



## Annual Membership Meeting & Election:

**May 24, 2018 6:30 p.m.**  
Texas Township Hall



### MEMBERSHIP DUES NOW DUE \$50.00 Per Household

Please make checks payable to: **Crooked Lake Texas Association (CLTA)**

Mail to: Rodney Nimtz, 1441 E Crooked Lake Dr. Kalamazoo, MI 49009

Your dues support the activities and publications of the Crooked Lake Texas Association.



**A membership card will be issued & delivered to the Crooked Lake Market upon receipt of  
your 2018 dues payment.**

Your card entitles you to 6 (one-way) uses of the boat ramp located next to the Crooked Lake Market.



#### **LOCAL DNR AGENT**

**Walmart & Meijer  
(any location)**

**Open 7 days—Licenses  
processed while you wait.**

**Or use E-License system at  
[www.mdnr-elicense.com](http://www.mdnr-elicense.com)**

**2018-2019 angling year  
begins April 1st.**

#### **NEW FISHING LICENSE REQUIRED**

##### **Fees:**

<b>Annual Resident</b>	<b>\$26</b>
<b>Nonresident Annual</b>	<b>\$76</b>
<b>Senior Annual (65 +)</b>	<b>\$11</b>
<b>24 hour (resident or non-)</b>	<b>\$10</b>
<b>72 hour (resident or non-)</b>	<b>\$30</b>

**ALL fishing licenses are good  
for all species.**

#### **President's Message:**

Hello residents of Crooked Lake! ☺ Remember the old saying “look before you leap, still waters run deep”? That’s Crooked Lake this season. Last year at this time the lake level was an inch above the high water mark; today it’s 13”. As you’re all aware the local water levels are reported to be the highest they’ve been in 70 years and many local lake owners are experiencing flooded shorelines, wet crawl spaces, and basements. Hopefully we’ll have a dry Spring.

With that said, the CLTA Board strongly recommends everyone be conscious and respectful of neighbors’ shorelines in relation to erosion and the wakes our boats create. State boating rules require a minimum wake 100’ of shore. We suggest until the water level goes down that you increase that to 200’. With the high water level, the waves cutting into the shoreline will pull soils out into the lake and counteract the improvements our LFA program has accomplished. Thank you in advance for your cooperation!

The results from the aeration project were very favorable for the 2017 season and will be discussed further at the **Annual Meeting** on Thursday, May 24th, at 6:30p at the Texas Twp hall large meeting room. Also to be discussed at the meeting is our exciting annual Fun Day. We’re looking forward to what Lesa Newby and Jennifer Abnet are planning for that.

Please take note membership dues increased to \$50.00 per household for the 2018 season. They can be obtained in the usual way by mailing or delivering your check to Rodney Nimtz, our treasurer, and a membership card will be issued in usually 1 business day.

Many thanks to JoAnne Potts for serving on the Lake Board this past year and helping with events prior to that. JoAnne had to resign recently due to employment conflicts but we truly appreciate her participation. Thank you, JoAnne!

If you know of someone or if you’re interested in serving on the CLTA Board, contact me or any other board member before the annual meeting so we can include you.

We’ll see you on the lake this year so let’s have a memorable summer with minimal “wake”. - Jim Roberts



## LEGAL UPDATE ON SHORT-TERM PROPERTY RENTALS

*By Brett Cummings, Esq. – Willis Law*



Short-term property rentals like those through VRBO and Airbnb have become more and more common throughout West Michigan – especially for lakefront property. This article is not intended to take a position on short-term rentals; instead, it's purpose is simply to provide an update on the current state of the law.

Some municipalities have enacted zoning ordinances to completely prevent or limit short-term rentals. House Bill 4503 and Senate Bill 329 were introduced to the Michigan legislature on April 25, 2017. If passed, these Bills would prevent municipalities from completely zoning out short-term rentals (among other things). To-date, commentary has been mixed on these Bills and it's unclear what the future will bring for them. For now, the power to regulate short-term rentals largely resides with the local municipality.

A restrictive covenant is a clause in a deed or lease to real property that limits what the owner or lessee of the land can do with the property. Most subdivisions and condominiums (site condos or otherwise) contain restrictive covenants of some sort, and many of them allow for "residential use only" or contain a "prohibition against commercial activity."

