

Lawyers Title Insurance Corporation **335 PAGE 0284**

WARRANTY DEED—CORPORATION—
C.L. 1948, 565.151

KNOW ALL MEN BY THESE PRESENTS: That PEN Partners, a Michigan co-partnership
whose address is 201 N. Washington Square, Suite 905, Lansing, Michigan 48933
Conveys and Warrants to Waterfront Partners, a Michigan co-partnership
whose address is 1533 North Woodward, Suite 240, Bloomfield Hills, Michigan 48304
the following described premises situated in the City of Charlevoix
County of Charlevoix and State of Michigan, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

STATE OF MICHIGAN
COUNTY OF CHARLEVOIX
RECEIVED FOR RECORD

1991 DEC 31 PM 4:08

Cherlene M. Pascher
REGISTER OF DEEDS

EQ
TAX CODE # 15-04-024-000-10
15-52-123-099-00
15-52-124-015-00
15-52-124-016-00

for the full consideration of One Dollar (\$1.00) and other valuable consideration.
subject to Building and use restrictions and easements of record, if any, and zoning ordinances.

Dated this 24th day of July 19 91

Witnesses:

Signed and Sealed:

Jean A. Inman
Jean A. Inman
P.A. Tegenhorst
P.A. Tegenhorst

PEN PARTNERS (L.S.)
a Michigan co-partnership
By *Patrick J. Callihan*
PATRICK J. CALLIHAN
Its Partner

FLORIDA
STATE OF ~~MICHIGAN~~
COUNTY OF MONROE ss.

- The foregoing instrument was acknowledged before me this
(1) by Patrick J. Callihan
(2) partner
(3) of PEN Partners
(4) a Michigan co-partnership

Its _____
24th day of July 19 91

My commission expires Notary Public, State of Florida
Commission Expires Nov. 28, 1992
Jean A. Inman
Notary Public

partnership
Corporation on behalf of the said corporation
Jean A. Inman
Jean A. Inman
Notary Public Monroe County, Florida

Note: Insert at (1) name(s) of officer(s) (2) title(s) of officers(s) (3) name of corporation (4) state of incorporation

Instrument Drafted by Stuart M. Kaufman, Esq. Business Address 1533 N. Woodward, Ste. 240
Bloomfield Hills, MI 48304

County Treasurer's Certificate

City Treasurer's Certificate

State of Michigan, County of Charlevoix, ss.
Charlevoix December 31 1991 I hereby certify that there
are no tax liens or titles held by the State or by individuals on the land herein de-
scribed in the within instrument and that all taxes due thereon have been paid for
the five years preceding the date of said instrument as appears by the records in my
office. This does not cover taxes in process of collection by Township, Cities or
Village.
Jean A. Inman
County Treasurer

Recording Fee _____

State Transfer Tax
15 52 123 099 00
15 52 124 015 00
15 52 124 016 00
Tax Parcel # 15 04 024 000 10

When recorded return to Stuart M. Kaufman, Esq.
1533 N. Woodward, #240, Bloomfield Hills
MI 48304
Send subsequent tax bills
to Grantee

Parcel 8: Commencing at a 1/2" rod at the Northeast corner of Section 23, town 34 North, Range 8 West; thence along the East line of said Section South 0°40'13" West 2653.39 feet to a 1" rod set by E. K. Robinson (past county surveyor) at the East 1/4 corner of said section; thence continuing along said section line South 0°39'18" West 1506.17 feet (recorded as 1507.40 feet) to a concrete monument recorded as being 80 feet Northwest-ly of the centerline of the former Chesapeake and Ohio Railroad right-of-way, as measured perpendicular thereto, being the point of beginning of this description; thence South 32°26'44" West (recorded as being a 32°44' deflection angle to the right from said section line) 678.03 feet; thence South 57°33'16" East 29.77 feet to a point which is 50 feet northwesterly of and measured at right angles to the centerline of said railroad right-of-way; thence North parallel with the centerline of said railroad right-of-way North 32°26'44" East 630.00 feet to the East line of Section 23, T34N, R8W; thence North 0°39'18" East along said section line 56.52 feet to the point of beginning; being a part of Government Lot 4, Section 23, Town 34 North, Range 8 West. Being Code #15 52 123 099 00

