

STATE OF MICHIGAN

IN THE 55th CIRCUIT COURT FOR THE COUNTY OF CLARE

NOTICE OF HEARING TO AMEND LAKE LEVEL ORDER – OTTER LAKE

To Whom It May Concern:

NOTICE IS HEREBY GIVEN that on March 31, 2022, a petition was filed with the Circuit Court for the County of Clare to amend the lake level order for Otter Lake.

NOTICE IS FURTHER GIVEN that the Clare County Circuit Court will review the petition on **August 5, 2022 at 1:00 PM** in the courtrooms located at 225 West Main Street, Harrison, MI 48625, to receive evidence to amend the lake level order for Otter Lake, located in Grant Township, Clare County, Michigan, consistent with the provisions of MCL 324.30707.

NOTICE IS FURTHER GIVEN that the public may submit written testimony and provide evidence regarding the petition and this matter to the Court. Moreover, the public may also attend the hearing at the time and location above to provide oral testimony. The Court will accept written testimony and evidence addressed to: 225 West Main Street, P.O. Box 438, Harrison, MI 48625 with the subject-line “Otter Lake – Lake Level Hearing (Case No. 22-900129-CZ).” Please call the number below with any questions regarding submitting written testimony and/or evidence.

NOTICE IS FURTHER GIVEN that persons with disabilities who may require accommodations to attend the court hearing should contact the Court by phone at 989-539-7131 or by using the Michigan Relay Service at 7-1-1 (TDD) at least 24 hours in advance of the hearing to coordinate accommodations. All property owners affected may participate in this hearing by either submitting written testimony and/or evidence for consideration by the Court or by attending the court hearing to present testimony.

Carl J. Parks
Clare County Drain Commissioner
225 West Main Street, Harrison, MI 48625
Phone: 989-460-8257

Carl J. Parks
Clare County
Drain Commissioner



FAQs

NOTICE OF HEARING TO AMEND LAKE LEVEL ORDER FOR OTTER LAKE

Why am I receiving this notice?

You are receiving this notice because you may own lands within the proposed Lake Level Special Assessment District for Otter Lake.

What is a legally established lake level?

Part 307 of the Michigan Natural Resources and Environmental Protection Act allows circuit courts to establish lake levels for inland lakes to, among other things, benefit property owners and preserve Michigan's natural resources. Otter Lake has a court ordered lake level under Part 307.

What is a special assessment district?

A special assessment district is an area of land designated to receive special assessments for a particular benefit received from certain public projects, like lake levels.

Will this impact the level of Otter Lake?

No. The intent of the amendment to the lake level order for Otter Lake is to ensure that the lake level in the order matches the actual level of the lake.

Why is the lake level order being revised?

The Drain Commissioner conducted a comprehensive review of all of the historical lake level orders in Clare County and found that many require revisions to be consistent with state law to ensure that the court orders specify correct lake level elevations and correctly establish special assessment districts for lake

level improvements, among other things. The proposed amendments to Otter Lake's lake level order would: (1) ensure the ordered level matches the physical historically-maintained level of the lake; and (2) correctly establish a lake level special assessment district.

When will I receive my lake level assessment?

Lake level assessments may be included on your Summer or Winter tax bill, and are only levied when costs are incurred related to lake level activities.

Does this court hearing impose special assessments?

No. Any lake level assessments must be considered at a separate public hearing and meeting process (that requires separate mailing notice to property owners).

Do I have to attend the circuit court hearing?

You are not required to attend the hearing at the Clare County Circuit Court; however, it is your right to do so. You may present testimony and evidence to the Court regarding the Otter Lake lake level.

How can I get more information?

Please call our lake level call-in number at **989-460-8257**. We will be glad to answer any questions and all calls will be returned in the order in which they are received.

Carl J. Parks

Clare County Drain Commissioner | 225 West Main Street, PO Box 564 | Harrison, MI 48625