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HANCY HAVILAND REGISTER OF DEEDS LIVINGSTON COUNTY, MI.

VLCDC.



### DRAINAGE AND DETENTION EASEMENT

For and in consideration of prospective benefits to be derived by reason of the construction, operating and maintaining of a certain Drain under the supervision of the Livingston County Drain Commissioner and the County of Livingston and the State of Michigan, as hereinafter described, 2300 6-68ANORUGE, HOWEL

Tax I.D. Nos.	4710-12-201-002		4710-12-201-034	4710-12-201-052
	4710-12-201-003		4710-12-201-035	4710-12-201-053
	4710-12-201-018		4710-12-201-036	4710-12-201-054
	4710-12-201-019	• •	4710-12-201-037	4710-12-201-055
	4710-12-201-020		4710-12-201-038	4710-12-201-056
	4710-12-201-021		4710-12-201-039	4710-12-201-057
	4710-12-201-023		4710-12-201-040	4710-12-201-058
	4710-12-201-024		4710-12-201-041	4710-12-201-069
	4710-12-201-033		4710-12-201-048	4710-12-201-070

Olympia Development Company, LLC. 230 N. Second Street., Suite 200 Brighton, MI. 48116

does hereby convey and release to "The Forest" Drain Drainage District, the Right of Way for a certain Drain, hereinafter more particularly designated and described, over and across the following lands owned by me, and situated in the Township of Marion, County and State aforesaid, which owned are described as:

A part of the N.E. 1/4, Section 12, T.2N., R.4E., Marion Township, Livingston County, Michigan more particularly described as **BEGINNING** at the North 1/4 corner of said Section 12; thence N. 85 deg 02 min 59 E. sec along the North line of said Section 12 and the centerline of Francis Road (100 ft. wide right-of-way) 1301.02 ft. (recorded as 1301.13 ft.); thence S. 00 deg 56 min 55 sec E. 2006.24 ft. (recorded as S. 00 deg 57 min 18 sec E. 2006.42 ft.); thence S. 85 deg 58 min 59 sec W. 1273.79 ft. (recorded as S. 85 deg 58 min 57 sec W. 1274.05 ft.) to the North-South 1/4 line of said Section 12; thence N. 01 deg 41 min 46 sec W. 1983.80 ft. (recorded as N. 01 deg 41 min 54 sec W. 1984.00 ft.) along said North-South 1/4 line, to the **POINT OF BEGINNING**, containing 58.869 acres subject to the rights of the public or any governmental unit in any part thereof taken, used or deeded for street, road or highway purposes, also subject to easements and restrictions of record, if any.

The Rights of Way or Easements conveyed are described as:

#### 20' WIDE STORM CENTERLINE EASEMENT COMMON TO UNITS 2 & 3 - BRANCH #1

A part of the Northeast 1/4, Section 12, T.2N., R.4E., Marion Township, Livingston County, Michigan, more particularly described as commencing at the North 1/4 corner of said Section; thence S. 01 deg 41 min 46 sec E.,

along the North-South 1/4 line of said Section, 50.08 ft.; thence N. 85 deg 02 min 59 sec E., along the Southerly right-of-way line of Francis Road (100 ft. wide public right-of-way), 184.96 ft. to the Westerly right-of-way line of Elk Run (66 ft. wide public right-of-way); thence S. 04 deg 57 min 01 sec E., along said right-of-way, 294.55 ft. to the **POINT OF BEGINNING** of said centerline easement description; thence S. 85 deg 02 min 59 sec W. 161.63 ft. to Point "A"; thence N. 04 deg 57 min 01 sec W. 5.00 to a point of ending; thence commencing from aforementioned Point "A", S. 04 deg 57 min 01 sec E. 5.00 ft. to the **POINT OF ENDING** of said centerline easement description, also as shown on Exhibit A.

#### 20' WIDE STORM CENTERLINE EASEMENT COMMON TO UNITS 18-21 - BRANCH #2

A part of the Northeast 1/4, Section 12, T.2N., R.4E., Marion Township, Livingston County, Michigan, more particularly described as commencing at the North 1/4 corner of said Section; thence S. 01 deg 41 min 46 sec E., along the North-South 1/4 line of said Section, 50.08 ft.; thence N. 85 deg 02 min 59 sec E., along the Southerly right-of-way line of Francis Road (100 ft. wide public right-of-way), 184.96 ft. to the Westerly right-of-way line of Elk Run (66 ft. wide public right-of-way); thence S. 04 deg 57 min 01 sec E., along said right-of-way, 143.55 ft.; thence S. 85 deg 02 min 59 sec E. 143.04 ft.; thence S. 01 deg 41 min 46 sec E. 1075.14 ft.; thence N. 78 deg 26 min 40 sec E. 99.75 ft. to a point of curve along the cul-de-sac of said Elk Run; thence along a curve to the left, along said cul-de-sac, radius of 75.00 ft., through a central angle of 168 deg 23 min 49 sec, arc distance of 220.43 ft., chord bearing N. 87 deg 44 min 15 sec E. 149.23 ft. to a non-tangent point and the **POINT OF BEGINNING** of said centerline easement description; thence S. 86 deg 27 min 40 sec E. 182.46 ft.; thence N. 54 deg 51 min 17 sec E. 21.26 ft. to the **POINT OF ENDING** of said centerline easement description, also as shown on Exhibit B.

