

RECORDED

2003 APR -9 P 2:46

NANCY HAVILAND
REGISTER OF DEEDS
LIVINGSTON COUNTY, MI.
48043

40/4

LCDCV

**AGREEMENT FOR THE ESTABLISHMENT OF A COUNTY
DRAIN AND COUNTY DRAINAGE DISTRICT
FOR "TIMBER BLUFF" A SITE CONDOMINIUM
LOCATED IN N.E. 1/4 OF SECTION 35, T2N-R4E, MARION TWP.
PURSUANT TO SECTION 433 OF ACT NO. 40 OF
THE PUBLIC ACTS OF 1956, AS AMENDED**

THIS AGREEMENT, made and entered into this 3rd day of April, 2003, by and between BRIAN JONCKHEERE, LIVINGSTON COUNTY DRAIN COMMISSIONER, 2300 East Grand River, Suite 105, Howell, Michigan, hereinafter referred to as "Drain Commissioner" on behalf of the proposed **Timber Bluff Drain Drainage District**; and **Ore Creek Development, Inc.**, a Michigan Corporation, 10315 E. Grand River, Suite 101, Brighton, Michigan 48116 as owner(s) of land described in Exhibit A attached hereto, hereinafter referred to as "Landowner".

WITNESSETH:

WHEREAS, Section 433 of Act No. 40 of the Public Acts of 1956, as amended, authorizes the Drain Commissioner to enter into an Agreement with the Landowner and developer, if any, to establish a drain which was constructed by the Landowner or developer to service an area of its own land as a County Drain; and,

WHEREAS, Landowner, pursuant to Section 433 of Act No. 40 of 1956, as amended, wishes to provide drainage service to its own lands and has requested same to be established and dedicated as a County Drain under the jurisdiction of the Livingston County Drain Commissioner; and,

WHEREAS, Landowner has been advised and understands and agrees to assume the total cost of the construction of the drain to include engineering, inspection, easement acquisition, legal and administrative expenses and costs attendant to this Agreement; and,

WHEREAS, Landowner further understands that the Drain constructed, or to be constructed, pursuant to this Agreement, when finally accepted by the Drain Commissioner, will be known as the Timber Bluff Drain and that the land to be drained will be known and constituted as Timber Bluff Drain Drainage District and will be subject to assessments, for costs of future operation, inspection, maintenance and improvement; and,

WHEREAS, Landowner has agreed to assume and pay all costs as set forth herein, and,

WHEREAS, Landowner has obtained, at its own expense, a certificate from a registered professional engineer satisfactory to the Drain Commissioner to the effect that the Drain has sufficient capacity to provide adequate drainage service without detriment to or diminution of the drainage service which the outlet currently provides. A copy of said certificate being attached hereto as Exhibit B.

NOW, THEREFORE, in consideration of the premises and covenants of each, the parties hereto agree as follows:

1. Landowner agrees to construct and/or has constructed, at its expense, the Drain in accordance with plans and specifications approved by the Drain Commissioner. The route and course for the drain is legally described in Exhibit C.
2. The Landowner agrees to pay the costs of construction of said Drain and drainage facilities, including the acquisition of the necessary rights of way or easements, engineering, surveying, inspection, legal and administration costs. In addition, the Landowner has deposited with the Drain Commissioner an amount of money equivalent to five (5%) percent of the costs of construction of the Drain, not to exceed Two Thousand Five Hundred and No/100 (\$2,500.00) Dollars, which monies are to be deposited in a special drain fund to be used for future maintenance of the Drain, hereinafter referred to as Timber Bluff Drain, Drain Maintenance Fund.@
3. That the Landowner shall secure, at its own expense, all easements or rights of way necessary for the construction of the Drain over and across the properties owned by Landowner and across such other lands as necessary for the construction of the Drain from the point of beginning at the outlet to the point of ending. Said easements or rights of way shall be secured in writing and in a form acceptable to the Drain Commissioner. The Landowner shall be responsible for all costs for the recording of said easements, as directed by the Drain Commissioner.
4. Landowner shall secure all necessary permits or authorizations as may be required by local, state or federal law and provide copies to the Drain Commissioner. The Drain Commissioner shall be provided copies of all correspondence and reports involving any governmental agency with respect to the Drain.

5. The Timber Bluff Drain Maintenance Fund is agreed and understood as being for the sole benefit of the Timber Bluff Drain and use thereof may be made by the Timber Bluff Drain Drainage District at large, or part thereof, and that such payment shall not relieve the subject property from any future assessments levied pursuant to the Drain Code of 1956, as amended.

6. Landowner agrees to indemnify and hold harmless the Drain Commissioner and the Timber Bluff Drain Drainage District for any and all claims, damages, lawsuits, costs and expenses, arising out of or incurred as a result of the Drain Commissioner assuming responsibility for the drain under federal, state and/or local environmental laws and regulations, including all future amendments to such laws or regulations and the administrative and judicial interpretation thereof, except for liability arising out of the gross negligence or intentional wrongful conduct of the Drain Commissioner or its agents.

7. Modification, amendments or waivers of any provisions of the Agreement may be made only by the written mutual consent of the parties.

