



GENESEE COUNTY DRAIN COMMISSIONER'S OFFICE

- DIVISION OF -

WATER & WASTE SERVICES

G-4610 BEECHER ROAD • FLINT, MICHIGAN 48532-2617  
PHONE (810) 732-7870 - FAX (810) 732-9773

JEFFREY WRIGHT  
COMMISSIONER

MEMORANDUM

To: Ellen Ellenburg  
Public Work Chairman

From: John F. O'Brien, PE *JFO*  
Director

Re: Easement Abandonment

Date: November 1, 2024

In 2005, CW Development LLC granted water and sewer easements to Genesee County Drain Commissioner Office Division of Water and Waste Services for the proposed development commonly referred to as Arden Glen. The land is located in section five of Mundy Township on the north side of Hill Road west of Linden Road.

The Arden Glen project has been abandoned and the property has changed hands. The current owners Maple and Hill LLC have requested that the easement be terminated.

GCDC-WWS has reviewed the document and has determined that the granted easements are no longer necessary to provide service to the site. As you are aware the GCDCWWS operates as the County Agency per Public Act 342 of 1939 et.al. While the Act allows the County Agency to accept easements on behalf of the County, the Act does require County Board action to terminate easements.

Therefore, we are requesting the County Board to authorize the termination of the attached easements. Upon approval of the board, the County Agency will execute the termination and file the necessary paperwork with the clerk's office.

Should you have any questions or need further comment do not hesitate to contact this office.

JFO/RJD

cc: Jeff Wright, Drain Commissioner  
Dan Potter, Chief Deputy Drain Commissioner



NEIL S. SILVER  
(DIRECT DIAL) 248.642.6961  
EMAIL: [nsilver@dawdamann.com](mailto:nsilver@dawdamann.com)

October 30, 2024

Sent Via Email:  
[DPotter@gcdcwvs.com](mailto:DPotter@gcdcwvs.com)

Daniel J. Potter, Chief Deputy Drain Commissioner  
Genesee Drain Commissioner's Office  
G-4610 Beecher Road  
Flint, MI 48532-2617

**Re: Abandonment of Easement Parcels:  
25-15-05-200-011; 25-15-05-300-005; 25-15-05-400-012 & 25-15-05-400-016**

Dear Mr. Potter:

This firm represents Maple & Hill, LLC, a wholly owned subsidiary of the Flint & Genesee Economic Alliance and the current owner of the above-referenced properties. As such, in order to further the economic redevelopment of the above properties respectfully requests that the Watermain Easement recorded at Instrument #200503240033519 on March 24, 2005, and the Sewer Easement recorded at Instrument #200503440033516 on March 24, 2005, with the Genesee County Register of Deeds be terminated pursuant to the attached Termination of Easements.

Thank you for your assistance in this important redevelopment project.

If you have any questions, please feel free to contact me.

Respectfully,

Neil S. Silver, Esq.

NSS/srg

cc: Reshma Madhukar Sambare (via email: [sambare@millercanfield.com](mailto:sambare@millercanfield.com))  
Anthony W. McCloud (via email: [McCloud@millercanfield.com](mailto:McCloud@millercanfield.com))  
Cody Derrer (via email: [Cody.Derrer@plantemoran.com](mailto:Cody.Derrer@plantemoran.com))  
Bill Clifford (MEDC) (via email: [cliffordb1@michigan.org](mailto:cliffordb1@michigan.org))  
Lisa Crist (via email: [lcrist@cislottitle.com](mailto:lcrist@cislottitle.com))  
Amanda Cathey (via email: [Amanda@coopercom.com](mailto:Amanda@coopercom.com))  
Tyler & Emily Rossmaessler (via email: [trossmaessler@flintandgenesee.org](mailto:trossmaessler@flintandgenesee.org))  
Winfield L. Cooper III (via email: [win@coopercom.com](mailto:win@coopercom.com))

**TERMINATION OF GRANT OF EASEMENT TO THE GENESEE COUNTY DRAIN  
COMMISSIONER'S OFFICE**

THIS TERMINATION OF GRANT OF EASEMENT TO THE GENESEE COUNTY DRAIN COMMISSIONER'S OFFICE, GENESEE COUNTY, MICHIGAN, ("Termination") is made this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by the COUNTY OF GENESEE, MICHIGAN by and through the GENESEE COUNTY DRAIN COMMISSIONER'S OFFICE – DIVISION OF WATER AND WASTE SERVICES, a County Agency, whose address is G4610 Beecher Road, Flint, Michigan 48532 (hereinafter "County").

**RECITALS**

A. The County currently has easement interest upon lands located in the Township of Mundy, Genesee County, Michigan, for fully described as:

