

CROCKERY LAKE ASSOCIATION

May 2017 NEWSLETTER

CROCKERY LAKE WEBSITE: www.crockerylake.org

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JULY 3, 2017—CROCKERY LAKE FIREWORKS! Thanks to your generous donations, we collected \$4,350.44 for this year's fireworks. Show will be a tiny bit BIGGER than last year. The fireworks will be shot off at dusk (approximately 10 p.m.) from the Gunkel Farm on the west end of the lake.

FASTER, EASIER WAY TO DONATE TO CROCKERY LAKE FIREWORKS!!!

The 2018 Fireworks donation drive is underway. So far we have collected \$75 towards our goal of \$5,000. Watch the thermometer on the Crockery Lake web page to watch our progress.

Go to the CLA website (www.crockerylake.org) and click on the box under the Fireworks thermometer "Donate". You are able make a donation using your credit card. The money goes directly into the 2017 CLA Fireworks Fund account. All funds received will be used for the fireworks. There is a 5% charge for each credit card transaction. The donee can decide to pay the fee in addition to their donation or have it deducted from their donation.

**ANNUAL MEETING—Wednesday, May 17, 2017 at 6:30 p.m.
Grose Park Forest Shelter.**

HOT DOGS, HOMEMADE BAKED BEANS, AND MORE are just part of the menu at the **FREE** dinner before the annual meeting! All lake residents are invited. Come visit with new and old neighbors! Run for a Board position!

Ottawa County Marine Patrol will be bringing their boat to the meeting and you will have the opportunity to see the boat up close and check out all its equipment.

New "welcome signs" for the lake may be displayed. Save time! Pay your CLA dues at the annual meeting.

Your dues play a HUGE part in effectively running the CLA program, which promotes education on lake environmental studies, social get togethers, and community awareness programs as well. Many people who receive the CLA newsletter find helpful information and tips on helping our lake survive or for that matter helping each other in one way or the other. We need ALL readers to become members of CLA so we can become more united in our effort to promote a healthy neighborhood, community, and most importantly our beautiful Crockery Lake. Come on folks—please do your part and join the Crockery Lake Association today—it's such a small price to provide a benefit to one and all!

LIFE JACKET STATION AT GROSE PARK

Per the Ottawa County Park Commission: We are working on finalizing the sign that will go along with the lifejacket station. The sign will be in both English and Spanish and we are waiting on the translation for the Spanish side. The plan is to have the sign and lifejacket station done and installed in May.

Lake Weed Growth in May: The first weed to appear is MILFOIL. Milfoil re-roots itself quickly from pieces broken off from the main plant. The lake will be treated in May to kill the root of Milfoil. We encourage residents not to pull or cut this invasive plant.

Lake Weed Growth in June: After the Milfoil is dead, another weed, COONTAIL, will start growing. Coontail looks similar to Milfoil, but does not spread in the same way. Feel free to pull out as much Coontail as you can stand!!

2017 CHEMICAL TREATMENT DATES May 22, 2017; June 26, 2017; July 24, 2017; August 21, 2017. Dates subject to change re inclement weather conditions. Treatments will be for Weed & Algae (if necessary); and muck pellets.

JOHN'S TACKLE BOX

Spring is here and the fishing is really picking up!

Pan fish are a good bet right now in many lakes. Try Gun Lake and Reed's Lake.

Use long rods, light line, rocket bobbers with no weight or a moon jig #10 hook with a wax worm.

Fish shallow water with a dark bottom

Pike fishing is just getting started. Try minnows under a bobber and crank baits. Fish near weeds.

New Hot Baits: Sausage Gear 3D; Suicide Duck Lure; 3d Rad Rat Lure

Have fun. Be safe. And only catch your legal limit.

Why we scoop the poop: There is *E. coli* and other parasites in animal waste. Runoff from our lawns in the form of untreated waste ends up in our lake. Bag and dispose of pet waste in order to prevent this pollution.

Why the Fertilizer ban: Phosphorus in fertilizer can harm the environment through runoff and produce algae blooms. Keeping grass 3 inches or taller to decrease runoff and pollution.