This Agreement shall become effective upon its execution by the Landowner and the Drain Commissioner and shall be binding upon the successors and assigns of each party.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by the duly authorized officers as of the day and year first above written.

ORE CREEK DEVELOPMENT, INC.

Ronald M Kelly
By: Ronald M. Kelly
Its: PRESIDENT

STATE OF MICHIGAN)
)
COUNTY OF LIVINGSTON)

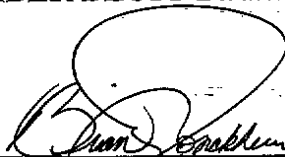
ss.

On this 2nd day of April, 2003, before me, a Notary Public in and for said County, personally appeared Ronald M. Kelly, to me known to be the person described in and who executed the foregoing instrument and acknowledged the same to be his/her free act and deed.

Brigitte Lee Campbell
Brigitte Lee Campbell, Notary Public
Livingston County, Michigan
My Commission Expires: 4-13-07

BRIGETTE LEE CAMPBELL
Notary Public, Livingston County, MI
My Commission Expires April 13, 2007

TIMBER BLUFF DRAIN DRAINAGE DISTRICT



By: Brian Jonckheere
Livingston County Drain Commissioner

STATE OF MICHIGAN)
)
COUNTY OF LIVINGSTON)

ss.

On this 3rd day of April, 2003, before me, a Notary Public in and for said County, personally appeared BRIAN JONCKHEERE, LIVINGSTON COUNTY DRAIN COMMISSIONER, to me known to be the person described in and who executed the foregoing instrument and acknowledged the same to be his free act and deed.

A. Webb
A. Webb, Notary Public
Livingston County, Michigan
My Commission Expires: 2/2007


Instrument Drafted By:
Patrick C. Keough, P.E.
Advantage Civil Engineering
110 E. Grand River, Howell, MI 48843

When Recorded Return To:
Brian Jonckheere
Livingston County Drain Commissioner
2300 East Grand River, Suite 105
Howell, MI 48843

EXHIBIT B

I, **Patrick Keogh**, a Registered Professional Engineer in the State of Michigan, do hereby certify to the following for the **Timber Bluff Drain**, Drainage District in Section **Section 35, T2N-R4E** of **Marion Township**:

1. The above-mentioned lands to be developed naturally drain into the area served by the existing drains and that the existing drains are the only reasonable available outlet for the drainage from the lands to be developed.
2. To my knowledge, there is
 - a. Existing capacity in the existing drains to serve the lands to be developed without detriment to or diminution of the sanitary sewer or storm drainage service provided or to be provided in the foreseeable future in the existing district.
 - b. No foreseeable adverse impact on downstream proprietors created by the stormwater flow from the *Timber Bluff Drain, Drainage District*.



Patrick Keough, P.E. #37195

Date: 3-28-03

EXHIBIT "A"

Legal description: Overall drainage district boundary;

Part of the Northeast 1/4 of Section 35, Town 2 North, Range 4 East Marion Township, Livingston County, Michigan, more particularly described as follows; Commencing at the East 1/4 corner of said Section 35: thence along the East-West 1/4 line of said Section 35, North 89 degrees 11 minutes 39 seconds West, 140.06 feet on said East-West 1/4 line to The Point of Beginning; thence continuing N 89 degrees 11 minutes 39 seconds W, 2484.37 feet on said East-West 1/4 line to the center of said Section 35; thence along the North-South 1/4 line of said Section 35, North 01 degree 30 minutes 09 seconds East, 1307.32 feet to a found iron rod; thence along the North line of the South 1/2 of the Northeast 1/4 of said Section 35 as previously surveyed and monumented, South 89 degrees 52 minutes 37 seconds East, 301.94 feet; thence along the North line of the South 1/2 of the Northeast 1/4 of said Section 35 as previously surveyed and monumented, South 88 degrees 26 minutes 23 seconds East, 666.70 feet; thence along a previously surveyed and monumented line, North 02 degrees 05 minutes 36 seconds East, 8.71 feet to the Southwest corner of Marion Knoll, a subdivision as recorded in Liber 36 of Plats on Pages 6 through 9 of the Livingston County Records; thence along the South line of said Marion Knoll and along the North line of the South 1/2 of the Northeast 1/4 of Section 35, South 89 degrees 16 minutes 47 seconds East, 820.34 feet; thence South 00 degrees 43 minutes 13 seconds West, 434.74 feet; thence South 89 degrees 16 minutes 47 seconds East, 319.79 feet; thence South 00 degrees 43 minutes 13 seconds West, 240.00 feet; thence South 45 degrees 55 minutes 24 seconds East, 210.45, feet; thence South 89 degrees 16 minutes 47 seconds East, 135.00 feet; thence along the centerline of Pinckney Road (D-19) (33 foot wide 1/2 Right of Way), Southerly on an arc left, having a length of 498.02 feet, a radius of 881.47 feet, a central angle of 32 degrees 22 minutes 18 seconds and a long chord which bears South 07 degrees 03 minutes 51 seconds East, 491.43 feet; thence continuing along the centerline of Pinckney Road (33 foot wide 1/2 Right of Way). South 23 degrees 12 minutes 21 seconds East, 7.52 feet to the Point of Beginning, containing 64.11 acres more or less; Subject to the rights of the public over the existing Pinckney Road.

