



EATON COUNTY  
SEPTEMBER 13, 2005  
RECEIPT #14959

STATE OF MICHIGAN \$ 1.65-CO  
REAL ESTATE \$ 11.25-ST  
TRANSFER TAX STAMP \* 10557



RECORDED  
09/13/2005 1:51:50 PM  
M. FRANCES FULLER, CLERK/REGISTER OF DEEDS  
EATON COUNTY, MICHIGAN

RECEIPT # 14959, STATION 3  
\$23.00 MISCELLANEOUS DOCUMENT



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### DRAIN EASEMENT FOR MILBOURN EAST & WEST EXTENSION DRAIN

For and in consideration of ONE THOUSAND TWO HUNDRED DOLLARS and NO/100 (\$1,200.00), and the prospective benefits to be derived because of the establishment, construction, operation, maintenance and improvement of the Milbourn East & West Extension Drain, a county drain under the supervision of the Eaton County Drain Commissioner, whose address is 1045 Independence Blvd., Charlotte, MI 48813-1033;

*Marsha*  
**Richard O'Brien and Marsha O'Brien**, husband and wife, whose address is 194 E. Ash Street, Mason, Michigan 48854, who are the owners of lands described in Exhibit A (hereafter "Landowners"), now convey and release to the Milbourn East & West Extension Drain Drainage District ("Drainage District"), an easement for purposes of establishment, construction, operation, maintenance and improvement of said Milbourn East & West Extension Drain over and across land owned by them. The easement is described and depicted in the attached Exhibit A.

This conveyance shall be deemed a sufficient conveyance to vest in the Drainage District, an easement over said parcel of land for the uses and purposes of drainage with such rights of entry upon, passage over, storing of equipment and materials including excavated earth as may be necessary or useful for the establishment, construction, operation, maintenance and improvement of said Drain.

Non-movable or permanent structures shall not be constructed by Landowners, their agents, employees, or contractors within the specific limits of the easement description contained in Exhibit A. This conveyance shall also be deemed sufficient to vest in the Drainage District an easement over said area described in Exhibit A for the clearing of the easement area and the spreading and/or removal of spoil and excavated materials.

This conveyance includes a release of any and all damages or claims arising out of the easement herein granted, or because of the establishment, construction, operation, maintenance and improvement of the Drain.

This Easement shall be binding upon Landowners, and the Milbourn East & West Extension Drain Drainage District, their heirs, assigns, successors in interest and successors in office and be deemed to run with the land in perpetuity.

Exempt pursuant to: MCLA 207.505(a) and MCLA 207.526(a).

Dated:

9-6-05

Richard O'Brien  
Richard O'Brien

Dated:

9-6-05

Marcia S. O'Brien  
Marcia S.

STATE OF MICHIGAN

)

)ss.

COUNTY OF EATON

)

On this 6<sup>th</sup> day of Sept, 2005, before me, a Notary Public in and for said County, personally appeared Richard O'Brien, to me known to be the person described in and who executed the foregoing instrument and acknowledged the same to be his free act and deed.

Lisa M Bodell  
Lisa M Bodell Notary Public  
State of Michigan, County of Ingham  
My Commission Expires: 10/28/08  
Acting in the County of Ingham

STATE OF MICHIGAN

)

)ss.

COUNTY OF EATON

)

On this 6<sup>th</sup> day of Sept, 2005, before me, a Notary Public in and for said County, personally appeared Marcia O'Brien, to me known to be the person described in and who executed the foregoing instrument and acknowledged the same to be her free act and deed.

Lisa M Bodell  
Lisa M Bodell Notary Public  
State of Michigan, County of Ingham  
My Commission Expires: 10/28/08  
Acting in the County of Ingham

**Drafted By:**

Braden L. Harrington  
Eaton County Drain Commissioner  
1045 Independence Blvd.  
Charlotte, MI 48813-1033  
(517) 543-7500 ext. 215

Revised: August 2, 2005

Drafted: October 3, 2004

F:\Data\Client A-M\Eaton CDC - 5003\Milbourn - 00087\O'Brien\Easement.doc

**When Recorded Return To:**

Braden L. Harrington  
Eaton County Drain Commissioner  
1045 Independence Blvd.  
Charlotte, MI 48813-1033  
(517) 543-7500 ext. 215



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**EXHIBIT "A"**

**PARCEL NUMBER:** 110-024-400-151-02  
**OWNER:** Richard and Marsha O'Brien  
**PROPERTY ADDRESS:** S. Royston Road, Eaton Rapids, MI 48827  
**OWNER'S ADDRESS:** 194 E. Ash Street, Mason, MI 48854

