

EASEMENT AGREEMENT FOR SIDEWALK

LIBER 0864 PAGE 942

THIS INDENTURE, made this 6th day of June, 1989, between RIVER WALK HISTORICAL ASSOCIATES LIMITED PARTNERSHIP, a Connecticut limited partnership, whose address is 356 Wheatland Avenue, Remus, Michigan 49340, "GRANTOR" and the CITY OF SOUTH HAVEN, a municipal corporation, whose address is 539 Phoenix Street, South Haven, Michigan 49090, "GRANTEE".

W I T N E S S E T H:

For and in consideration of certain easements given by GRANTEE to GRANTOR, the receipt of which is hereby acknowledged, the GRANTOR does hereby grant and convey unto the GRANTEE a perpetual easement for the use and maintenance of a public sidewalk.

The easement is granted across and through a portion of the following described premises located in the City of South Haven, County of Van Buren and State of Michigan:

Beginning on the North line of Lot 1, Block 15 of Hale, Conger and Company's Addition to the Village (now City) of South Haven, Van Buren County, Michigan at the Westerly right-of-way of Williams Street; thence with bearings referenced to U.S. Harbor Lines, North 72 deg., 13 min., 50 sec. West along the North line of said Lot 1, a distance of 149.60 feet; thence South 21 deg., 06 min., 30 sec. West, 48.97 feet; thence South 25 deg., 14 min., 10 sec. East, 47.94 feet; thence South 72 deg., 13 min., 50 sec. East, 85.83 feet to the Westerly line of Williams Street; thence North 39 deg., 48 min., 10 sec. East on said Westerly line, 90.56 feet to the place of beginning (the "Premises").

The legal description of the sidewalk easement is as follows:

Beginning on the North line of Lot 1, Block 15, of Hale, Conger and Company's Addition to the Village (now City) of South Haven, Van Buren County, Michigan at the Westerly right of way of Williams Street; thence North 72 deg., 13 min. 50 sec. West, 8.00 feet to the East line of an existing brick building; thence South 17 deg., 31 min. West, along said east line, 19.5 feet to the West line of Williams Street; thence North 39 deg., 48 min. 10 sec. East on said West line, 21.10 feet to the place of beginning.

GRANTEE, its agents or contractors, may enter upon the Premises at all times for the purpose of maintaining, repairing and replacing such sidewalk and all such work shall be at the expense of GRANTEE and GRANTOR shall be saved harmless with respect to any liability in connection with the same. GRANTOR agrees that no construction or improvement (other than replacement of existing improvements) shall be placed in said easement which might affect the operation and maintenance of the sidewalk, without the written approval of the Building Department of GRANTEE.

GRANTEE covenants that it will maintain the sidewalk in at least as good condition as it is presently in. GRANTOR declares that it is the owner of the Premises, has the right to grant this easement and will forever warrant and defend the same against all claims. It is agreed that this easement shall run with the land and shall be binding upon the successors and assigns of the parties.

IN WITNESS WHEREOF, this easement has been signed and delivered the day and year first above written.

WITNESSES:

"GRANTOR"

[Signature]  
\*Peter McCallion

RIVER WALK HISTORICAL LIMITED PARTNERSHIP  
By The Greenmont Group, Inc.,  
Its General Partner

Marilyn Laraway  
\*Marilyn Laraway

By: [Signature]  
Ian B. Ruggles, Vice President

"GRANTEE"

RECORDED

CITY OF SOUTH HAVEN

JUN 9 8 22 AM '89

[Signature]  
\*Elizabeth J. Wagner

By: [Signature]  
\* S. Ratter  
Its: CITY MANAGER

[Signature]  
\*Patsy J. Neville

STATE OF MICHIGAN )  
COUNTY OF Van Buren ) ss.

The foregoing instrument was acknowledged before me this 2nd day of June, 1989 by Ian B. Ruggles, the Vice President of The Greenmont Group, Inc., sole general partner of River Walk Historical Limited Partnership, a Connecticut limited partnership, on behalf of the Partnership.

Marilyn Laraway  
\* Marilyn Laraway  
Notary Public, Berrien County,  
Michigan Acting in Van Buren  
My commission expires: 10-9-90

STATE OF MICHIGAN )  
COUNTY OF Van Buren ) ss.

