

THE 2000 BAUM FAMILY TRUST V BABEL APPEAL

**By: Clifford H. Bloom
Law Weathers
Grand Rapids, Michigan**

Although the first tier lot owners in *2000 Baum Family Trust v Babel* have asked the Michigan Supreme Court to review the disastrous decision by the Michigan Court of Appeals, as of the date of print of this magazine, the Supreme Court had not yet determined whether to take the case. This is the case where the Michigan Court of Appeals disregarded a century of prior long-settled Michigan real property law and held that first tier lots along platted public roads that run parallel to lakes in Michigan are no longer deemed to be lakefront or riparian properties. Please see the extensive article in the Autumn, 2009 issue of *The Michigan Riparian*.

The Michigan Waterfront Alliance and the Higgins Lake Property Owners Association have filed a joint amicus brief in favor of the first tier lot owners (who were previously riparian) asking the Michigan Supreme Court to take the appeal and reverse the Court of Appeals' decision below. A copy of that amicus brief can be reviewed at the Michigan Lake & Stream Associations, Inc. website at www.mlswa.org. That website also has various action alerts that discuss the *2000 Baum* case.