TOGETHER WITH a non-exclusive access easement described as follows: Commencing at a 1/2" rod at the Northeast corner of Section 23, Town 34 North, Range 8 West; thence along the East line of said section South 0°40'13" West 2653.39 feet to a 1" rod set by E.A. Robinson, past county surveyor, at the East 1/4 corner of said section; thence continuing along said section line South 0°39'18" West 1506.17 feet (recorded as 1507.40 feet) to a concrete monument recorded as being 80 feet Northwest-ly of the centerline of the former Chesapeake and Ohio Railroad right-of-way, as measured perpendicularly thereto; thence South 32°26'44" West (recorded as being 32°44' deflection angle to the right from said section line) 678.03 feet to the point of beginning of this description; thence continuing along the last described course South 32°26'44" West 78.73 feet to an iron stake on the easterly extension of the Northerly line of Cherry Street; thence along the Easterly extension of the Northerly line of Cherry Street North 70°47'00" West 82.91 feet to the Southeasterly line of the former Frank J. Brown property described in Liber 124, Page 220, Charlevoix County Records; thence along the Southeasterly line of said Brown property South 19°13'18" West 29.77 feet; thence parallel with the Easterly extension of said street line South 70°47'00" East 106.50 feet to a point 50 feet Northwest-ly of the centerline of said railroad right-of-way as measured perpendicularly thereto; thence parallel with said centerline North 32°26'44" East 102.32 feet to an iron stake; thence perpendicular to said centerline North 57°33'16" West 29.77 feet to the point of beginning; being a part of Gov-ernment Lot 4, Section 23, Town 34 North, Range 8 West.

CONTINUED

TOGETHER WITH

Parcel 11: Commencing at a 1/2" rod at the Northwest corner of Section 24, Town 34 North, Range 8 West; thence along the West line of said Section South 0°40'13" West 2653.39 feet to a 1" rod set by E. K. Robinson, past county surveyor, at the West 1/4 corner of said section; thence continuing along the West line of said Section South 0°39'18" West 829.95 feet (ground distance is 830.00 feet); thence perpendicular to said section line South 89°20'42" East 576.31 feet (recorded as East 570.00 feet) to an iron stake at the western-most corner of the former Connable Fishing Company property described in Liber 33, Page 22, Charlevoix County Records, being the point of beginning of this description; thence along the Southwesterly line of said Connable Fishing Company property South 53°52'47" East 73.00 feet to an iron stake on the shore of Lake Charlevoix; thence along said shore South 36°04'00" West 905.51 feet to an iron stake on the northeasterly line of the Leonard T. Lewis property described in Liber 223, Page 90, Charlevoix County Records; thence along the northeasterly line of said Lewis property North 57°33'16" West 19.50 feet to an iron stake on the Southeasterly line of the former Chesapeake and Ohio Railroad right-of-way; thence along said right-of-way line North 32°26'44" East 788.78 feet to an iron stake; thence continuing along the last described course on a curve to the right 119.68 feet (radius of said curve is 1866.11 feet and the chord bears North 34°16'59" East 119.66 feet) to the point of beginning; being a part of Government Lot 4, Section 24, Township 34 North, Range 8 West. The above described property includes all lands to the water's edge of Lake Charlevoix southeasterly of the course described as along said shore. Being Code #15 52 124 015 00

TOGETHER WITH

Parcel 12: Commencing at a 1/2 inch rod at the Northwest corner of Section 24, Town 34 North, Range 8 West; thence along the West line of said Section South 0°40'13" West 2653.39 feet to a 1" rod set by E.K. Robinson, past county surveyor, at the West 1/4 corner of said section; thence continuing along the West line of said Section South 0°39'18" West 829.95 feet (ground distance is 830.00 feet); thence perpendicular to said section line South 89°20'42" East 576.31 feet (recorded as East 570.00 feet) to an iron stake at the westernmost corner of the former Connable Fishing Company property described in Liber 33, Page 22, Charlevoix County Records; thence North-easterly along the Northwesterly line of said Connable Fishing Company property (Southeasterly line of the former Chesapeake and Ohio Railroad right-of-way) on a curve to the right 329.98 feet (radius of said curve is 1866.11 feet, the chord bears North 41°11'10" East 329.55 feet and the ground distance arc is 330.00 feet) to an iron stake on the Northeasterly line of said Connable Fishing Company property, being the point of beginning of this description; thence continuing along said right-of-way line on a curve to the right 383.84 feet (radius of said curve is 1866.11 feet and the chord bears North 52°08'40" East 383.16 feet) to an iron stake; thence continuing along said right-of-way line North 58°02'13" East 646.51 feet to an iron stake on the North line of Government Lot 4 of said section; thence along the North line of said government Lot, South 89° 36'41" East 213.79 feet to an iron stake on the shore of Lake Charlevoix;

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thence along said shore the following three courses: South 74°48'01" West 188.62 feet, South 62°31'13" West 374.25 feet and South 50°54'11" West 644.62 feet to an iron stake on the Northeasterly line of said Connable Fishing Company property; thence along the Northeasterly line of said Connable Fishing Company property North 43°44'53" West 73.00 feet to the point of beginning; being a part of Government Lots 3 & 4, Section 24, Township 34 North, Range 8 West. The above described property includes all land to the water's edge of Lake Charlevoix southeasterly of the courses described as along said shore. Being Code #15 52 126 016 00

(Lake Lot):