# SURFACE DRAINAGE WATER EASEMENT DESCRIPTION LYING IN OPEN SPACE AND COMMON TO UNITS 21-24

A part of the Northeast 1/4, Section 12, T.2N., R.4E., Marion Township, Livingston County, Michigan, more particularly described as commencing at the North 1/4 corner of said Section; thence S. 01 deg 41 min 46 sec E., along the North-South 1/4 line of said Section, 50.08 ft.; thence N. 85 deg 02 min 59 sec E., along the Southerly right-of-way line of Francis Road (100 ft. wide public right-of-way), 184.96 ft. to the Westerly right-of-way line of Elk Run (66 ft. wide public right-of-way); thence S. 04 deg 57 min 01 sec E., along said right-of-way, 143.55 ft.; thence S. 85 deg 02 min 59 sec E. 143.04 ft.; thence S. 01 deg 41 min 46 sec E. 1075.14 ft.; thence N. 78 deg 26 min 40 sec E. 99.75 ft. to a point of curve along the cul-de-sac of said Elk Run; thence along a curve to the left, along said cul-de-sac, radius of 75.00 ft., through a central angle of 168 deg 23 min 49 sec, arc distance of 220.43 ft., chord bearing N. 87 deg 44 min 15 sec E. 149.23 ft. to a non-tangent point; thence S. 86 deg 27 min 40 sec E. 182.46 ft.; thence N. 54 deg 51 min 17 sec E. 21.26 ft. to the POINT OF BEGINNING of said storm detention basin easement; thence N. 13 deg 53 min 17 sec E. 131.94 ft. to a point on the Southerly right-of-way of Morning Mist Dr. (66 ft. wide public right-of-way) and a point of curve; thence along a curve to the left, along said right-of-way, radius of 263.00 ft., through a central angle of 42 deg 35 min 12 sec, arc distance of 195.48 ft., chord bearing N. 82 deg 35 min 41 sec E. 191.01 ft. to a non-tangent point; thence S. 12 deg 07 min 46 sec E. 132.21 ft.; thence S. 25 deg 11 min 46 sec E. 69.04 ft.; thence S. 88 deg 47 min 52 sec W. 165.26 ft.; thence N. 75 deg 48 min 59 sec W. 119.93 ft.; thence N. 13 deg 53 min 17 sec E. 13.51 ft. to the POINT OF BEGINNING of said storm detention basin easement, also as shown on Exhibit C.

20' WIDE STORM CENTERLINE EASEMENT COMMON TO UNITS 23 & 24 - BRANCH #3 A part of the Northeast 1/4, Section 12, T.2N., R.4E., Marion Township, Livingston County, Michigan, more

particularly described as commencing at the North 1/4 corner of said Section; thence S. 01 deg 41 min 46 sec E., along the North-South 1/4 line of said Section, 50.08 ft.; thence N. 85 deg 02 min 59 sec E., along the Southerly right-of-way line of Francis Road (100 ft. wide public right-of-way), 184.96 ft. to the Westerly right-of-way line of Elk Run (66 ft. wide public right-of-way); thence S. 04 deg 57 min 01 sec E., along said right-of-way, 143.55 ft.; thence S. 85 deg 02 min 59 sec E. 143.04 ft.; thence S. 01 deg 41 min 46 sec E. 1075.14 ft.; thence N. 78 deg 26 min 40 sec E. 99.75 ft. to a point of curve along the cul-de-sac of said Elk Run; thence along a curve to the left, along said cul-de-sac, radius of 75.00 ft., through a central angle of 168 deg 23 min 49 sec, arc distance of 220.43 ft., chord bearing N. 87 deg 44 min 15 sec E. 149.23 ft. to a non-tangent point; thence S. 86 deg 27 min 40 sec E. 182.46 ft.; thence N. 54 deg 51 min 17 sec E. 21.26 ft.; thence S. 13 deg 53 min 17 sec W. 13.51 ft.; thence S. 75 deg 48 min 59 sec E. 119.93 ft.; thence N. 88 deg 47 min 52 sec E. 165.26 ft.; thence N. 25 deg 11 min 46 sec W. 33.36 ft. to the **POINT OF BEGINNING** of said centerline easement description; thence S. 64 deg 29 min 20 sec E. 25.71 ft.; thence N. 57 deg 07 min 56 sec E. 159.29 ft. to a point on the Westerly right-of-way of Springwood Ct. (66 ft. wide public right-of-way) and the **POINT OF ENDING** of said centerline easement description, also as shown on Exhibit D.