The foregoing instrument was acknowledged before me this 6th day of June, 1989 by S. Ratter the City Manager of the City of South Haven, a municipal corporation, on behalf of the corporation.

[Signature]  
\* Patsy J. Hayes  
Notary Public, Allegan County,  
Michigan  
My commission expires: 7-9-90  
Acting in Van Buren County

THIS INSTRUMENT PREPARED BY:  
Mark C. Hanisch, Esq.  
Suite 800, 171 Monroe, N.W.  
Grand Rapids, Michigan 49503

\*print or type name beneath signature line

THIS INDENTURE, made this 6th day of June, 1989, between RIVER WALK HISTORICAL ASSOCIATES LIMITED PARTNERSHIP, a Connecticut limited partnership, whose address is 356 Wheatland Avenue, Remus, Michigan 49340, "GRANTOR" and the CITY OF SOUTH HAVEN, a municipal corporation, whose address is 539 Phoenix Street, South Haven, Michigan 49090, "GRANTEE".

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GRANTEE covenants that it will maintain the sidewalk in at least as good condition as it is presently in. GRANTOR declares that it is the owner of the Premises, has the right to grant this easement and will forever warrant and defend the same against all claims. It is agreed that this easement shall run with the land and shall be binding upon the successors and assigns of the parties.

IN WITNESS WHEREOF, this easement has been signed and delivered the day and year first above written.

WITNESSES:

Peter McCallion  
\* Peter McCallion  
Marilyn Laraway  
\* Marilyn Laraway

"GRANTOR"

RIVER WALK HISTORICAL LIMITED PARTNERSHIP  
By The Greenmont Group, Inc.,  
Its General Partner

By: Ian B. Ruggles  
Ian B. Ruggles, Vice President

RECORDED

"GRANTEE"

CITY OF SOUTH HAVEN

JUN 26 4 19 PM '90

Elizabeth J. Wagner  
\* Elizabeth J. Wagner  
Patsy J. Neville  
\* Patsy J. Neville

By: S. Ratter

\* S. Ratter

Its: City Manager

VAN BUREN CO  
REGISTERED OFFICE

STATE OF MICHIGAN )  
COUNTY OF Van Buren ) ss.

The foregoing instrument was acknowledged before me this 2nd day of June, 1989 by Ian B. Ruggles, the Vice President of The Greenmont Group, Inc., sole general partner of River Walk Historical Limited Partnership, a Connecticut limited partnership, on behalf of the Partnership.

Marilyn Laraway  
\* Marilyn Laraway  
Notary Public, Berrien County,  
Michigan Acting in Van Buren  
My commission expires: 10-9-90

STATE OF MICHIGAN )  
COUNTY OF Van Buren ) ss.

The foregoing instrument was acknowledged before me this 6th day of June, 1989 by S. Ratter  
The City Manager of the City of South Haven, a municipal corporation, on behalf of the corporation.

Patsy J. Hayes  
\* Patsy J. Hayes  
Notary Public, Allegan County,  
Michigan  
My commission expires: 7-9-90  
Acting in Van Buren County

THIS INSTRUMENT PREPARED BY:  
Mark C. Hanisch, Esq.  
Suite 800, 171 Monroe, N.W.  
Grand Rapids, Michigan 49503

\*print or type name beneath signature line

EASEMENT AND RIGHT-OF-WAY  
(SANITARY) AGREEMENT

THIS INDENTURE, made this 6th day of June, 1989, between RIVER WALK HISTORICAL ASSOCIATES LIMITED PARTNERSHIP, a Connecticut limited partnership, whose address is 356 Wheatland Avenue, Remus, Michigan 49340, "GRANTOR" and the CITY OF SOUTH HAVEN, a municipal corporation, whose address is 539 Phoenix Street, South Haven, Michigan 49090, "GRANTEE".

W I T N E S S E T H:

For and in consideration of certain easements granted by GRANTEE to GRANTOR, the receipt of which is hereby acknowledged, the GRANTOR does hereby grant and convey unto the GRANTEE a perpetual easement 15 feet wide for the use, maintenance and replacement of public utilities consisting of a sanitary sewer. Said sanitary sewer is twenty-one (21) inches in size.