TOGETHER WITH

Commencing at the North 1/4 corner of Section 24, Town 34 North, Range 8 West; thence South 0°58'06" East along the North and South 1/4 line of said section, 1985.22 feet; thence South 56°00'32" West 996.30 feet, being the point of beginning of this description; thence South 55°59'38" West 229.53 feet to an iron stake on the East and West 1/4 line of said section (the north line of Government Lot 4); thence North 88°21'52" East 213.39 feet to a point on the shore of Lake Charlevoix; thence North 66°59'38" East along said shore, 50.00 feet; thence North 33°54'23" West 123.79 feet to the point of beginning; being a part of Government Lot 3 in Section 24, Town 34 North, Range 8 West. Being Part of Code #15 52 024 000 10

TOGETHER WITH any and all rights of grantor in and to the former Chesapeake and Ohio Railroad right-of-way adjoining any of the foregoing parcels. Said right-of-way being 100.0 feet in width.

TOGETHER WITH the following parcels to which the warranties contained in the attached deed shall not apply, it being understood that grantor intends only to quit claim to grantee its interest in the following parcels:

AS A STRIP OF LAND 100 FEET IN WIDTH THE CENTER LINE WHICH IS DESCRIBED AS FOLLOWS:

In the City of Charlevoix, Charlevoix County, Michigan;
Commencing at a ½" rod at the Northeast corner of Section 23, Township 34 North, Range 8 West; thence South 00°40'13" West 2653.39 feet along the East line of said section to a 1" rod set by E.K. Robinson, past county surveyor, at the East quarter corner of said section; thence continuing along said section line South 00°39'18" West 1506.17 feet (recorded as 1507.40 feet) to a concrete monument on the Northwesterly line of the former Chesapeake and Ohio Railroad right-of-way; thence continuing along the last described line South 00°39'18" West 151.42 feet to the center line of said railroad; thence South 32°26'44" West 1322.56 feet along said center line to the Southerly line of Chicago Avenue, being the point of beginning of this description; thence continuing South 32°26'44" West 851.44 feet to the Northeasterly line of the Brayton Saltenstall property recited in Deed Liber 29, Page 377, being the point of ending, being a part of Government Lot 1, Section 26, Township 34 North, Range 8 West. Subject to the rights of the public and of any governmental unit in any part thereof taken, used or deeded for street, road or highway purposes. The above described land is bounded on the North by the Southerly line of Chicago Avenue and bounded on the South by the Northeasterly line of the former Brayton Saltonstall property. The above described bearings are in relationship to the Michigan Coordinate System, Central Zone (2112). The above distances are grid distances.

In the City of Charlevoix, Charlevoix County, Michigan;
Commencing at a $\frac{1}{2}$ " rod at the Northeast corner of Section 23, Township 34 North, Range 8 West; thence South $00^{\circ}40'13''$ West 2653.39 feet along the East line of said section to a 1" rod set by E.K. Robinson, past county surveyor, at the East quarter corner of said section; thence continuing along said section line South $00^{\circ}39'18''$ West 1506.17 feet (recorded as 1507.40 feet) to a concrete monument on the Northwesterly line of the former Chesapeake and Ohio Railroad right-of-way; thence continuing along the last described line South $00^{\circ}39'18''$ West 151.42 feet to the center line of said railroad; thence South $32^{\circ}26'44''$ West 2174.00 feet along said center line to the Northeasterly line of the former Brayton Saltonstall property as recited in Deed Liber 29, Page 377, Charlevoix County records being the point of beginning of this description; thence South $50^{\circ}10'14''$ East (recorded as South $50^{\circ}20'$ East) 24.07 feet along the aforementioned property line to a $\frac{5}{8}$ " rod on the shore of Lake Charlevoix; thence South $31^{\circ}54'23''$ West 175.34 feet along said shore to the Northeasterly corner of a concrete retaining wall; thence North $78^{\circ}56'32''$ West 27.41 feet along said shore to the center line of the aforementioned railroad; thence North $33^{\circ}46'13''$ West 54.64 feet along said shore to a $\frac{5}{8}$ " rod on the Northwesterly line of said railroad; thence leaving said shore North $32^{\circ}26'44''$ East 20.00 feet along said railroad line to a concrete monument; thence continuing North $32^{\circ}26'44''$ East 152.87 feet along aforementioned railroad line to a concrete monument on the Northeasterly line of said Saltonstall property; thence South $50^{\circ}10'14''$ East (recorded as South $50^{\circ}20'$ East) 50.42 feet along the aforementioned property line to the point of beginning; being a part of Government Lot 1, Section 26, Township 34 North, Range 8 West and containing 0.311 acres within the perimeter of the courses described. Parcel includes all land to the waters edge of Lake Michigan lying Southeasterly and Southwesterly of the courses described as being along said shore. Subject to the rights of the public and of any governmental unit in any part thereof taken, used or deeded for street, road or highway purposes. The above described bearings are in relationship to the Michigan Coordinate System, Central Zone (2112). The above distances are grid distances.