

SANITARY SEWER EASEMENT

Rathka Building & Construction Inc., a Michigan corporation,  
of 11684 Majestic Court, Shelby Township, MI 48315

grants to the CITY OF ROCHESTER HILLS, a Michigan municipal corporation, of 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309, an easement for the construction, operation, maintenance, repair and/or replacement of a sanitary sewer on, under, through and across land more particularly described as:

Sidwell # 15-25-352-022

See Attached Exhibit A

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the sanitary sewer, or the facilities incidental thereto, which may be located in the easement.

All property disturbed or altered, now or in the future, by reason of the construction, operation, maintenance, repair and/or replacement of the sanitary sewer shall be restored by the City to its immediately prior condition, except to the extent permanent improvements or alterations necessary to the use and exercise of easement rights granted hereunder are made.

The easement shall be irrevocable and non-exclusive, and Grantor and Grantor's successors and assigns may use and enjoy the easement area in common with the City.

Grantor expressly reserves to Grantor and Grantor's successors and assigns, so long as there is no interference with the construction, operation, maintenance, repair and/or replacement of the sanitary sewer: (a) the right of ingress and egress over, through and across the easement, and (b) the right to grant other non-exclusive easements and rights-of-way, across, over, under and through the easement parcel, with the condition that prior to such a grant written consent shall be obtained from the City.

Exempt from Transfer Taxes under MCL 207.505(a) and 207.526(a).

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 4th day of September, 2014.

Rathka Building & Construction, Inc.

Signature: Roy E. Rathka Jr.  
Print or type name: Roy E. Rathka Jr.  
Title: President

Signature: \_\_\_\_\_  
Print or type name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF MICHIGAN  
COUNTY OF Oakland

The foregoing instrument was acknowledged before me this 4th day of September, 2014, by Roy E. Rathka Jr., who is the President of Rathka Building & Construction a Michigan corporation, on behalf of the Inc.

Drafted by:  
Joseph Ciaramitaro, Jr.  
42850 Garfield, Suite 104  
Clinton Twp., MI 48038

When recorded, return to:

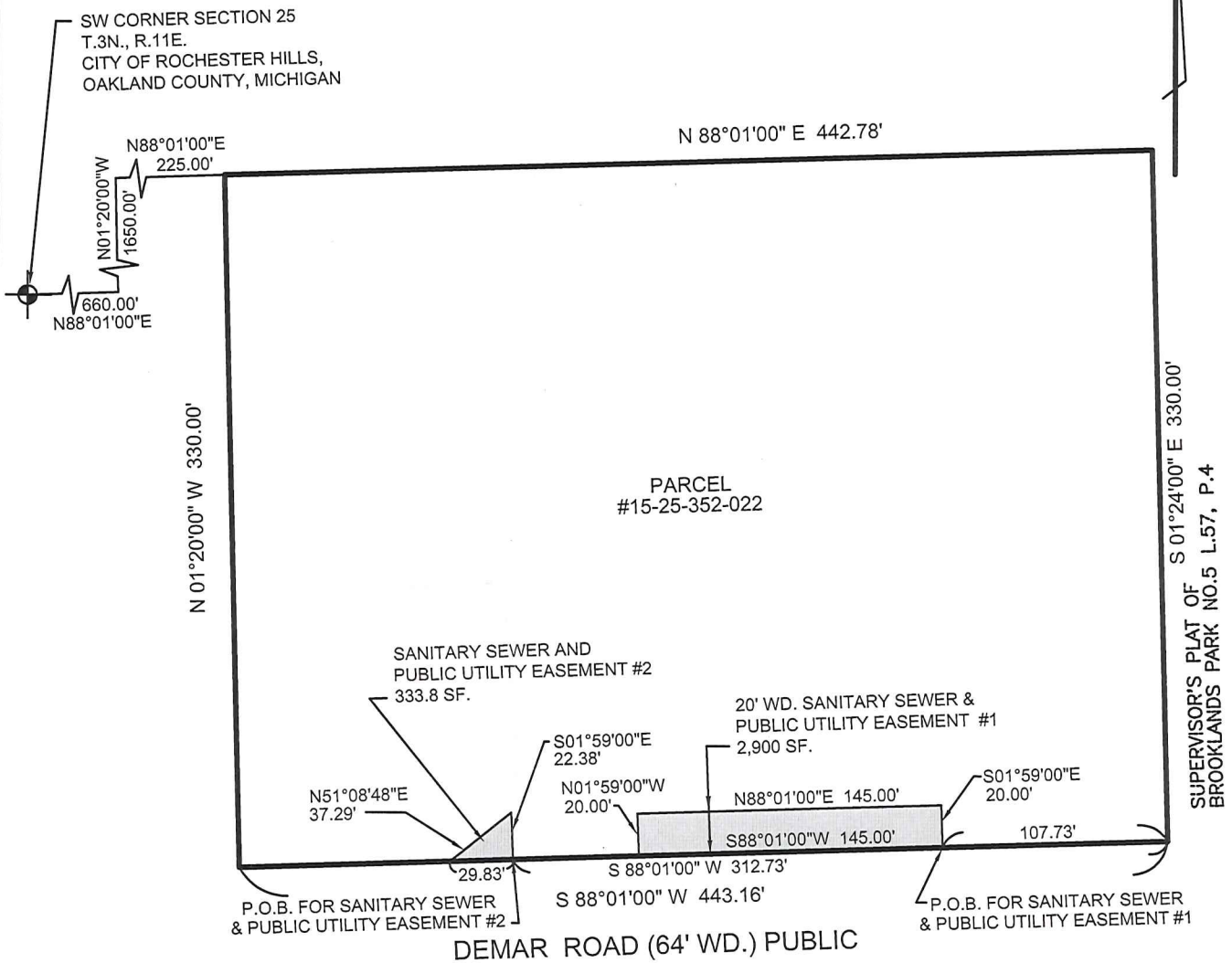
City of Rochester Hills  
1000 Rochester Hills Drive  
Rochester Hills, MI 48309