# 20' WIDE SWALE & DRAINAGE CENTERLINE EASEMENT DESCRIPTION COMMON TO UNITS 33-40 - BRANCH #4

A part of the Northeast 1/4, Section 12, T.2N., R.4E., Marion Township, Livingston County, Michigan, more particularly described as commencing at the North 1/4 corner of said Section; thence N. 85 deg 02 min 59 sec E., along the North line of said Section 12 and the centerline of Francis Road (100 ft. wide public right-of-way), 1301.02 ft.; thence S. 00 deg 56 min 55 sec E. 1280.20 ft.; thence S. 89 deg 03 min 05 sec W. 114.04 ft. to Point "A" and the **POINT OF BEGINNING** of said centerline easement descriptions; thence S. 68 deg 20 min 02 sec W. 156.45 ft. to a point of ending; thence commencing from aforementioned Point "A", N. 13 deg 38 min 37 sec W. 38.51 ft.; thence N. 52 deg 07 min 45 sec W. 99.96 ft.; thence N. 03 deg 08 min 52 sec W. 106.98 ft.; thence N. 84 deg 21 min 43 sec W. 120.81 ft.; thence N. 00 deg 57 min 18 sec W. 47.17 ft. to the **POINT OF ENDING** of said centerline easement descriptions, also as shown on Exhibit E.

#### 20' WIDE STORM CENTERLINE EASEMENT COMMON TO UNITS 52-58 - BRANCH #5

A part of the Northeast 1/4, Section 12, T.2N., R.4E., Marion Township, Livingston County, Michigan, more particularly described as commencing at the North 1/4 corner of said Section; thence S. 01 deg 41 min 46 sec E., along the North-South 1/4 line of said Section, 50.08 ft.; thence N. 85 deg 02 min 59 sec E., along the Southerly right-of-way line of Francis Road (100 ft. wide public right-of-way), 184.96 ft. to the Westerly right-of-way line of Elk Run (66 ft. wide public right-of-way); thence S. 04 deg 57 min 01 sec E., along said right-of-way, 143.55 ft.; thence S. 85 deg 02 min 59 sec E. 143.04 ft.; thence S. 01 deg 41 min 46 sec E. 662.95 ft.; thence S. 89 deg 05 min 20 sec E. 157.23 ft. to a point on the Westerly right-of-way of Elk Run (66 ft. wide public right-of-way); thence N. 77 deg 28 min 15 sec E. 67.86 ft. to a point on the Easterly right-of-way of said Elk Run; thence S. 89 deg 05 min 20 sec E 150.00 ft.; thence S. 00 deg 54 min 40 sec W. 28.58 ft.; thence S. 34 deg 46 min 13 sec W. 5.00 ft. to the **POINT OF BEGINNING** of said centerline easement description; thence S. 83 deg 42 min 19 sec E. 136.14 ft. to Point "A"; thence N. 67 deg 00 min 33 sec E. 80.00 ft. to a point of ending; thence commencing from aforementioned Point "A", S. 19 deg 25 min 46 sec E. 170.50 ft. to the **POINT OF ENDING** of said centerline easement description, also as shown on Exhibit F.

20' WIDE STORM CENTERLINE EASEMENT COMMON TO UNITS 48 & 69 - BRANCH #6
A part of the Northeast 1/4, Section 12, T.2N., R.4E., Marion Township, Livingston County, Michigan, more particularly described as commencing at the North 1/4 corner of said Section; thence S. 01 deg 41 min 46 sec E.,

along the North-South 1/4 line of said Section, 50.08 ft.; thence N. 85 deg 02 min 59 sec E., along the Southerly right-of-way line of Francis Road (100 ft. wide public right-of-way), 261.96 ft. to the Easterly right-of-way line of Elk Run (66 ft. wide public right-of-way); thence S. 04 deg 57 min 01 sec E., along said right-of-way, 125.00 ft.; thence S. 03 deg 33 min 22 sec E. 226.07 ft. to the intersection of said Elk Run Easterly right-of-way and the Southerly right-of-way of Morning Mist Dr (66 ft. wide public road right-of-way) and a point on a curve; thence along a curve to the right, along said Southerly right-of-way, radius of 20.00 ft., through a central angle of 90 deg 00 min 00 sec, arc distance of 31.42 ft., chord bearing N. 40 deg 02 min 59 sec E. 28.28 ft. to a point of tangency; thence N. 85 deg 02 min 59 sec E., along said Southerly right-of-way, 297.52 ft. to a point of curve; thence along a curve to the right, along said right-of-way, radius of 197.00 ft., through a central angle of 84 deg 48 min 15 sec, arc distance of 291.58 ft., chord bearing S. 52 deg 32 min 54 sec E. 265.69 ft. to a non-tangent point and the POINT OF BEGINNING of said centerline easement description; thence S. 76 deg 08 min 47 sec W. 172.75 ft.; thence N. 13 deg 14 min 59 sec W. 5.00 ft. to the POINT OF ENDING of said centerline easement description, also as shown on Exhibit G.