Forest Pest Alert

Don't Prune Oak April 15 – July 15

Help prevent the spread of oak wilt, an exotic, fungal disease of oak trees primarily impacting those in the red oak group. Pruning oak trees during the high-risk period allows native picnic beetles to spread spores from infected trees to otherwise healthy trees. Unlike many other pests and health issues, oak wilt causes rapid defoliation and die back in the crown, killing red oak trees in a matter of weeks. Watch for "flagging", otherwise healthy trees displaying discoloration in the canopy and defoliation. Through time, infected trees spread the fungus through the root system to adjacent red oaks, creating a large pocket of dead red oak trees. Treatment can be costly and destructive, prevention is key! Kent Conservation District Newsletter, Spring 2017

- To deter geese and ducks from visiting your lakefront, plant some short native grasses at the water's edge. (some native grasses are only 12" high).
- A strip of shoreline land, even two feet wide, will reduce maintenance, trap debris, cut erosion and provide wildlife habitat.
- Clippings left on the lawn will not promote thatch buildup. (This is assuming you have not let your grass grow extremely long.) Clippings do not make significant

contributions to thatch and should be returned to the lawn whenever possible.

Mulching mowers do a good job for this type of mowing, but any mower is capable of returning clippings to the lawn.

- If excessive clippings are a routine problem on your lawn, try increasing the frequency that you mow and raise the mowing height. Mowing heights of 2.5-3.5 inches are recommended for most lawns.

If you do collect your grass clippings, they can be used as mulch in your gardens. a half inch layer deter weeds and adds nitrogen to your plants.

SLOW DOWN!! SPEED LIMIT IS 25 M.P.H. ON VAN DYKE & CROCKERY SHORES!!

Advertisers Corner

FREE Graco Pack-and-Play. Purchased early 90's for grandchildren. I received email from Graco saying they have received no notice of recall on this particular model. I gave them detailed information from the item. If interested call 899-2228

Advertising in this newsletter is FREE to Crockery Lake Members.

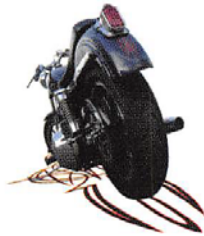
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Inclusion of any advertisement in the CLA Newsletter does not equate to an endorsement by the Crockery Lake Association.



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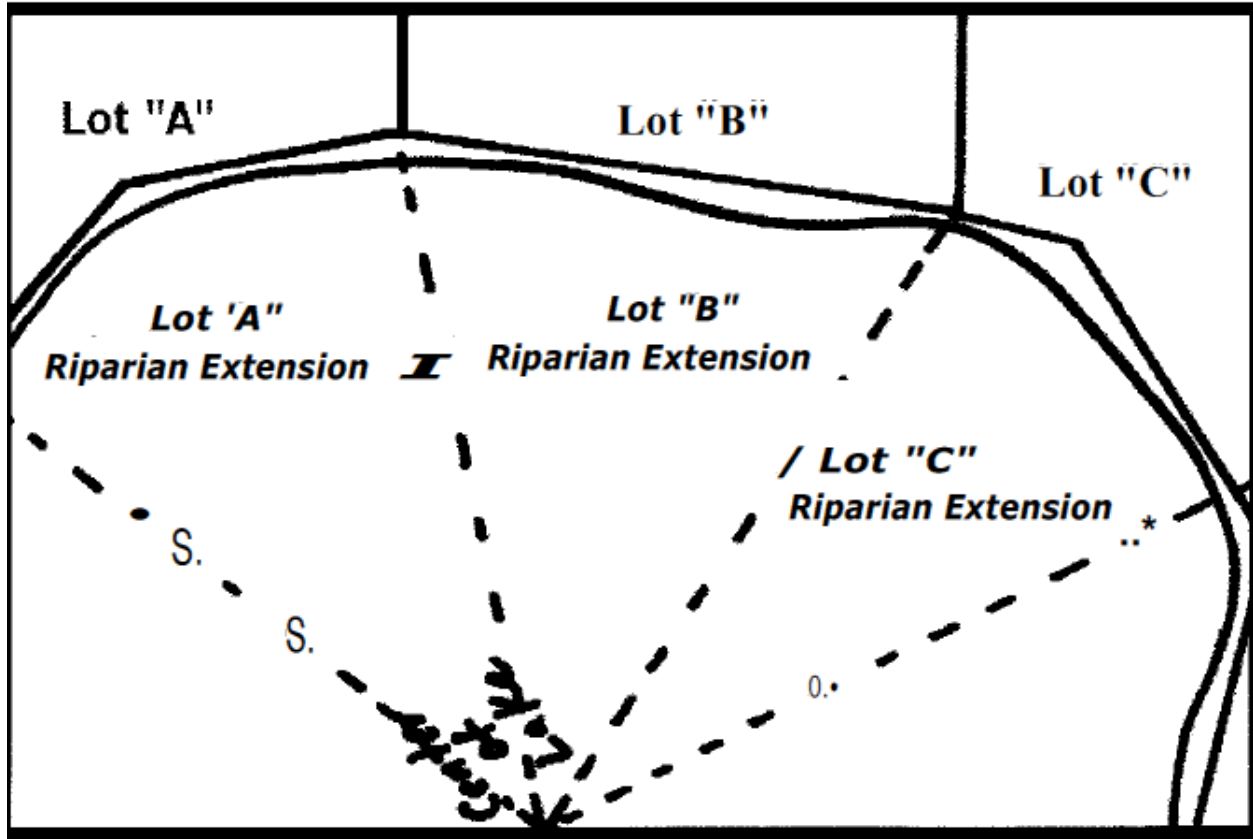
Chuck Lane, Webmaster