PART OF SECTION 5, T6N-R6E, TOWNSHIP OF MUNDY, GENESEE COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SECTION, WHICH IS S 89°35'03" W 1315.49 FEET FROM THE SOUTHEAST CORNER SAID SECTION 5; THENCE CONTINUING ALONG SAID SOUTH LINE, S 89°35'03" W 1327.79 FEET TO THE SOUTH ¼ CORNER OF SAID SECTION; THENCE S 89°33'02" W, ALONG SAID SOUTH LINE, A DISTANCE OF 127.70 FEET, THENCE N 00°13'55" W, PARALLEL WITH THE NORTH AND SOUTH ¼ LINE OF SAID SECTION 5, A DISTANCE OF 200.01 FEET; THENCE S 89°33'02" W, PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 128.00 FEET; THENCE S 00°13'55" E 200.01 FEET TO SAID SOUTH LINE; THENCE S 89°33'02" W, ALONG SAID SOUTH LINE, A DISTANCE OF 626.33 FEET; THENCE N 00°13'55" E 228.00 FEET; THENCE S 89°33'02" W 100.00 FEET; THENCE N 00°13'55" E 2432.06 FEET TO THE EAST AND WEST ¼ LINE OF SAID SECTION; THENCE N 89°22'09" E, ALONG SAID EAST AND WEST ¼ LINE, A DISTANCE OF 982.07 FEET TO THE INTERIOR ¼ CORNER OF SAID SECTION 5; THENCE N 00°13'55" E, ALONG THE NORTH AND SOUTH ¼ LINE, A DISTANCE OF 1345.80 FEET; THENCE N 89°35'34" E 879.71 FEET; THENCE S 00°07'50" E 247.50 FEET; THENCE N 89°35'34" E 1410.06 FEET; THENCE S 00°07'50" E 145.00 FEET; THENCE N 89°35'34" E

350.00 FEET TO THE EAST LINE OF SAID SECTION 5; THENCE S 00°07'49" E, ALONG SAID EAST LINE, A DISTANCE OF 727.12 FEET; THENCE S 36°13'17" W 269.89 FEET TO THE NORTH LINE OF THE RECORDED PLAT OF "LYNCREST ACRES", AS RECORDED IN LIBER 20, PAGE 20, GENESSEE COUNTY, MICHIGAN RECORDS; THENCE S 89°17'49" W (RECORDED AS S 89°50' W), ALONG SAID NORTH LINE, A DISTANCE OF 631.84 FEET; THENCE S 89°24'00" W 527.44 FEET; THENCE S 00°15'31" W 2667.46 FEET TO THE PLACE OF BEGINNING, CONTAINING 210.00 GROSS ACRES OF LAND, MORE OR LESS, BEING SUBJECT TO THOSE PARTS NOW USED AS LINDEN AND HILL ROADS, SO-CALLED, AND ALSO BEING SUBJECT TO ANY RECORDED EASEMENTS OF BENEFIT OR BURDEN.

Parcel No. 25-15-05-200-011  
Parcel No. 25-15-05-300-005  
Parcel No. 25-15-05-400-012  
Parcel No. 25-15-05-400-016

(the "Property")

B. The area included in the grant of Easement to the Genesee County Drain Commissioner's Office, which has been recorded in Instrument Number 200503240033519, Genesee County Register of Deeds, a copy of which is attached hereto as Exhibit 1 and incorporated herein by reference (the "Easement").

C. The County has determined that it no longer needs the Easement to install any watermain facilities.

**NOW, THEREFORE,**

1. The undersigned does by the recording hereof terminate, waive and vacate the Easement.

2. The undersigned hereby confirms that the land previously encumbered by the Easement shall upon the recording of this instrument, be held, conveyed, hypothecated, encumbered, leased, rented, occupied and improved, or in any other manner utilized, free from the benefits and provisions of the Easement.

3. This Termination is exempt from the provisions of the county Transfer Tax in accordance with MCL 207.505(a), 1966 PA 134, SEC 5(a); MCL 207.505(h), 1966 PA 134, SEC 5(h); and the state Transfer Tax in accordance with MCL 207.526(a), 1993 PA 330, SEC 6(a) and MCL 207.526(h)(i), 1993 PA 330, SEC 6(h)(i).

**IN WITNESS WHEREOF**, this Termination was executed by the Genesee County Drain Commissioner on the day and year first written above.

Signed, sealed and delivered  
in the presence of:

COUNTY OF GENESEE by and through the  
GENESEE COUNTY DRAIN COMMISSIONER

Printed Name:

By:

Jeff Wright  
Drain Commissioner

STATE OF MICHIGAN      )  
                                  ) ss  
COUNTY OF GENESEE      )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2024, before me \_\_\_\_\_ in  
and for said County, personally appeared to me, Jeff Wright, in his capacity of Drain  
Commissioner of the County of Genesee, known to be the person described in and who executed  
the same as his free act and deed.

Legal Signature

Print Name

Notary Public, Genesee County, Michigan  
My commission expires: \_\_\_\_\_  
acting in the County of Genesee

**PREPARED BY:**

Kevin K. Kilby, Esq.  
McGraw Morris P.C.  
2075 W. Big Beaver Road, Ste. 750  
Troy, MI 48084

**RETURN TO:**

John F. O'Brien  
Genesee County Drain Commissioner's Office  
G-4610 Beecher Road  
Flint, MI 48532

S:\Shared With Me\Troy\Data\GCDC\2155-1000 (General)\Contracts and Agreements\Termination of Easement CW Development  
LLC\Termination of Easement (sewer).docx

# **Exhibit 1**

## **The Easement**



### GRANT OF EASEMENT TO THE GENESEE COUNTY DRAIN COMMISSIONER'S OFFICE

KNOW ALL MEN BY THESE PRESENTS: That, CW Development, L.L.C., a Michigan Limited Liability Company, party of the first part, whose address is 41050 Vincenti Court, Novi, Michigan 48375, for and in consideration of the sum of One (\$1.00) Dollar and other good and valuable consideration paid to it by the Genesee County Drain Commissioner's Office, Division of Water and Waste Services, party of the second part, whose address is G-4610 Beecher Road, Flint, Michigan 48532, does hereby grant, convey and release to the said party of the second part a permanent easement and right-of-way in which to construct, operate, maintain, repair and/or replace sanitary sewers over, across, under and through the following parcel of land situated in the Township of Mundy, Genesee County, Michigan, and described as:

Parcel No's. 25-15-05-200-011, 25-15-05-300-005, 25-15-05-400-012, & 25-15-05-400-016

Said Easement to be located as follows:

PART OF SECTION 5, T6N-R6E, TOWNSHIP OF MUNDY, GENESEE COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SECTION, WHICH IS S 89°35'03" W 1315.49 FEET FROM THE SOUTHEAST CORNER SAID SECTION 5; THENCE CONTINUING ALONG SAID SOUTH LINE, S 89°35'03" W 1327.79 FEET TO THE SOUTH 1/4 CORNER OF SAID SECTION; THENCE S 89°33'02" W, ALONG SAID SOUTH LINE, A DISTANCE OF 127.70 FEET; THENCE N 00°13'55" W, PARALLEL WITH THE NORTH AND SOUTH 1/4 LINE OF SAID SECTION 5, A DISTANCE OF 200.01 FEET; THENCE S 89°33'02" W, PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 128.00 FEET; THENCE S 00°13'55" E 200.01 FEET TO SAID SOUTH LINE; THENCE S 89°33'02" W, ALONG SAID SOUTH LINE, A DISTANCE OF 626.33 FEET; THENCE N 00°13'55" E 228.00 FEET; THENCE S 89°33'02" W 100.00 FEET; THENCE N 00°13'55" E 2432.06 FEET TO THE EAST AND WEST 1/4 LINE OF SAID SECTION; THENCE N 89°22'09" E, ALONG SAID EAST AND WEST 1/4 LINE, A DISTANCE OF 982.07 FEET TO THE INTERIOR 1/4 CORNER OF SAID SECTION 5; THENCE N 00°13'55" E, ALONG THE NORTH AND SOUTH 1/4 LINE, A DISTANCE OF 1345.80 FEET; THENCE N 89°35'34" E 879.71 FEET; THENCE S 00°07'50" E 247.50 FEET; THENCE N 89°35'34" E 1410.06 FEET; THENCE S 00°07'50" E 145.00 FEET; THENCE N 89°35'34" E 350.00 FEET TO THE EAST LINE OF SAID SECTION 5; THENCE S 00°07'49" E, ALONG SAID EAST LINE, A DISTANCE OF 727.12 FEET; THENCE S 36°13'17" W 269.89 FEET TO THE NORTH LINE OF THE RECORDED PLAT OF "LYNCREST ACRES", AS RECORDED IN LIBER 20, PAGE 20, GENESEE COUNTY, MICHIGAN RECORDS; THENCE S 89°17'49" W (RECORDED AS S 89°50 W), ALONG SAID NORTH LINE, A DISTANCE OF 631.84 FEET; THENCE S 89°24'00" W 527.44 FEET; THENCE S 00°15'31" W 2667.46 FEET TO THE PLACE OF BEGINNING, CONTAINING 210.00 GROSS ACRES OF LAND, MORE OR LESS, BEING SUBJECT TO THOSE PARTS NOW USED AS LINDEN AND HILL ROADS, SO-CALLED, AND ALSO BEING SUBJECT TO ANY RECORDED EASEMENTS OF BENEFIT OR BURDEN.

Said Easement to be located as follows:

A 20 foot wide easement for Sanitary Sewer, being 10 feet each side of the following described centerline:

Beginning at point which is S 89°33'02" W 573.13 feet AND N 00°26'58" W 60.00 feet from the South 1/4 corner of Section 5, T6N-R6E; thence continuing N 00°26'58" W 288.19 feet; thence N 20°52'54" E 105.49 feet to the PLACE OF ENDING.

AND ALSO Beginning at a point which is N 89°35'03 E 218.53 feet AND N 00°24'57" W 60.00 feet from the South 1/4 corner of Section 5, T6N-R6E; thence continuing N 00°24'57" W 171.29 feet; thence N 20°36'45" W 103.54 feet to Point 'A'; thence N 43°48'21" W 150.88 feet; thence N 67°13'49" W 89.64 feet; thence N 73°51'47" W 322.41 feet; thence N 66°58'31" W 114.07 feet to Point 'B'; thence N 52°34'04" W 255.84 feet to the PLACE OF ENDING.

AND ALSO Beginning at previously described Point 'A'; thence N 63°58'09" E 155.33 feet; thence N 76°45'33" E 114.13 feet; thence S 79°36'31" E 143.18 feet; thence S 66°18'54" E 123.37 feet; thence S 76°05'42" E 85.40 feet; thence S 89°29'27" E 87.22 feet; thence S 06°34'10" E 60.75 feet to Point 'C'; thence continuing S 06°34'10" E 201.96 feet to the PLACE OF ENDING.

AND ALSO Beginning at previously described Point 'B'; thence N 32°55'51" E 325.51 feet; thence N 34°30'55" E 316.52 feet; thence N 23°48'01" E 214.29 feet; thence N 11°47'46" E 132.07 feet to the PLACE OF ENDING.

