

RELEASE OF RIGHT-OF-WAY

For and in consideration of prospective benefits to be derived by reason of the locating, establishing, constructing, maintaining, and improving of a certain Drain under the supervision of the Drain Commissioner of the County of Montcalm and State of Michigan, as hereinafter described,

****Note to Preparer: Grantee's marital status and rights of survivorship must come from the recorded deed.****

_____ and _____, [husband and wife], [as tenants by the entirety], of _____, [do/does] hereby convey and release to the _____ Drain Drainage District, the Right-of-Way for a certain Drain, hereinafter more particularly designated and described, over and across the following land owned by [him/her/them], and situated in the [City/Village/Township] of _____, County and State aforesaid, which lands owned are described as follows:

[INSERT PROPERTY DESCRIPTION]

The Right-of-Way or Easement is described as:

PERMANENT EASEMENT: _____ SEE EXHIBIT A.

[Additional consideration of _____ Dollars (\$_____) is paid herewith.]

The Right-of-Way hereby conveyed and released is for the sole and only purpose of constructing, maintaining, and improving over and across said premises a certain Drain, petition for which in writing was made on _____, 20____, by [DEVELOPER], and the necessity for which has been determined by the [Drain Commissioner/Drainage Board] on [DATE OF 425 OR 433 AGREEMENT], 20____, the route and course of said Drain is described as follows, to wit:

[MAIN:]

[INSERT DESCRIPTION]; or
[SEE EXHIBIT B]

[BRANCH:]

[EXTENSION:]

This conveyance is based upon the above-described line of route and shall be deemed to include the extreme width of said Drain as shown in the survey thereof, to which survey reference is hereby made for a more particular description and includes a release of all claims to damages in any way arising from or incident to the operating and maintaining of said Drain across said premises; and also sufficient ground on either side of the center line of said Drain, for the construction thereof; and shall be deemed a sufficient conveyance to vest in the Drainage District an easement in said land for the uses and purposes of drainage together with such rights of entry upon, passage over, deposit of excavated earth and storage of material and equipment on such land, as may be necessary or useful for the construction, maintenance, cleaning out, and repair of such Drain.

WITNESS, our hands and seals, dated _____, 20____.

sign _____
type/print:

sign _____
type/print:

**** Note to typist: The drain name, county, and state should appear at the top of each page following the cover page.****

On _____, 20____, before me, a Notary Public in and for said County, personally appeared _____, [husband and wife], to me known to be the persons/person described in and who executed the foregoing instrument, and [he/she/they] acknowledged that [he/she/they] executed the same as [his/her/their] free act and deed.

When recorded return to:
Montcalm County Drain Commissioner
211 W. Main Street
PO Box 368
Stanton, MI 48888

Prepared by: