

EASEMENT AGREEMENT

An Agreement made this _____ day of _____, 2021 by David and Joan Hanko (herein owners), whose address is 1678 Johnson St, Marne, MI 49435

Recitals

WHEREAS, David and Joan Hanko are the owner of properties situated in the Township of Tallmadge, County of Ottawa, State of Michigan commonly known as:

Parcel no. 70-10-10-200-019 (the Parcel)

WHEREAS, the Owner desires to establish for the benefit of the properties, a perpetual, nonexclusive private easement for purposes of providing ingress, egress and for public and private utilities to their respective Parcels.

NOW THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

- 1. Grant of Easement.** The Owner hereby grants a perpetual, nonexclusive easement on, over and across those portions of the Parcels legally described and depicted on the attached Exhibit A, for the purpose of pedestrian and vehicular ingress and egress and for public and private utilities to and from Potter Avenue to and from the respective Parcels. The Easement is for the benefit of the Owners and their respective successors and assigns. The use, construction, and maintenance of the Easement and the improvements contained therein are subject to that certain Shared Drive Maintenance Agreement of even date herewith.
- 2. Effective Term.** This Agreement shall be perpetual and shall encumber and run with the land.
- 3. Binding Agreement.** This Agreement shall be binding upon the parties hereto, their respective heirs, executors, administrators, successors and assigns.
- 4. Recording.** A copy of this Agreement shall be recorded with the Ottawa County Register of Deeds and shall also be filed with the Township of Tallmadge.

- 5. **Transfer Taxes.** This Agreement is exempt from County and State transfer taxes pursuant to MCL 207.505(a) and MCL 207.526(a), respectively.
- 6. **Amendment.** This Agreement may only be amended by the unanimous consent of all of the Parcel Owners. No amendment shall be effective until it is first reviewed by the Township of Tallmadge and determined by the Township of Tallmadge to be in compliance with all applicable ordinances of the Township.

WITNESSED BY:

David A. Hanko

Joan C. Hanko

STATE OF MICHIGAN)
)
COUNTY OF _____)

On _____, 2021 before me, a Notary Public, in and for said County,

personally appeared David A. Hanko and Joan C Hanko, to me known to be the same person described in and who executed the within instrument, who have acknowledged the same to be his free act and deed.

Notary Public, _____ County, Michigan
My Commission Expires: _____
Acting in _____ County

Prepared By:
Dave Hanko
1678 Johnson St
Marne, MI 49435