CLIENT:
Ore Creek Development

DESCRIPTION: "Timber Bulff Drain", Drainage District
N.E. 1/4 Section 35, Marion Twp.
Livingston County Road Commission

JOB NO. 00149

DATE: 03-25-03

REVISED: X

OFFICE: CC

FIELD: X

SHEET: 1 of 1



ADVANTAGE
CIVIL
ENGINEERING

110 E. Grand River, Howell, MI 48843
Phone 517 545-4141 Fax 517 545-4146

Christopher T. Cotter Authorized Agent
P.S. No. 41097

Centerline of private storm drainage easement(#1):

Centerline of private storm drainage easement located in the N.E. quarter of Section 35, Town 2 North, Range 4 East, Marion Township, Livingston County, Michigan. Said parcel more particularly described as follows: Commencing at the East 1/4 corner of Section 35, T2NE4E; thence North 89° 11' 38" West, 140.05 feet; thence North 23° 15' 00" West, 7.52 feet; thence 498.02 feet on the arc of a 881.47 foot radius curve to the right, containing a delta angle of 32° 22' 18", the long chord of which measures North 07° 03' 51" West, 491.43 feet; thence North 89° 16' 47" West, 60.61 feet; thence 171.28 feet on the arc of a 941.47 foot radius curve to the left, containing a delta angle of 10° 25' 26", the long chord of which measures South 03° 22' 16" West, 171.04 feet; thence 31.11 feet on the arc of a 20.00 foot radius curve to the right, containing a delta angle of 89° 07' 16", the long chord of which measures South 42° 43' 11" West, 28.07 feet; thence South 87° 16' 49" West, 32.34 feet; thence 241.99 feet on the arc of a 267.00 foot radius curve to the right, containing a delta angle of 51° 55' 42", the long chord of which measures North 66° 45' 20" West, 233.79 feet; thence 408.03 feet on the arc of a 483.00 foot radius curve to the left, containing a delta angle of 48° 24' 10", the long chord of which measures North 64° 59' 34" West, 396.01 feet; thence North 89° 11' 39" West, 196.84 feet; thence 200.65 feet on the arc of a 242.00 foot radius curve to the right, containing a delta angle of 47° 30' 24", the long chord of which measures North 65° 26' 27" West, 194.96 feet; thence 388.95 feet on the arc of a 263.00 foot radius curve to the left, containing a delta angle of 84° 44' 07", the long chord of which measures North 84° 03' 18" West, 354.46 feet; thence South 53° 34' 38" West, 487.75 feet; thence 439.85 feet on the arc of a 197.00 foot radius curve to the right, containing a delta angle of 127° 55' 31", the long chord of which measures North 62° 27' 37" West, 354.01 feet; thence North 01° 30' 09" East, 295.65 feet; thence 10.35 feet on the arc of a 197.00 foot radius curve to the right, containing a delta angle of 3° 00' 42", the long chord of which measures North 03° 00' 30" East, 10.35 feet to the Point of Beginning of the centerline 30 feet wide storm drainage easement; thence South 88° 29' 51" East, 286.36 feet on said 30 feet wide easement to the centerline of a 40 feet wide storm drainage easement; thence North 01° 30' 09" East, 86.56 feet; thence returning South 01° 30' 09" West, 86.56 feet; thence South 88° 29' 51" East, 286.36 feet to the Point of Ending of said centerline of 40 feet wide drainage easement.

Centerline of private storm drainage easement(#2):

Centerline of private storm drainage easement located in the N.E. quarter of Section 35, Town 2 North, Range 4 East, Marion Township, Livingston County, Michigan. Said parcel more particularly described as follows: Commencing at the East 1/4 corner of Section 35, T2NE4E; thence North 89° 11' 38" West, 140.05 feet; thence North 23° 15' 00" West, 7.52 feet; thence 498.02 feet on the arc of a 881.47 foot radius curve to the right, containing a delta angle of 32° 22' 18", the long chord of which measures North 07° 03' 51" West, 491.43 feet; thence North 89° 16' 47" West, 60.61 feet; thence 171.28 feet on the arc of a 941.47 foot radius curve to the left, containing a delta angle of 10° 25' 26", the long chord of which measures South 03° 22' 16" West, 171.04 feet; thence 31.11 feet on the arc of a 20.00 foot radius curve to the right, containing a delta angle of 89° 07' 16", the long chord of which measures South 42° 43' 11" West, 28.07 feet; thence South 87° 16' 49" West, 32.34 feet; thence 241.99 feet on the arc of a 267.00 foot radius curve to the right, containing a delta angle of 51° 55' 42", the long chord of which measures North 66° 45' 20" West, 233.79 feet; thence 408.03 feet on the arc of a 483.00 foot radius curve to the left, containing a delta angle of 48° 24' 10", the long chord of which measures North 64° 59' 34" West, 396.01 feet; thence North 89° 11' 39" West, 196.84 feet; thence 200.65 feet on the arc of a 242.00 foot radius curve to the right, containing a delta angle of 47° 30' 24", the long chord of which measures North 65° 26' 27" West, 194.96 feet; thence 388.95 feet on the arc of a 263.00 foot radius curve to the left, containing a delta angle of 84° 44' 07", the long chord of which measures North 84° 03' 18" West, 354.46 feet; thence South 53° 34' 38" West, 384.02 feet to the Point of Beginning; thence North 18° 49' 43" West, 144.43 feet to the Point of Ending;