# SURFACE DRAINAGE WATER EASEMENT DESCRIPTION LYING IN OPEN SPACE BETWEEN UNITS 47-70

A part of the Northeast 1/4, Section 12, T.2N., R.4E., Marion Township, Livingston County, Michigan, more particularly described as commencing at the North 1/4 corner of said Section; thence S. 01 deg 41 min 46 sec E., along the North-South 1/4 line of said Section, 50.08 ft.; thence N. 85 deg 02 min 59 sec E., along the Southerly right-of-way line of Francis Road (100 ft. wide public right-of-way), 261.96 ft. to the Easterly right-of-way line of Elk Run (66 ft. wide public right-of-way); thence S. 04 deg 57 min 01 sec E., along said right-of-way, 125.00 ft.; thence N. 85 deg 02 min 59 sec E. 437.40 ft. to the **POINT OF BEGINNING** of said detention basin easement description; thence N. 46 deg 37 min 38 sec E. 136.38 ft.; thence S. 56 deg 17 min 01 sec E. 168.96 ft.; thence S. 31 deg 52 min 17 sec W. 77.09 ft.; thence S. 24 deg 15 min 35 sec E. 177.99 ft.; thence S. 63 deg 00 min 58 sec W. 143.05 ft. to the Easterly right-of-way of Morning Mist Dr. (66 ft. wide public right-of-way) and a point on a curve; thence along a curve to the left, along said right-of-way, radius of 267.92 ft., through a central angle of 35 deg 19 min 33 sec, arc distance of 165.19 ft., chord bearing N. 45 deg 07 min 16 sec W. 162.58 ft. to a non-tangent point; thence N. 27 deg 02 min 20 sec E. 132.68 ft.; thence N. 56 deg 17 min 01 sec W. 107.88 ft. to the **POINT OF BEGINNING** of said detention basin easement description, also as shown on Exhibit H.

This conveyance is based upon the above described line of route and shall be deemed to include the extreme width of said Drain as shown in the survey thereof, to which survey reference is hereby made for a more particular description, and includes a release of all claims to damages in any way arising from or incident to the opening and maintaining of said Drain across said premises; and also the feet of ground on either side of the center line of said Drain, for the construction thereof; and shall be deemed a sufficient conveyance to vest in the Drainage District an easement in said lands for the uses and purposes of drainage together with such rights of entry upon, passage over, deposit of excavated earth and storage of material and equipment on such lands, as may be necessary or useful for the construction, maintenance, cleaning out and repair of such drain.

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Witness, my hand and seal, dated \_\_August 27, 2001 \_\_.

j:alc:drain:liv.gen.easement.frm.doc

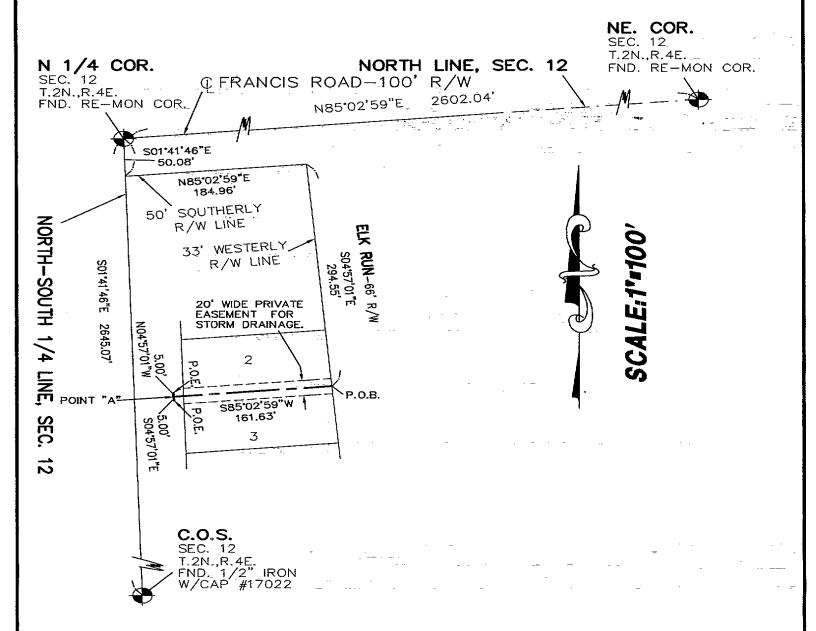
WITNESSES:	OLYMPIA DEVELOPMENT COMPANY, LLC
Printed Name: Lavonna M. Shaller	Frank M. Soave, Jr. Partner
<u>Jallie K. Chreaka</u> Printed Name: <u>Sollie K. Chreaka</u>	
STATE OF MICHIGAN ) ) SS COUNTY OF LIVINGSTON )	
personally appeared Frank M. Soave Jr., Par	Lavonna M. Shaller, in and for said Count ther, to me known to be the person described in and whowledge that they executed same as their free act and deed.
Instrument Prepared by: Brian Jonckheere Livingston County Drain Commissioner 2300 East Grand River, Suite 105 Howell, Michigan 48843	Subscribed and sworn before me this 27th day of August, 2001  Lavonna M. Shaller, Notary Public
When Recorded Return to: Brian Jonckheere Livingston County Drain Commissioner 2300 East Grand River, Suite 105 Howell, Michigan 48843	Livingston County, Michigan  My Commission Expires: September 30, 2003