AND ALSO Beginning at previously described Point 'C'; thence N 77°55'26" E 78.43 feet; thence N 66°27'24" E 108.59 feet; thence N 45°39'08" E 108.81 feet; thence N 22°39'59" E 140.61 feet; thence N 00°15'31" E 350.33 feet; thence N 20°52'29" W 74.32 feet; thence N 39°08'56" W 108.33 feet to Point 'D'; thence N 77°55'31" W 136.42 feet; thence N 88°48'11" W 197.79 feet; thence N 72°21'14" W 133.88 feet; thence N 55°41'48" W 125.35 feet to Point 'E'; thence N 38°05'16" W 149.77 feet; thence N 19°22'55" W

4/1

Instr:200503240033518 03/24/2005  
P:2 of 4 F:\$23.00 10:57AM  
Malvin Phillip McCree T20050089401  
Genesee County Register ML GOULD EN

GRANT OF EASEMENT TO THE GENESEE COUNTY DRAIN COMMISSIONER'S OFFICE - CONTINUED  
Page: 2

174.62 feet; thence N 01°50'25" E 143.45 feet to Point 'F'; thence N 19°36'27" E 128.81 feet; thence N 35°53'05" E 20.00 feet to the PLACE OF ENDING.

AND ALSO Beginning at previously described Point 'D'; thence N. 21°31'55" E 163.41 feet; thence N 09°07'14" E 281.13 feet to the PLACE OF ENDING.

AND ALSO Beginning at previously described Point 'E'; thence S 46°40'56" W 181.83 feet; thence S 35°02'26" W 135.99 feet; thence S 22°49'03" W 233.59 feet to the PLACE OF ENDING

AND ALSO Beginning at previously described Point 'F'; thence N 83°31'20" W 361.49 feet; thence N 54°01'52" W 117.21 feet; thence N 30°08'33" W 20.00 feet to the PLACE OF ENDING.

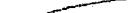
and to enter upon sufficient land adjacent to said easement and right-of-way for the purpose of the construction, repair and/or replacement thereof. This conveyance includes a release of any and all claims to damage arising from or incidental to the exercise of any of the foregoing powers, except that if the said premises shall be disturbed by reason of the exercise of any of the foregoing powers, then said premises shall be restored to its original condition by the party of the second part and except that any existing building, structures, or fences, the removal or demolition of which shall be required for the reasonable exercise of the foregoing powers, shall be removed or demolished at the expense of the party of the second part.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their representatives, successors and assigns.

IN WITNESS WHEREOF, the party of the first part has caused these presents to be signed and witnessed this 7th day of January 2015.

#### IN THE PRESENCE OF:

SWalthall \_\_\_\_\_ Sign  
SWALTHALL \_\_\_\_\_ Print  
Witness \_\_\_\_\_ Sign  
Witness \_\_\_\_\_ Print

  
Bernard Glieberman, Manager  
CW Development, L.L.C.  
41050 Vincenti Court  
Novi, Michigan 48375

STATE OF MICHIGAN )  
COUNTY OF OAKLAND )  
SS

Personally came before me this 7th day of January, 2005, Bernard Glieberman, Manager, of the above named Limited Liability Company, to me known to be the person who executed the foregoing instrument, and to me known to be such Manager of said Limited Liability Company, and acknowledged that he executed the foregoing instrument as such Manager as the free act and deed of said Limited Liability Company.

Easement Description and Attachment 'A' completed by:

**Gould Engineering, Inc.**  
2040 East Maple Avenue  
Flint, Michigan 48507

Prepared by:  
Neil Martz  
GCDC-WWS  
G-4610 Beecher Road  
Flint, MI 48532

Return to:  
Gould Engineering, Inc.  
2040 East Maple Avenue  
Flint, MI 48507

S. Walthall  
Notary Public      County, Michigan  
My Commission Expires: \_\_\_\_\_

Anja J. Walther  
Notary Public, Wayne County, MI  
My Commission Expires April 7, 2005  
Acting In Oakland County