CLIENT:
ORE CREEK DEVELOPMENT

DESCRIPTION: ROUTE AND COURSE DESCRIPTION
N.E. 1/4 SECTION 35, T2N-R4E, MARION TWP.
LIVINGSTON COUNTY, MICHIGAN

JOB NO. 00149

DATE: 03-26-03

REVISED: X

OFFICE: CC

FIELD: X

SHEET: 5 of 9



ADVANTAGE
CIVIL
ENGINEERING

110 E. Grand River, Howell, MI 48843
Phone 517 545-4141 Fax 517 545-4146

Christopher T. Cotter Authorized Agent
P.S. No. 41097

Centerline of a 50 feet wide private storm drainage easement(#3):

Centerline of a 50 feet wide private storm drainage easement located in the N.E. quarter of Section 35, Town 2 North, Range 4 East, Marion Township, Livingston County, Michigan. Said parcel more particularly described as follows: Commencing at the East 1/4 corner of Section 35, T2NE4E; thence North 89° 11' 38" West, 140.05 feet; thence North 23° 15' 00" West, 7.52 feet; thence 498.02 feet on the arc of a 881.47 foot radius curve to the right, containing a delta angle of 32° 22' 18", the long chord of which measures North 07° 03' 51" West, 491.43 feet; thence North 89° 16' 47" West, 60.61 feet; thence 171.28 feet on the arc of a 941.47 foot radius curve to the left, containing a delta angle of 10° 25' 26", the long chord of which measures South 03° 22' 16" West, 171.04 feet; thence 31.11 feet on the arc of a 20.00 foot radius curve to the right, containing a delta angle of 89° 07' 16", the long chord of which measures South 42° 43' 11" West, 28.07 feet; thence South 87° 16' 49" West, 32.34 feet; thence 241.99 feet on the arc of a 267.00 foot radius curve to the right, containing a delta angle of 51° 55' 42", the long chord of which measures North 66° 45' 20" West, 233.79 feet; thence 408.03 feet on the arc of a 483.00 foot radius curve to the left, containing a delta angle of 48° 24' 10", the long chord of which measures North 64° 59' 34" West, 396.01 feet; thence North 89° 11' 39" West, 196.84 feet; thence 200.65 feet on the arc of a 242.00 foot radius curve to the right, containing a delta angle of 47° 30' 24", the long chord of which measures North 65° 26' 27" West, 194.96 feet; thence 388.95 feet on the arc of a 263.00 foot radius curve to the left, containing a delta angle of 84° 44' 07", the long chord of which measures North 84° 03' 18" West, 354.46 feet; thence South 53° 34' 38" West, 76.67 feet to the Point of Beginning of said 50 feet wide private storm drainage easement; thence North 56° 34' 55" West, 94.07 feet to the Point of Ending.

Centerline of a 30 feet wide private storm drainage easement(#4):

Centerline of a 30 feet wide private storm drainage easement located in the N.E. quarter of Section 35, Town 2 North, Range 4 East, Marion Township, Livingston County, Michigan. Said parcel more particularly described as follows: Commencing at the East 1/4 corner of Section 35, T2NE4E; thence North 89° 11' 38" West, 140.05 feet; thence North 23° 15' 00" West, 7.52 feet; thence 498.02 feet on the arc of a 881.47 foot radius curve to the right, containing a delta angle of 32° 22' 18", the long chord of which measures North 07° 03' 51" West, 491.43 feet; thence North 89° 16' 47" West, 60.61 feet; thence 171.28 feet on the arc of a 941.47 foot radius curve to the left, containing a delta angle of 10° 25' 26", the long chord of which measures South 03° 22' 16" West, 171.04 feet; thence 31.11 feet on the arc of a 20.00 foot radius curve to the right, containing a delta angle of 89° 07' 16", the long chord of which measures South 42° 43' 11" West, 28.07 feet; thence South 87° 16' 49" West, 32.34 feet; thence 241.99 feet on the arc of a 267.00 foot radius curve to the right, containing a delta angle of 51° 55' 42", the long chord of which measures North 66° 45' 20" West, 233.79 feet; thence 408.03 feet on the arc of a 483.00 foot radius curve to the left, containing a delta angle of 48° 24' 10", the long chord of which measures North 64° 59' 34" West, 396.01 feet; thence North 89° 11' 39" West, 196.84 feet; thence 200.65 feet on the arc of a 242.00 foot radius curve to the right, containing a delta angle of 47° 30' 24", the long chord of which measures North 65° 26' 27" West, 194.96 feet; thence 191.64 feet on the arc of a 263.00 foot radius curve to the left, containing a delta angle of 41° 45' 02", the long chord of which measures North 62° 33' 46" West, 187.43 feet to the Point of Beginning of said 30 feet wide private storm drain easement; thence North 28° 20' 45" East, 54.55 feet to the Point of Ending;

Centerline of a 30 feet wide private storm drainage easement(#5):

