

**STATE OF MICHIGAN
INGHAM COUNTY
VILLAGE OF WEBBERVILLE**

RESOLUTION NO. 2019-10

A Resolution Establishing an Easement for the Webberville Consolidated Drain.

At a regular meeting of the Village of Webberville Council, Ingham County, Michigan, held at the Village Council Chambers, 115 South Main Street, Webberville, Michigan, on November 12, 2019, at 6:30 p.m.

Present: Ackerman, Greene, Oesterle, Hitchcock

Absent: -0-

The following resolution was offered by Ackerman and seconded by Oesterle.

WHEREAS, the Village recognizes that it is necessary for the public health, safety, and welfare to maintain and improve the Webberville Consolidated Drain pursuant to Public Act 40 of 1956, as amended, and that improvement of the Drain is required at this time to protect against flooding in the Village of Webberville; and

WHEREAS, the Village has been advised by the Ingham County Drain Commissioner that, on March 27, 2019, an independent Board of Determination issued an Order of Necessity for the maintenance and improvement of the Webberville Consolidated Drain at the conclusion of a hearing for which notice was sent to all interested landowners and municipalities; and

WHEREAS, the Village has been advised that, in order to perform the project and to reduce the risk of flooding of roads and property within the Village, the Drain Commissioner is in need of an easement over property owned by the Village identified as Parcel No. 33-43-08-12-153-012 to serve as a means to further maintain and improve the Webberville Consolidated Drain; and

WHEREAS, the Drain Commissioner has requested that the Village provide the Webberville Consolidated Drain Drainage District with an easement over Parcel 33-43-08-12-153-012 allowing the property to be used for purposes of the maintenance and improvement of the Webberville Consolidated Drain; and

WHEREAS, the Drain Commissioner has provided a proposed "Drain Easement for Webberville Consolidated Drain" for the Village's consideration;

NOW, THEREFORE BE IT RESOLVED that, pursuant to Public Act 40 of 1956, as amended, the Village hereby approves the Drain Easement for Webberville Consolidated Drain for execution in the form attached hereto for the maintenance and improvement of the Webberville Consolidated Drain.

BE IT FURTHER RESOLVED that the Village President is authorized to sign the above referenced document and to forward a copy of this Resolution and the original, signed document to the Ingham County Drain Commissioner for recording with the Ingham County Register of Deeds.

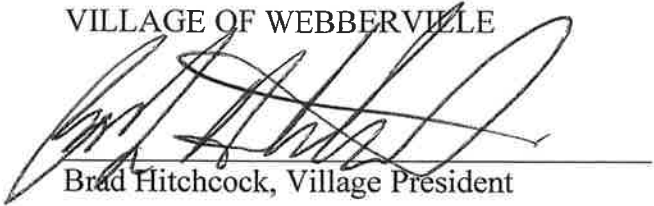
ADOPTED:

YEAS: Ackerman, Greene, Oesterle, Hitchcock

Nays: -0-

The Resolution was declared and adopted on November 12, 2019.

VILLAGE OF WEBBERVILLE



Brad Hitchcock, Village President



Jaymee Hord, Village Clerk

DRAIN EASEMENT FOR WEBBERVILLE CONSOLIDATED DRAIN

For and in consideration of Zero Dollars and (00/100) and the prospective benefits to be derived from the establishment, construction, operation, maintenance and improvement of the Webberville Consolidated Drain, a county drain under the supervision of the Ingham County Drain Commissioner, whose address is 707 Buhl, Mason, Michigan 48854;

Village of Webberville, whose address is 115 South Main Street, Webberville, Michigan 48892, who is the owner of land known as Parcel No. 33-43-08-12-153-012 ("Landowner"), now conveys, warrants and releases to the Webberville Consolidated Drain Drainage District ("Drainage District") an easement for purposes of establishment, construction, operation, maintenance and improvement of said Webberville Consolidated Drain over and across land owned by it. The easement is described and depicted in the attached Exhibit A ("Easement Area").

