PROPOSAL: Amendment of Documents for Asylum Lake Preserve

Background

On April 16, 2004, the Board of Trustees approved the Declaration of Conservation Restrictions and The Asylum Lake Preserve Management Framework which were intended to preserve the Asylum Lake property as open space to be used for passive recreational purposes, and to establish the Asylum Lake Preserve Policy and Management Council to oversee the use and protection of the property.

The agreements established a Policy and Management Council of the Asylum Lake Preserve, which adopted Bylaws as authorized by the Framework (collectively, the “Asylum Lake Agreements”). Over time and as the Preserve has been improved for its stated purpose, certain changes were needed to the Asylum Lake Agreements, that may be summarized as follows:

Framework:
- Provide term limitations for Council members of five (5) two-year terms.
- Update cross-references to current WMU departments, schools and officials
- Change the composition of certain committees

Restated Bylaws:
- Allow for Ad Hoc Committees
- Restate the indemnification of Council and committee members
- Add flexibility for future changes

Declaration:
- Adopt the revised Framework
- Allow for paved parking lots
- Allow boats to be used as needed for research/education

It is recommended the Board approve the attached First Amendment to Declaration of Conservation Restrictions, The Asylum Lake Preserve Management Framework (as amended), and the Restated Bylaws.

Recommended Action

The Board approves the First Amendment to the Declaration of Conservation Restrictions, The Asylum Lake Preserve Management Framework (as amended), and the Restated Bylaws of the Policy and Management Council of the Asylum Lake Preserve, and authorizes recording the Amendment in the Kalamazoo County Records.

The Board authorizes and directs the President, Treasurer or Assistant Treasurer (the “Authorized Officers”) to finalize and to negotiate and execute the above referenced documents and any other amendments, restrictions, bylaws, agreements or documents, and to take such other actions, necessary or convenient to effectuate and complete the transactions contemplated herein, with such modifications as they or anyone of them may approve as reasonable or necessary.

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