

LIBER 3827 PAGE 0156

RECORDED
WASHTENAW COUNTY, MI

Dec 4 1 06 PM '90

PEGGY M. HAINES
COUNTY CLERK/REGISTER

	DEED	17.00
8333 0333003	1425 12:57PM 12/04/98	
	SSRF	2.00
8333 0333003	1425 12:57PM 12/04/98	

GRANT OF EMERGENCY ACCESS EASEMENT

CW-65756 17

This Emergency Access Easement Agreement has been entered into on the 12th day of November, 1998, by and between the Orchard Place Condominium Association, a Michigan non-profit corporation, hereinafter referred to as "Association", whose address is 866 Brookside, Ann Arbor, Michigan, and Steven D. Pepe and Janet L. Pepe, his wife, hereinafter referred to as "Pepe", whose address is 2018 Pontiac Trail, Ann Arbor, Michigan.

WITNESSETH:

WHEREAS, the Association is the administrator of Orchard Place, a site condominium, according to the Master Deed thereof dated March 13, 1992, and recorded March 17, 1992, in Liber 2596, Pages 936 through 991, as amended, Washtenaw County Records, and

WHEREAS, Pepe owns a parcel of real estate located in the Township of Ann Arbor, Washtenaw County, Michigan, which is legally described as follows:

Commencing at the South 1/4 corner of Section 16, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence S86°11'40"W 1035.51 feet along the South line of said Section to a point on the centerline of Pontiac Trail; thence N15°27'30"E 365.87 feet along said centerline; thence N00°46'10"E 246.75 feet continuing along said centerline to the Point of Beginning; thence continuing N00°46'10"E 160.00 feet along said centerline; thence N86°11'40"E 610.00 feet; thence S00°46'10"W 414.89 feet; thence S85°11'44"W 260.40 feet; then N00°46'10"E 250.16 feet; thence S86°58'10"W 349.25 feet to the Point of Beginning. Said parcel of land being part of the Southwest 1/4 of Section 16, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan, and containing 3.77 acres of land, more or less. Being subject to the rights of the public over the Easterly 33 feet of Pontiac Trail; also being subject to easements and restrictions of records, if any, and *09-16-390-005*

WHEREAS, Orchard Place, a site condominium, and the Pepe parcel adjoin one another, and

WHEREAS, Pepe desires to make emergency use of the 18' wide paved access drive located on the limited common elements of Units 30 through 33, inclusive, in Orchard Place, and as extended south to the northerly property line of the Pepe parcel, and

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WHEREAS, the Association is willing to grant Pepe a non-exclusive emergency access easement over the existing 18' wide paved access drive as extended south to the north line of the Pepe parcel.

NOW, THEREFORE, in consideration of the mutual covenants and promises of the parties hereto, and intending to be legally bound, the parties agree as follows:

1. The Association hereby grants Pepe, and his heirs, successors and assigns, as well as his agents, a perpetual non-exclusive emergency access easement over the existing 18' wide paved access drive and lawn located south of Brookside Drive toward the Pepe parcel on the limited common elements adjacent to Units 30 through 33, in Orchard Place, as identified on the attached Exhibit A and as extended south to the north line of the Pepe parcel, the "Easement," for the purpose of access to the Pepe parcel by emergency vehicles for the barn or the house on the Pepe parcel.

2. The easement granted hereby shall be appurtenant to the Pepe parcel and shall run with the land.

3. Pepe, so long as he owns the Pepe parcel and thereafter, his successors and assigns, agree to be responsible for any damage caused to the access drive and lawn areas located on the limited common elements adjacent to Units 30 through 33, in Orchard Place, a site condominium, resulting from emergency vehicle use of the Easement and agrees to restore as soon as reasonably feasible the surface of the Easement to the condition that it was in prior to its use; said restoration not to exceed a period of 120 days.

IN WITNESS WHEREOF, the undersigned have executed this Emergency Maintenance and Service Access Easement Agreement as of the day first above written.

WITNESSES
Camela B. Handrickson
Principia R. Herzog
Principia R. Herzog
Orchard Place Condominium Association
By: *Elizabeth Mericas*
Elizabeth Mericas
Its: *President*
President
Principia Talwar
Principia Talwar
STATE OF MICHIGAN, COUNTY OF WASHTENAW

Subscribed and sworn to before me this 12th day of November, 1998, by Elizabeth Mericas, the President of Orchard Place Condominium Association, a non-profit corporation.

Principia Talwar
Principia Talwar, Notary Public
Washtenaw County, Michigan
My Commission Expires:
2nd July 1999
July 21, 1999

PRINCIPIA TALWAR
JULIC-WASHTENAW COUNTY, MI
COMMISSION EXPIRES 07/21/99

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WITNESSES:

Penny Wyatt
Penny Wyatt

Steven D. Pepe
Steven D. Pepe

Peter J. Anderson
Peter J. Anderson

Janet L. Pepe
Janet L. Pepe

STATE OF MICHIGAN, COUNTY OF WASHTENAW

Subscribed and sworn to before me this 23rd day of November 1998, by Steven D. Pepe and Janet L. Pepe, his wife,

Peter J. Anderson
Peter J. Anderson, Notary Public
Washtenaw County, Michigan
My Commission Expires: 11/5/2000

✓ This document prepared by and when recorded return to:
Karl R. Frankena
Conlin, McKenney & Philbrick, P.C.
350 S. Main Street, Suite 400
Ann Arbor, Michigan 48104-2131

