

Indian Trail decision faces three-month delay

By JUDITH BERNE

Residents of Orchard Lake's Indian Trail don't have to remove their recently-constructed roadside curbs—at least not yet.

Oakland County Circuit Court Judge William Beer ruled the curbs can stay pending a Dec. 17 trial.

"At the same time, he warned against any extension of the present curbing."

"I will not grant the request that the curbs be removed even at Orchard Lake expense pending a trial," Beer said at Tuesday's show cause hearing.

"(But) I hope there will be no further extension of what has already occurred there. Nothing else like this is to happen without prior approval of the City of Orchard Lake."

Beer then said he was not rendering an opinion, "just trying to be helpful" in suggesting the curbs should not be extended.

Orchard Lake has a new city ordinance forbidding construction or placement of barriers or obstacles within three feet of the traveled portion of roads within Orchard Lake unless approved by the city engineer and building inspector.

The law is not retroactive. Violators are subject to a \$500 fine and court costs. Failure to pay can result in a 90-day stay in Oakland County Jail.

THE CITY initiated the court suit against Norman and Sherilyn Scott and Charles and Frances Gadd for failure to remove the eight-by-eight inch concrete curbing along eastern shores of Orchard Lake constructed in May and June.

The suit seeks to get the defendants to remove the curbing and pay damages, costs and attorney fees. It also asks the court to determine a right of way line for the road, presumably by setting a legal

road width.

The two families put up the curbing to slow traffic along the mile-long trail and keep cars off their property.

The curbs replaced less permanent barriers such as boulders and logs which still line the street in front of other trail residents' homes.

Traffic along the trail is reportedly increasing as more people move into and travel to western Oakland County.

The city engineer, building inspector and chief of police all cite the curbs as unsafe.

Part of the problem concerns the width of the road, which the curbs mark at 18 feet. There is reportedly an easement to allow the road to be widened to 30 feet.

Beer interrupted the session for a trip to Indian Trail with attorneys Robert Parenti for the city and David Snyder, retained by the Scotts and Gadds.

"I don't think the problem is quite as serious as I thought in the beginning," Beer said on his return.

"It was a beautiful afternoon," he added. "I enjoyed it. I would like to hope there would be peace out there."

BOTH SIDES used almost the same words to explain the day in court.

"We've won the battle—we have not won the war," said Scott.

City Clerk Janet Overholt said, "We lost the battle, not the war."

The decade-long Indian Trail controversy sets residents of the 11 homes along the trail against many city and county motorists who use it.

At the same time, there is recent dialogue between officials and residents on either upgrading the road or closing it with construction of a new road behind the trail homes.

Accountant charged with embezzlement

Ronald Moore of West Bloomfield faces charges of embezzling more than \$25,000 and misrepresenting his professional standing.

According to a warrant secured by the Oakland County Organized Crime Strike Force, Moore swindled one client, Dr. Douglas Klakulak of Troy, out of \$15,000 and took \$10,000 from Mrs. Martha Himmelsbach, 81, of South Lyon.

Special prosecutors also allege that Moore, 42, the owner of Ronald Moore & Co. in Southfield, misrepresented himself when he told another client, Linda LeMire, that he was a certified public accountant (CPA). He is an accountant, but not a CPA.

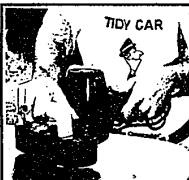
An additional warrant may be brought against Moore, according to Oakland County Special Prosecutor Robert Leon. Leon said Moore also goes by the name of Ronald Moogerman.

He has been convicted three times in the past, including a 1976 misdemeanor in Southfield's 46th District Court for falsely representing himself as a CPA, Leon said.

Moore pleaded guilty to a reduced felony—obtaining more than \$100 under false pretenses—on March 19, 1975 in Detroit Recorder's Court after being charged with passing bad checks. He was placed on two years probation after paying restitution and court costs.

Moore was arraigned in Southfield on Aug. 28 and released after posting 10 percent of a combined \$3,500 bail. A \$2,500 bond was set for the felony charge of embezzlement of more than \$100 and a \$1,000 bond was set for the misdemeanor charge of misrepresenting himself as a CPA.

His exam is set for 9 a.m. Sept. 26 in Southfield's 42nd District Court before Judge Norman Feder.



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