**PARCEL DESCRIPTION:**

A parcel of land in the Southeast  $\frac{1}{4}$  of Section 24, Town 2 North, Range 4 West, Township of Eaton, Eaton County, Michigan, the surveyed boundary of said parcel described as:  
Commencing at the Southeast corner of said Section 24; thence N00°03'13"E along the East line of said Section 605.50 feet to the point of beginning of this description; thence N89°54'41"W parallel with the South line of said Section 660.48 feet to the West line of the East  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of said Southeast  $\frac{1}{4}$ ; thence N00°00'03"W along said West line 330.50 feet; thence S89°54'41"E parallel with said South line 660.69 feet to said East line; thence S00°03'13"W along said East line to the point of beginning.

**DRAIN EASEMENT DESCRIPTION:**

That part of the above described parcel lying 25 feet on each side of the following described line:  
Commencing at the East  $\frac{1}{4}$  corner of Section 24, Town 2 North, Range 4 West, Eaton Township, Eaton County, Michigan and described as beginning at a point on the centerline of Branch No. 3 of the Milbourn East Extension Drain which is S00°10'49"E 1,381.7 feet from the East  $\frac{1}{4}$  Corner of said Section 24; thence S63°05'W 28.0 feet; thence S00°11'E, 317 feet; thence N90°00'W, 370 feet; thence S23°40'W, 170 feet and there end. Said drain easement being 0.16 acres.

Prepared by: Ledy Design Group, Inc.  
3135 Pine Tree Road, Suite C  
Lansing, MI 48911  
(517) 393-3773



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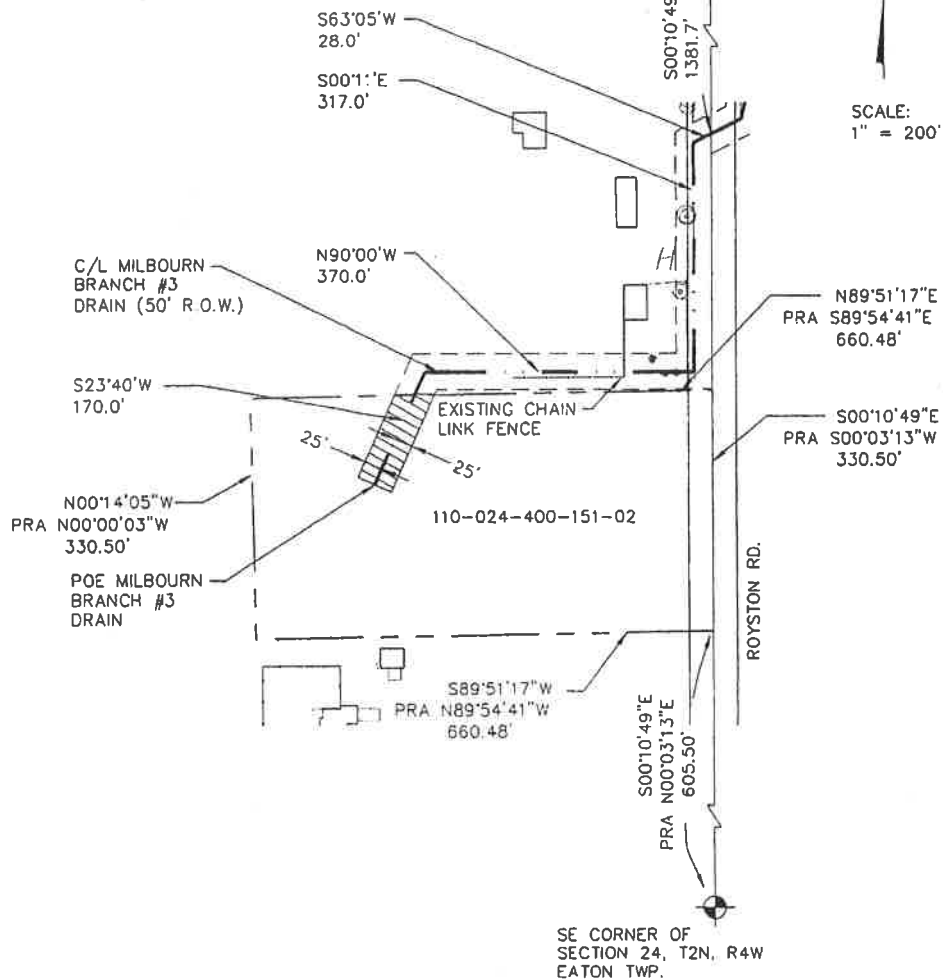
## EXHIBIT "A"

PARCEL NUMBER: 110-024-400-151-02

OWNER: RICHARD O'BRIEN AND MARSHA O'BRIEN

PROPERTY ADDRESS: S. ROYSTON ROAD, EATON RAPIDS, MI 48827

OWNER'S ADDRESS: 194 E. ASH STREET, MASON, MI 48854

E 1/4 CORNER OF  
SECTION 24, T2N, R4W  
EATON TWP.