John Staraw  
Approved 9/15/14

Maria Sigler  
Maria Sigler, Notary Public  
Macomb County, Michigan  
My Commission Expires: 4-14-19  
Acting in Oakland County

# EXHIBIT "A"

## SANITARY SEWER EASEMENT

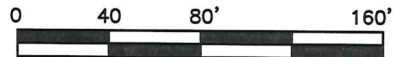


### SANITARY SEWER & PUBLIC UTILITY EASEMENT #1 DESCRIPTION

A 20 FOOT WIDE EASEMENT FOR SANITARY SEWER AND PUBLIC UTILITY LOCATED IN THE SOUTHWEST 1/4 OF SECTION 25, T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN. COMMENCING AT THE SOUTHWEST CORNER OF SECTION 25; THENCE ALONG THE SOUTH LINE OF SAID SECTION 25 AND THE CENTERLINE AUBURN ROAD N88°01'00"E 660.00 FEET TO THE CENTERLINE OF GRAVEL RIDGE ROAD (50 FEET WIDE); THENCE ALONG SAID CENTERLINE OF GRAVEL RIDGE ROAD N01°20'00"W 1650.00 FEET; THENCE N88°01'00"E 225.00 FEET; THENCE CONTINUING N88°01'00"E 442.78 FEET TO THE WEST LINE OF SUPERVISOR'S PLAT OF BROOKLANDS PARK NO. 5, AS RECORDED IN LIBER 57, PAGE 4, OAKLAND COUNTY RECORDS; THENCE ALONG SAID WEST LINE S01°24'00"E 330.00 FEET; THENCE S88°01'00"W 107.73 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S88°01'00"W 145.00 FEET; THENCE N01°59'00"W 20.00 FEET; THENCE N88°01'00"E 145.00 FEET; THENCE S01°59'00"E 20.00 FEET TO THE POINT OF BEGINNING. CONTAINING 2,900 SF. OF LAND MORE OR LESS. SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS OF RECORD OR OTHERWISE.

### SANITARY SEWER & PUBLIC UTILITY EASEMENT #2 DESCRIPTION

A VARIABLE WIDTH EASEMENT FOR SANITARY SEWER AND PUBLIC UTILITY LOCATED IN THE SOUTHWEST 1/4 OF SECTION 25, T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN. COMMENCING AT THE SOUTHWEST CORNER OF SECTION 25; THENCE ALONG THE SOUTH LINE OF SAID SECTION 25 AND THE CENTERLINE AUBURN ROAD N88°01'00"E 660.00 FEET TO THE CENTERLINE OF GRAVEL RIDGE ROAD (50 FEET WIDE); THENCE ALONG SAID CENTERLINE OF GRAVEL RIDGE ROAD N01°20'00"W 1650.00 FEET; THENCE N88°01'00"E 225.00 FEET; THENCE CONTINUING N88°01'00"E 442.78 FEET TO THE WEST LINE OF SUPERVISOR'S PLAT OF BROOKLANDS PARK NO. 5, AS RECORDED IN LIBER 57, PAGE 4, OAKLAND COUNTY RECORDS; THENCE ALONG SAID WEST LINE S01°24'00"E 330.00 FEET; THENCE S88°01'00"W 312.73 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S88°01'00"W 29.83 FEET; THENCE N51°08'48"E 37.29 FEET; THENCE S01°59'00"E 22.38 FEET TO THE POINT OF BEGINNING. CONTAINING 333.8 SF. OF LAND MORE OR LESS. SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS OF RECORD OR OTHERWISE.



*Mike Taunt Approved 10/1/14*

**Fenn & Associates, Inc. Land Surveying and Civil Engineering**  
14933 Commercial Drive, Shelby Township, MI 48315  
Phone: 586-254-9577 Fax: 586-254-9020 www.fennsurveying.com

SANITARY SEWER EASEMENT EXHIBIT

REGAL ESTATES

PART OF THE SW. 1/4 OF SEC. 25  
CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN

CLIENT: RATHKA BUILDING

DATE 7-10-14

JOB NO. C13-009

SCALE 1" = 80'

FIELD BY NONE

CHECKED J.S.R., P.E.

DRAWN MAS

SHEET 1 OF 1