### LIBER 3 1 0 1 PAGE 0 9 1 4

## EXHIBIT "A" BRANCH #1

## 20' WIDE STORM CENTERLINE EASEMENT COMMON TO UNITS 2 & 3

"ALL DRAIN EASEMENTS AND DETENTION AREAS ARE UNDER THE JURISDICTION OF THE FOREST DRAIN DRAINAGE DISTRICT AND THE LIVINGSTON COUNTY DRAIN COMMISSIONER"



SH. 1 of 1 DATE: 8-6-01

JOB# 96-2770

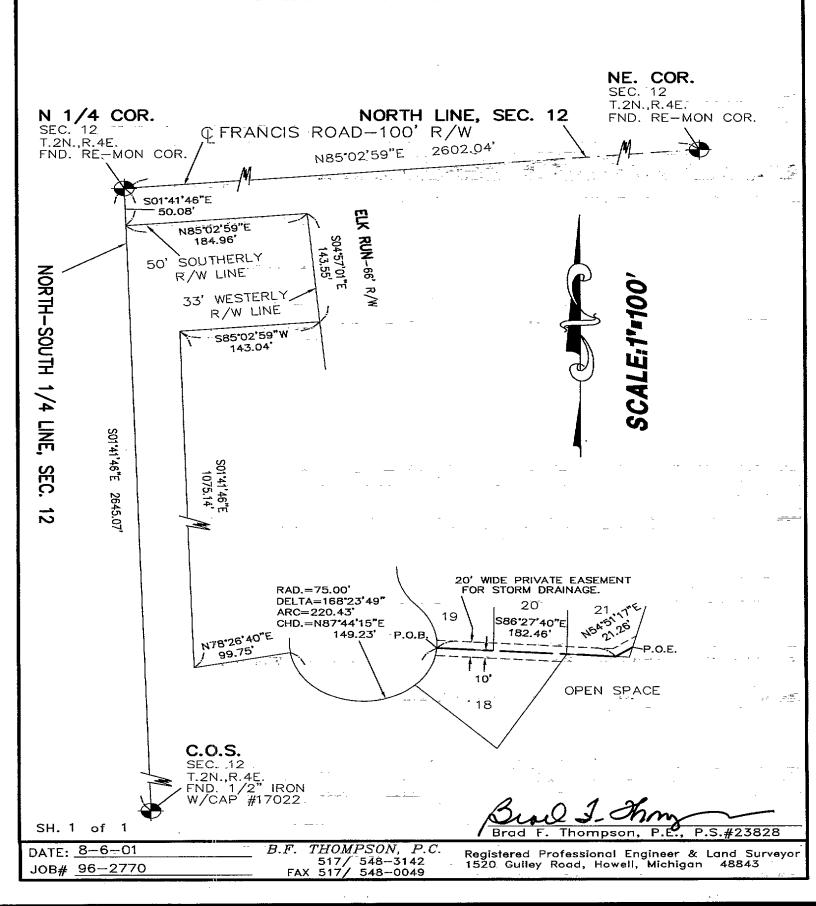
B.F. THOMPSON, P.C. 517/ 548-3142 FAX 517/ 548-0049 Brad F. Thompson, P.E., P.S.#23828

## EXHIBIT "B" BRANCH #2

#### 20' WIDE STORM CENTERLINE

#### EASEMENT COMMON TO UNITS 18 & 21

"ALL DRAIN EASEMENTS AND DETENTION AREAS ARE UNDER THE JURISDICTION OF THE FOREST DRAIN DRAINAGE DISTRICT AND THE LIVINGSTON COUNTY DRAIN COMMISSIONER"