**EXEMPTION MCL 207.526 (A)**

207.505 Exemptions (M.S.A.) 7.456 (5) Sec. 5 (A)

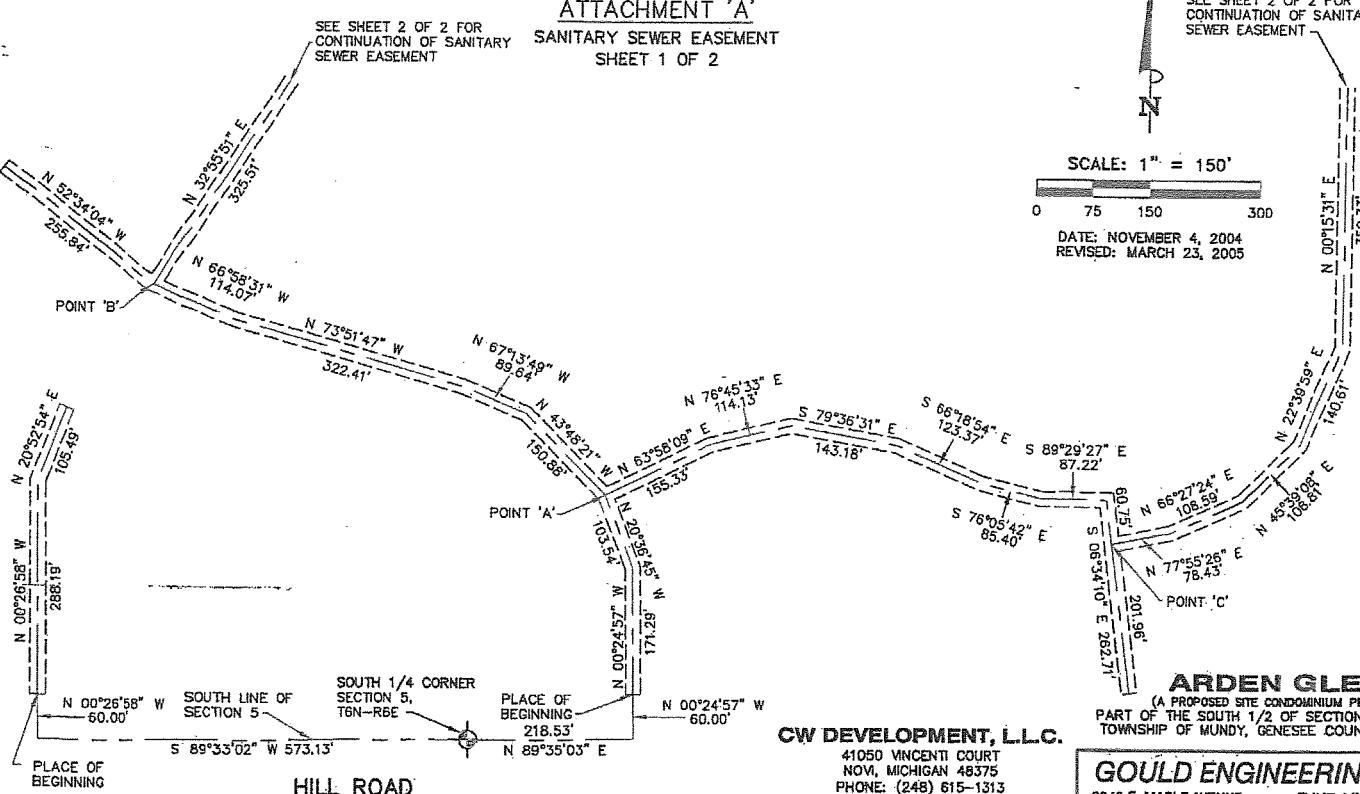
ATTACHMENT 'A'  
SANITARY SEWER EASEMENT  
SHEET 1 OF 2

SEE SHEET 2 OF 2 FOR  
CONTINUATION OF SANITARY  
SEWER EASEMENT

SEE SHEET 2 OF 2 FOR  
CONTINUATION OF SANITARY  
SEWER EASEMENT

SCALE: 1" = 150'  
0 75 150 300

DATE: NOVEMBER 4, 2004  
REVISED: MARCH 23, 2005

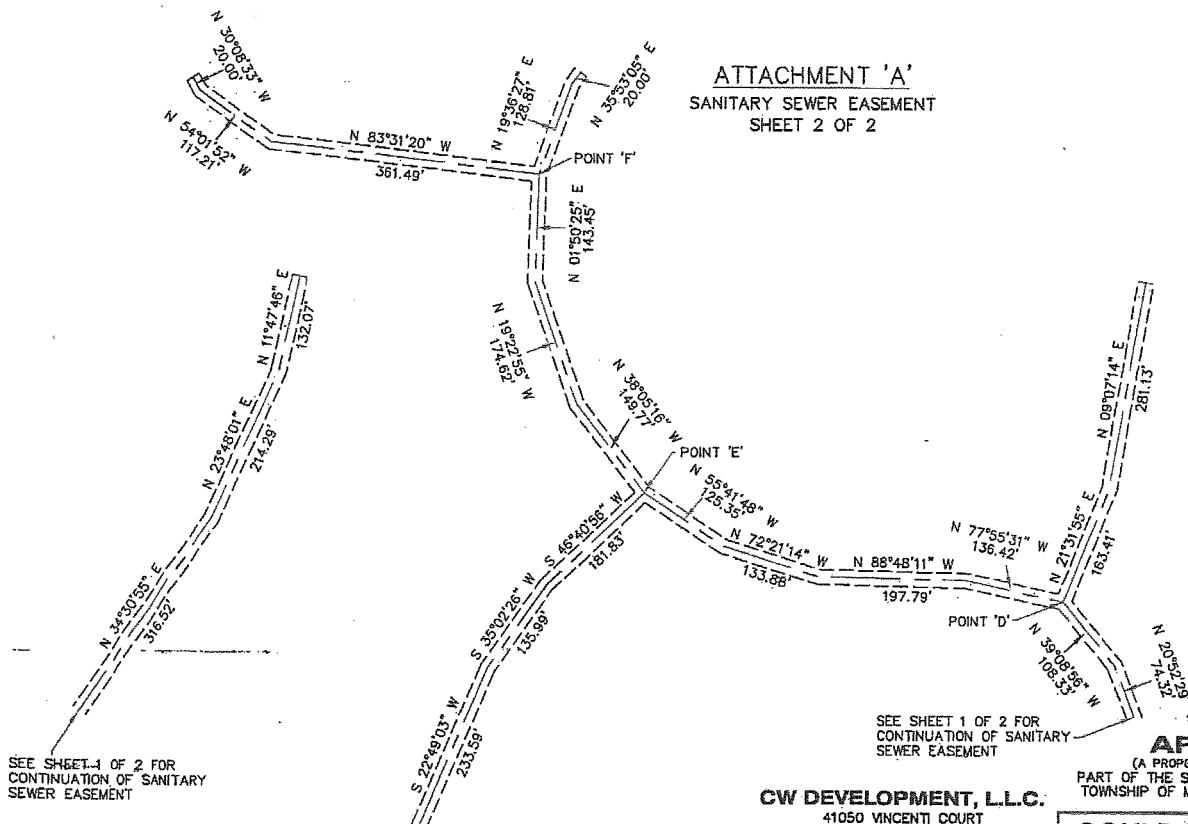


ATTACHMENT 'A'  
SANITARY SEWER EASEMENT  
SHEET 2 OF 2

SCALE: 1" = 150'  
0 75 150 300

DATE: NOVEMBER 4, 2004  
REVISED: MARCH 23, 2005

Inst. 20050522005553.00 03/20/2005  
P.L. of Phillip Moore F523.00 10/13/2005  
Genesee County Recorder MLODUE EN



SEE SHEET 1 OF 2 FOR  
CONTINUATION OF SANITARY  
SEWER EASEMENT

CW DEVELOPMENT, L.L.C.

