Commission claiming trespass, nuisance, and sought a court order to have the back-lot owners' docks permanently removed.

In the trial court, the front-lot owners argued that because their lots were only separated from the water by a roadway parallel to the lake, their lots were riparian and permits their docks only. The Charlevoix County Road Commission opposed arguing that the front-lot owners did not possess riparian rights because none of front-lot owners' properties abuts Lake Charlevoix as the properties were separated from Lake Charlevoix by a road owned and maintained by the county.

The trial court and the Court of Appeals ruled the front-lot owners did not possess riparian rights because the dedicated public Beach Drive exists between the front-lot owners' property and the lake. As such, any possible riparian rights are cut off.

The Michigan Supreme Court reversed. In the majority opinion, Michigan's high court ruled that pre-1967 dedicated public roadways are owned as a "base fee" rather than full ownership. The Court explained that base fee or fee-in-trust includes most of the rights of ownership but if the governmental entity abandons the road, full ownership reverts to the original proprietor or its grantee. As a result, the Road Commission received less than full ownership for the limited purpose of maintaining a public road.

With this ruling, the front-lot owners now technically have property rights to the water's edge providing full riparian rights.

The Supreme Court's decision affects countless lakefront properties and public roadways across Michigan. Many counties likely no longer fully own the property its roads are built on and some property owners with similar circumstances may have gained substantial and valuable water rights.

Philip L. Ellison, MBA, JD, Esq is an attorney, business counselor, and civil litigator with Michigan-based Outside Legal Counsel PLC. He has previously defended the riparian rights and water access property rights of lot owners on Michigan's recreational lakes. Visit his online profile at www.olcplc.com

RELAY FOR LIFE, AMERICAN CANCER SOCIETY NEEDS YOUR HELP!

To donate items for yard sale, call Jill @ 657-3767.

For monetary donations, to join a team, or for more information call

Jill @ 657-3767 or Patsy @ 657-5990.

Relay is June 25th & 26th, 2011

Thank you! The Harrings

Please remember to contact the lake association if you have a change of mailing address, phone number or email address. The board makes every effort to mail newsletters to ALL residents and contact them when important issues arise. Your contact information is also used as a part of our neighborhood watch program. If you know of a new resident please contact Ron Cicchini, he will visit them and welcome them to the lake.

2011 MEMBERSHIP FORM

Member Name(s) _____
Lake address _____ Paw Paw, MI 49079
Lake telephone number _____
Home (Mailing) Address (if different) _____
City: _____ State _____ Zip Code _____
Telephone contact number _____
Email Address _____

Membership dues are \$20 per family

Make check or money order payable to: Three Mile Lake Corporation

Mail check to: Three Mile Lake Corporation

P.O. Box 482

Paw Paw, MI 49079

Comments: _____



MAJOR LEAGUE WATERPROOFING

RESIDENTIAL BASEMENTS
BENTONITE GROUT INJECTION
DRAIN TILES
EPOXY SEALANTS

AFFORDABLE - LOCAL
(269) 655-5015

*By keeping your basement dry,
we give you peace of mind.*

JOE POSADA

MARY KAY

JILL HARRING
*Independent Beauty
Consultant*

Paw Paw, MI

269-657-3767

jharring@marykay.com

www.marykay.com/jharring

ANNUAL TRUCK LOAD SALE

3 DAYS ONLY
APRIL 15, 16 & 17, 2011

DOCKS
ROLL-IN DOCKS
DOCK ACCESSORIES
BOAT & JET SKI LIFTS

NEIL'S HARDWARE & RENTAL
25300 Red Arrow Hwy., Mattawan

WARNER SUPPLY DO-IT CENTERS
33310 M-43, Paw Paw
105 S. Phelps St., Decatur
136 E. Michigan, Paw Paw

THESE WILL BE THE BEST PRICES
OF THE YEAR!

warnersupply.doitbest.com

NEIL BOFF