The easement shall be over, across, under and through a portion of the following described premises located in the City of South Haven, County of Van Buren and State of Michigan legally described as:

Beginning on the North line of Lot 1, Block 15 of Hale, Conger and Company's Addition to the Village (now City) of South Haven, Van Buren County, Michigan at the Westerly right-of-way of Williams Street; thence with bearings referenced to U.S. Harbor Lines, North 72 deg., 13 min., 50 sec. West along the North line of said Lot 1, a distance of 149.60 feet; thence South 21 deg., 06 min., 30 sec. West, 48.97 feet; thence South 25 deg., 14 min., 10 sec. East, 47.94 feet; thence South 72 deg., 13 min., 50 sec. East, 85.83 feet to the Westerly line of Williams Street; thence North 39 deg., 48 min., 10 sec. East on said Westerly line, 90.56 feet to the place of beginning (the "Premises").

The precise location of the easement on the Premises is specifically described as being a fifteen-foot wide strip of land, the centerline of which is as follows:

Beginning at a point on the North line of Lot 1, Block 15 of Hale, Conger and Company's Addition to the Village (now City) of South Haven, Van Buren County, Michigan at a point 136.4 feet North 72 deg., 13 min., 50 sec. West of the Northeast corner of the above described parcel of land; thence South 14 deg., 28 min., 00 sec. West along the center of an existing 21 inch sanitary sewer, 70.60 feet to the southerly line of said above described parcel of land.

GRANTEE, its agents or contractors, may enter upon said Premises at all times for the purpose of operating, maintaining, repairing and replacing such sanitary lines and all such work shall be at the expense of GRANTEE and GRANTOR shall be saved harmless with respect to any liability in connection with the same. GRANTOR agrees that no construction or improvement shall be placed in said easement which might affect the operation and maintenance of such sanitary lines, without the written approval of the Building Department of said GRANTEE.

GRANTEE covenants that promptly after any maintenance, repair or replacement work performed within the easement, it will restore said above-described property to its former state as near

as would be practical in the exercise of sound business judgment, but without substantial economic waste. GRANTOR declares that it is the owner of the Premises, has the right to grant this easement and will forever warrant and defend the same against all claims. It is agreed that this easement shall run with the land and shall be binding upon the successors and assigns of the parties.

IN WITNESS WHEREOF, this easement has been signed and delivered the day and year first above written.

WITNESSES:

"GRANTOR"

Peter McCallion  
\* Peter McCallion

RIVER WALK HISTORICAL LIMITED PARTNERSHIP  
By The Greenmont Group, Inc.,  
Its General Partner

Marilyn Lafaway  
\* Marilyn Lafaway

By: Ian B. Ruggles  
Ian B. Ruggles, Vice President

"GRANTEE"

RECORDED

Elizabeth J. Wagner  
\* Elizabeth J. Wagner

CITY OF SOUTH HAVEN

Patsy J. Neville  
\* Patsy J. Neville

By: S. Ratter JUN 9 8 23 AM '89  
\* S. Ratter  
Its: CITY MANAGER Mark C. Smith  
VAN BUREN CO. REGISTERED OF DEEDS

STATE OF MICHIGAN )  
COUNTY OF Van Buren ) ss.

The foregoing instrument was acknowledged before me this 2nd day of June, 1989 by Ian B. Ruggles, the Vice President of The Greenmont Group, Inc., sole general partner of River Walk Historical Limited Partnership, a Connecticut limited partnership, on behalf of the Partnership.

Marilyn Lafaway  
\* Notary Public, Berrien County, Michigan Acting in Van Buren  
My commission expires: 10-9-90

STATE OF MICHIGAN )  
COUNTY OF Van Buren ) ss.

The foregoing instrument was acknowledged before me this 6th day of June, 1989 by S. Ratter the City Manager of the City of South Haven, a municipal corporation, on behalf of the corporation.

Patsy J. Hayes  
\* Patsy J. Hayes  
Notary Public, Allegan County, Michigan  
My commission expires: 7-9-90  
Acting in Van Buren County

THIS INSTRUMENT PREPARED BY:  
Mark C. Hanisch, Esq.  
Suite 800, 171 Monroe, N.W.  
Grand Rapids, Michigan 49503

\*print or type name beneath signature line

Register's Office  
Van Buren Co., Mich.