Centerline of a 30 feet wide private storm drainage easement located in the N.E. quarter of Section 35, Town 2 North, Range 4 East, Marion Township, Livingston County, Michigan. Said parcel more particularly described as follows: Commencing at the East 1/4 corner of Section 35, T2NE4E; thence North 89° 11' 38" West, 140.05 feet; thence North 23° 15' 00" West, 7.52 feet; thence 498.02 feet on the arc of a 881.47 foot radius curve to the right, containing a delta angle of 32° 22' 18", the long chord of which measures North 07° 03' 51" West, 491.43 feet; thence North 89° 16' 47" West, 60.61 feet; thence 171.28 feet on the arc of a 941.47 foot radius curve to the left, containing a delta angle of 10° 25' 26", the long chord of which measures South 03° 22' 16" West, 171.04 feet; thence 31.11 feet on the arc of a 20.00 foot radius curve to the right, containing a delta angle of 89° 07' 16", the long chord of which measures South 42° 43' 11" West, 28.07 feet; thence South 87° 16' 49" West, 32.34 feet; thence 241.99 feet on the arc of a 267.00 foot radius curve to the right, containing a delta angle of 51° 55' 42", the long chord of which measures North 66° 45' 20" West, 233.79 feet; thence 408.03 feet on the arc of a 483.00 foot radius curve to the left, containing a delta angle of 48° 24' 10", the long chord of which measures North 64° 59' 34" West, 396.01 feet; thence North 89° 11' 39" West, 196.84 feet; thence 33.48 feet on the arc of a 242.00 foot radius curve to the right, containing a delta angle of 7° 55' 38", the long chord of which measures North 85° 13' 50" West, 33.46 feet to the Point of Beginning of the centerline of a 30 feet wide private storm drain easement; thence North 08° 43' 59" East, 38.45 feet to the Point of Ending of said easement;

CLIENT:
ORE CREEK DEVELOPMENT

DESCRIPTION: ROUTE AND COURSE DESCRIPTION
N.E. 1/4 SECTION 35, T2N-R4E, MARION TWP.
LIVINGSTON COUNTY, MICHIGAN

JOB NO. 00149
DATE: 03-26-03
REVISED: X
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SHEET: 6 of 9



ADVANTAGE
CIVIL
ENGINEERING

110 E. Grand River, Howell, MI 48843
Phone 517 545-4141 Fax 517 545-4146

Christopher T. Cotter Authorized Agent
P.S. No. 41097

EXHIBIT "C" page 3 of 5

Centerline of a 30 feet wide private storm drainage easement(#6):

Centerline of a 30 feet wide private storm drainage easement located in the N.E. quarter of Section 35, Town 2 North, Range 4 East, Marion Township, Livingston County, Michigan. Said parcel more particularly described as follows: Commencing at the East 1/4 corner of Section 35, T2NE4E; thence North 89° 11' 38" West, 140.05 feet; thence North 23° 15' 00" West, 7.52 feet; thence 498.02 feet on the arc of a 881.47 foot radius curve to the right, containing a delta angle of 32° 22' 18", the long chord of which measures North 07° 03' 51" West, 491.43 feet; thence North 89° 16' 47" West, 60.61 feet; thence 171.28 feet on the arc of a 941.47 foot radius curve to the left, containing a delta angle of 10° 25' 26", the long chord of which measures South 03° 22' 16" West, 171.04 feet; thence 31.11 feet on the arc of a 20.00 foot radius curve to the right, containing a delta angle of 89° 07' 16", the long chord of which measures South 42° 43' 11" West, 28.07 feet; thence South 87° 16' 49" West, 32.34 feet; thence 241.99 feet on the arc of a 267.00 foot radius curve to the right, containing a delta angle of 51° 55' 42", the long chord of which measures North 66° 45' 20" West, 233.79 feet; thence 230.55 feet on the arc of a 483.00 foot radius curve to the left, containing a delta angle of 27° 20' 58", the long chord of which measures North 54° 27' 58" West, 228.37 feet to the Point of Beginning of the centerline of a private 30 feet wide storm drain easement; thence North 67° 01' 49" East, 25.49 feet on said centerline to the Point of Ending;

Centerline of a 30 feet wide private storm drainage easement(#7):

Centerline of a 30 feet wide private storm drainage easement located in the N.E. quarter of Section 35, Town 2 North, Range 4 East, Marion Township, Livingston County, Michigan. Said parcel more particularly described as follows: Commencing at the East 1/4 corner of Section 35, T2NE4E; thence North 89° 11' 38" West, 140.05 feet; thence North 23° 15' 00" West, 7.52 feet; thence 498.02 feet on the arc of a 881.47 foot radius curve to the right, containing a delta angle of 32° 22' 18", the long chord of which measures North 07° 03' 51" West, 491.43 feet; thence North 89° 16' 47" West, 60.61 feet; thence 171.28 feet on the arc of a 941.47 foot radius curve to the left, containing a delta angle of 10° 25' 26", the long chord of which measures South 03° 22' 16" West, 171.04 feet; thence 31.11 feet on the arc of a 20.00 foot radius curve to the right, containing a delta angle of 89° 07' 16", the long chord of which measures South 42° 43' 11" West, 28.07 feet; thence South 87° 16' 49" West, 32.34 feet; thence 54.49 feet on the arc of a 267.00 foot radius curve to the right, containing a delta angle of 11° 41' 33", the long chord of which measures North 86° 52' 25" West, 54.39 feet to the Point of Beginning of the centerline of a private 30 feet wide storm drain easement; thence North 11° 19' 58" East, 23.83 feet on said centerline to the Point of Ending;

