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Drain

RECORDED

2001 MAR 26 AM 11:50

Gary Scholten
REGISTER OF DEEDS
OTTAWA COUNTY, MI

WARRANTY DEED

THE GRANTOR, LOW-COM INTRA COUNTY RELIEF DRAIN, a Michigan statutory body corporate, care of the Ottawa County Drain Commissioners Office, whose address is 414 Washington Street, Grand Haven, Michigan 49417, **CONVEYS AND WARRANTS** to **KENDE PROPERTIES, INC., a Michigan corporation**, whose address is 3465 - 56th Avenue, Hudsonville, Michigan 49426, the following described premises situated in the **TOWNSHIP OF GEORGETOWN, COUNTY OF OTTAWA** and **STATE OF MICHIGAN**:

Lands and premises in the North one-half (N 1/2) of the Northwest one-quarter (NW 1/4) of the Northwest one-quarter (NW 1/4) of Section 21, Town 6 North, Range 13 West, EXCEPT the West 330.00 feet thereof, also known and described as commencing South eighty eight degrees thirty five minutes (88°35') East 330.00 feet from the Northwest Section corner, thence South 664.9 feet to the North line of Maplelawn Estates Subdivision, thence South 87°28'23" East along said line to the East line of the Northwest one-quarter (NW 1/4) of the Northwest one-quarter (NW 1/4) of said Section 21, thence North 664.9 feet more or less along said line to the North Section line, thence North 88°35' West 1030.94 feet more or less to the beginning.

Together with and subject to the easements, reservations, conditions and limitations of record and those also described in Exhibit A attached and made a part hereof.

Tax Parcel No: 70-14-21-100-095

The Grantor grants to the Grantee the right to make one hundred percent (100%) of the land divisions under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967, as amended.

This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors and other associated conditions may be used and are protected by Michigan Right to Farm Act.

for the sum of One and 00/100ths Dollar (\$1.00). (Affidavit of Valuation attached)

43.00 WARRANTY DEED
RECEIPT #108856
\$1.00 TAX CERTIFICATE IN
RECEIPT #108856

561
Ottawa County Treasurer's Office) 3-26-01
The records in my office show no unpaid taxes or special assessments for the five years preceeding involving lands in this instrument.
Mary Richardson, Treasurer

EXHIBIT A

The following easements, reservations, conditions and limitations are appurtenant to and run with the lands and premises conveyed in this Deed.

A. The following described Detention Pond and Storm Drain Easement is reserved to Grantor, its successors and assigns for the benefit of Grantor and the lands and premises within its drainage district described as follows:

Part of the North one-half (N ½) of the Northwest one-quarter (NW 1/4) of the Northwest one-quarter (NW 1/4), Section 21 Town 6 North, Range 13 West, Georgetown Charter Township, Ottawa County, Michigan, described as the Easterly 645.00 feet (the "Detention Pond") and the Northerly 30.00 feet (the "Storm Drain") of the land and Premises conveyed by this Deed.

B. The Grantee, its successors and assigns shall at all times comply with the following terms, limitations and conditions concerning the ownership and use of the Detention Pond and Storm Drain Easement described in paragraph A and reserved and retained by the Grantor:

1. The Grantee shall have the right to provide landscaping and permit pedestrian use of the area occupied by the Detention Pond and an area for vehicular ingress and egress which is the West 200 feet of the South 70 feet of the Detention Pond, provided there is no damage to the Detention Pond, and the landscaping and permitted drive area is completed in accordance with applicable laws, regulations and ordinances.

2. No cutting or filling shall be permitted in the Pond Area below elevation 645. However, Grantor reserves the right to do whatever maintenance or upkeep is deemed appropriate in the Detention Pond Area and the Storm Drain Easement.

3. The 20 foot wide portion of the drainage easement extending on right angles North from Maplepond Drive to the Detention Pond Area between Lots 20 and 21 of Maplawn Estates Subdivision, may be maintained by Grantor and is reserved for a storm water drain.

4. Grantor reserves a non-exclusive easement for vehicular, maintenance equipment and pedestrian access to the Detention Pond and Storm Drain Easement for necessary maintenance, care, inspection and repair as deemed necessary by Grantor over and across a 66 foot right-of-way extending North of Maplepond Drive between Lots 17 and 18 of Maplawn Estates Subdivision (sometimes known as Sugar Maple Drive), and South of such Detention Pond, together with direct access along a 33 foot strip of land along the South side of such parcel to the Detention Pond.

5. The rights, limitations and conditions provided in this Exhibit A shall be binding upon the Grantor and Grantee and their respective successors and assigns, and shall run with the title to the lands and premises conveyed in this Deed.