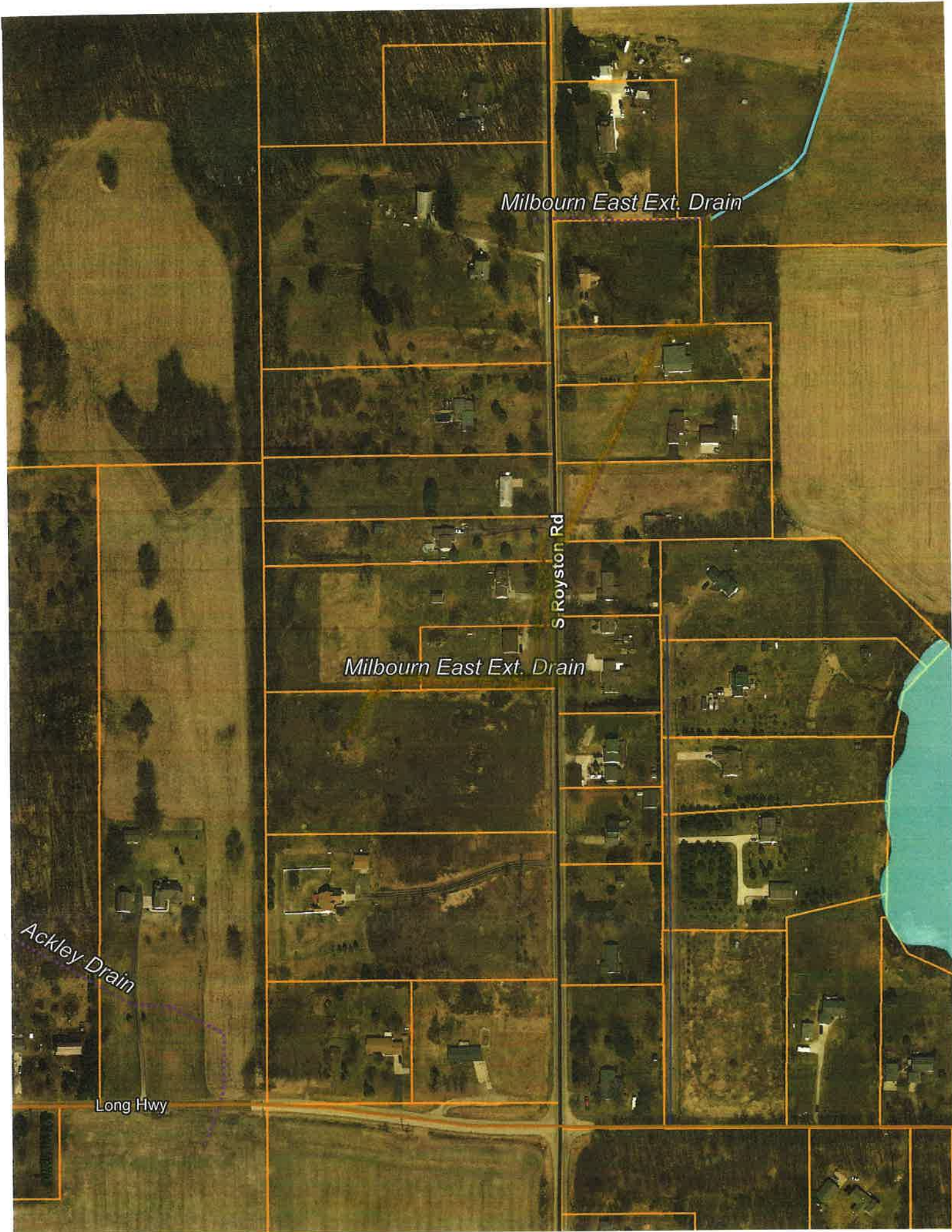
## LEGEND

 RIGHT-OF-WAY  
AREA 0.16 ACRES

DRAIN C/L

3135 PINE TREE ROAD  
SUITE C  
LANSING, MI 48911  
PH: (313) 382-3723  
FAX: (313) 382-3723SHEET NO.  
2 OF 2





Milbourn East Ext. Drain

S Royston Rd

Milbourn East Ext. Drain

Ackley Drain

Long Hwy