Recorded

1990

4:24 o'clock PM

Register

EASEMENT AND RIGHT-OF-WAY  
(SANITARY) AGREEMENT

LIBER 0888 PAGE 677

THIS INDENTURE, made this 6th day of June, 1989, between RIVER WALK HISTORICAL ASSOCIATES LIMITED PARTNERSHIP, a Connecticut limited partnership, whose address is 356 Wheatland Avenue, Remus, Michigan 49340, "GRANTOR" and the CITY OF SOUTH HAVEN, a municipal corporation, whose address is 539 Phoenix Street, South Haven, Michigan 49090, "GRANTEE".

W I T N E S S E T H:

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GRANTEE, its agents or contractors, may enter upon said Premises at all times for the purpose of operating, maintaining, repairing and replacing such sanitary lines and all such work shall be at the expense of GRANTEE and GRANTOR shall be saved harmless with respect to any liability in connection with the same. GRANTOR agrees that no construction or improvement shall be placed in said easement which might affect the operation and maintenance of such sanitary lines, without the written approval of the Building Department of said GRANTEE.

GRANTEE covenants that promptly after any maintenance, repair or replacement work performed within the easement, it will restore said above-described property to its former state as near

City of South Haven  
322 06/26 0104 04RDWAY 7.00

as would be practical in the exercise of sound business judgment, but without substantial economic waste. GRANTOR declares that it is the owner of the Premises, has the right to grant this easement and will forever warrant and defend the same against all claims. It is agreed that this easement shall run with the land and shall be binding upon the successors and assigns of the parties.

IN WITNESS WHEREOF, this easement has been signed and delivered the day and year first above written.

WITNESSES:

"GRANTOR"

Peter McCallion  
\* Peter McCallion

RIVER WALK HISTORICAL LIMITED PARTNERSHIP  
By The Greenmont Group, Inc.,  
Its General Partner

Marilyn Laraway  
\* Marilyn Laraway

By: Ian B. Ruggles  
Ian B. Ruggles, Vice President

"GRANTEE"

Elizabeth J. Wagner  
\* Elizabeth J. Wagner  
Patsy J. Neville  
\* Patsy J. Neville

CITY OF SOUTH HAVEN

By: S. Ratter  
\* S. Ratter  
Its: City Manager

STATE OF MICHIGAN )  
COUNTY OF Van Buren ) ss.

The foregoing instrument was acknowledged before me this 2nd day of June, 1989 by Ian B. Ruggles, the Vice President of The Greenmont Group, Inc., sole general partner of River Walk Historical Limited Partnership, a Connecticut limited partnership, on behalf of the Partnership.

Marilyn Laraway  
\* Marilyn Laraway  
Notary Public, Berrien County,  
Michigan Acting in Van Buren  
My commission expires: 10-9-90

STATE OF MICHIGAN )  
COUNTY OF Van Buren ) ss.

The foregoing instrument was acknowledged before me this 6th day of June, 1989 by S. Ratter, the City Manager of the City of South Haven, a municipal corporation on behalf of the corporation.

Patsy J. Hayes  
\* Patsy J. Hayes  
Notary Public, Allegan County,  
Michigan  
My commission expires: 7-9-90  
Acting in Van Buren County

THIS INSTRUMENT PREPARED BY:  
Mark C. Hanisch, Esq.  
Suite 800, 171 Monroe, N.W.  
Grand Rapids, Michigan 49503

\*print or type name beneath signature line



EASEMENT AND RIGHT OF WAY  
CITY ELECTRIC

LIBER 1080 PAGE 546

THIS INDENTURE, made this \_\_\_\_\_ 19th \_\_\_\_\_ day of \_\_\_\_\_ May \_\_\_\_\_

, 19 94, between Riverwalk Historical Associates, L.P.  
whose address is 532 Dyckman Ave, South Haven, Michigan 49090 "Grantor"  
and the CITY OF SOUTH HAVEN, a municipal corporation, whose address is 539 Phoenix  
Street, South Haven, Michigan, 49090 "GRANTEE".

