

History of Plat Error

Dunham Lake Estates South – Livingston County

1964, Oct 7

The Dunham Lake Development Company recorded the “Dunham Lake Estates South” plat with Livingston County (liber 11, page 32). Although it was not known at this time, the dimensions marked on the plat for lots 65, 66, 67, and 68 did not match the placement of the survey stakes.

1974, Oct 25

Boss Engineering recorded a survey with Livingston County (liber 697, page 544), identifying discrepancies between the dimensions recorded (on the plat) and those measured in the field (stakes) for lots 65, 66, 67 and 68. Most of the errors were less than a few inches but the lot depth errors were 33-35 feet. The recorded numbers gave the landowners a deeper lot than the location of the stakes.

1974, Dec 3

The original surveyor, John C. Miller, who was employed by The Dunham Lake Development Co. to do the original survey, records an affidavit (liber 700, page 474) stating that “a minor error has been discovered in the side lot dimensions of Lots numbered (65) (66) (67) and (68) and that the corrections will in no way effect the size, shape or boundaries of the said Lots as they were staked out in the original Survey.” I.e. The recorded dimensions on the plat are incorrect, but the stakes are in the right place. By this time, the owner of Lot 66 had landscaped out to the larger depth recorded on the plat, which eventually led to a longstanding encroachment issue.

1975, Nov 3

Livingston County Circuit Court Judge Paul R. Mahinske finds John M. Donohoe and Paula L. Donohoe (owners of Lot 67), to have “knowingly and willfully” constructed their house in violation of building restrictions and orders them to move their house and restore trees on the park property (liber 735, page 595).

1981, Feb 3

Livingston County Circuit Court Judge Paul R. Mahinske orders that Liber 11 page 32 and 33 be adjusted to show the correct depths for lots 65, 66, 67 and 68. And further orders John M. Donohoe and Paula L. Donohoe (owners of Lot 67), to pay attorney fees incurred by Dunham Lake Property Owner's Association (liber 1023, page 258).