

STATE OF MICHIGAN
 COUNTY OF CHARLEVOIX
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Charles M. Peake
 REGISTER OF DEEDS

LIBER 377 PAGE 0581

STATE OF MICHIGAN
 COUNTY OF CHARLEVOIX
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97 JUN 26 PM 3:00

Charles M. Peake
 REGISTER OF DEEDS

THIS DOCUMENT IS BEING RE-RECORDED TO ATTACH EXHIBITS "A" and "B" WHICH WERE INADVERTENTLY OMITTED.

DECLARATION OF EASEMENT

THIS DECLARATION OF EASEMENT made this 24th day of June, 1997, by and between **WOODLAND DEVELOPMENT COMPANY**, a Michigan co-partnership, whose address is P.O. Box 1138, Kalkaska, MI 49646 ("Woodland"), and **DOUGLAS H. FLORIA and MYRTLE M. FLORIA**, husband and wife, whose address is 10209 Burgandy, Diamondale, MI 48821 ("Floria").

RECITALS:

WHEREAS, FLORIA heretofore sold the following described property to Forest Development Co., a Michigan co-partnership, on a Land Contract, pursuant to a Land Contract dated February 23, 1996, as evidenced by a Memorandum of Land Contract recorded March 1, 1996, in Liber 367, Page 151, Charlevoix County Records, to-wit:

Peaine Township, Charlevoix County, Michigan: The West half of Section 20, Township 38 North, Range 10 West; AND

WHEREAS, Forest Development Co., a Michigan co-partnership, thereafter assigned their Purchaser's Interest in Land Contract to **WOODLAND** as evidenced by Purchaser's Assignment of Land Contract dated February 23, 1996, recorded March 1, 1996 in Liber 367, Page 152, Charlevoix County Records, and

WHEREAS, Woodland wishes to establish and sell Parcels 1 through 23, inclusive, to be known as "ISLAND HIDEAWAY", as more fully set forth in Survey recorded in Liber 377, Page 151 through 159, Charlevoix County Records, and

WHEREAS, Woodland desires to declare and establish Easements for Ingress and Egress and the installation and maintenance of public and private utilities both above and below ground for the use and benefit of the respective Parcels 1 through 23 of Island Hideaway and for the use and benefit of **WOODLAND (and Floria's)** remaining lands located in the West one-half (W 1/2) of Section 20, Township 38 North, Range 10 West, shown as "Parcel R" on the attached Exhibit "A".

NOW, THEREFORE, in consideration of \$1.00 and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

(1) There is hereby declared and established a 66' wide "Easement A", a 66' wide "Easement B", and a 30' wide "Easement C", as more fully set forth on attached Exhibit "B" which shall be non-exclusive easements for ingress and egress and the installation and maintenance of public and private utilities both above and below ground, for the use and benefit of Parcels 1 through 23 inclusive of the Island Hideaway development and "Parcel R" as referenced herein. The description of Parcels 1 through 23, inclusive, and "Parcel R", and the exact location of said Easements are more fully depicted on Survey as recorded in Liber 377, Page 151 through 159, Charlevoix County Records. Said Parcels 1 through 23 and "Parcel R" shall be burdened and/or benefited by the respective easements, as the case may be.

(2) All respective parcel owners benefiting by said easement area(s) shall contribute their pro-rata share toward the maintenance of said roadway(s) and the cost of snow removal.

(3) This easement is appurtenant to the parcels described herein and shall be for the benefit of and limitation upon all present and future owners.

Witnesses:

Shirley Sharp
Shirley Sharp

Rebecca Bolley
Rebecca Bolley

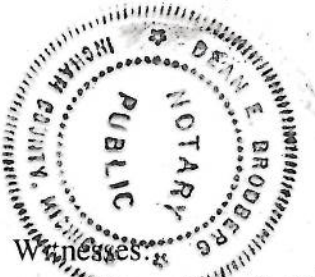
Vendor:

Douglas H. Floria
DOUGLAS H. FLORIA

Myrtle M. Floria
MYRTLE M. FLORIA

STATE OF ss.
COUNTY OF Ingham

The foregoing instrument was acknowledged before me this 24th day of June, 1997, by Douglas H. Floria and Myrtle M. Floria, husband and wife.



