

The following documents are the consent judgement for a case in 2023 in which a business located at 9651 42<sup>nd</sup> Ave., P.P. #70-10-31-400-017, attempted to operate a U-Haul dealer use (open air business) in the Agricultural (AG) district. Note that open air businesses are not permitted in the Agricultural (AG) district or Industrial (I) district by right or special land use.

The Township initiated an enforcement on the property (EN23-0070) and the case ended with the business admitting responsibility for the violation and ceasing the use pursuant to the judgement entered in the case. The business submitted a new zoning compliance for a different, approved business activity.

<b>STATE OF MICHIGAN</b> 58TH JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE	<b>CERTIFICATION OF RECORDS/          ATTESTATION OF EXEMPLIFIED COPIES</b>	<b>CASE NO.</b> U-00002018-705
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<b>Court address</b> 3100 Port Sheldon Hudsonville MI 49426	<b>Court telephone no.</b> (616) 662-3100
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Plaintiff STATE OF MICHIGAN	<b>v</b>	Defendant GREAT LAKES RENTAL PROPERTIES
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Juvenile In the matter of \_\_\_\_\_  
 Probate In the matter of \_\_\_\_\_

**ATTESTATION OF CLERK/REGISTER**

I am the clerk/register of the court and I attest that:

1. I am the custodian of the records of the Ottawa County 58th DISTRICT court.
2. I have compared the annexed copies of CONSENT JUDGMENT

\_\_\_\_\_

\_\_\_\_\_

from the above case with the originals on file and of record in this court, and I find the copies to be true copies of the whole of such originals.

10/11/2023  
Date

*Cindy Daldos*

\_\_\_\_\_  
Signature  
Cindy Daldos  
Clerk/Register (type or print)

By: Spenser VanLente  
Deputy clerk/register (type or print)

**CERTIFICATION OF JUDGE**

I, JUDY K. MULDER, judge of the Ottawa County 58th District  
 Name (type or print)

court, certify that the above attestation is in proper form and that the signature is genuine.

10/11/2023  
Date

*J Mulder*

\_\_\_\_\_  
Judge

P42268  
Bar no.

(SEAL)

**NOTE:** The Certification of Judge is completed only when records are being sent out of the state.

STATE OF MICHIGAN

IN THE 58TH DISTRICT COURT FOR THE COUNTY OF OTTAWA

GEORGETOWN CHARTER TOWNSHIP,

Hon. Judy K. Mulder

Plaintiff,

Case No. U-00002018-705

v

GREAT LAKES RENTAL PROPERTIES, LLC,

Defendant.

Crystal L. Morgan (P68837)  
LAW OFFICE OF CRYSTAL MORGAN, PLLC  
Attorney for Plaintiff  
520 Butternut Dr., Suite 80-206  
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HERMANSON LAW, PLLC  
Attorney for Defendant  
8 W. Walton Ave., Suite C  
Muskegon, MI 49440-1360  
(231) 727-8058  
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**STIPULATION FOR ENTRY OF CONSENT JUDGMENT**

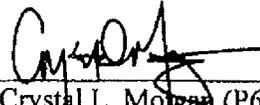
Plaintiff Georgetown Charter Township and Defendant Great Lakes Rental Properties, LLC, through counsel, hereby consent to the Court's entry of the following Consent Judgment, consent to the form, terms and content of the Consent Judgment, and waive notice of entry.

Dated: September 28, 2023

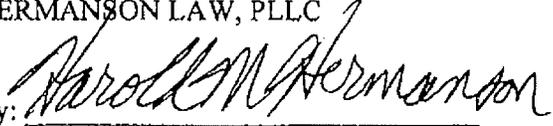
Dated: September 28, 2023

LAW OFFICE OF CRYSTAL MORGAN, PLLC

HERMANSON LAW, PLLC

By: 

Crystal L. Morgan (P68837)  
Attorney for Plaintiff

By: 

Harold M. Hermanson (P29727)  
Attorney for Defendant

**CONSENT JUDGMENT**

At a session of court, held in the 58th District Court, County of Ottawa,  
State of Michigan, on this \_\_\_\_\_ day of September, 2023

Present:     Honorable Judy K. Mulder  
                  District Court Judge

Plaintiff, GEORGETOWN CHARTER TOWNSHIP (“Township”), having cited Defendant, GREAT LAKES RENTAL PROPERTIES, LLC (“Defendant”), for a municipal civil infraction; the parties having reached a settlement, the terms of which are set forth below; and the Court being otherwise fully informed in the premises;

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Defendant is the owner of record of the property located at 9651 42nd Ave., Allendale, MI 49401 (PPN: 70-00-31-400-017) (the “Property”), which is described as

E 336.2 FT OF S 660.9 FT OF SW 1/4 OF SE 1/4, EXC COM SE COR, TH W 48 FT, TH N 33 FT, TH NE’LY 21.2 FT M/L TO PT 48 FT N & 33 FT W OF PT OF BEG, TH E 33 FT & S 48 FT TO BEG. SEC 31 T7N R13W

2. The Property is an improved parcel consisting of approximately 4.9 acres in the Agricultural (AG) Zoning District.

3. On September 13, 2023, the Township issued Citation No. 2018, alleging that Defendant was engaged in an unpermitted use at the Property, to wit: an open air business which is not permitted in the AG Zoning District, in violation of Section 6.2 of the Township Zoning Ordinance, a municipal civil infraction.