41050 VINCENTI COURT  
NOV, MICHIGAN 48375  
PHONE: (248) 615-1313  
FAX: (248) 426-5646

**ARDEN GLEN**  
(A PROPOSED SITE CONDOMINIUM PROJECT)  
PART OF THE SOUTH 1/2 OF SECTION 5, TEN-R6E,  
TOWNSHIP OF MUNDY, GENESEE COUNTY, MICHIGAN

**GOULD ENGINEERING, INC.**  
2040 E. MAPLE AVENUE  
FLINT, MICHIGAN 48507  
PHONE: 810-743-9120  
FAX: 810-743-1797

**TERMINATION OF GRANT OF EASEMENT TO THE GENESEE COUNTY DRAIN  
COMMISSIONER'S OFFICE**

THIS TERMINATION OF GRANT OF EASEMENT TO THE GENESEE COUNTY DRAIN COMMISSIONER'S OFFICE, GENESEE COUNTY, MICHIGAN, ("Termination") is made this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by the COUNTY OF GENESEE, MICHIGAN by and through the GENESEE COUNTY DRAIN COMMISSIONER'S OFFICE – DIVISION OF WATER AND WASTE SERVICES, a County Agency, whose address is G4610 Beecher Road, Flint, Michigan 48532 (hereinafter "County").

**RECITALS**

A. The County currently has easement interest upon lands located in the Township of Mundy, Genesee County, Michigan, for fully described as:

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Parcel No. 25-15-05-200-011

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Parcel No. 25-15-05-400-012

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(the "Property")

B. The area included in the grant of Easement to the Genesee County Drain Commissioner's Office, which has been recorded in Instrument Number 200503240033519, Genesee County Register of Deeds, a copy of which is attached hereto as Exhibit 1 and incorporated herein by reference (the "Easement").

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**NOW, THEREFORE,**

1. The undersigned does by the recording hereof terminate, waive and vacate the Easement.

2. The undersigned hereby confirms that the land previously encumbered by the Easement shall upon the recording of this instrument, be held, conveyed, hypothecated, encumbered, leased, rented, occupied and improved, or in any other manner utilized, free from the benefits and provisions of the Easement.

3. This Termination is exempt from the provisions of the county Transfer Tax in accordance with MCL 207.505(a), 1966 PA 134, SEC 5(a); MCL 207.505(h), 1966 PA 134, SEC 5(h); and the state Transfer Tax in accordance with MCL 207.526(a), 1993 PA 330, SEC 6(a) and MCL 207.526(h)(i), 1993 PA 330, SEC 6(h)(i).

IN WITNESS WHEREOF, this Termination was executed by the Genesee County Drain Commissioner on the day and year first written above.

Signed, sealed and delivered  
in the presence of:

COUNTY OF GENESEE by and through the  
GENESEE COUNTY DRAIN COMMISSIONER

Printed Name:

By:

Jeff Wright  
Drain Commissioner

STATE OF MICHIGAN      )  
                                    ) ss  
COUNTY OF GENESEE      )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2024, before me \_\_\_\_\_ in  
and for said County, personally appeared to me, Jeff Wright, in his capacity of Drain  
Commissioner of the County of Genesee, known to be the person described in and who executed  
the same as his free act and deed.

Legal Signature

Print Name

Notary Public, Genesee County, Michigan  
My commission expires: \_\_\_\_\_  
acting in the County of Genesee

**PREPARED BY:**

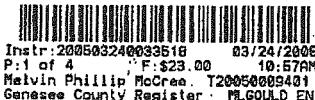
Kevin K. Kilby, Esq.  
McGraw Morris P.C.  
2075 W. Big Beaver Road, Ste. 750  
Troy, MI 48084

**RETURN TO:**

John F. O'Brien  
Genesee County Drain Commissioner's Office  
G-4610 Beecher Road  
Flint, MI 48532

# **Exhibit 1**

## **The Easement**



### GRANT OF EASEMENT TO THE GENESEE COUNTY DRAIN COMMISSIONER'S OFFICE

KNOW ALL MEN BY THESE PRESENTS: That, CW Development, L.L.C., a Michigan Limited Liability Company, party of the first part, whose address is 41050 Vincenti Court, Novi, Michigan 48375, for and in consideration of the sum of One (\$1.00) Dollar and other good and valuable consideration paid to it by the Genesee County Drain Commissioner's Office, Division of Water and Waste Services, party of the second part, whose address is G-4610 Beecher Road, Flint, Michigan 48532, does hereby grant, convey and release to the said party of the second part a permanent easement and right-of-way in which to construct, operate, maintain, repair and/or replace sanitary sewers over, across, under and through the following parcel of land situated in the Township of Mundy, Genesee County, Michigan, and described as:

Parcel No's. 25-15-05-200-011, 25-15-05-300-005, 25-15-05-400-012, & 25-15-05-400-016

Said Easement to be located as follows:

PART OF SECTION 5, T6N-R6E, TOWNSHIP OF MUNDY, GENESEE COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SECTION, WHICH IS S 89°35'03" W 1315.49 FEET FROM THE SOUTHEAST CORNER SAID SECTION 5; THENCE CONTINUING ALONG SAID SOUTH LINE, S 89°35'03" W 1327.79 FEET TO THE SOUTH 1/4 CORNER OF SAID SECTION; THENCE S 89°33'02" W, ALONG SAID SOUTH LINE, A DISTANCE OF 127.70 FEET; THENCE N 00°13'55" W, PARALLEL WITH THE NORTH AND SOUTH 1/4 LINE OF SAID SECTION 5, A DISTANCE OF 200.01 FEET; THENCE S 89°33'02" W, PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 128.00 FEET; THENCE S 00°13'55" E 200.01 FEET TO SAID SOUTH LINE; THENCE S 89°33'02" W, ALONG SAID SOUTH LINE, A DISTANCE OF 626.33 FEET; THENCE N 00°13'55" E 228.00 FEET; THENCE S 89°33'02" W 100.00 FEET; THENCE N 00°13'55" E 2432.06 FEET TO THE EAST AND WEST 1/4 LINE OF SAID SECTION; THENCE N 89°22'09" E, ALONG SAID EAST AND WEST 1/4 LINE, A DISTANCE OF 982.07 FEET TO THE INTERIOR 1/4 CORNER OF SAID SECTION 5; THENCE N 00°13'55" E, ALONG THE NORTH AND SOUTH 1/4 LINE, A DISTANCE OF 1345.80 FEET; THENCE N 89°35'34" E 879.71 FEET; THENCE S 00°07'50" E 247.50 FEET; THENCE N 89°35'34" E 1410.06 FEET; THENCE S 00°07'50" E 145.00 FEET; THENCE N 89°35'34" E 350.00 FEET TO THE EAST LINE OF SAID SECTION 5; THENCE S 00°07'49" E, ALONG SAID EAST LINE, A DISTANCE OF 727.12 FEET; THENCE S 36°13'17" W 269.89 FEET TO THE NORTH LINE OF THE RECORDED PLAT OF "LYNCREST ACRES", AS RECORDED IN LIBER 20, PAGE 20, GENESEE COUNTY, MICHIGAN RECORDS; THENCE S 89°17'49" W (RECORDED AS S 89°50 W), ALONG SAID NORTH LINE, A DISTANCE OF 631.84 FEET; THENCE S 89°24'00" W 527.44 FEET; THENCE S 00°15'31" W 2667.46 FEET TO THE PLACE OF BEGINNING, CONTAINING 210.00 GROSS ACRES OF LAND, MORE OR LESS, BEING SUBJECT TO THOSE PARTS NOW USED AS LINDEN AND HILL ROADS, SO-CALLED, AND ALSO BEING SUBJECT TO ANY RECORDED EASEMENTS OF BENEFIT OR BURDEN.

Said Easement to be located as follows:

A 20 foot wide easement for Sanitary Sewer, being 10 feet each side of the following described centerline:

Beginning at point which is S 89°33'02" W 573.13 feet AND N 00°26'58" W 60.00 feet from the South 1/4 corner of Section 5, T6N-R6E; thence continuing N 00°26'58" W 288.19 feet; thence N 20°52'54" E 105.49 feet to the PLACE OF ENDING.

AND ALSO Beginning at a point which is N 89°35'03 E 218.53 feet AND N 00°24'57" W 60.00 feet from the South 1/4 corner of Section 5, T6N-R6E; thence continuing N 00°24'57" W 171.29 feet; thence N 20°36'45" W 103.54 feet to Point 'A'; thence N 43°48'21" W 150.88 feet; thence N 67°13'49" W 89.64 feet; thence N 73°51'47" W 322.41 feet; thence N 66°58'31" W 114.07 feet to Point 'B'; thence N 52°34'04" W 255.84 feet to the PLACE OF ENDING.

AND ALSO Beginning at previously described Point 'A'; thence N 63°58'09" E 155.33 feet; thence N 76°45'33" E 114.13 feet; thence S 79°36'31" E 143.18 feet; thence S 66°18'54" E 123.37 feet; thence S 76°05'42" E 85.40 feet; thence S 89°29'27" E 87.22 feet; thence S 06°34'10" E 60.75 feet to Point 'C'; thence continuing S 06°34'10" E 201.96 feet to the PLACE OF ENDING.

AND ALSO Beginning at previously described Point 'B'; thence N 32°55'51" E 325.51 feet; thence N 34°30'55" E 316.52 feet; thence N 23°48'01" E 214.29 feet; thence N 11°47'46" E 132.07 feet to the PLACE OF ENDING.