Dean E. Brodberg
Dean E. Brodberg Notary Public
Ingham County,

My commission expires: May 28, 2000

Witnesses:

Norma L. Thornburg
NORMA L. THORNBURG

Theresa Hurd
THERESA HURD

Vendee:

WOODLAND DEVELOPMENT COMPANY
a Michigan co-partnership

By: Robert Burgin

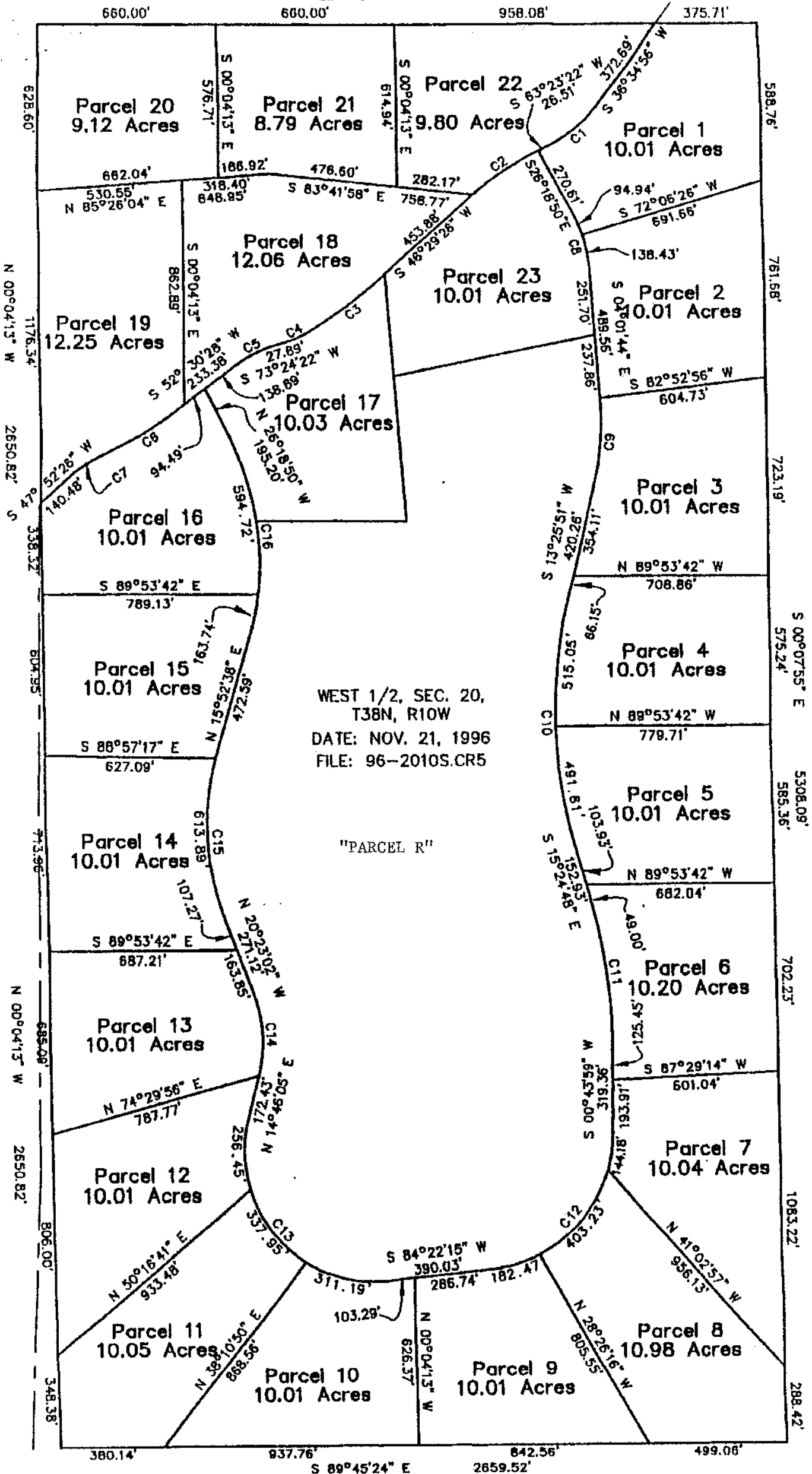
STATE OF ss.
COUNTY OF

The foregoing instrument was acknowledged before me this 17 day of June, 1997, by ROBERT BURGIN managing, partner(s) of **WOODLAND DEVELOPMENT COMPANY**, a Michigan co-partnership, on behalf of said co-partnership.