This conveyance shall be deemed a sufficient conveyance to vest in the Drainage District an easement over the Easement Area 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 Landowner, its agents, employees, or contractors within the specific limits of the Easement Area. This conveyance shall also be deemed sufficient to vest in the Drainage District an easement over the Easement Area 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 Landowner and the Webberville Consolidated Drain Drainage District, and their heirs, assigns, successors in interest and successors in office, and be deemed to run with the land in perpetuity.


Exempt pursuant to MCL 207.505(a) and MCL 207.526(a).

Village of Webberville

Dated: 11-15-19



By: Brad Hitchcock
Its: President

Dated: 11/15/19


By: Jaymee E. Hord
Its: Clerk

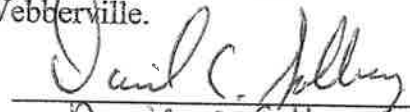
STATE OF MICHIGAN)
) ss
COUNTY OF INGHAM)

The foregoing instrument was acknowledged before me on the 15th day of November, 2019, by Brad Hitchcock, President of the Village of Webberville.


David C. Solberg Notary Public
State of Michigan, County of Ingham
My Commission Expires: 10/10/2025
Acting in the County of Ingham

STATE OF MICHIGAN)
) ss
COUNTY OF INGHAM)

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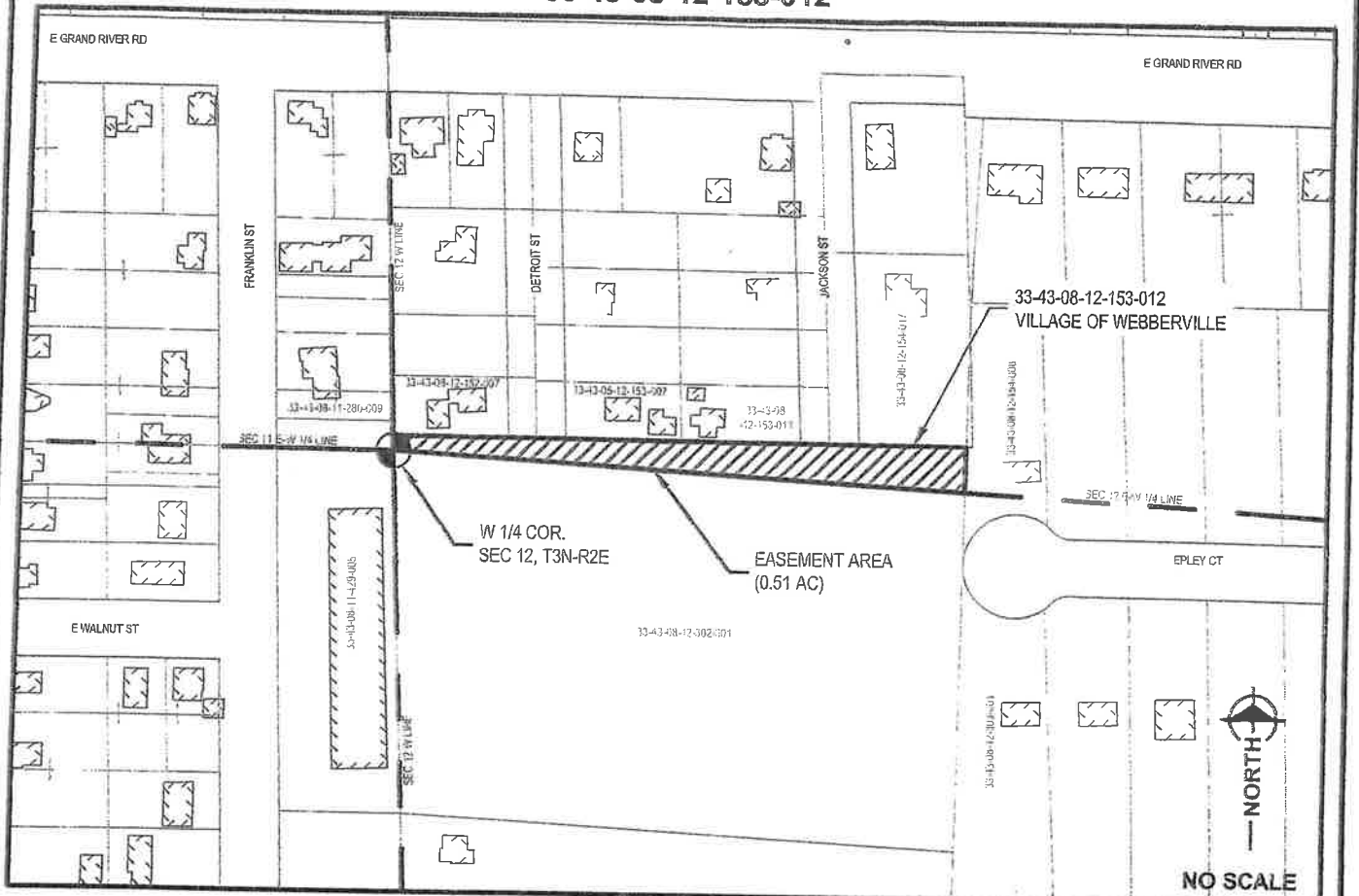