The Michigan Court of Appeals recently ruled that restrictive covenants are matters of private contract between the owners and shall be upheld, resulting in an injunction preventing any rental, including short-term rental. *Bauckham Trust v Petter*, 2017 Mich. App. LEXIS 1494 (unpublished). One of the issues before the court in the *Bauckham* case was whether short-term rentals were "commercial" uses that violated a restrictive covenant in the Sunset Shores subdivision (Allegan County, Michigan). The court held that the act of renting property to a third party for any length of time involves a commercial use because the property owner is likely to yield a profit from the activity. This is consistent with findings of several other Michigan courts. See, e.g., *Terrien v Zwiitt*, 467 Mich 56 (2002); *Enchanted Forest Property Owners Ass'n v Schilling*, 2010 Mich.App. LEXIS 479 (unpublished); *O'Connor v Resort Custom Builders, Inc.*, 459 Mich 335 (1999). Any property owner engaging in short-term rentals should make sure that he/she is not violating a restrictive covenant by renting his/her property.

**WHO DOES THIS AFFECT?** – Only property owners who are subject to a restrictive covenant prohibiting the use of a property for commercial purposes.

**HOW DO I KNOW IF MY PROPERTY IS AFFECTED?** – If your property is unplatted, not part of a subdivision, and not part of a condominium development, then chances are that your property is not affected; however, you should consult with a real estate professional to be sure. If your property is part of a subdivision or condominium development, you should carefully review the language contained in your deed, association documents, and master deed (as applicable).

**WHO CAN ENFORCE A RESTRICTIVE COVENANT THAT WOULD PREVENT SHORT-TERM RENTALS?** – Anyone who is affected may have standing to enforce such a restrictive covenant. This is usually a neighbor, a homeowner's association, or condominium association.

## ABOUT YOUR Crooked Lake Texas Association (CLTA) MEMBERSHIP

It is important to note that (almost) all lake residents are members of both our special assessment districts. These districts control the funding needed to operate our pump and laminar flow aeration project, as well as take care of any weed matters arising on our lake. Your CLTA board works with our township board to provide recommendations relating to lake matters and to create annual budgets for our special assessment districts.

Your CLTA board is committed to improving the water quality of Crooked Lake and enhancing the overall enjoyment of our lake to all residents. We implement activities such as the Annual Picnic & Fun Day, publish newsletters and undertake various projects not covered by the special assessment district.

Based on anticipated expenditures, and an estimate of the # of participating members, the 2018 dues have been set at \$50.00. Dues are now payable. Of course payment of the dues is optional and we are always happy to accept payment of dues whenever, but to implement activities like our *Purple Loosestrife Mitigation Project*, the sooner we receive dues payments the better.

As a member you have the opportunity to receive the *Riparian*, a publication of the Michigan Lakes and Streams (MLAS) about our state's waterways. To facilitate membership notification to MLAS, households which have paid their dues within a calendar year are eligible to receive a subscription to the magazine throughout the following year. PLEASE NOTE: A desire to receive the magazine must be indicated at the time of dues payment in order for the household to be included on the list of subscribers submitted to Michigan Lakes and Streams.

If at any time you have questions regarding dues, whether your dues payment has been received and credited, or other questions of a financial nature, please contact Rodney Nimtz, CLTA Treasurer at (269) 353-1848.

### YOUR LAKE ASSOCIATION'S 2018-2019 MEMBERSHIP (April 1-Mar 31) DRIVE

We need your help to continue to provide beneficial information to our lake residents. We encourage you to complete and mail your membership form below. Your annual dues will help pay for:

- Crooked Lake Ramp Pass – **6** uses per season (*members only – must present membership card*)
- Lake Quality Monitoring
- Michigan Lakes & Streams Dues
- State Licensing
- Newsletters & Special Mailing
- Riparian Subscriptions
- Water Level Management
- Fun Day Expenses
- Miscellaneous Expense (buoys, etc)
- Boat Parade
- Welcoming Committee Expenses



#### CLTA Membership Form – Current Information Sheet

**2018-2019 Annual Dues are \$50.** Please complete this form to help us keep our records current.

Name(s): \_\_\_\_\_

Lake Address: \_\_\_\_\_

Mailing Address (if different): \_\_\_\_\_

Phone(s): \_\_\_\_\_ Email Address: \_\_\_\_\_

**Do you want to receive the Riparian?**    **Yes**    **No**    (Please circle one)

The Association provides this publication at no cost to any paid member. However, because it is a cost to the Association, if you do not want it, please help us save the cost by circling "No".