Norma L. Thornburg
NORMA L. THORNBURG, Notary Public
Kalkaska County,

My commission expires: MAY 18, 1999

Drafted by:
Donald J. Berlage
Attorney at Law
P.O. Box 175
Charlevoix, MI 49720 /db



WEST 1/2, SEC. 20,
T38N, R10W
DATE: NOV. 21, 1996
FILE: 96-2010S.CR5

"PARCEL R"

ISLAND HIDEAWAY

EXHIBIT "A" TO DECLARATION OF EASEMENT

EASEMENT "A"

A 66.00 foot easement for ingress and egress and the installation and maintenance of public and private utilities over and across part of the West 1/2 of Section 20, Township 38 North, Range 10 West, the centerline of said easement being described as: Commencing at the North 1/4 corner of said section; thence North 89°53'42" West, along the North line of said section, 375.71 feet to the centerline of a County Road; thence South 36°34'56" West, along said centerline, 373.55 feet; thence 250.31 feet along said centerline on the arc of a 535.00 foot radius curve to the right, a chord bearing of South 49°59'09" West, 248.04 feet; thence South 63°23'22" West, along said centerline, 26.51 feet to the Point of Beginning; thence South 26°18'50" East, 270.61 feet; thence 233.37 feet along the arc of a 600.00 foot radius curve to the right, a chord bearing of South 15°10'17" East, 231.90 feet; thence South 04°01'44" East, 489.56 feet; thence 304.73 feet along the arc of a 1000.00 foot radius curve to the right, a chord bearing of South 04°42'04" West, 303.55 feet; thence South 13°25'51" West, 420.26 feet; thence 1006.86 feet along the arc of a 2000.00 foot radius curve to the left, a chord bearing of South 00°59'29" East, 996.26 feet; thence South 15°24'48" East, 152.93 feet; thence 563.62 feet along the arc of a 2000.00 foot radius curve to the right, a chord bearing of South 07°20'25" East, 561.75 feet; thence South 00°43'59" West, 319.36 feet; thence 729.88 feet along the arc of a 500.00 foot radius curve to the right, a chord bearing of South 42°33'07" West, 666.78 feet; thence South 84°22'15" West, 390.03 feet; thence 905.59 feet along the arc of a 470.00 foot radius curve to the right, a chord bearing of North 40°25'50" West, 771.87 feet; thence North 14°46'05" East, 172.43 feet; thence 325.16 feet along the arc of a 530.00 foot radius curve to the left, a chord bearing of North 02°48'28" West, 320.09 feet; thence North 20°23'02" West, 271.12 feet; thence 613.89 feet along the arc of a 970.00 foot radius curve to the right, a chord bearing of North 02°15'12" West, 603.69 feet; thence North 15°52'38" East, 472.59 feet; thence 758.46 feet along the arc of a 1030.00 foot radius curve to the left, a chord bearing of North 05°13'06" West, 741.44 feet; thence North 26°18'50" West, 195.20 feet to the centerline of said County Road and the Point of Ending of easement centerline.

EASEMENT "B"

A 66.00 foot easement for ingress and egress and the installation and maintenance of public and private utilities over and across part of the West 1/2 of Section 20, Township 38 North, Range 10 West, the centerline of said easement being described as: Commencing at the Northwest corner of said section; thence South 00°04'13" East, along the West line of said section, 628.60 feet to the Point of Beginning; thence North 85°26'04" East, 662.04 feet; thence South 83°41'58" East, 758.77 feet to the centerline of a County Road and the Point of Ending of easement centerline.

EASEMENT "C"

A 30.00 foot easement for the installation and maintenance of public and private utilities over and across part of the West 1/2 of Section 20, Township 38 North, Range 10 West, the centerline of said easement being described as: Commencing at the Southwest corner of said section; thence North 00°04'13" West, along the West line of said section, 15.00 feet to the Point of Beginning of said centerline; thence South 89°45'24" East, 391.91 feet; thence North 38°10'50" East, 816.38 feet to the Point of Ending of easement centerline.

EXHIBIT "B" TO DECLARATION OF EASEMENT

Revised: June 2, 1997 (Esmnt. "C").

GRAND TRAVERSE SURVEYING

346 E. State St., Suite E
Traverse City, MI 49684

ELK RAPIDS
P.O. Box 836
Elk Rapids, MI 49629
(616) 264-9110

BENZIE
10966 Main Street
Honor, MI 49640
(616) 325-2655

For:	
NORTHERN LAND COMPANY	
Part of the W. 1/2 of Sec. 20, T38N, R10W, Peaine Twp., Charlevoix Co., Michigan.	
Date: Nov. 20, 1996	File No.: 96-2010
Drafted By: SDM	Sheet 8 of 8

(616) 947-2555 FAX: 947-4771