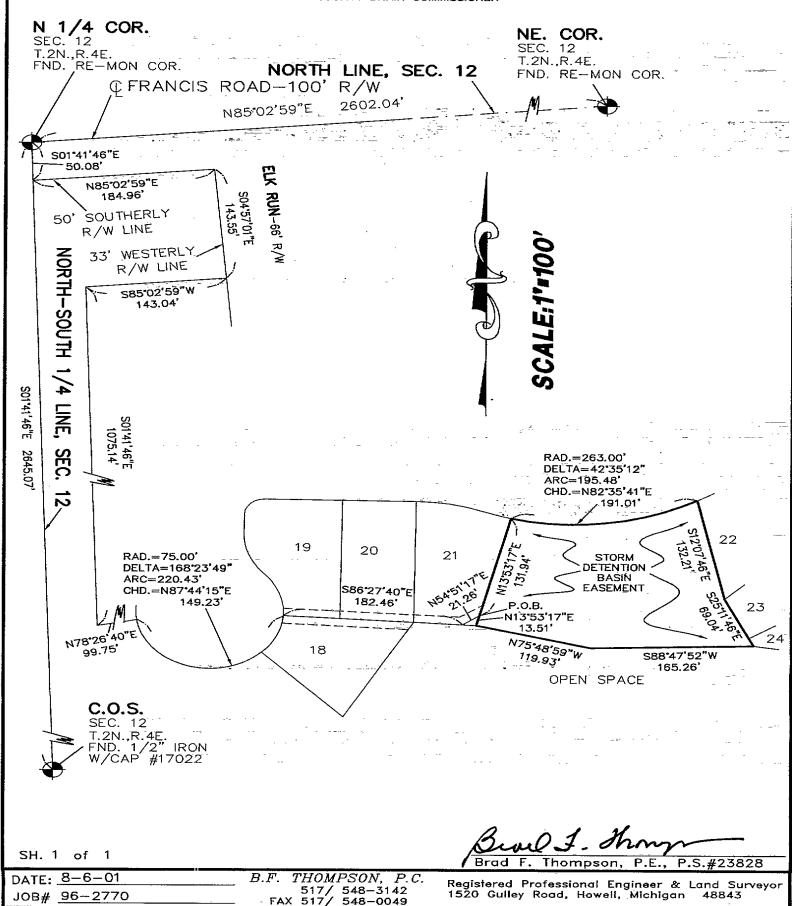


1520 Gulley Road, Howell, Michigan 48843

## EXHIBIT "C"

#### SURFACE DRAINAGE WATER EASEMENT LYING IN OPEN SPACE & COMMON TO UNITS 21 THRU 24

"ALL DRAIN EASEMENTS AND DETENTION AREAS ARE UNDER THE JURISDICTION OF THE FOREST DRAIN DRAINAGE DISTRICT AND THE LIVINGSTON COUNTY DRAIN COMMISSIONER"



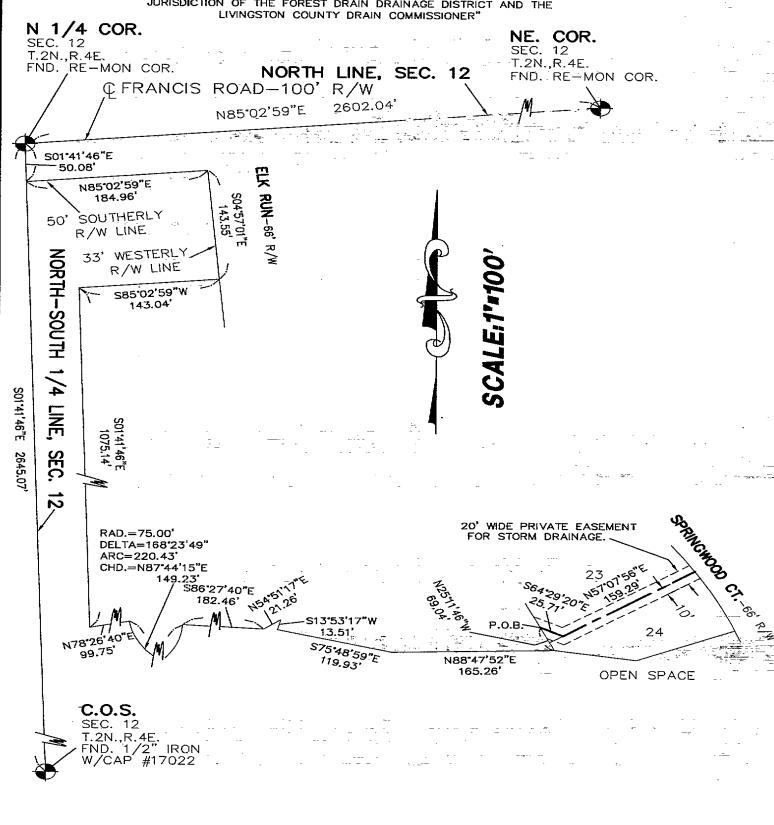
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## <u>EXHIBIT "D'</u> BRANCH #3

#### 20' WIDE STORM CENTERLINE

EASEMENT COMMON TO UNITS 23 & 24

"ALL DRAIN EASEMENTS AND DETENTION AREAS ARE UNDER THE JURISDICTION OF THE FOREST DRAIN DRAINAGE DISTRICT AND THE



SH. 1 of 1

THOMPSON, P.C. DATE: 8-6-01 517/ 548-3142 JOB# <u>96-2770</u> 548-0049

Registered Professional Engineer & Land Surveyor 1520 Gulley Road, Howell, Michigan 48843