Centerline of a 40 feet wide private storm drainage easement(#8):

Centerline of a 40 feet wide private storm drainage easement located in the N.E. quarter of Section 35, Town 2 North, Range 4 East, Marion Township, Livingston County, Michigan. Said parcel more particularly described as follows: Commencing at the East 1/4 corner of Section 35, T2NE4E; thence North 89° 11' 39" West, 205.55 feet; thence 228.68 feet on the arc of a 941.47 foot radius curve to the right, containing a delta angle of 13° 55' 01", the long chord of which measures North 15° 07' 28" West, 228.12 feet; thence 29.51 feet on the arc of a 20.00 foot radius curve to the left, containing a delta angle of 84° 33' 14", the long chord of which measures North 50° 26' 34" West, 26.91 feet; thence South 87° 16' 49" West, 36.57 feet; thence 301.80 feet on the arc of a 333.00 foot radius curve to the right, containing a delta angle of 51° 55' 42", the long chord of which measures North 66° 45' 20" West, 291.58 feet; thence 352.28 feet on the arc of a 417.00 foot radius curve to the left, containing a delta angle of 48° 24' 10", the long chord of which measures North 64° 59' 34" West, 341.89 feet; thence North 89° 11' 39" West, 196.84 feet; thence 255.38 feet on the arc of a 308.00 foot radius curve to the right, containing a delta angle of 47° 30' 24", the long chord of which measures North 65° 26' 27" West, 248.12 feet; thence 291.35 feet on the arc of a 197.00 foot radius curve to the left, containing a delta angle of 84° 44' 07", the long chord of which measures North 84° 03' 18" West, 265.51 feet; thence South 53° 34' 38" West, 487.75 feet; thence 16.70 feet on the arc of a 263.00 foot radius curve to the right, containing a delta angle of 3° 38' 14", the long chord of which measures South 55° 23' 45" West, 16.69 feet; thence South 18° 52' 05" East, 269.63 feet to a point on the centerline of a private 40 feet wide storm drain easement; thence North 41° 50' 04" East, 83.12 feet on said centerline; thence South 41° 50' 04" West, 128.27 feet to the Point of Ending of said centerline.

CLIENT:
ORE CREEK DEVELOPMENT

DESCRIPTION: ROUTE AND COURSE DESCRIPTION
N.E. 1/4 SECTION 35, T2N-R4E, MARION TWP.
LIVINGSTON COUNTY, MICHIGAN

JOB NO. 00149

DATE: 03-26-03

REVISED: X

OFFICE: CC

FIELD: X

SHEET: 7 of 9



ADVANTAGE
CIVIL
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110 E. Grand River, Howell, MI 48843

Phone 517 545-4141 Fax 517 545-4146

Christopher T. Cotter Authorized Agent
P.S. No. 41097

EXHIBIT "C" page 4 of 5

Centerline of a 40 feet wide private storm drainage easement(#9):

Centerline of a 40 feet wide private storm drainage easement located in the N.E. quarter of Section 35, Town 2 North, Range 4 East, Marion Township, Livingston County, Michigan. Said parcel more particularly described as follows: Commencing at the East 1/4 corner of Section 35, T2NE4E; thence North 89° 11' 39" West, 205.55 feet; thence 228.68 feet on the arc of a 941.47 foot radius curve to the right, containing a delta angle of 13° 55' 01", the long chord of which measures North 15° 07' 28" West, 228.12 feet; thence 29.51 feet on the arc of a 20.00 foot radius curve to the left, containing a delta angle of 84° 33' 14", the long chord of which measures North 50° 26' 34" West, 26.91 feet; thence South 87° 16' 49" West, 36.57 feet; thence 301.80 feet on the arc of a 333.00 foot radius curve to the right, containing a delta angle of 51° 55' 42", the long chord of which measures North 66° 45' 20" West, 291.58 feet; thence 352.28 feet on the arc of a 417.00 foot radius curve to the left, containing a delta angle of 48° 24' 10", the long chord of which measures North 64° 59' 34" West, 341.89 feet; thence North 89° 11' 39" West, 196.84 feet; thence 255.38 feet on the arc of a 308.00 foot radius curve to the right, containing a delta angle of 47° 30' 24", the long chord of which measures North 65° 26' 27" West, 248.12 feet; thence 291.35 feet on the arc of a 197.00 foot radius curve to the left, containing a delta angle of 84° 44' 07", the long chord of which measures North 84° 03' 18" West, 265.51 feet; thence South 53° 34' 38" West, 320.94 feet; thence South 11° 17' 52" East, 272.92 feet to a point on the centerline of a private 40 feet wide storm drain easement; thence South 65° 56' 34" East, 128.67 feet on said centerline; thence North 65° 56' 34" West, 135.06 feet on said centerline to the Point of Ending.

