

EASEMENT

1 THIS EASEMENT entered into this 12th day of June,
 2 1968, by and between Daniel S. Whyte and Joseph S. Whyte, co-
 3 partners, d/b/a Whyte Recreation, of 319 South Kaiser Street,
 4 Pinconning, Michigan, hereinafter referred to as parties of the
 5 ~~first part~~, and John W. Whyte, of 319 South Kaiser Street, Pin-
 6 ~~conning, Michigan~~, hereinafter referred to as party of the second
 7 part. In consideration of the sole sum of One (\$1.00) Dollar to
 8 them in hand paid, first parties do hereby grant to second party
 9 herein an easement over and above the following described parcel
 10 of real estate, more particularly described as follows, to-wit:

11 Lot 3 and the Easterly half of the vacated
 12 alley adjoining said Lot 3 on the West, and
 13 the Easterly 63 feet of the North half of
 14 Lot 4 and the Easterly 3 feet of the Westerly
 15 40 feet of Lot 4, Block 5, Village of Pinconning,
 16 now City of Pinconning, according to the plat
 17 thereof on record in the Office of the Register
 18 of Deeds for Bay County, Michigan.

19 The easement hereinabove granted to second party is
 20 personal to second party only and may not be conveyed or assigned
 21 by him, and shall terminate upon a transfer of title to Lot 9
 22 by second party to some third person.

23 It is mutually covenanted and agreed that the easement
 24 hereinabove granted to second party is for the sole purpose of
 25 ingress and egress to a building located on Lot 9, Block 5, City
 26 of Pinconning, according to the plat thereof on record in the
 27 Office of the Register of Deeds for Bay County, Michigan.

28 Dated: June 12, 1968

29 John W. Whyte
 30 John W. Whyte

31 Daniel S. Whyte
 32 Daniel S. Whyte

33 Carlene Rosenberger
 34 Carlene Rosenberger

35 Joseph B. Whyte
 36 Joseph B. Whyte

37 STATE OF MICHIGAN } SS.
 38 COUNTY OF BAY }

39 On the 12th day of June, 1968, before me, a Notary
 40 Public in and for said County, personally appeared Daniel S.

1 Whyte and Joseph B. Whyte, first parties herein, to me known to
2 be the same persons described in and who executed the within in-
3 strument, who acknowledged the same to be their free act and
4 deed

RECORDED

Carlene Rosenberger

Carlene Rosenberger

Notary Public

Bay County, Michigan

My Commission Expires 4/2/72

1968 JUL 10 AM 9:47

Ernest M. Neering
REGISTER OF DEEDS
BAY COUNTY, MICH.

RECORDED
2 16 PM '87
7.00

GRANT OF EASEMENT

THIS INSTRUMENT executed this 22 day of June, 1937,
Witnesses that FREDERICK W. BRAZEAU and MARCINE BRAZEAU, his wife,
and in her own right, of 4367 Mackinaw Road, Pinconning, Michigan,

for the sum of \$1.00 and other valuable consideration, hereby grant and
convey to

JOSEPH B. WHYTE and CARMELITA A. WHYTE, his wife, of
204 Seventh Street, Pinconning, Michigan,

perpetual easements in the following-described premises:

A. A perpetual easement and right-of-way over and across a
parcel of land situated in the City of Pinconning, County of Bay and State
of Michigan, described as:

The North $\frac{1}{2}$ of Lot 6 and the vacated alley adjacent thereto,
Block 5, Village of Pinconning, now City of Pinconning, as per
plat recorded in Liber 2 of Plats, at page 6, of Bay County
Records.

subject to the following terms and conditions.

1. The purpose of such perpetual easement and right-of-way
shall be to provide Grantees and their heirs, legal representatives,
grantees, successors and assigns with access to the premises owned by
them adjacent to the above-described property, and, to provide a means of
removing machinery and equipment used in connection with the business
operations of Grantee and their heirs, legal representatives, grantees,
successors and assigns.

2. Said easement and right-of-way shall terminate in the
event that Grantors or their heirs, legal representatives, successors and
assigns desire to construct a building on the above-described property, and
such easement shall interfere with such construction.