"Bottomlands Ownership"

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In Michigan, the land underneath a body of water is generally called "bottomlands. Does a waterfront or riparian property owner own, control or possess the bottomlands adjacent to his or her waterfront property? It depends.

With inland lakes in Michigan, the overwhelming majority of riparian property owners also own a share of the bottomlands under the water to the center of the lake That is true for about 95% or more of the inland lakes in Michigan. In general, the riparian property owner has ownership, control and possession of his or her bottomlands under the lake and has the exclusive right to use the bottomlands for dockage, boat moorage, wading, installing and using a swim raft and similar uses and activities. One exception to such common law exclusive rights of riparianism is the ability of a boater to temporarily anchor or moor on the bottomlands of another without permission for navigability purposes, including fishing and taking refuge during storms However, that right to temporarily anchor on the bottomlands of another without permission is limited.



The owners of Lots A, B, and C in the diagram own their respective 'slice of pie' to the center of the lake, even if their deeds do not specifically reference the same.

Even though most riparian property owners on inland lakes in Michigan own a share of the bottomlands under the water to the center of the lake, it is often quite difficult to ascertain the exact location and configuration of side lot lines of bottomlands ownership under the water. Almost never do the riparian boundary lines under the water radiate at the same angles as the side lot lines of the riparian property on dry land.

Determining underwater riparian boundary lines on a fairly round lake is typically quite easy - the underwater riparian boundary lines resemble the pieces of a pie. Determining bottomlands ownership becomes more difficult with an irregularly shaped lake or a lake that has many bays and peninsulas. If adjoining riparian land owners cannot amicably resolve a dispute over their common riparian boundary line, the ultimate authority is a Michigan court

As more than one judge has put it, determining riparian boundary lines "is more of an art than a science". Although experienced surveyors and engineers can give their opinion regarding the location of underwater riparian boundary lines for inland lakes in Michigan, those are only opinions subject to final determination by a court. There are a few natural inland lakes in Michigan where riparian boundary lines do not radiate to the center of the lake. Those typically

fall into one of two categories. First, in rare instances, one person or entity at one time owned the entire lake and kept title to the bottomlands as lots or properties around the lake were sold. Second, on occasion, when parcels on a lake were originally sold, the legal descriptions extended out into the lake in various areas. In Michigan, the legal descriptions or deeds for properties on an inland lake almost never extend out to the center of the lake or even out into the lake.

Instead, the courts interpret a property to be riparian or lakefront on an inland lake if the legal description or deed references the lake or body of water (for example, using language such as to water's edge, to the shore, to the lake, ends at the water's edge, etc.)

In order to be waterfront or riparian, a property must touch the body of water. If there is a significant gap in ownership between the water and the property involved, the property is generally not riparian or waterfront. What about artificial bodies of water? In the past, most artificial bodies of water were treated in a similar manner as inland lakes in Michigan for purposes of riparianism, bottomlands ownership, etc.

Unfortunately, however, the Michigan Court of Appeals upended the law regarding artificial lakes in *Persell v Wertz*, 287 Mich App 576 (2010) and *Holton v Ward*, 303 Mich App 718 (2014). While the Court of Appeals held in those cases that artificial lakes cannot have riparian rights and that normal rules of riparianism do not apply, the Court unfortunately did not indicate which rules do apply to artificial lakes. Accordingly, the law in Michigan is currently unclear regarding whether or not waterfront property owners on artificial lakes own the bottomlands to the center of the lake, can use the entire surface of the lake, can install and utilize docks, etc. Obviously, there is more to lake bottomlands ownership in Michigan than many people assume.