Centerline of a 40 feet wide private storm drainage easement(#10):

Centerline of a 40 feet wide private storm drainage easement located in the N.E. quarter of Section 35, Town 2 North, Range 4 East, Marion Township, Livingston County, Michigan. Said parcel more particularly described as follows: Commencing at the East 1/4 corner of Section 35, T2NE4E; thence North 89° 11' 39" West, 205.55 feet; thence 228.68 feet on the arc of a 941.47 foot radius curve to the right, containing a delta angle of 13° 55' 01", the long chord of which measures North 15° 07' 28" West, 228.12 feet; thence 29.51 feet on the arc of a 20.00 foot radius curve to the left, containing a delta angle of 84° 33' 14", the long chord of which measures North 50° 26' 34" West, 26.91 feet; thence South 87° 16' 49" West, 36.57 feet; thence 301.80 feet on the arc of a 333.00 foot radius curve to the right, containing a delta angle of 51° 55' 42", the long chord of which measures North 66° 45' 20" West, 291.58 feet; thence 352.28 feet on the arc of a 417.00 foot radius curve to the left, containing a delta angle of 48° 24' 10", the long chord of which measures North 64° 59' 34" West, 341.89 feet; thence North 89° 11' 39" West, 196.84 feet; thence 255.38 feet on the arc of a 308.00 foot radius curve to the right, containing a delta angle of 47° 30' 24", the long chord of which measures North 65° 26' 27" West, 248.12 feet; thence 225.19 feet on the arc of a 197.00 foot radius curve to the left, containing a delta angle of 65° 29' 41", the long chord of which measures North 74° 26' 05" West, 213.13 feet; thence South 00° 48' 21" West, 429.28 feet to a point on the centerline of a private 40 feet wide storm drain easement; thence North 43° 53' 34" East, 94.32 feet on said centerline; thence South 43° 53' 34" West, 103.18 feet on said centerline to the Point of Ending.

Centerline of a 30 feet wide private storm drainage easement(#11):

Centerline of a 30 feet wide private storm drainage easement located in the N.E. quarter of Section 35, Town 2 North, Range 4 East, Marion Township, Livingston County, Michigan. Said parcel more particularly described as follows: Commencing at the East 1/4 corner of Section 35, T2NE4E; thence North 89° 11' 39" West, 205.55 feet; thence 228.68 feet on the arc of a 941.47 foot radius curve to the right, containing a delta angle of 13° 55' 01", the long chord of which measures North 15° 07' 28" West, 228.12 feet; thence 29.51 feet on the arc of a 20.00 foot radius curve to the left, containing a delta angle of 84° 33' 14", the long chord of which measures North 50° 26' 34" West, 26.91 feet; thence South 87° 16' 49" West, 36.57 feet; thence 301.80 feet on the arc of a 333.00 foot radius curve to the right, containing a delta angle of 51° 55' 42", the long chord of which measures North 66° 45' 20" West, 291.58 feet; thence 352.28 feet on the arc of a 417.00 foot radius curve to the left, containing a delta angle of 48° 24' 10", the long chord of which measures North 64° 59' 34" West, 341.89 feet; thence North 89° 11' 39" West, 196.84 feet; thence 198.29 feet on the arc of a 308.00 foot radius curve to the right, containing a delta angle of 36° 53' 15", the long chord of which measures North 70° 45' 02" West, 194.89 feet to the Point of Beginning of a private 30 feet wide storm drain easement; thence South 37° 41' 36" West, 24.10 feet on said centerline to the Point of Ending;

CLIENT:
ORE CREEK DEVELOPMENT

DESCRIPTION: ROUTE AND COURSE DESCRIPTION
N.E. 1/4 SECTION 35, T2N-R4E, MARION TWP.
LIVINGSTON COUNTY, MICHIGAN

JOB NO. 00149
DATE: 03-26-03
REVISED: X
OFFICE: CC
FIELD: X
SHEET: 8 of 9



ADVANTAGE
CIVIL
ENGINEERING

110 E. Grand River, Howell, MI 48843
Phone 517 545-4141 Fax 517 545-4146

Christopher T. Cotter Authorized Agent
P.S. No. 41097

Centerline of a 40 feet wide private storm drainage easement(#12):

Centerline of a 40 feet wide private storm drainage easement located in the N.E. quarter of Section 35, Town 2 North, Range 4 East, Marion Township, Livingston County, Michigan. Said parcel more particularly described as follows: Commencing at the East 1/4 corner of Section 35, T2NE4E; thence North 89° 11' 39" West, 205.55 feet; thence 228.68 feet on the arc of a 941.47 foot radius curve to the right, containing a delta angle of 13° 55' 01", the long chord of which measures North 15° 07' 28" West, 228.12 feet; thence 29.51 feet on the arc of a 20.00 foot radius curve to the left, containing a delta angle of 84° 33' 14", the long chord of which measures North 50° 26' 34" West, 26.91 feet; thence South 87° 16' 49" West, 36.57 feet; thence 301.80 feet on the arc of a 333.00 foot radius curve to the right, containing a delta angle of 51° 55' 42", the long chord of which measures North 66° 45' 20" West, 291.58 feet; thence 352.28 feet on the arc of a 417.00 foot radius curve to the left, containing a delta angle of 48° 24' 10", the long chord of which measures North 64° 59' 34" West, 341.89 feet; thence North 89° 11' 39" West, 196.84 feet; thence 13.21 feet on the arc of a 308.00 foot radius curve to the right, containing a delta angle of 2° 27' 24", the long chord of which measures North 87° 57' 57" West, 13.20 feet; thence South 00° 48' 21" West, 192.26 feet to a point on the centerline of a private 40 feet wide storm drain easement; thence South 56° 01' 59" East, 81.10 feet on said centerline; thence North 56° 01' 59" West, 103.15 feet on said centerline to the Point of Ending.