B. A perpetual easement and right-of-way to maintain an existing
drain tile over and across a parcel of land situated in the City of Pin-
conning, County of Bay and State of Michigan, described as:

The South $\frac{1}{2}$ of Lot 4, Lot 5, and the North $\frac{1}{2}$ of Lot 6 and the
vacated alley adjacent thereto, all in Block 5, Village of
Pinconning, now City of Pinconning, as per plat recorded in
Liber 2 of Plats, at Page 6 of Bay County Records.

C. A perpetual easement and right-of-way for ingress and egress
and placement and maintenance of utilities over and across a parcel of land
situated in the City of Pinconning, County of Bay and State of Michigan,
described as:

Commencing at the Northeast corner of Lot 5, Block 5, Village of Pinconning, now City of Pinconning, as per plat recorded in Liber 2 of Plats at Page 6, of Bay County Records, thence West 58.7 feet along the North line of Lot 5 to the Point of Beginning; thence North parallel to the West line of Lot 4, 25.11 feet to the South line of the North $\frac{1}{2}$ of said Lot 4; thence East 7.3 feet; thence South 25.11 feet; thence West 7.3 feet to the Point of Beginning.

1. This easement is granted, in addition to the above-named Grantees to JOHN M. WHYTE and ELAINE WHYTE, his wife.

2. The purpose of said easement is to provide Grantees with access to the rear door of their buildings located on property adjacent to the above-described property, and for the placement and maintenance of utilities.

Said perpetual easements and right of way shall be for the benefit of Grantees and their heirs, legal representatives, grantees, successors and assigns and shall be binding upon the Grantors and their respective heirs, legal representatives, grantees, successors and assigns.

D. Grantor warrants that they are the owners of the property upon which such easements are granted.

Executed this 10 day of March, 1987.

In the presence of:

Joseph E. Pergande
JOSEPH E. PERGANDE

Frederick W. Brazeau
Frederick W. Brazeau

Sherry L. Whitney
SHERRY L. WHITNEY

Mardine Brazeau
Mardine Brazeau

STATE OF MICHIGAN

)
) ss.
)

COUNTY OF BAY

The foregoing instrument was acknowledged before me this 10th day of March, 1987.

Sherry L. Whitney
SHERRY L. WHITNEY Notary Public
Bay County, Michigan
My commission expires: 1-23-89

GRANT OF EASEMENT

THIS INSTRUMENT executed this 6th day of August, 1987, Witnesses that JOSEPH B. WHYTE and CARMELITA A. WHYTE, his wife, and in her own right, of 264 Seventh Street, Pinconning, Michigan, parties of the first part, and JOHN M. WHYTE and ELAINE WHYTE, his wife, and in her own right, 319 S. Kaiser Street, Pinconning, Michigan, parties of the Second part,

WHEREAS construction of the Theater Building owned by JOHN M. WHYTE and ELAINE WHYTE, his wife, and located primarily on Lot 9, and the West one-half (1/2) of Lot 4, Block 5, Village of Pinconning, Bay County, Michigan, overlaps construction of the Bowling Alley structure owned by JOSEPH B. WHYTE and CARMELITA A. WHYTE, which is primarily located on Lot 8 and West one-half (1/2) of Lot 5, Block 5, Village of Pinconning, Bay County, Michigan, and said Bowling Alley overlaps construction of the Theater Building.

WHEREAS both parties wish to provide for the continued and perpetual use of their respective buildings irrespective of the encroachments by the theater lobby, the theater exterior marquee or the bowling alley office.

NOW THEREFORE, in consideration of One Dollar and other good and valuable consideration, each party grants to the other a perpetual easement for the use and occupation of the lobby, exterior marquee and the office, herein above described.

Said perpetual easement shall be for the benefit of each of the parties, their grantees, successors and assigns and shall be binding upon said grantees, successors and assigns and all of their heirs and legal representatives of the parties.

