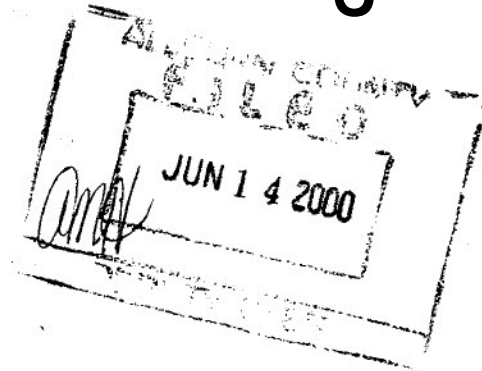


STATE OF MICHIGAN
ALLEGAN COUNTY CIRCUIT COURT
Allegan County Building
Allegan, MI 49010
(616) 673-0300



PAT FOSTER, DANIEL ROBERTS, et al.

Case No. 00-26981-CH

Plaintiffs,

HON. GEORGE R. CORSIGLIA

v.

RICHARD SAPUTO,
&
RODGER LEE DANGREMOND,
ARLEN WARD DANGREMOND,
ERVING R. DANGREMOND,
DECEASED, CO-PARTNERS DOING
BUSINESS AS ERA RESORT

**ANSWER TO COMPLAINT
AND
AFFIRMATIVE DEFENSES**

Defendants.

John L. Marple (P54860)
Attorney for Plaintiffs
Marple & Associates, PLC
162 E. 8th Street
Holland, MI 49423
(616) 494-0500

Douglas J. Rooks (P49552)
Attorney for Defendants Rodger
Dangremond and Arlen Dangremond
675 E. 16th Street; Suite 20
Holland, MI 49423
(616) 394-4826

ANSWER TO COMPLAINT

NOW COME Defendants, Rodger Lee Dangremond and Arlen Ward Dangremond, by and through their attorney, Douglas J. Rooks, and for their answer to Plaintiffs' Complaint hereby state:

1. Admitted upon information and belief.
2. Admitted upon information and belief.

12. Denied for the reason that Mallard Street provides access to both sides of the street, to both lot owners within the Subdivision and adjacent property owners as expressly stated in the recorded plat.
13. Denied that Mallard Street was designed to provide access only to lots number 52-60 for the reason that Mallard Street was designed with the intent to provide access to parcels on both sides of the street, to both lot owners and adjacent property owners as expressly stated in the recorded plat; Admitted upon information and belief that Mallard Street is 30 feet in width.
14. Admitted.
15. Admitted that the unplatted parcel is located adjacent to and south of Mallard Street, but not extending to 122nd Avenue; the Dangremonds further answer that there is a error contained in the legal description contained in the complaint, and the Dangremonds rely on the legal description contained in their deed.
16. The Dangremonds deny this allegation and further state that the warranty deed expressly transfers the lots and unplatted parcel subject to easements and restrictions of record, including the easement described on the recorded plat map, which is also contained in the subdivision's lots' chain of title, and the deed expressly conveys to the Dangremonds all hereditaments and appurtenances pertaining to the lots and the unplatted parcel.
17. The unplatted parcel currently consists of four or five separate parcels.
18. Denied. The Dangremonds further affirmatively state that the unplatted parcel of land south of Mallard Street, which was conveyed to them at the same time as the platted lots north of Mallard Street, never extended to 122nd Avenue, never had frontage on 122nd

Avenue, and never had access to or from 122nd Avenue, and that said parcel of land was only accessible from Blue Goose Avenue and Mallard Street by virtue of the easement expressly created and referred to in the recorded plat.

19. Denied in part and admitted in part.
 - A. Admitted.
 - B. The Dangremonds deny that this parcel was ever part of the unplatted parcel that they owned and which was conveyed to them by Recreation Development Corporation.
 - C. The Dangremonds deny for the reason that Richard Saputo currently owns part of that this parcel and has recently purchased the Dangremonds remaining parcel.
 - D. Admitted.
 - E. The Dangremonds deny that this parcel was ever part of the unplatted parcel that they owned and which was conveyed to them by Recreation Development Corporation.
 - F. The Dangremonds deny that this parcel was ever part of the unplatted parcel that they owned and which was conveyed to them by Recreation Development Corporation.
 - G. The Dangremonds deny that this parcel was ever part of the unplatted parcel that they owned and which was conveyed to them by Recreation Development Corporation.
 - H. The Dangremonds deny that this parcel was ever part of the unplatted parcel that they owned and which was conveyed to them by Recreation Development Corporation.