Make your dues check payable to: **Crooked Lake Texas Association**  
Mail your completed form and dues payment to: **CLTA Treasurer, 1441 East Crooked Lake Drive,  
Kalamazoo, MI 49009**

## News & Views—

*Crooked Lake Texas Association*  
2017-2018 BOARD of DIRECTORS  
Kalamazoo, MI 49009

*Jim Roberts, President*  
1213 E Crooked Lake Dr  
269-372-7084

*Chuck Buxton, Director*  
446 W Crooked Lake Dr  
269-743-7892



*Russ Walters, Vice-President*  
7414 Field Bay Avenue  
269-372-4488

*Dot DeYoung, Director*  
8220 West Q Avenue  
269-353-3647

*Rodney Nimitz, Treasurer*  
1441 E Crooked Lake Dr  
269-353-1848

*Helen Lemmer, Director*  
149 N Crooked Lake Dr  
269-375-3058

*Rod Krapf, Secretary*  
43 N Crooked Lake Dr  
269-375-9073

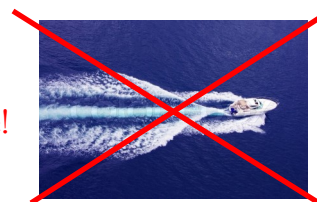
*Lesla Newby, Director*  
7276 Bentwood Trail  
269-760-0040

*Jennifer Abnet, Director*  
47 N Crooked Lake Dr  
312-498-2363



Visit our Website:  
[www.crookedlaketexas.com](http://www.crookedlaketexas.com)

Please Minimum Wake!



## YOUR LAKE ASSOCIATION GOALS

The Association's goal continues to be to protect our lake from invasive species, take steps to create a healthier lake, "which includes a better environment for fish, frogs, turtles and other friends", educate our residents on best practices when using the lake, bring a sense of community to Crooked Lake, and to enlist the help of lake management professionals to safeguard and improve waterfront owners' property values. We look forward to seeing you on the lake this summer.

Let's enjoy a safe season on the lake. ....Jim Roberts, President, CLTA

## Crooked Lake Market BOAT RAMP Procedures

The Crooked Lake Texas Association is grateful to Mike & Dana Beals the owners of the Crooked Lake Market, and neighbor Bruce Weathers for allowing lake residents the privilege of using their private boat ramp for launching of our watercraft.

To protect Crooked Lake from invasive species such as Zebra Mussels and exotic weeds please remember to thoroughly clean hulls and bilges when taking and returning watercraft to and from another lake. Remember to include kayaks and canoes in the cleaning regimen as well. Prior to re-launching on Crooked Lake, follow the same rinsing & flushing procedures.

Waterfront property owners wishing to use this privately owned boat ramp must purchase a Lake Association Member Boat Ramp Pass. It comes free with your CLTA membership. (Annual dues are \$50.) Members are entitled to 6 ramp uses per boating season. Please call 375-5717 for an appointment to use the ramp. Please follow the schedule provided for boat launching operations.

We appreciate the boat ramp owners making this benefit available to our lake association members.

Have a happy and safe boating season!  
by Rod Krapf, CLTA Secretary

Note: Passes will not be issued to short-term renters.

<i>Crooked Lake Market -</i> Boat Ramp HOURS Launch & Load by Appointment ONLY		PLEASE, No Power Launching or Loading
Mon-Thurs	10:00am to 11:30am	2:00pm to 5:00pm
Friday	10:00am to 11:30am	2:00pm to 4:00pm
Saturday	10:00am to Noon	2:00pm to 4:00pm
Sunday	Noon to 3:00pm	