

# EXHIBIT 50

## *Benzie-Leelanau District Health Department*

**BENZIE OFFICE**  
6051 Frankfort Highway  
Suite 100  
Benzonia, Michigan 49616  
Phone (231) 882-4409  
Fax (231) 882-2204

**LEELANAU OFFICE**  
7401 E. Duck Lake Road  
Suite 100  
Lake Leelanau, Michigan 49653  
Phone (231) 256-0301  
Fax (231) 256-0335

Website: [www.blhd.org](http://www.blhd.org)

008-800-011-00  
**RECEIVED**

Certified

AUG 17 2015

August 13, 2015

LEELANAU COUNTY  
CONSTRUCTION CODE  
E15-0084

Prop ID# 45-008-800-011-00

William G. and Ann M. Wizinsky  
250 Pleasant Cove Dr.  
Novi, MI 48377

Dear William and Ann Wizinsky,

This correspondence is initiated based on an inquiry from a representative of the Shores Homeowners Association regarding your occupancy of the parcel and construction occurring on your Foxview Drive property noted above.

The Benzie-Leelanau District Health Department (BLDHD), in its Leelanau County Environmental Health Regulations, has jurisdiction on sewage and water issues. The following is quoted from sections of the BLDHD Environmental Health Regulations.

### **Section 1.230 DWELLING**

*The term "dwelling" shall mean any building, structure, tent, shelter, trailer, or vehicle or portion of thereof, which is occupied, will be occupied, or was heretofore occupied in whole or part as home, residence, living or sleeping, or other gathering place designed or used by one or more human beings either permanently or transiently, or occupied in whole or in part as a business wherein one or more human beings is engaged in commercial or industrial activities on either a permanent or temporary basis.*

### **Section 1.290 PREMISE**

*"Premise" shall mean any tract of land, or portion thereof, or combination of tracts of land under single or common ownership, operation or control, on which is located a dwelling, structure, water well or septic tank, drains, drainfield, underground tank or pipes or similar appurtenances containing sewage or other contaminants or combination thereof.*

**Section 2.200**

*It shall be unlawful for any reason to occupy, or permit to be occupied, any premises which are not equipped with adequate facilities for the disposal in a sanitary manner.*

And finally,

**Section 3.100**

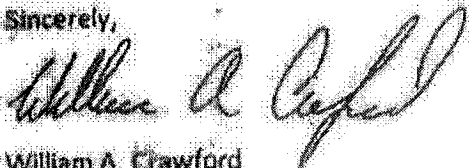
*Immediately upon the effective date of the Code and its regulations or any amendment thereto, no person, firm, society, corporation, or his/her agent or contractor shall construct, occupy or inhabit, offer for rent or lease, with or without compensation in whole or in part, any habitable building or dwelling unless the same is equipped with a safe adequate water supply approved by a health officer in accordance with the provisions of this Code and its regulations. Further, no water supply or alteration of existing water supply shall be installed or made unless the same is approved by a health officer in accordance with the provisions of this Code and its regulations.*

The BLDHD has no record of any approved sewage disposal or water supply systems on the subject property and therefore does not approve the use of a dwelling on the parcel. Based on these facts you are hereby required to immediately vacate this dwelling and not reoccupy the property until such time as you have an approved septic system and water supply. You shall be required to contact me within ten days of receipt of this correspondence and verify your compliance with the contents of this letter.

This required vacation of the dwelling in no way waives your responsibility to comply with any and all local or state requirements that may demand your compliance.

If any of the facts stated in this correspondence is not accurate or you wish to contact me regarding this vacation order, please contact me at (231) 256-0214 or at my email address of [wcrawford@blhdh.org](mailto:wcrawford@blhdh.org)

Sincerely,



William A. Crawford  
BLDHD, Sanitarian

cc: Joseph T. Hubbell, Pros. Attorney  
Steve Haugen, Leelanau County, Construction Code Office ✓  
Steve Patmore, Leelanau Township Zoning Admin.  
Todd Hoogland, The Shores Home Owners Association

# EXHIBIT 51

Land Value Estimates for Land Table SHORES SHORES

Description Frontage Depth Front Depth Rate Adj Reason Value

45.00 Value As PLOWAZAC

0.00 Total Acres Total Est. Land Value = 425,300

Cost Est. for Res. Bldg: 1 Single Family Ranch

11 Heating System: No Heating or Cooling

Ground Area = Size for Rates = 240 SF Floor Area = 240 SF

Structure	Exterior	Foundation	Rate	Heat-Adj	Heat-Adj	Size	Cost
1	Every Siding	Piers	57.11	-24.00	-3.25	240	9,762

Other Additions/Adjustments

Rate Size Cost

Count Multiplier = 1.97

Cost Now = 9,489

Phy/As. Phy./Func/Eqon/Comb. Code: 86/100/100/100 80.0. Depr. Cost = 8,160

EST (THE SHORES) 1.540 => CV of Bldg: 13,675

2007 Est. S.E.V. 000-900-011-00

Est. Total Floor Area = 1124.90

2006 Assessed	MBOR	S.E.V.	Base for Cap	C.P.I.	
175,000	175,000	175,000	49,884	3.70	
2007 New Eq. Adjustment	Loss	Loss	Additions	Tax Adjustment	Losses
8,573	17,463		525	1,710	
2007 Assessed	MBOR	S.E.V.	Capped	->Taxable<-	P.S.P.
216,988	216,988	216,988	54,179	54,179	

240 SPT STRUCTURE IS  
SHOWN IN THIS 2017 ASSESSMENT  
FOR THE 1ST TIME

SP 6/27/17

Final Assessment Files

# EXHIBIT 52

**Sentry Data Systems, LLC**  
*A Michigan Licensed Private Investigative Firm  
Specializing in Computer Forensics and Data Recovery*  
P.O. Box 837  
Leland, MI 49654-0837  
Phone/FAX (231) 256-9156  
*Info@sentrydata.us*