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Drafted By/When Recorded Return To:

Patrick E. Lindemann
Ingham County Drain Commissioner
707 Buhl
Mason, MI 48854

EXHIBIT A

EASEMENT SKETCH 33-43-08-12-153-012



NO BOUNDARY SURVEY WAS PERFORMED ON THE PROPERTY SHOWN

PROPERTY DESCRIPTION:

PARCEL NUMBER: 33-43-08-12-153-012

A PARCEL OF LAND DESCRIBED AS THAT PART OF THE WEST 1/2 OF THE W 1/2 OF THE NW 1/4 OF SECTION 12, T3N, R2E LYING SOUTH OF GRAND RIVER WHICH LIES SOUTH OF A LINE 396 FEET SOUTH OF AND PARALLEL WITH GRAND RIVER ROAD, VILLAGE OF WEBBERVILLE, INGHAM COUNTY, MICHIGAN.

PERMANENT EASEMENT:

AN EASEMENT UPON AND ACROSS SAID LAND, EXCLUDING PERMANENT STRUCTURES. PERMANENT EASEMENT AREA 0.51 AC MORE OR LESS.

**INGHAM COUNTY DRAIN COMMISSIONER
WEBBERVILLE CONSOLIDATED DRAIN DRAINAGE DISTRICT
SECTION 12 T3N - R2E VILLAGE OF WEBBERVILLE
INGHAM COUNTY, MICHIGAN**



ISSUE	DATE	NATURE OF REVISION	BY
△ REVISED			
△ REVISED			
△ REVISED			

DRAWN BY: **TRM**
CHECKED BY: **STL**
APPROVED BY: **SFM**

SHEET **01** OF **01** CLIENT JOB #

DATE: **OCTOBER 2019**

LEN Lookwood, Andrews & Nowman, Inc.
A LEO A DALY COMPANY
PLANNING ENGINEERING PROGRAM MANAGEMENT
2121 University Park Drive, Suite 100
Okemos, MI 48864
Tel 517-205-5437 Fax 517-203-9139

RECEIVED
PAID

COPY



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Tx:4291550

11/19/2019 11:59:00 AM

INST. # 2019-039212

DERRICK QUINNEY

REGISTER OF DEEDS

INGHAM COUNTY MICHIGAN

RECORDED ON:

11/21/2019 02:38 PM

PAGES: 3

DEC 09 2019

BY: JK

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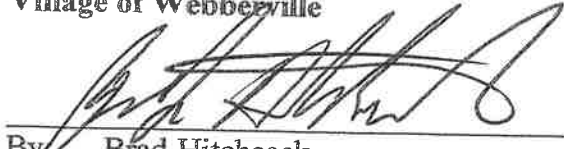
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Village of Webberville

