

Bay View Association
Ballot-Proposed By-Law Amendment
148th Annual Meeting – Saturday, August 5, 2023

In accordance with By-Law 76-a, a petition has been signed proposing to amend the Bay View Association By-Laws by adding proposed by-law 77.

Proposed deletions appear with a line struck through the text.

Proposed additions appear underlined.

BAY VIEW BLUFF PRESERVATION

By-Law 77. Bay View Bluff Preservation

The property known as the “Bay View Bluff” or simply the “Bluff”, was transferred to the Bay View Association by deed in 1983. The Bluff consists of natural areas, green spaces, shoreline, beach and improved areas and is roughly defined as the area along the shore of Little Traverse Bay from the Memorial Garden in the east to Boulder Lane in the west, with the southern boundary consisting of US 31, various leaseholds along US 31 and the Bay View Inn. The Bay View Bluff shall be preserved in its natural state exclusively as a place for meditation, the study of nature and recreational activities by Bay View members and guests. Except as set forth in this By-Law 77.

- a) Such area shall not: be subdivided or divided;
- b) Other than stairways, markers, buildings, parking areas and necessary erosion controls existing on May 1, 2023, no other building, structure or improvement shall be made on the Bay View Bluff except as necessary to preserve the Bluff in accordance with this By-Law;
- c) Such area shall not be mined or excavated, except as necessary to permit the maintenance and access for the stated use of the Bay View Bluff including operations of the Bay View Association and recreational activities, tennis courts, parking areas, Memorial Garden, waterfront activities, boat storage, etc.
- d) Notwithstanding underground utility easements or shoreline protection easements that may be required in the future, no easements not previously recorded shall be granted to any individual, group or governmental organization for purposes of traversing, accessing, ingress or egress along the Bluff nor be subjected to any other use or activity which is inconsistent with the purposes of preservation set forth in this By-Law 77.

Narrative: The Bay View Bluff is a truly unique treasure. As with our cottages, we are mere stewards of the Bay View assets for future generations. The sacred ground of our Memorial Garden is peacefully protected by its natural beauty. The Bluff should be preserved and protected from short-sighted objectives that are influenced by outside groups who have other interests and agendas. As the surrounding area grows in popularity so will pressure to access our historic and scenic property. Since its founding, The Bluff has been part of the Bay View Association. With the advent of the railroad the Association was required to transfer the Bluff to the Railroad. Thankfully, at that time Bay View leadership thought about future generations and included a reverter clause into the transfer to the Railroad. This clause required that the property be returned to the Bay View Association if the railroad ever ceased to exist. This was visionary and in 1983 the Bluff was returned to Bay View. The tracks were removed, and Bay View's pedestrian greenway reemerged. We have an obligation to future generations to protect this legacy. This proposed By Law maintains the status quo and preserves the Bluff for generations to come.

Shall this Proposed Amendment be Adopted?

Yes No