

LIBER **3118** PAGE **961**STATE OF MICHIGAN
COUNTY OF MUSKEGON
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Mark F. Fink
REGISTER OF DEEDS**DECLARATION OF DRAINAGE EASEMENT**

THIS DECLARATION is made on the 8th day of December, 2000, by **POND DEVELOPMENT L.L.C.**, a Michigan limited liability company, of 1290 Wood Street, Muskegon, MI 49442. POND DEVELOPMENT, L.L.C., by and through its authorized managing member whose signature appears below, does hereby convey to the Muskegon County Drain Commission, County of Muskegon, State of Michigan, and the City of Norton Shores, County of Muskegon, a drainage easement in the City of Norton Shores, County of Muskegon, and more particularly described as follows, to-wit:

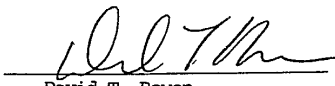
An easement for drainage purposes to be vested in the Muskegon County Drain Commission over and across that part of the Southwest one-quarter of Section 33, Town 9 North, Range 16 West, City of Norton Shores, Muskegon County, Michigan, described as: COMMENCING at the West one-quarter corner of said Section 33; thence North 89 degrees 39 minutes 19 seconds East 1195.10 feet along the North line of the Southwest one-quarter of said section; thence South 10 degrees 30 minutes 49 seconds East 238.60 feet to the POINT OF BEGINNING; thence continuing South 10 degrees 30 minutes 49 seconds East 267.16 feet; thence South 79 degrees 29 minutes 11 seconds West 210.88 feet; thence South 74 degrees 18 minutes 52 seconds West 156.38 feet; thence South 60 degrees 50 minutes 43 seconds West 80.81 feet; thence South 45 degrees 53 minutes 45 seconds West 154.70 feet; thence South 27 degrees 26 minutes 37 seconds West 233.31 feet; thence South 18 degrees 11 minutes 19 seconds West 411.27 feet; thence South 89 degrees 49 minutes 19 seconds West 206.91 feet along the South line of the Northwest one-quarter of the Southwest one-quarter of said section; thence North 30 degrees 02 minutes 36 seconds East 207.69 feet; thence North 18 degrees 27 minutes 57 seconds East 349.46 feet; thence North 37 degrees 58 minutes 00 seconds East 195.90 feet; thence North 51 degrees 39 minutes 22 seconds East 180.83 feet; thence North 46 degrees 21 minutes 12 seconds East 74.15 feet; thence North 29 degrees 11 minutes 31 seconds East 184.35 feet; thence North 54 degrees 48 minutes 13 seconds East 96.05 feet; thence North 79 degrees 29 minutes 11 seconds East 238.55 feet to the Point of Beginning. Subject to any easements, restrictions and rights-of-way of record.

The parties agree that if and when further site improvements occur, the above retention easement shall be abandoned, as necessary, and relocated to a mutually-agreed upon location.

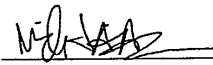
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WITNESSES:

POND DEVELOPMENT, L.L.C.

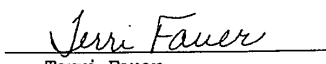
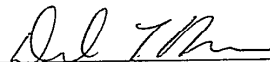

David T. Bowen

By:


Michael Amrhein

Its:

Managing Member


Terri FauerSTATE OF MICHIGAN)
) ss.
COUNTY OF MUSKEGON)On this 8th day of December, 2000, personally appeared before me MICHAEL AMRHEIN, *
to me known to be the person described in and who executed the foregoing instrument as a free act
and deed.* MANAGING MEMBER OF
POND DEVELOPMENT, LLCDavid T. Bowen
Notary PublicMuskegon County, Michigan
My Comm. Expires: 7/15/04Prepared by and after
recording return to:David T. Bowen, P.C.
P. O. Box 1146
Muskegon, MI 49443

#3777-003\Drainage Easement