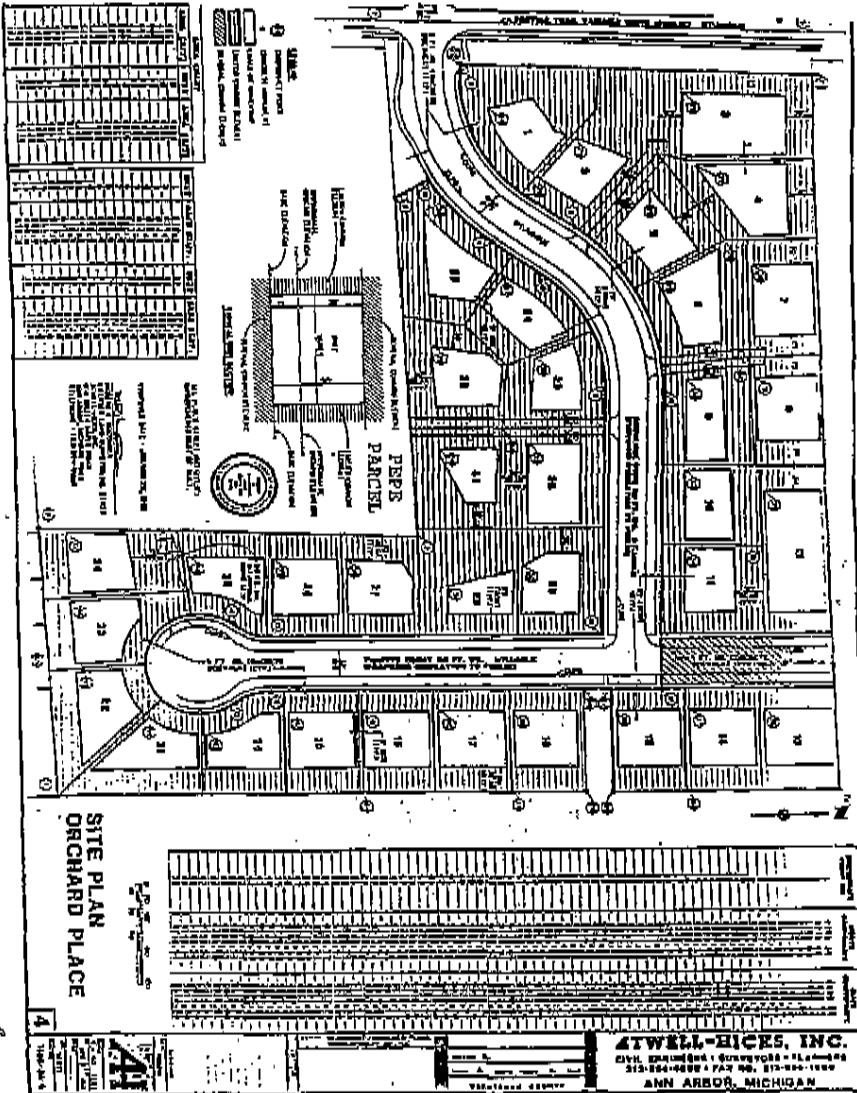
Tax Parcel #: 09-16-390-05

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Exhibit A to Grant of Emergency Access Easement

Exhibit A



Handwritten: 05/15/07
MRS. MARGARET

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ATWELL-HICES, INC.
2311 EAST HURON • GUYTON, MO 64501
313-884-0800 • FAX NO. 313-884-1800
ANN ARBOR, MICHIGAN

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EXHIBIT B
ADDENDUM TO GRANT OF EMERGENCY ACCESS AGREEMENT

The undersigned acknowledge that a certain Emergency Access Easement Agreement to which this is attached was executed Orchard Place Condominium Association, a Michigan non-profit corporation, ("Association") and Steven D. Pepe and Janet L. Pepe, husband and wife, ("Pepe").

RECITALS

- A. Elizabeth Mericas and Dean Mericas, husband and wife, 866 Brookside, Ann Arbor, Michigan, are the owners of Lot 30, Orchard Place Condominiums.
- B. ^{Lesley RR} ~~Lesley~~ Rex, a single woman, 856 Brookside, Ann Arbor, Michigan, is the owner of Lot 31, Orchard Place Condominiums.
- C. ⁹⁶ Karl Grosh and Linda Grosh, husband and wife, 836 Brookside, Ann Arbor, Michigan, are the owners of Lot 33, Orchard Place Condominiums.
- D. Steven D. Pepe and Janet L. Pepe, husband and wife, 2018 Pontiac Trail, Ann Arbor, Michigan are the owners of Lot 32, Orchard Place Condominiums.
- E. Orchard Place Condominium Association, a Michigan non-profit corporation, has granted an Emergency Access Easement to Steven D. Pepe and Janet L. Pepe dated November 12, 1998.

The undersigned parties acknowledge and agree as the owners of all of the parcels which adjoin the easement being granted that they have consented to that easement pursuant to the requirements of Article X of the Master Deed of Orchard Place Condominium Association.

IN WITNESS WHEREOF, the undersigned have executed this Agreement as of the day first above written.

WITNESSES:

 924

 944

Elizabeth Mericas
 Elizabeth Mericas

Dean Mericas
 Dean Mericas

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Ruthless M. Rex

Leslie Rex
Leslie Rex
Lesley

Elizabeth Mearns

96 Karl Grosh

Dan Mearns

Linda Grosh
Linda Grosh

Steven D. Pepe

Steven D. Pepe
Steven D. Pepe

Janet E. Pepe

Janet E. Pepe
Janet E. Pepe

This document prepared by and
when recorded return to:

Ian James Reach
Reach, Ranney & Carpenter, P.C.
121 W. Washington St., Suite 300
Ann Arbor, Michigan 48104
734/994-1400

Tax Parcel #:09-16-390-05
cl:orchard-11/24/98

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