



Workshop Meeting of the Livonia Town Board
Held at the Livonia Town Hall
Thursday, July 18, 2019

Supervisors present: Hass, Hiller, Maloney and Pool

Staff present: Deputy Clerk/Treasurer Fiedler

The Workshop Meeting came to order at 1:00 p.m. for the purpose of discussing road and road right of way issue.

Chairman Hass called the meeting to order at 1:00 pm. Hiller read a brief description and history (attached) of The Woods at Lake Fremont development. Hiller moved that the Township engage the services of Charles M. Seykora of Barna, Guzy & Steffen LTD and instruct him to send a letter to Mr. Carlson with these points: clarify the Township's rights under law; give him a deadline to remove the dock; also notify Mr. Carlson that all correspondence will be made through the law offices and not through the Township office; finally, if necessary, represent us in court if it comes to that. Maloney seconded the motion as presented. Hass commented that he feels it is in the best interest of the Township and he agreed with the motion. No other discussion. The motion passed by unanimous vote.

The Workshop meeting concluded at 1:06 pm.

Approved this 22nd day of July 2019

Chair or Vice Chair

Clerk/Treasurer or Deputy Clerk/Treasurer

A brief history of the property located at 26932 117th Street Zimmerman
In 2003 Lake Fremont LLC began development of The Woods at Lake Fremont.

The Livonia Township supervisors at the time put stipulations on the development that included a requirement that no driveways could access the minimum maintenance road and no docks could be placed on Lake Fremont.

The Livonia Township Park Board at the time had the same requirement.
The Sherburne County Commissioners also had the same requirement
The recorded covenants also prohibit docks or driveway access

The developer Lake Fremont LLC entered into a Developer's agreement with the Township on October 23rd 2003. That agreement includes language that states the developer will Quit Claim the minimum Maintenance road to the township.

In the following 15 years homes were built, bought and sold with no disagreements about docks or access to the minimum maintenance road.

The properties in The Woods at Lake Fremont have never been classified or taxed as "Lake Front"

In November of 2018 Ryan Carlson purchased the property. The MLS listing did not classify the property as lakeshore. His agent, Prior to him making an offer inquired about lake access. It was disclosed that no lake shore access was not part of this property. In a conversation with the listing agent, I was told that at closing, Mr. Carlson was again told he was not buying lakeshore property.

Mr. Carlson believes he has a legal loophole that will turn his property into lake shore. I believe his long term goal is to lay claim to the minimum maintenance road and deny residents the right to use it.

To preserve the natural appearance of the lake and insure that area residents can enjoy the minimum maintenance road as they have for generations, Mr. Carlson has given us no choice but to take legal action. We do not take this lightly

I have spoken by phone with our attorney Troy Gilchrist about his thoughts on how to proceed. It didn't appear that we were a very high priority. To be clear, I have no issues with him but I felt it best to have a second opinion.

I spoke with Charles Seykora, a certified specialist in real property law about our situation. I was very impressed with his opinions. I believe working with a specialist is in the townships best interest.

I move that the Township engage the services Charles M. Seykora of Barna, Guzy & Steffen LTD. And instruct him to send a letter to Mr. Carlson, with these points.

1. Clarifying the townships rights under law
2. Give him a deadline to remove the dock
3. Notify Mr. Carlson that all correspondence be through him and not the township office
4. Represent us in court if it comes to that