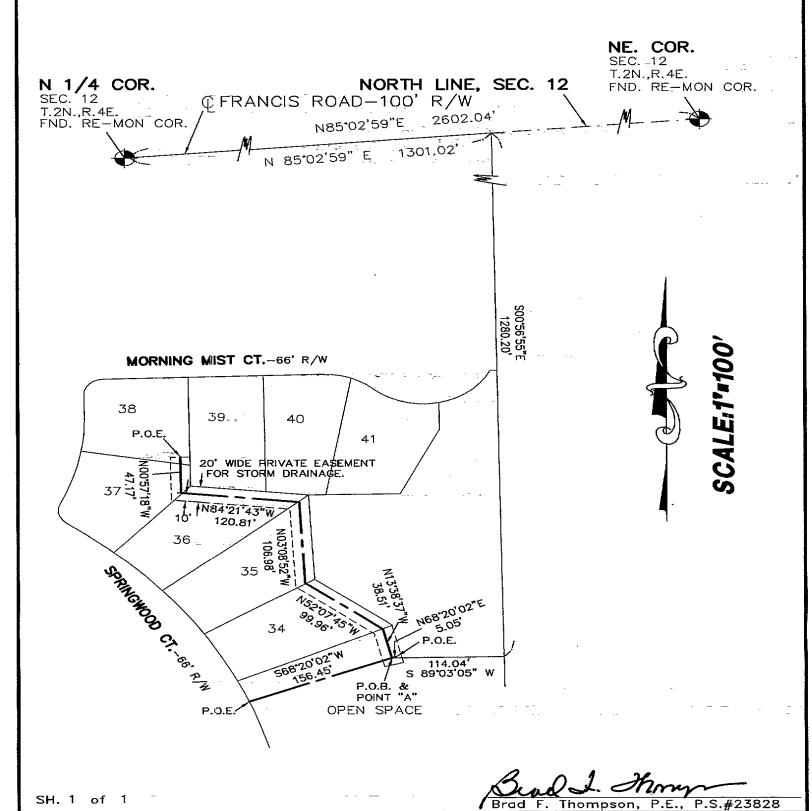
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Thompson, P.S.#23828

# EXHIBIT "E" BRANCH #4

# 20' WIDE SWALE & DRAINAGE CENTERLINE EASEMENT COMMON TO UNITS 33 THRU 40

"ALL DRAIN EASEMENTS AND DETENTION AREAS ARE UNDER THE JURISDICTION OF THE FOREST DRAIN DRAINAGE DISTRICT AND THE LIVINGSTON COUNTY DRAIN COMMISSIONER"



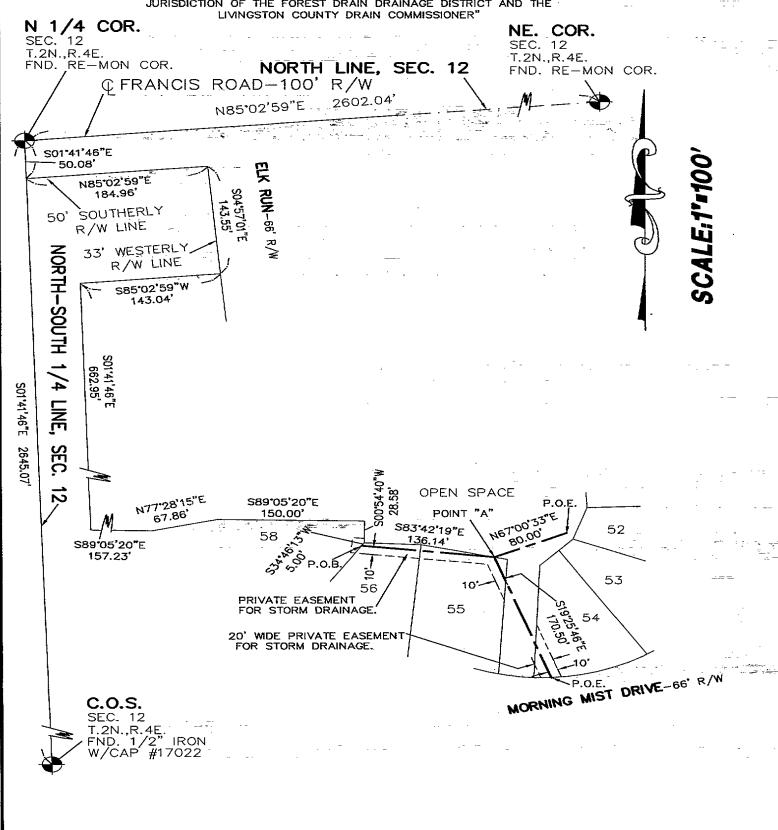
DATE: <u>8-6-01</u> JOB# 96-2770 B.F. THOMPSON, P.C. 517/ 548-3142 FAX 517/ 548-0049