4. Defendant admits responsibility for the violation and based on that admission and the parties’ stipulations, the Court finds Defendant responsible and orders the following:

<b>Code Section</b>	<b>Disposition</b>	<b>Fines and Court Costs</b>	<b>Township Costs of Prosecution (MCL 600.8727)</b>
Zoning Ordinance 6.2	Responsible by admission	Waived (see §§14-15)	Waived (see §§14-15)

5. For purposes of this Consent Judgment, “open air business” means that term as it is defined in Section 2.77 of the Township Zoning Ordinance, and includes bicycle, utility truck or trailer, motor vehicle, boats, or home equipment sale, repair, rental, or storage services operated for profit substantially in the open air.

6. When Citation No. 2018 was issued to Defendant, Defendant was engaged in the open air business of renting U-Haul trucks and trailers at the Property.

7. For the reasons set forth in the July 5, 2023, Zoning Determination Letter for PPN 70-10-31-400-017, the use of the Property as an open air business is neither considered to be a legal nonconforming use, nor allowed under any zoning approvals previously issued for the Property.

8. Defendant shall, **not later than October 2, 2023**, cease all open air business operations at the Property.

9. Nothing in this Consent Judgment prohibits Defendant from engaging in business operations that are consistent with the previous zoning approvals for the Property, which authorize:

- a. The operation of a greenhouse and nursery (permitted uses under Section 6.2 of the Zoning Ordinance);
- b. Accessory buildings and uses as defined in Chapter 2 of the Zoning Ordinance, which may include the use and storage of landscaping vehicles and equipment utilized in the business operations;
- c. The operation of a roadside stand used for the display or sale of agricultural products grown on the premises;
- d. The ability to seek a temporary use permit allowing the non-permanent, temporary sale of seasonal products, such as landscaping material, for up to six (6) months per year pursuant to Section 3.25 of the Zoning Ordinance.

10. Defendant shall, not later than **October 9, 2023**, seek and obtain a Zoning Compliance Certificate for the Property, as required under Zoning Ordinance Section 29.3, by

submitting a completed Application for New Occupant/Business, a copy of which has been provided to Defendant. The Township agrees to waive the application and inspection fees, if any, for Defendant's initial and timely Application for New Occupant/Business.

11. Nothing in this Consent Judgment prohibits Defendant from seeking a Zoning Compliance Certificate for a use(s) that is not described in Paragraph 9, above, and/or from seeking to amend the site plan previously approved for the Property; however, nothing in this Consent Judgment shall be construed as requiring the Township to approve or issue a Zoning Compliance Certificate or any other approvals for a use that is not permitted (by right or with special land use approval) in the AG District.

12. Nothing in this Consent Judgment shall be construed as a waiver of any application, review, public hearing, notice, or other procedures or requirements set forth in the Township Zoning Ordinance and/or the Michigan Zoning Enabling Act, MCL 125.3101 *et seq.*

13. Nothing in this Consent Judgment shall be construed as a waiver of any customary application, inspection, or other fees charged by the Township, except as provided in Paragraph 10, above.

14. If Defendant complies with Paragraphs 8 and 10, the Township agrees to waive all fines and costs, including costs of prosecution, in this matter.

15. If Defendant fails to comply with Paragraphs 8 and 10, the Township may:

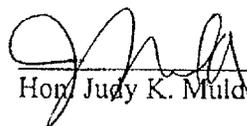
- a. Request a show cause hearing at which it may request any remedy permitted by law, which may include fines, costs, costs of prosecution, sanctions for contempt of court, further injunctive relief, and any order authorized under MCL 600.8727 and/or MCL 600.8302; and/or
- b. Enter onto the Property to perform the work necessary to bring the Property into compliance with this Consent Judgment and charge the costs against Defendant and the Property, which costs shall be a lien against the Property as provided by law until paid.

16. The terms of this Consent Judgment are authorized under MCL 600.8727 and MCL 600.8302.

17. A copy of this Consent Judgment may be recorded with the Ottawa County Register of Deeds.

18. This Court shall retain jurisdiction of this matter to the extent necessary to enforce the terms of this Consent Judgment. Without limitation, a violation of the terms of this Consent Judgment shall subject Defendant to the contempt of court powers of this Court.

A true copy:

A handwritten signature in cursive script, written over a horizontal line. The signature is somewhat stylized and difficult to decipher, but appears to be a name.A handwritten signature in cursive script, written over a horizontal line. The signature is clearly identifiable as 'Judy K. Mulder'.

Hon. Judy K. Mulder