August 13, 2018

**TO:** The Shores Homeowners Association  
C/O Todd Hoogland, President  
11907 N. Fox View Dr.  
Northport, MI 49670

**REF:** William G. Wizinsky  
12063 N. Fox View Dr.  
Northport, MI 49670  
Mailing Address: 250 Pleasant Cove Dr.  
Novi, MI 48377

**Information:** On July 29, 2018 I received a phone call from Todd Hoogland, president of The Shores Homeowners Association in Northport. Mr. Hoogland stated that the association was having problems with a member, a land owner in the association, who has been occupying and spending nights in a make shift, temporary building on his lot. Mr. Hoogland went on to state that Mr. Wizinsky is in violation of Leelanau County Building Code, Township Ordinance as well as in violation of The Shores Homeowners Association Covenants on land use. Approximately seventeen years ago Mr. Wizinsky asked the homeowners association if he could put up a temporary building so that he could work on a permanent structure to live in. However, over the past several years, Mr. Wizinsky has been dwelling in it on many overnight visits. According to Mr. Hoogland, Mr. Wizinsky recently received a ruling on Township Land Use Permit, and a County Occupancy Permit, both of which specifically stated that the temporary structure was not to be used for overnight stays, that it was not to be used as a dwelling. Additionally, it should be noted that there isn't a sewer or septic system on the property nor is there a water well or electricity. Apparently Mr. Wizinsky has let it be known that he and his family use a portable toilet when staying on his property. Mr. Hoogland asked if I could come out to the scene to be a neutral party and witness that Mr. Wizinsky and his family are spending nights in the temporary structure in violation of the law.

**Investigation:** Upon the request of Mr. Hoogland, I went to Foxview Drive, where I met Mr. Hoogland at his residence. We proceeded to a land owner whose property is located adjacent to Mr. Wizinsky's property. Mr. Hoogland introduced me to Mr. Stephen Holmes who has a summer residence address at 12097 N. Foxview Dr. It should be mentioned that by the time I arrived on the scene, it was just before 12:00 am. Mr. Hoogland escorted me near the adjacent property line to point out the structure. Mr. Hoogland also specifically pointed out the location of Mr. Wizinsky's car, illuminating it with a flashlight. It was located just east of the structure, and appeared to be unoccupied.

Document received by the MI Leelanau 13th Circuit Court.

**Interview with Mr. Holmes:** Mr. Holmes advised me that he has witnessed Mr. Wizinsky on several occasions living and staying overnight in the temporary structure along with family members. While talking with Mr. Holmes, I noticed what appeared to be a metal chimney protruding through the roof of the structure. Mr. Holmes did state that he has concerns about the chimney and the possibility of a fire hazard in that in all probability Mr. Wizinsky did not have a permit or inspection made on the heater.

**Observations:** After talking to Mr. Holmes and observing that Mr. Wizinsky's vehicle was still parked in the driveway, it was apparent that Mr. William Wizinsky, and family, were indeed spending the night inside the structure as the interior of the building was all dark. It was at this time that it was decided that I should leave the scene, but return the following morning to make any additional observations.

**Follow up Investigation:** On the morning of Monday July 30th, I returned to Mr. Holmes residence at approximately 7:00 AM. It should be noted that Mr. Wizinsky's car was parked in the same location that it was observed in the night before. While discussing the situation with Mr. Holmes on his backyard patio for a few minutes, I witnessed Mr. Wizinsky and an unknown female, walk out of the structure to the north end of the building. A short time later, I observed Mr. Wizinsky car pulling out of their driveway traveling south bound on Foxview Dr.

**Meeting with Township officials:** At the request of Mr. Hoogland, on Tuesday, July 31<sup>st</sup> I attended a meeting at the Leelanau Township Office at 11:30 AM. Present where the following township officials:

- Township Supervisor Doug Scripps
- Township Zoning Administrator Steve Patmore
- Shores Board Members Todd Hoogland and Randy Harmonson
- Shores property owner Steve Holmes
- Attorney Karris Zeits, representing the Shores Association

This meeting lasted one hour. At the conclusion of the meeting I was asked to write a short report of my observations, and to pass this report onto all concerned parties.

**Disposition:** Report made.

Respectfully submitted

  
Inv. L. "Jake" Jacobsen  
Licensed Private Investigator



# EXHIBIT 53

**Subject:**

**From:** phunter@co.leelanau.mi.us <phunter@co.leelanau.mi.us>

**To:** wwizinsky <wwizinsky@aol.com>

**Date:** Thu, Jul 19, 2018 9:29 am

**Bill,**

Just an update. Per our conversation on 7-11-2018 at your property, a permit is needed for the wood stove in your structure. Installation instructions are required at time of inspection.

Paul Hunter.

# **EXHIBIT 54**



**HEAT**

No one but  
Heat-N-Glo, or Div's  
20802  
Laker

<b>APPROVED</b>			
<input type="checkbox"/> Electrical	<input type="checkbox"/> Plumbing	<input checked="" type="checkbox"/> Mechanical	<input type="checkbox"/> Building
Type of Inspection <u>Fireplace</u>			
Date of Inspection <u>7-28-18</u>			
Leelanau County Code Official <u>[Signature]</u>			Lot or permit number <u>#1 THE SHORE</u>

**BW36      BW36C**  
**WOODBURNING FIREPLACE**  
**INSTALLATION & OPERATING**  
**INSTRUCTIONS**  
**FOR RESIDENTIAL USE**



Model BW36 shown.

558-900-D-4/00