AND ALSO Beginning at previously described Point 'C'; thence N 77°55'26" E 78.43 feet; thence N 66°27'24" E 108.59 feet; thence N 45°39'08" E 108.81 feet; thence N 22°39'59" E 140.61 feet; thence N 00°15'31" E 350.33 feet; thence N 20°52'29" W 74.32 feet; thence N 39°08'56" W 108.33 feet to Point 'D'; thence N 77°55'31" W 136.42 feet; thence N 88°48'11" W 197.79 feet; thence N 72°21'14" W 133.88 feet; thence N 55°41'48" W 125.35 feet to Point 'E'; thence N 38°05'16" W 149.77 feet; thence N 19°22'55" W



ATTACHMENT 'A'  
SANITARY SEWER EASEMENT  
SHEET 1 OF 2

SEE SHEET 2 OF 2 FOR  
CONTINUATION OF SANIT.  
SEWER EASEMENT

ATTACHMENT 'A'  
SANITARY SEWER EASEMENT  
SHEET 1 OF 2

SEE SHEET 2 OF 2 FOR  
CONTINUATION OF SANITARY  
SEWER EASEMENT

SCALE: 1" = 150'  
0 75 150 300  
DATE: NOVEMBER 4, 2004

DATE: NOVEMBER 4, 2004  
REVISED: MARCH 23, 2005

Inst-20050324083618 03/24/2005  
P-3 of 4 F-S23.00 10.67AN  
Melvin Phillip McCree T20050009401  
Garibee County Register M.GOULD EN

## ARDEN GLEN

(A PROPOSED SITE CONDOMINIUM PROJECT)  
PART OF THE SOUTH 1/2 OF SECTION 5, T8N-R8E,  
TOWNSHIP OF MUNDY, GENESEE COUNTY, MICHIGAN

**CW DEVELOPMENT, L.L.C.**

41050 VINCENTI COURT  
NOVI, MICHIGAN 48375  
PHONE: (248) 615-1313  
FAX: (248) 426-5846

**GOULD ENGINEERING, INC.**  
2040 E. MAPLE AVENUE FLINT, MICHIGAN 48507  
PHONE: 810-743-9120 FAX: 810-743-1787

HILL ROAD

PLACE OF  
BEGINNING

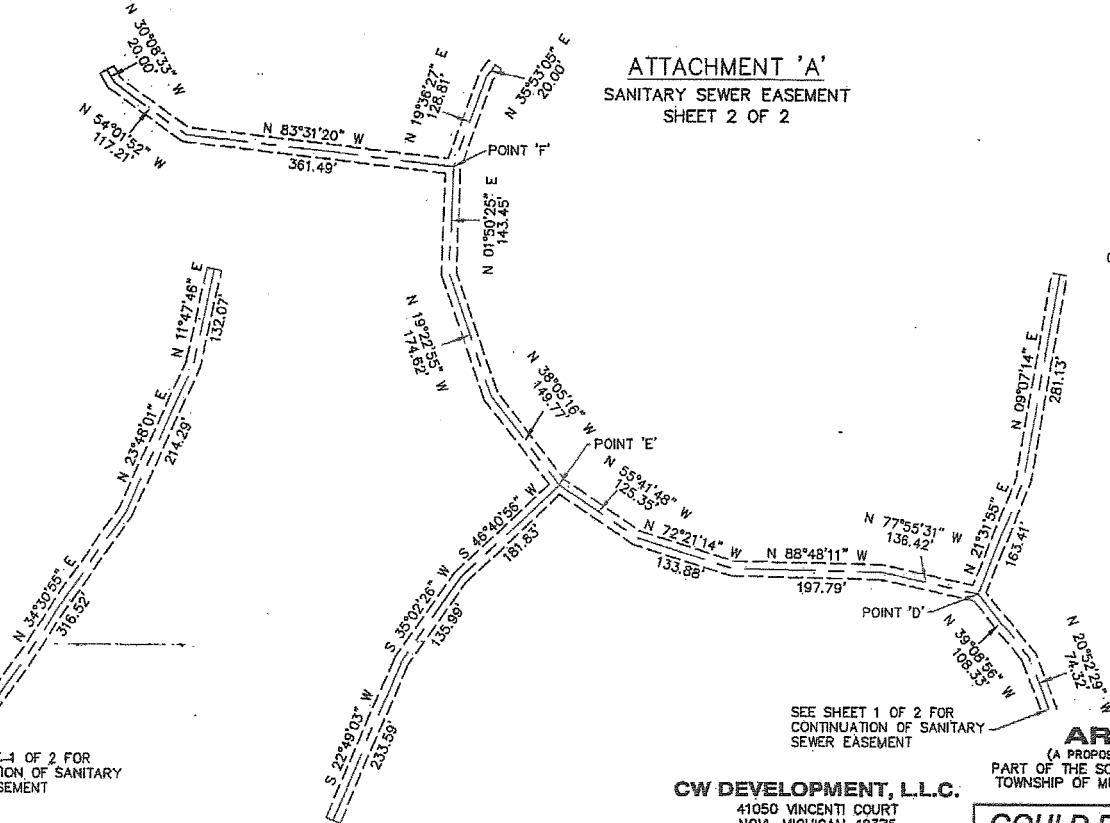
SOUTH LINE OF  
SECTION 5 -

SOUTH 1/4 CORNER  
SECTION 5,  
T6N-R6E

PLACE  
BEGINN

N 00°24'57" W  
E 52.88'

ATTACHMENT 'A'  
SANITARY SEWER EASEMENT  
SHEET 2 OF 2



SEE SHEET 1 OF 2 FOR  
CONTINUATION OF SANITARY  
SEWER EASEMENT

SEE SHEET 1 OF 2 FOR  
CONTINUATION OF SANITARY  
SEWER EASEMENT

**CW DEVELOPMENT, L.L.C.**

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SCALE: 1" = 150'  
0 75 150 300

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