

EASEMENT

LIBER 322 PAGE 374

This indenture made and entered into this 18th day of August, 1971, by and between Curtis J. Knowles and Judith Knowles, his wife and in her own right, of R#1, Sherwood, Mich., party of the first part, which expression shall include his, her, or their heirs, executors, administrators, agents, or assigns where the context so requires or admits, and Beverly Emerson, a single woman of Bedford Mobile Home Trailer Park, Bedford, Michigan, party of the second part, which expression includes her executors, administrators, agents, or assigns where the context so requires or admits, witnesseth:

Whereas, the party of the first part owns and has title to that real estate and real property located in the Township of Sherwood, County of Branch, State of Michigan, described as follows: Land in the Township of Sherwood, Branch County, Michigan. Lots 4, 5 & 6 of MAIN'S ADDITION in Section 3, Town 5 South, Range 8 West, Sherwood Township, Branch County, Michigan, according to the recorded plat thereof, as recorded in Liber 3 of Plats, Page 40, Branch County Register's Office. ALSO all that certain piece or parcel of land situate and being in Section 3, Town 5 South, Range 8 West, Sherwood Township, Branch County, Michigan, described as follows: Beginning at the east one-eighth line of said Section 3, at the southeast corner of the recorded plat of Main's Addition, being also 440.78 feet south of the south line of Michigan State Highway M-60, and running thence north 85 degrees 18' west along the south line of Main's Addition 956.0 feet; thence north 88 degrees 15' west along the south line of Main's Addition 750.0 feet, thence south 33 degrees 23' west 41.7 feet to the center of Highway (Stanton Road) thence south 56 degrees 37' east along said centerline 242.95 feet to an angle in said highway, thence south 81 degrees 12' 25" east along said center line 460.0 feet to the south line of said Section 3, said point being 263.0 feet east of the south quarter post of said Section, thence south 89 degrees 12' 20" east along the south line of said Section 1067.80 feet to the east one-eighth line of said section, said point being 150.50 feet north of the center line of Stanton Road, thence north on said one-eighth line 152.30 feet to the place of beginning. EXCEPTING that part of Stanton Road now being used for highway purposes.

And whereas, the party of the second part desires an easement appurtenant;

Now therefore, it is hereby agreed as follows:

The party of the first part does hereby grant, assign, and set over to the party of the second part an easement to run with the land.

The party of the first part shall fully use and enjoy the aforesaid premises, except as to the rights herein granted; and the party of the second part hereby agrees to hold and save the said party of the first part harmless from any and all damage arising from his use of the right, easement, and right of way herein granted and agrees to pay any damage or damages which may arise to the property, premises, or rights of the party of the first part through second party's use, occupation, and possession of the rights herein granted.

The second party shall have the right to the use of a water well presently situated approximately 100 feet from the north line of said real property and connected by an underground water pipe to property now owned by the second party, all maintenance and repairs in connection with said water well to be born by the second party.

The second party is to construct nothing which extends above ground level. The second party shall have the right to drill a new water well within a reasonable distance from the present water well in the event the present water well runs dry.

In witness whereof the parties have hereunto set their hands and seals on the day and year first above written.

Signed in the presence of:

William K. Funk  
William K. Funk

Marcia J. Wilder  
Marcia J. Wilder

Curtis J. Knowles [L.S.]  
Curtis J. Knowles

Judith Knowles [L.S.]  
Judith Knowles

State of Michigan )  
County of Calhoun ) ss

On this 18th day of August, 1971, before me, a notary public in and for said County, personally appeared the above named to me known to be the same persons described in and who executed the within instrument, who acknowledged the same to be their free act and deed.

This instrument prepared by:  
William K. Funk, Attorney at Law  
1346 W. Columbia Avenue  
Battle Creek, Michigan 49015

Marcia J. Wilder  
Marcia J. Wilder, Notary Public, Branch  
County acting in Calhoun County, Michigan  
My commission expires 9-29-73

See Affidavit it used 7/12 Page 420