LAW OFFICES
BRADY & ALLEN P.C.
618 N. LINCOLN
BAY CITY, MICH. 49700

4710 STATE STREET
BAY CITY, MICH. 49700

RECORDED
JUG 21 2 16 PM '87
REGISTERED
BAY COUNTY, MICHIGAN

IT IS FURTHER provided that to the extent that there are doorways for ingress and egress from the office, lobby or other areas providing potential direct access from one building to the other, said means of ingress and egress shall be sealed and closed in a safe and appropriate manner, provided, however, that the stairway leading to the theater projection room shall be sealed in such a fashion as to permit without future consideration use of said stairs for the installation or removal of heavy equipment on the rare occasion that that need might present itself.

Executed this 6th day of February, 1987.

In the presence of:

<u>Walter P. Fitzhugh</u> Walter P. Fitzhugh	<u>Joseph B. Whyte</u> JOSEPH B. WHYTE
<u>Marilyn M. Gono</u> Marilyn M. Gono	<u>Carmelita A. Whyte</u> CARMELITA A. WHYTE

STATE OF MICHIGAN)

)-ss-
COUNTY OF BAY)

The foregoing instrument was acknowledged before me this 6th day of February, 1987, by JOSEPH B. WHYTE and CARMELITA A. WHYTE, his wife.

Walter P. Fitzhugh
Walter P. Fitzhugh
Notary Public, Bay County, MI
My commission expires: 9/9/90

<u>Patrick D. Brady</u> PATRICK D. BRADY	<u>John M. Whyte</u> JOHN M. WHYTE
<u>Kathi A. Meagher</u> KATHI A. MEAGHER	<u>Elaine Whyte</u> ELAINE WHYTE

STATE OF MICHIGAN)

)-ss-
COUNTY OF BAY)

The foregoing instrument was acknowledged before me this 4th day of February, 1987, by JOHN M. WHYTE and ELAINE WHYTE, his wife.

Kathi A. Meagher
Kathi A. Meagher
Notary Public, Bay County, MI
My commission expires: 10/09/90

LAW OFFICES
BRADY & ALLEN P.C.
915 N. LINCOLN
BAY CITY, MICH. 49708

8716 STATE STREET
BAGINAW, MICH. 49808

LIBER 1062 PAGE 47

RECORDED
MAY 21 2 15 PM '87
BAY COUNTY RECORDS
DIVISIONGRANT OF EASEMENT

THIS INSTRUMENT executed this 21 day of August, 1987.
Witnesses that JOSEPH B. WHYTE and CARMELITA A. WHYTE, his wife, of
204 Seventh Street, Pinconning, Michigan, and JOHN M. WHYTE and
ELAINE WHYTE, his wife, of 319 S. Kaiser Street, Pinconning, Michigan,
for the sum of One and 00/100 (\$1.00) Dollar and other valuable considera-
tion, hereby grant and convey to each other mutual perpetual easements for
ingress and egress and for placement and maintenance of utilities over and
upon the following described premises:

Commencing at the Northeast corner of Lot 5, Block 5, Village
of Pinconning, now City of Pinconning as per plat recorded in
Liber 2 of Plats at Page 6 of Bay County Records; thence West
58.7 feet along the North line of Lot 5 to the Point of Begin-
ning; thence North 3.5 feet more or less to a doorway
entrance; thence West 18 feet more or less to the West wall of
such entrance; thence North 7.5 feet to the North wall of such
entrance; thence East 18 feet; thence South 7.5 feet to the
Point of Beginning.

FURTHER, said JOSEPH B. and CARMELITA A. WHYTE grant to said
JOHN M. and ELAINE WHYTE a perpetual easement for ingress and egress
and for placement and maintenance of utilities over and upon the following
described premises:

Commencing 2.5 feet North of the Northeast corner of Lot 4,
Block 5, Village of Pinconning, now City of Pinconning, as per
plat recorded in Liber 2 of Plats at page 6 of Bay County
Records; thence West 58.7 feet along the North line of Lot 4, to
the Point of Beginning; thence South 27.50 feet; thence East
7.3 feet; thence North 27.50 feet; thence West 7.3 feet to the
Point of Beginning.

