

Lori D. Jarvis Register Of Deeds  
Berrien County, Michigan

Rec \$19.00  
Remon \$4.00  
Tax Crt \$0.00

Recorded  
March 17, 2011 02:48:01 PM  
Liber 2951 Page 3141-3144  
Receipt # 14929 AGREE #2011006803



Liber 2951 Page 3141

**AGREEMENT FIXING BOUNDARY**

116 Greenway Rd.  
Alexandria, VA  
22308

\*This Agreement made this 17<sup>th</sup> day of March, 2011, by and between JOHN B. DALE (hereinafter "Grantor"), and JOHN P. JOHNSON and MARY ANN JOHNSON, *a married man* husband and wife (hereinafter "Grantees").

**WHEREAS**, Grantor and Grantees are owners of property which is contiguous, where Grantor owns property on three sides of Grantees' rectangular parcel in Bertrand Township, Berrien county, Michigan; and

**WHEREAS**, in November, 2009, Grantor caused a survey to be done to establish the location of the corner boundaries of Grantees' property; and

**WHEREAS**, on November 19<sup>th</sup>, 2010, the surveyor re-located the corner posts from the 2009 survey and the parties to this agreement caused fence posts to be located at the four corner posts of Grantees' property as identified by the survey; and

**WHEREAS**, Grantees have placed a satellite receptacle dish upon Grantor's property to the South of Grantees' property; and

**WHEREAS**, Grantees have mowed a portion of the property which is on Grantor's property beyond the Grantees' South property line,

**NOW, THEREFORE, IT IS HEREBY AGREED:**

The survey dated November 11<sup>th</sup>, 2009, attached hereto, establishes the location of Grantees' property, and the parties to this agreement, their heirs, assigns and successors in interest are bound by this determination.

The fence posts installed on November 19<sup>th</sup>, 2010, physically mark the location of the surveyor's pins located on the attached survey which make the corner boundaries of Grantees' property visible.

223-225 E. Front Street  
P.O. Box 72  
Buchanan, Michigan 49107

*Desenberg & Colip*  
*A Professional Corporation*

Telephone  
(269) 695-3849  
Facsimile Number  
(269) 695-2004

Berrien County Register of Deeds  
Received 3/17/11 Time 2:39:27 PM

11-05-0001-0004-1-8-2011

The Grantees will allow the fence posts to remain as marks of the corner posts of Grantees' property and the parties will honor the boundaries as so indicated.

In consideration of the sum of Twenty and No/100s (\$20.00) Dollars paid by Grantees to Grantor, Grantor grants permission to Grantees to leave the satellite receptacle dish upon Grantor's property in its present location and to allow Grantees to mow grass upon Grantor's property to the South of Grantees' property as is currently being done.

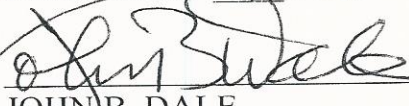
Grantees will not enlarge or exceed the area currently being mowed on Grantor's property during the term of the existence of this agreement.

The permissive use of the Grantor's property by Grantees is allowed until the earlier of the death of both Grantees or the time both Grantees cease to occupy the parcel owned by Grantees which is the subject of this agreement.


Grantees claim no ownership or possessory interest in any property of Grantor which is outside the dimensions of the attached survey identifying Grantees' property, except the limited rights of use granted herein.

In the event Grantees attempt to enlarge the portion of land to which permissive use is granted herein, or use it for any other purpose, then the permissive use granted herein shall immediately terminate and Grantees will immediately thereafter cease use of Grantor's property and remove the satellite receptacle dish from Grantor's property.

Dated: March 17, 2011

  
JOHN B. DALE

Dated: March 7, 2011

  
JOHN P. JOHNSON

  
MARY ANN JOHNSON

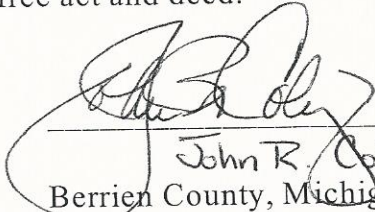
\* JOHN B. DALE  
1116 GREENWAY Rd.  
ALEXANDRIA, VA 22308

\* JOHN P. JOHNSON  
MARY ANN JOHNSON  
1525 Redbud TRAIL So.  
BUCHANAN, MI 49107



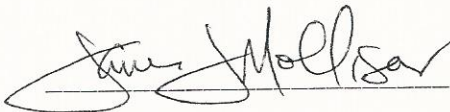
STATE OF MICHIGAN )  
 )SS  
COUNTY OF BERRIEN )

Subscribed and sworn to before me this 17<sup>th</sup> day of March, A.D. 2011, before me a Notary Public in and for said County, personally appeared JOHN B. DALE, to me known to be the same person described in and who executed the within instrument, who has acknowledged the same to be his free act and deed.

  
\_\_\_\_\_  
John R. Colip Notary Public  
Berrien County, Michigan  
My Commission expires: 6-30-12  
Acting in the County of Berrien

STATE OF MICHIGAN )  
 )SS  
COUNTY OF BERRIEN )

Subscribed and sworn to before me this 7<sup>th</sup> day of March, A.D. 2011, before me a Notary Public in and for said County, personally appeared JOHN P. JOHNSON and MARY ANN JOHNSON, husband and wife, to me known to be the same persons described in and who executed the within instrument, who have acknowledged the same to be their free act and deed.