WITNESSETH:

For and in consideration of \_\_\_\_\_ ONE \_\_\_\_\_ and NO/100

DOLLAR (\$1.00), the receipt of which is hereby acknowledged, the GRANTOR does hereby  
grant and convey unto the GRANTEE a perpetual easement and right-of-way 10 ft wide for the  
purpose of constructing, operation, maintaining and repairing electrical lines over, across,  
under and through the following described premises located in the City of South Haven,  
County of Van Buren, State of Michigan, and more fully described as follows:

Commencing at SW Cor of Dyckman Ave & Williams St, Th N 70 Deg 16' 07" W  
Alg N L of Lot 1 143.6' to Point of Beg, Th Cont N 70 Deg 16' 07" W 10', Th S 23  
Deg 07' 13" W 14', Th S 70 Deg 16' 07" E 10', Th N 23 Deg 07' 13" E 14', To  
Point of Beg.  
BLOCK 15 HALE, CONGER & COMPANY'S ADDITION, SOUTH HAVEN, MI

Said GRANTEE, its agents or contractors, may enter upon said premises at all times  
for the purpose of constructing, operating, maintaining and repairing such electrical lines and  
all such work shall be at the expense of said GRANTEE and said GRANTOR shall be saved  
harmless with respect to any liability in connection with the same. Said GRANTOR agrees that  
no construction or improvement shall be placed in said right-of-way, which might affect the  
operation and maintenance of electrical lines, without the written approval of the Building  
Department of said GRANTEE. GRANTOR also grants to GRANTEE the right to enter as  
necessary on either side of said easement for needed tree trimming.

In preparing the right of way, trees shall be removed, underbrush cleared and trees  
trimmed, except that shade, fruit, or ornamental trees shall be trimmed and not removed  
unless otherwise authorized in writing. Trees fronting and beyond each side of the right-of-way  
which could strike the line in falling will be topped or trimmed.

GRANTEE hereby covenants that it will restore said above described property to its  
former state as near as would be practical in the exercise of sound business judgment, but  
without substantial economic waste. The GRANTOR declares that he is the owner of said  
premises, has the right to grant this easement and will forever warrant and defend the same  
against all claims. It is agreed that this easement shall run with the land and shall be binding  
upon their heirs, successors and assigns of the parties hereto.

This Instrument Prepared By:  
City of South Haven  
539 Phoenix Street  
South Haven, Michigan 49090  
616/637-0778

IN WITNESS WHEREOF, this easement has been signed and delivered the day and year first above written:

WITNESSES:

Elizabeth J. Wagner  
Signature  
Elizabeth J. Wagner  
Printed Name  
Cheer Rehfeld  
Signature  
Cheer Rehfeld  
Printed Name

"GRANTOR"  
RIVER WALK HISTORICAL  
The Colonial Hotel ASSOCIATES, L.P.

BY Peter B. Walsh  
Signature  
PETER B. WALSH  
Printed Name  
ITS AGENT FOR  
Title

STATE OF Michigan )  
COUNTY OF Van Buren )

The foregoing instrument was acknowledged before me this 19th day of May, 1994, by Peter B. Walsh, on behalf of Riverwalk Historical Assocs., L.P. The Colonial Hotel

Dorothy Elaine Holmes  
Dorothy Elaine Holmes Notary Public

Van Buren County, MI  
My commission expires: October 8, 1996  
Acting in Van Buren County MI

WITNESSES:

Jody B. Guilford  
Signature  
Jody B. Guilford  
Printed Name  
Patsy J. Neville  
Signature  
Patsy J. Neville  
Printed Name

"GRANTEE"  
CITY OF SOUTH HAVEN

BY Alan G. Vanderberg  
Signature  
Alan G. Vanderberg  
Printed Name  
ITS City Manager  
Title

STATE OF Michigan )  
COUNTY OF Van Buren )

The foregoing instrument was acknowledged before me this 20th day of May, 1994, by Alan G. Vanderberg, City Manager of the City of South Haven.

Patsy J. Neville  
Patsy J. Neville Notary Public

Allegan County, MI  
My commission expires: 6-21-94  
Acting in Van Buren County MI

PATSY J. NEVILLE  
Notary Public, Allegan County, MI  
My Commission Expires June 21, 1994  
RECORDED

JUN 5 11 31 AM '96

Mark A. Smith  
VAN BUREN