

0046092  
 Filed/ Sealed For Record In  
 Ottawa County, MI  
 Gary Scholten R.O.D.  
 11/14/2007 At 10:07:59 A.M.  
 RIGHT OF WAY \$23.00  
 Liber 005541 Page 00701

## Affidavit of Right of Way

Paul Geerlings, being first duly sworn, deposes and says:

1. That he is the duly elected and serving Ottawa County Drain Commissioner with offices in the Ottawa County Building, in the City of Grand Haven, Michigan.
2. That the attached actual Right-of-Way was duly recorded in the office of the Ottawa County Drain Commissioner pursuant to 1923 PA 316, and is now hereby being recorded in the office of the Ottawa County Register of Deeds for informational purposes.
3. Further, deponent said not.

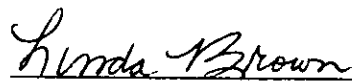
\*Legal is stated within the right of way. Right of Way was not notarized; but the landowner(s) signatures were obtained.

Dated:

  
 Paul Geerlings  
 Ottawa County Drain Commissioner

STATE OF MICHIGAN  
 COUNTY OF OTTAWA

On this 12<sup>th</sup> day of November, 2007, before a Notary Public in and for Ottawa County, personally appeared Paul Geerlings, Ottawa County Drain Commissioner, to me known to be the person described and who executed the foregoing instrument and acknowledge that he executed the same as his free act and deed.

  
 Linda Brown, Notary Public  
 Ottawa County, Michigan  
 My Commission Expires: 07-04-11

PREPARED BY:  
 Paul Geerlings  
 Ottawa County Drain Commissioner  
 414 Washington  
 Grand Haven, MI 49417



# RELEASE OF RIGHT OF WAY

For and in consideration of prospective benefits to be derived by reason of the *locating*  
*establishing, constructing*  
of a certain Drain under the supervision of the *County Drain Commissioners*  
of the County of *Ottawa* and State of Michigan, as hereinafter described,  
2 *Emm. B. Warren*

of *Stought Township, Ottawa County*  
do *we* hereby convey and release to the said County of *Ottawa*, the Right of Way  
for a certain Drain, hereinafter more particularly designated and described, over and across the following  
lands *owned* by *me*, and situated in the *township of*  
of *Wright* County and State aforesaid, and more particularly described  
as follows, to-wit: *N. 1/4 - N.W. 1/4 Sect. 18 Township of*  
*Wright T. 8 N. 2 - R. 13 W. 4*

The Right of Way hereby conveyed and released is for the sole and only purpose of locating

establishing & constructing

over and across said premises a certain Drain, petition for which in writing was made on the

day of Aug

1940, by

Jas. Dykes, Anna Dykes, Emma Warren  
Frank Locklin, Stanley Williams

and others, and the necessity for which has been determined by the said

County Drain Commissioners

bearing date the

9th

day of Sept

1940, the route and course

of said Drain is described as follows, to-wit: Beg. at a point 100 ft. south of NW corner

of the Sw  $\frac{1}{4}$  Sw  $\frac{1}{4}$  Sec. 7 T8N R13W at the W line of Dykes land and

running thence on Dykes land N Ely 160 ft. thence East to Station

3 & 50 thence S  $25^{\circ}$  E to Station 14 & 68 thence S  $80^{\circ}$  E to Station

19 & 60 thence S  $25^{\circ}$  E to Station 23 & 00 to the S. line of Dykes

land thence on Emma B. Warrens land S  $25^{\circ}$  E to Station 23 & 47

thence S  $77^{\circ}$  E to Station 26 & 00 thence N  $63^{\circ}$  E to Station 27 & 50

thence S  $65^{\circ}$  E to Station 29 thence East to Station 34 thence N  $70^{\circ}$

E to Station 37 & 20 which is the N & S  $\frac{1}{4}$  line of Section 18, T8N,

R13W.

Said Dyke drain shall have a 3 ft. bottom with sloping sides

1 ft. vertical to 1 ft. horizontal.

A strip of land 25 ft. on each side of center line will be

required for the deposition of dirt.

This conveyance is based upon the above described line of route and shall be deemed to include the extreme width of said Drain as shown in the survey thereof, to which survey reference is hereby made for a more particular description, and includes a release of all claims to damages in any way arising from or incident to the opening and maintaining of said Drain across said premises; and also sufficient ground on either side of the center line of said Drain, for the construction thereof; and shall be deemed a sufficient conveyance to vest in the County an easement in said lands for the uses and purposes of drainage together with such rights of entry upon, passage over, deposit of excavated earth and storage of material and equipment on such lands, as may be necessary or useful for the construction, maintenance, cleaning out and repair of such drain.

Witness, \_\_\_\_\_, hand \_\_\_\_\_ and seal \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

In Presence of

*Grace Van Wierden*

*Emma B. Warren*

SEAL

SEAL

SEAL

SEAL

STATE OF MICHIGAN }  
COUNTY OF \_\_\_\_\_ } SS.

On this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, before me,  
\_\_\_\_\_, in and for  
said County, personally appeared \_\_\_\_\_

\_\_\_\_\_ to me known to be the person \_\_\_\_\_ described in and who executed the foregoing instrument, and  
\_\_\_\_\_ acknowledged that \_\_\_\_\_ executed the same as \_\_\_\_\_ free act and deed.

#### NOTE.

1. In space indicated by figure 1, insert "County Drain Commissioner" or "Drainage Board" as case may require.
  2. In space indicated by figure 2, insert "I" or "We" as the case may be, to be followed by the name or names and residence.
  3. In space indicated by figure 3, insert "owned" or "occupied" as the facts may require.
  4. Give description of land traversed by Drain.
  5. In space indicated by figure 5, insert "County Drain Commissioner" or "Drainage Board" as case may require.
  6. Give the Drain as surveyed.
  7. In space indicated by figure 7, insert "Notary Public" or "the subscriber" etc., as case may require.
  8. In space indicated by figure 8, insert "who" or "severally."
- The acknowledgment may be taken by the Drain Commissioner, by a Justice of the Peace, or a Notary Public. Every release should be entered by the Commissioner in his book of record.  
Wife must sign release if she has an interest in the land other than her inchoate right of dower.

D-6—(Revised 1931)

## RELEASE OF RIGHT OF WAY

IN THE MATTER OF

*Dyck Drain*

TO

Received for Record, this \_\_\_\_\_

day of \_\_\_\_\_ 19\_\_\_\_

DOUBLEDAY BROTHERS AND COMPANY  
KALAMAZOO, MICHIGAN

#370