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# EXHIBIT "F" BRANCH #5

## 20' WIDE STORM CENTERLINE EASEMENT COMMON TO UNITS 52 THRU 58

"ALL DRAIN EASEMENTS AND DETENTION AREAS ARE UNDER THE JURISDICTION OF THE FOREST DRAIN DRAINAGE DISTRICT AND THE



SH. 1 of 1

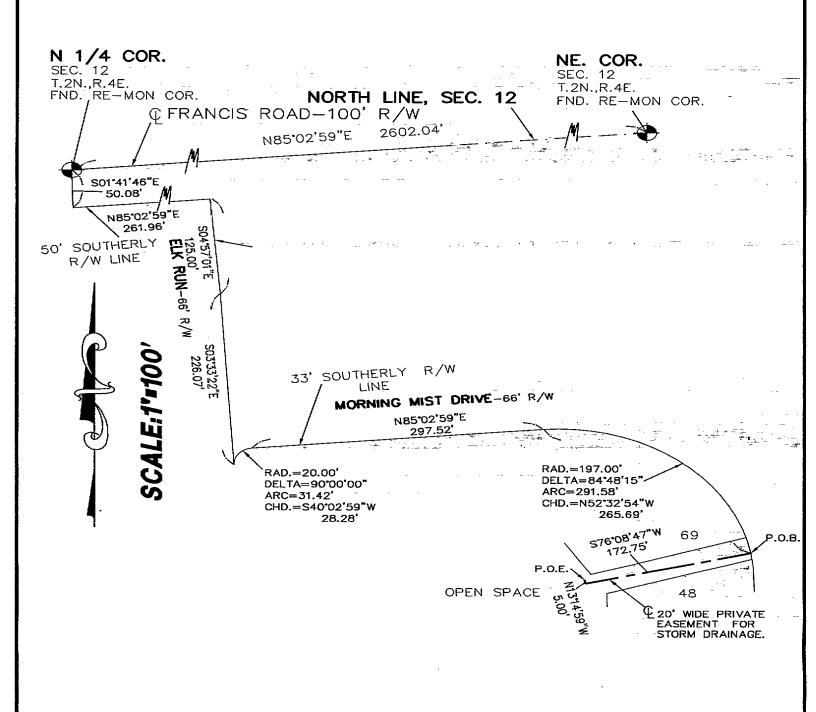
Brad F. Thompson, P.E., P.S.#23828

DATE: 8-6-01 B.F. THOMPSON, P.C. 517/ 548-3142 FAX 517/ 548-0049

## EXHIBIT "G" BRANCH #6

# 20' WIDE STORM CENTERLINE EASEMENT COMMON TO UNITS 48 & 69

"ALL DRAIN EASEMENTS AND DETENTION AREAS ARE UNDER THE JURISDICTION OF THE FOREST DRAIN DRAINAGE DISTRICT AND THE LIVINGSTON COUNTY DRAIN COMMISSIONER"



SH. 1 of 1

B.F. THOMPSON, P.C. 517/ 548-3142 FAX 517/ 548-0049 Registered Professional Engineer & Land Surveyor 1520 Gulley Road, Howell, Michigan 48843

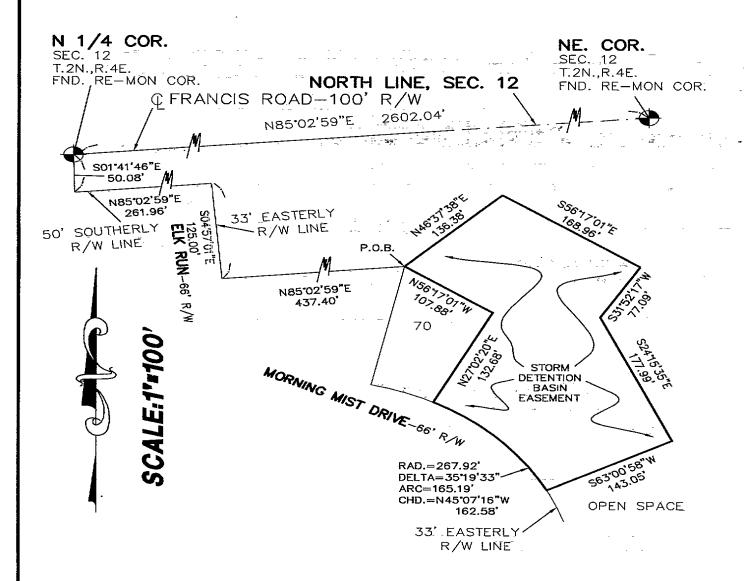
P.S.#23828

DATE: <u>8-6-01</u> JOB# <u>96-2</u>770

## EXHIBIT "H"

# SURFACE DRAINAGE WATER EASEMENT IN OPEN SPACE BETWEEN UNITS 47 AND 70

"ALL DRAIN EASEMENTS AND DETENTION AREAS ARE UNDER THE JURISDICTION OF THE FOREST DRAIN DRAINAGE DISTRICT AND THE LIVINGSTON COUNTY DRAIN COMMISSIONER"



SH. 1 of 1

DATE: 8-6-01 B.F. THOMPSON, P.C. 517/ 548-3142 FAX 517/ 548-0049

Bewl J. Shrows Brad F. Thompson, P.E., P.S.#23828