

HEATH TOWNSHIP  
ALLEGAN COUNTY, MICHIGAN

AMENDMENT TO THE HEATH TOWNSHIP  
ZONING ORDINANCE - Ordinance No.   96  

Adopted:   4/12/21   Effective:   5/2/21  

AN ORDINANCE TO AMEND THE HEATH TOWNSHIP ZONING ORDINANCE BY AMENDING  
THE ZONING OF CERTAIN PARCELS IN SECTION 17

**HEATH TOWNSHIP, ALLEGAN COUNTY, MICHIGAN, ORDAINS:**

At a regularly scheduled meeting of the Township Board of Trustees for the Township of Heath, Allegan County, Michigan, held on April 12th at Heath Township Hall, 3440 M-40, Hamilton, MI, the following amendment to the Heath Township Zoning Ordinance was offered for adoption by Township Board Member   B. Harvey   and seconded by Township Board Member   Lindholm  .

*Yeas:* \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

*Nays:* \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

Motion:         X      Passed                                         Failed                           X      Unanimously

**ARTICLE I. AMENDS THE FOLLOWING: AMENDMENT TO THE TOWNSHIP ZONING MAP, AS INCORPORATED IN THE TOWNSHIP ZONING ORDINANCE, TO REZONE TWO PERMANENT PARCELS AS DESCRIBED BELOW FROM AG, AGRICULTURAL ZONING DISTRICT TO THE R-1 RESIDENTIAL ZONING DISTRICT:**

- 3117 M-40, also known as parcel 0309-017-006-00, consisting of 2.10 acres, and legally described as THAT PT OF THE W 1/2 OF THE E 1/2 OF THE NE 1/4 OF SEC 17 LYING BET STATE HWY M}40 & THE C & O RR R/W & NE'LY OF A LIN RNG AT RT ANG TO & THROUGH A PT ON THE E R/W LIN OF SD HWY M}40 312 FT NWLY OF INTERSEC OF E R/W LIN M}40 & E&W 1/4 LIN SEC 17 EX COM AT E 1/4 POST TH N 85 DEG 14'30" W ON E &W 1/4 LIN 805.52 FT TO E LIN M}40 HWY TH N 19 DEG 06'50" W ON SD LIN 890.76 FT TO POB THIS DES TH CONT N 19 DEG 06' 50" W ON E LIN OF HWY 400 FT TO W LIN OF C & O RR TH S 26 DEG 32'20" E ON SD LIN 153.86 FT TH CONT ON SD LIN S 28 DEG 14' E 246.14 FT TH S 66 DEG 37' W 59.08 FT TO POB ALSO EX BEG ON E R/W LIN M}40 312 FT NWLY OF INTERSEC SD R/W LIN AND E & W 1/4 LIN SEC 17 TH NWLY ALG SD E R/W LIN 234 FT TH NELY AND AT RT ANGLES TO SD HWY M}40 150 FT MORE OR LESS TO C & O RR R/W TH SELY ALG SD R/W TO A PT ELY OF POB TH SWY AT RT ANG TO M}40 TO POB ALSO COM AT THE INTERSEC OF N & S 1/8 NE 1/4 WITH E'LY R/W OF FORMER RR TH SE'LY ALG SD FORMER RR R/W 340' M/L TO POB OF THIS DESC TH ON SD E'LY R/W LIN SE'LY 500' M/L TH SW'LY 101' TO W'LY R/W LIN TH NW'LY ON SD R/W 480' M/L TH NE'LY 99' TO POB EX COM 537.58'N OF E 1/4 PST TH W 1006.3' TH NE'LY 344.51' ALG E'LY ROW M-40 HWY TH N 64 DEG 55'26"E 59.06' TO POB TH ON CURV TO RT CHORD BEARING N 30 DEG 47'18"W 69.64' TH N 59 DEG 22'01"E 99' TH ALG CURV TO LFT CHORD BEARING S 30 DEG 47'28"E 69.65' TH S 59 DEG 22'01"W 99' TO POB SEC 17 T3N R14W
- 3127 M-40, also known as parcel 0309-017-007-00, consisting of 1.84 acres, and legally

described as COM AT E 1/4 POST SEC 17 TH N 85 DEG 14' 30" W ON E&W 1/4 LIN SD SEC 805.52 FT TO E LIN M}40 HWY TH N 19 DEG 06'50" W ON SD LIN 890.76 FT TO POB THIS DES TH CONT N 19 DEG 06'50" W ON SD E LIN OF HWY 400 FT TO W LIN OF C&O RR TH S 26 DEG 32'20" E ON SD LIN 153.86 FT TH CONT ON SD LIN S 28 DEG 14' E 246.14 FT TH S 66 DEG 37' W 59.08 TO POB ALSO A STRIP OF LAND BEING 500' IN LENGTH & 100' IN WIDTH THE C/L OF WHICH IS DESC AS COM AT THE CSX RAIL VALUATION STATION 584+40 BEING ON THE SE'LY LIN OF LANDS CONVEYED TO STATE HIWAY DEPT & EXTENDING SE'LY 500' ON AN ARC OF A 1 DEG CURV TO LEFT TO THE CSX RAIL VALUATION STATION 579+40 EX BEG 1315.99'W & 1138.25' S OF NE COR NE 1/4 TH S 189.35' TH N 69 DEG 06'04"W 84.88' TH ON CORV TO RT CHORD BEARING N 25 DEG 39'50"W 176.46' TO POB ALSO COM 537.58'N OF E 1/4 PST TH W 1006.3' TH NE'LY 344.51' ALG E'LY ROW M-40 HWY TH N 64 DEG 55'26"E 59.06' TO POB TH ON CURV TO RT CHORD BEARING N 30 DEG 47'18"W 69.64' TH N 59 DEG 22'01"E 99' TH ALG CURV TO LFT CHORD BEARING S 30 DEG 47'28"E 69.65' TH S 59 DEG 22'01"W 99' TO POB SEC 17 T3N R14W (98)

## **ARTICLE II. SEVERABILITY:**

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby and shall remain valid and in effect.

## **ARTICLE III. REPEAL AND EFFECTIVE DATE:**

This Ordinance is ordered to take effect the eighth day following publication of notice of its adoption in accordance with the Michigan Public Act 110 of 2006 as amended. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

\_\_\_\_\_ Date: 4/12/21  
Missy Harvey, Heath Township Clerk

Publication Date: 4/24/21

Effective Date: 5/2/21