Centerline of a 30 feet wide private storm drainage easement(#13):

Centerline of a 30 feet wide private storm drainage easement located in the N.E. quarter of Section 35, Town 2 North, Range 4 East, Marion Township, Livingston County, Michigan. Said parcel more particularly described as follows: Commencing at the East 1/4 corner of Section 35, T2NE4E; thence North 89° 11' 39" West, 205.55 feet; thence 228.68 feet on the arc of a 941.47 foot radius curve to the right, containing a delta angle of 13° 55' 01", the long chord of which measures North 15° 07' 28" West, 228.12 feet; thence 29.51 feet on the arc of a 20.00 foot radius curve to the left, containing a delta angle of 84° 33' 14", the long chord of which measures North 50° 26' 34" West, 26.91 feet; thence South 87° 16' 49" West, 36.57 feet; thence 301.80 feet on the arc of a 333.00 foot radius curve to the right, containing a delta angle of 51° 55' 42", the long chord of which measures North 66° 45' 20" West, 291.58 feet; thence 352.28 feet on the arc of a 417.00 foot radius curve to the left, containing a delta angle of 48° 24' 10", the long chord of which measures North 64° 59' 34" West, 341.89 feet; thence North 89° 11' 39" West, 70.05 feet; thence South 00° 48' 21" West, 353.84 feet to a point on the centerline of a private 30 feet wide storm drain easement; thence South 57° 49' 18" East, 108.76 feet on said centerline; thence North 57° 49' 18" West, 111.81 feet on said centerline to the Point of Ending.

Centerline of a 40 feet wide private storm drainage easement(#14):

Centerline of a 40 feet wide private storm drainage easement located in the N.E. quarter of Section 35, Town 2 North, Range 4 East, Marion Township, Livingston County, Michigan. Said parcel more particularly described as follows: Commencing at the East 1/4 corner of Section 35, T2NE4E; thence North 89° 11' 39" West, 205.55 feet; thence 228.68 feet on the arc of a 941.47 foot radius curve to the right, containing a delta angle of 13° 55' 01", the long chord of which measures North 15° 07' 28" West, 228.12 feet; thence 29.51 feet on the arc of a 20.00 foot radius curve to the left, containing a delta angle of 84° 33' 14", the long chord of which measures North 50° 26' 34" West, 26.91 feet; thence South 87° 16' 49" West, 36.57 feet; thence 301.80 feet on the arc of a 333.00 foot radius curve to the right, containing a delta angle of 51° 55' 42", the long chord of which measures North 66° 45' 20" West, 291.58 feet; thence 281.99 feet on the arc of a 417.00 foot radius curve to the left, containing a delta angle of 38° 44' 43", the long chord of which measures North 60° 09' 51" West, 276.65 feet; thence South 00° 48' 21" West, 146.97 feet to a point on the centerline of a 40 feet wide private storm drain easement; thence North 81° 13' 16" West, 62.61 feet on said centerline; thence South 81° 13' 16" East, 80.78 feet on said centerline to the point of ending.

Centerline of a 30 feet wide private storm drainage easement(#15):

Centerline of a 30 feet wide private storm drainage easement located in the N.E. quarter of Section 35, Town 2 North, Range 4 East, Marion Township, Livingston County, Michigan. Said parcel more particularly described as follows: Commencing at the East 1/4 corner of Section 35, T2NE4E; thence North 89° 11' 39" West, 205.55 feet; thence 228.68 feet on the arc of a 941.47 foot radius curve to the right, containing a delta angle of 13° 55' 01", the long chord of which measures North 15° 07' 28" West, 228.12 feet; thence 29.51 feet on the arc of a 20.00 foot radius curve to the left, containing a delta angle of 84° 33' 14", the long chord of which measures North 50° 26' 34" West, 26.91 feet; thence South 87° 16' 49" West, 36.57 feet; thence 48.86 feet on the arc of a 333.00 foot radius curve to the right, containing a delta angle of 8° 24' 25", the long chord of which measures North 88° 30' 59" West, 48.82 feet to the Point of Beginning of the centerline of a private 30 feet wide storm drain easement; thence South 42° 45' 18" East, 141.80 feet on said centerline to a Point of Ending;

CLIENT:
ORE CREEK DEVELOPMENT

DESCRIPTION: ROUTE AND COURSE DESCRIPTION
N.E. 1/4 SECTION 35, T2N-R4E, MARION TWP.
LIVINGSTON COUNTY, MICHIGAN

JOB NO. 00149

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SHEET: 9 of 9



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