Executed this 21 day of August, 1987.

In the presence of:

Marilyn M. Gono
Marilyn M. Gono

Patrick D. Brady
PATRICK D. BRADY
Kathi A. Meagher
KATHI A. MEAGHER

Joseph B. Whyte
JOSEPH B. WHYTE
Carmelita A. Whyte
CARMELITA A. WHYTE

John M. Whyte
JOHN M. WHYTE
Elaine Whyte
ELAINE WHYTE

STATE OF MICHIGAN

)
) ss.

COUNTY OF BAY

The foregoing instrument was acknowledged before me this 4th
day of February, 1987, by Joseph B. Whyte and Carmelita A.
Whyte, his wife.

Kathi A. Meagher
Notary Public
Bay County, Michigan
My Commission expires: 10/09/90

STATE OF MICHIGAN

)
) ss.
)

COUNTY OF BAY

The foregoing instrument was acknowledged before me this 4th
day of February, 1987, by John M. Whyte and Elaine Whyte, his
wife.

Kathi A. Meagher
Kathi A. Meagher, Notary Public
Bay County, Michigan
My Commission expires: 10/09/90



EASEMENT

5592-JR7298

030017

FILE NO. 103-253

PARCEL 2

Recorded _____ day of _____
A. D. 19 _____ at _____ o'clock _____ M.
Liber _____ Page _____

Register of Deeds

LIBER 863 PAGE 948

Fred Brazeau and Marcine Brazeau, his wife, 308 S. Warren St., Pinconning, MI 48650
 Grantor, in consideration of _____ Dollars (\$ 1.00) to him paid by CONSUMERS
 POWER COMPANY, a Michigan corporation, 215 W. Michigan Avenue, Jackson, Michigan, Grantee, receipt of which is hereby
 acknowledged, Conveys and Warrants to Grantee, its successors and assigns, Forever, the easement and right to lay, construct and
 maintain gas mains, with the usual services, connections and accessories, for the purpose of transmitting and distributing gas, in,
 through and across the following described land, including all public highways upon or adjacent to said land, which land is situate
 in the City of Pinconning, County of Bay and State of Michigan.
 to-wit:

Lot #5 of Block 5 and the East one-half (½) of the vacated alley lying adjacent to the
 West side of said Lot #6 of Block 5 of the MAP OF THE VILLAGE OF PINCONNING; being a
 part of Section 23, Town 17 North, Range 4 East, according to the recorded plat thereof.

The route to be taken by said gas mains across said land being more specifically described as follows:

The centerline of the gas main is to be located South of and along and not more than
 5 feet from the North line of said above described land.

Together with the full right and authority to Grantee, its successors and assigns, and its and their agents, and employees, to enter
 at all times upon said premises for the purpose of constructing, repairing, substituting, removing, enlarging, replacing and main-
 taining said gas mains, services, connections and accessories. Grantor agrees that no buildings or other structures will be placed
 over said gas mains or within such proximity thereto as to interfere with or threaten to interfere with the construction, operation or
 maintenance of said gas mains.

Where applicable, pronouns and relative words used herein shall be read as plural, feminine or neuter.

IN WITNESS WHEREOF, Grantor has executed this instrument, this 22ND day of MARCH, 1979.

WITNESSES:

Laurence Fenwick
 Lawrence Fenwick

Paul M. Wilken
 Paul M. Wilken

Fred Brazeau
 Fred Brazeau

Marcine Brazeau
 Marcine Brazeau

STATE OF MICHIGAN)
) ss.
 County of Bay)

The foregoing instrument was acknowledged before me this 22nd day of March, 1979,
 by Fred Brazeau and Marcine Brazeau, his wife...

RECORDED

APR -3 PM 2:34

REGISTER OF DEEDS
SAGINAW COUNTY, MICHIGAN

Paul M. Wilken
 Notary Public, SAGINAW County, Michigan
 (Acting in Bay Co.)
 My commission expires DEC. 6, 1982

PAUL M. WILKEN
 Notary Public, Saginaw County, Mich.
 My Commission Expires Dec. 6, 1982.