

History prepared by Kenneth T. Hayes

1984

In early 1977 Grand Rapids Audubon Club President, John Ham, and Nature Conservancy President, John Will, learned that a Dr. James Maher was considering a gift of some real property to a charitable group. Several organizations were being considered among which was the Grand Rapids Audubon Club (GRAC). John Will, who also was a member of GRAC, and Dr. Alan J. Gebben, Chair of Biology at Calvin College, were following this matter closely, and President John Ham was monitoring the scene on behalf of GRAC.

Following a presentation by President Ham before the Club, a willingness to accept stewardship of this property was voted, provided of course it could be obtained. At this point President Ham began to earnestly solicit the gift and became dominant in the negotiations.

While negotiations were proceeding, GRAC now had a new president, Kenneth T. Hayes, a practicing attorney in Grand Rapids. He observed that as a voluntary unincorporated club, Grand Rapids Audubon could not legally accept title to real estate. The matter was discussed with the Board of Directors as to whether Trustees should be appointed, or if the Club should incorporate as a Michigan non-profit corporation. The decision was made by the Board of Directors to recommend incorporation.

On October 27, 1978, President Hayes began the incorporation process, followed by a ten day notice of a special meeting announced in the Caller, which was set for November 27, 1978. At that meeting the club membership voted overwhelmingly to proceed with incorporation and to retain for our corporate name "Grand Rapids Audubon Club, Inc." Articles of Incorporation were duly signed on that day, and a ten member Board of Directors was designated. The first Board of Directors were: John Ham, Al Huisjen, John F. Will, Edith E. Jarvi, Charlotte Runnells, Dr. Kay T. Dodge, John H. Donaldson, Thomas W. Meaney, Dorothy Brant, and Kenneth T. Hayes. Kenneth T. Hayes was designated as the Resident Agent, and the registered office was fixed at his office address, 555 Old Kent Building, Grand Rapids, Michigan 49503.

The Articles of Incorporation were received in Lansing, Michigan on November 29, 1978, and on December 4, 1978, the Director of the Michigan Department of Commerce issued his Certificate of Incorporation.

Although now incorporated, as a Michigan charitable corporation, this was not a sufficient status to qualify as an exempt charitable organization under Section 501 C (3) of the United States Internal Revenue Code. It was very important that GRAC, Inc. secure this additional status because donors of charitable gifts can not secure tax credits on a gift unless the donee qualifies as a federally exempt organization, and until such status is obtained, GRAC, Inc. would be subject to federal income tax on all of the gifts it accepted, so there were two big reasons to start the recognition process.

President Hayes immediately undertook the job of securing recognition. It was true that GRAC had an exempt certificate as a club, and while it appeared there might be a way in which this could be transferred, the process seemed more complicated than simply filing an application for recognition in our corporate status.

During that fall of 1978, with former President John Ham in the lead, a hectic timetable was being faced, and despite the efforts of all of those involved, it became apparent that our efforts to become a legal donee just could not be accomplished within the time that remained.

With the end of the year coming up, John Ham took the lead and set up a meeting with Dr. Maher, the donor, at the Herpolsheimer's Tea Room in Grand Rapids. Present besides Dr. Maher were the following: John Will, Dr. Gebben, Kenneth T. Hayes and John Ham. On that date, November 1, 1978, Dr. Maher indicated that GRAC, Inc. had his preference as the recipient of the gift, and that he would be willing to allow the procedure of using Michigan Audubon as a "straw man" to accept the legal title in the calendar year 1978, which would give Dr. Maher and his wife the benefit of the tax write-off in that calendar year. The plan was that just as soon as GRAC, Inc. could acquire its own exempt organization status (501 C (3)) that they would accept a reconveyance from Michigan Audubon. This agreement was confirmed in writing by Dr. Maher on November 9, 1978.

In the meantime, this matter of acting as "straw man" was being discussed by Michigan Audubon, and at a meeting of Michigan Audubon on November 11, 1978, Don Naish, Sanctuary Chairman for Michigan Audubon, with whom President Hayes had been in contact and correspondence, informed Grand Rapids Audubon that Michigan Audubon had agreed to expedite the acquisition of the Maher property by assuming temporary title, but with the express understanding that immediate stewardship of the property would have to be undertaken by GRAC, Inc. The plan as envisioned by the team was actually going to fly.

On December 11, 1978, the first parcel (12.6 acres) of the Maher Sanctuary was deeded by Dr. and Mrs. Maher to the Michigan Audubon Society, Inc., a Michigan non-profit corporation. A Valuation Affidavit filed contemporaneously showed a value of \$22,680.00. This was the first installment on the sanctuary property, which would total almost 80 acres. It is interesting to note that the valuation of this first parcel was almost double the amount that had been paid for the entire original tract of nearly 80 acres just six years earlier.

The property involved in the gift was part and parcel of a short 80 (less an exemption) which lies at the southwest corner of Woodschool Road and 108th Street in Irving Township, Barry County. 108th Street is the southern boundary line of Kent County, and Woodschool Road, as it proceeds northerly from 108th Street into Kent County, becomes Baker Road, which terminates at 100th Street. The principal parcel is legally described as follows:

The North fractional one-half (1/2) of the Northwest fractional one-quarter (1/4) of Section 3, Town 4 North, Range 9 West, except a parcel in the Southeast corner, being 30 rods North and South by 37-1/3 rods East and West, Irving Township, Barry County, Michigan.

This long 80 measures approximately 2,640 feet along 108th Street, and 1,320 feet on Woodschool Road, out of which is the exception, upon which stands a farm home, measuring 480 feet on Woodschool Road and 596 feet on the south line.

The principal parcel consists of some high land and fields, bog, marshes and swamp, pond and a heavily wooded deciduous area of third or fourth growth trees at the westerly side of the property, through all of which meanders a small stream sometimes called "Caine Creek", which empties into the Cold Water River. It is a delightfully diversified habitat for bird and wildlife, and especially wild flowers, plants and shrubs.

GRAC, Inc. decided to designate the property after donors, Dr. James T. and Helen Maher, as the Maher Audubon Sanctuary, which was proclaimed on a large rustic log sign at the northeast corner of the property facing Woodschool Road.

John Ham and John Barr were the first co-chairmen of the Sanctuary Committee. In the fall of 1980, GRAC, Inc. President Edward R. Post, also a Grand Rapids lawyer, and the Board of Directors voted to commence at once the development of the sanctuary for general use and to sign and identify the property. William Sweetman was designated Sanctuary Chairman and under his guidance the Sanctuary Committee was actively engaged in the stewardship of the sanctuary.

Bluebird houses, built by John Donaldson, were put in place. An extensive inventory of all the trees, shrubs, plants, grasses, weeds and flowers was completed on July 7, 1979 by Susan R. Crispin, a graduate of Environmental Science from Michigan State University, and Edith Jarvi, Chair of the Inventory Committee for GRAC, Inc. Trails were laid out, marked, and made usable. Boundary signs were strategically placed to give notice of the sanctuary and large rustic sign proclaimed our pride and joy as "open for business."

The gifts from Dr. Maher can be chronicled as follows:

Date of Deed	Acres	Value
Dec. 11, 1978	12.600	\$22,680.00
Dec. 11, 1978	10.710	14,994.00
Dec. 29, 1979	26.775	41,233.50
Dec. 30, 1980	10.710	19,438.65
Dec. 14, 1981	16.065	33,693.66
Totals:	76.860	\$132,039.81