Dated: 11-15-19

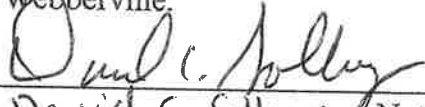

By: Brad Hitchcock
Its: President

Dated: 11/15/19


By: Jaymee E. Hord
Its: Clerk

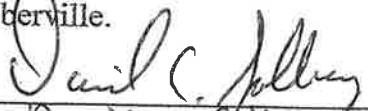
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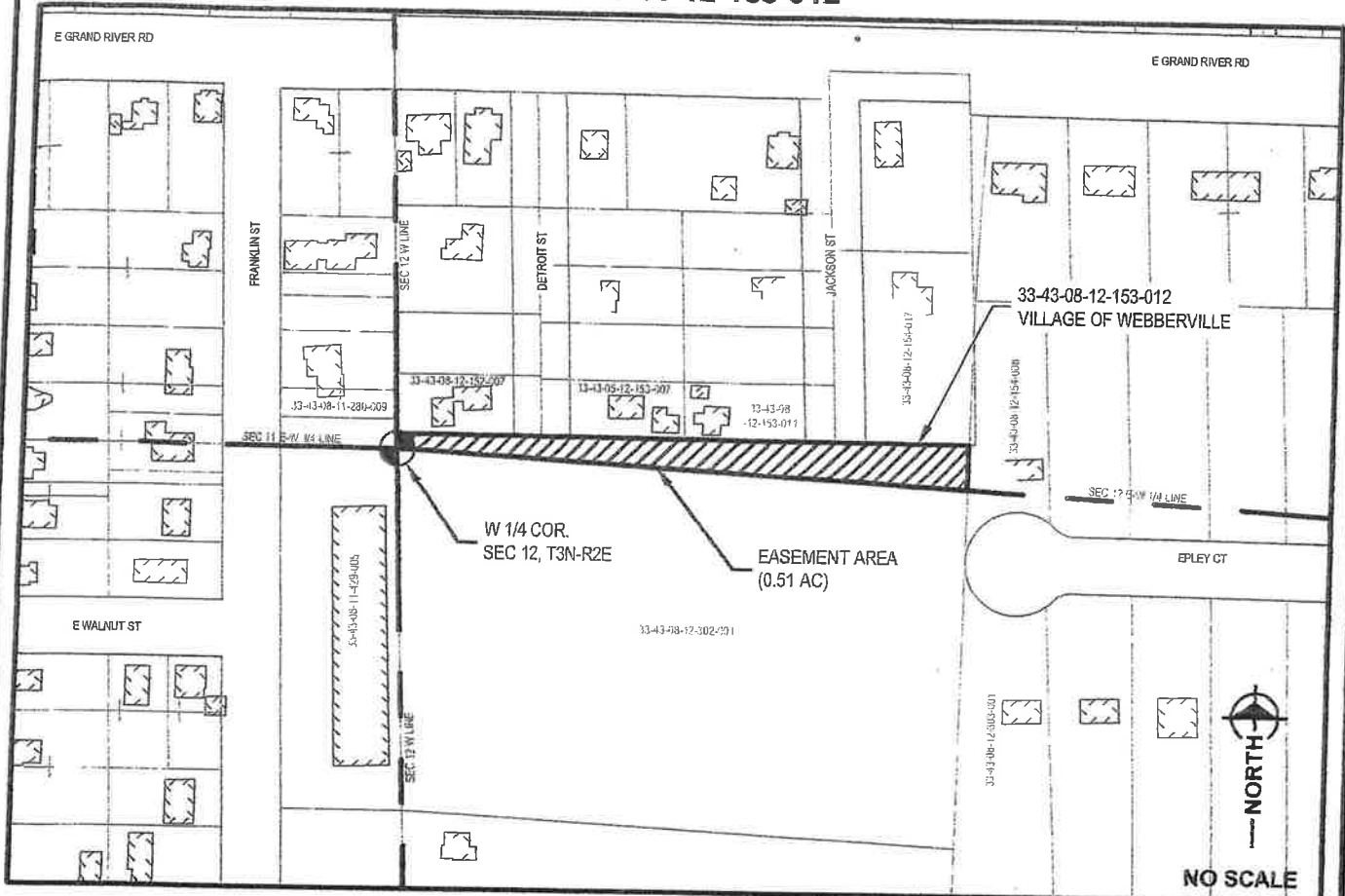

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△ REVISED		BY	DATE:	OCTOBER 2019

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SHEET 01 OF 01 CLIENT JOB #