  
\_\_\_\_\_  
Notary Public  
Berrien County, Michigan  
My Commission expires: 4/16/2014  
Acting in the County of Berrien

PREPARED BY:  
JOHN R. COLIP, Esq. (P25250)  
PO Box 72  
Buchanan, Michigan 49107

# CERTIFICATE OF SURVEY:

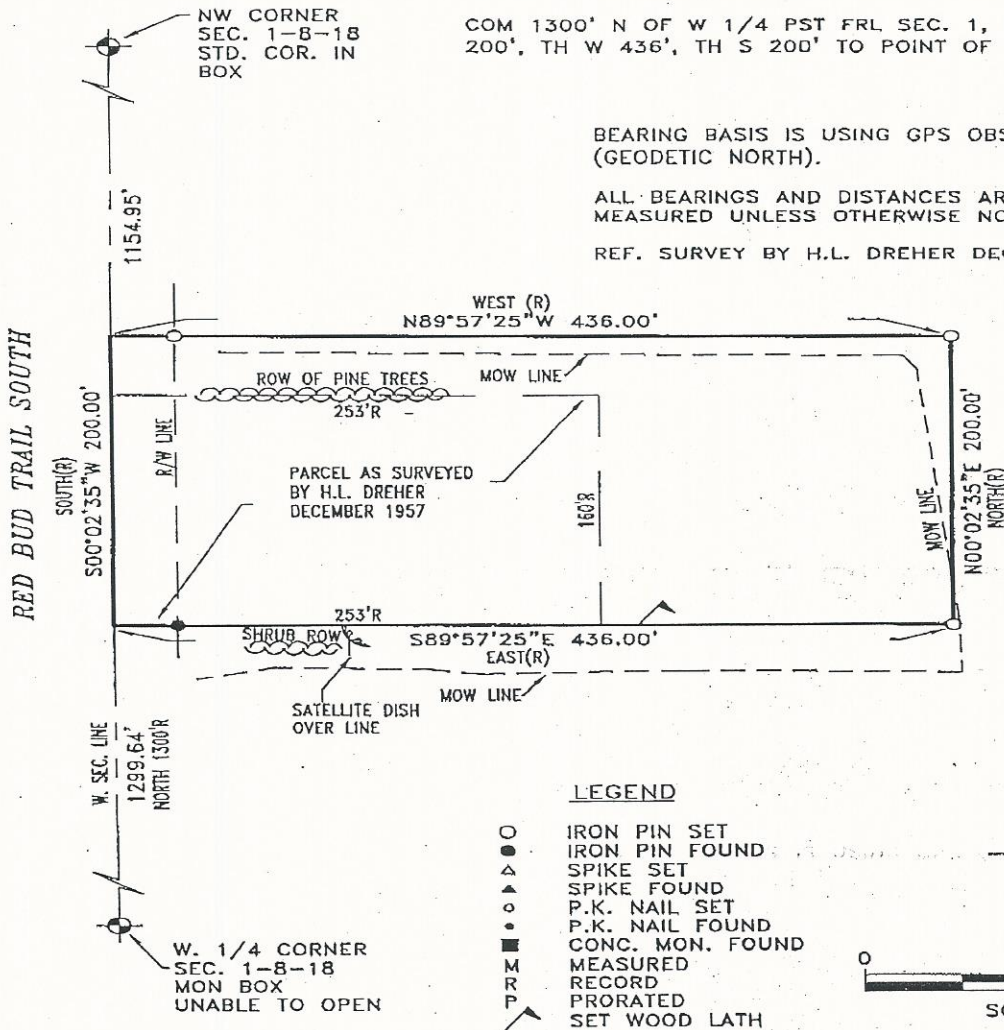
LAND SITUATED IN THE TOWNSHIP OF BERTRAND, COUNTY OF BERRIEN, STATE OF MICHIGAN, AND IS DESCRIBED AS FOLLOWS:

COM 1300' N OF W 1/4 PST FRL SEC. 1, T8S, R18W, TH E 436', TH N 200', TH W 436', TH S 200' TO POINT OF BEGINNING.

BEARING BASIS IS USING GPS OBSERVATIONS (GEODETIC NORTH).

ALL BEARINGS AND DISTANCES ARE FIELD MEASURED UNLESS OTHERWISE NOTED.

REF. SURVEY BY H.L. DREHER DEC. 1957.



NOTE: THIS DOCUMENT CERTIFIES THE BOUNDARY ONLY. ALL BUILDING LOCATIONS ARE FOR VISUAL PROXIMITIES ONLY AND SHOULD NOT BE USED FOR ANY TYPE OF CONSTRUCTION PURPOSES.

NOTE: THIS SURVEY MADE FROM DESCRIPTION FURNISHED.

TO: JOHN DALE

I, THOMAS A. STEPHENSON, A PROFESSIONAL SURVEYOR IN THE STATE OF MICHIGAN HEREBY CERTIFY THAT THIS SURVEY WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION.

ADDRESS: RED BUD TRAIL S.  
DATE: 11/11/09  
SCALE: 1" = 100'  
DRAWN BY: DMS  
TC: NONE

*Thomas A. Stephenson*  
THOMAS A. STEPHENSON, PS #46689



e mail: sls@stephensonsls.com

**MAIN OFFICE** 27873 White Street • Cassopolis, Michigan 49031 • Office 269 / 445-8903 • Fax: 269 / 445-8510  
**VICKSBURG BRANCH** 625 West Prairie St. • Vicksburg, Michigan 49097 • Office 269 / 649-1036 • Fax: 269 / 445-8510  
**NILES OFFICE** 269 / 687-1787 • Fax 269 / 445-8510

SHEET 1 OF 1 SHEETS  
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