

AMENDMENT TO
STORM WATER RETENTION AGREEMENT FOR
INDUSTRO-PLEX SUBDIVISION

THIS AGREEMENT is made effective the ___ day of August, 2018, between by and between the CITY OF ROCHESTER HILLS, formerly known as the TOWNSHIP OF AVON, whose address is 1000 Rochester Hills Drive, Rochester Hills, MI 48309 (the City) and STAR-BATT, INC., formerly known as Star-Batt Development, a division of Stolaruk Corporation, whose address is 1974 Star Batt Drive, Rochester Hills, MI 48309 (the Developer).

The Township (now, City) and the Developer were parties to a STORM WATER RETENTION AGREEMENT for INDUSTRO-PLEX SUBDIVISION, dated June 6, 1979 and recorded August 29, 1979 with the Oakland County Register of Deeds at Liber 7604, Pages 765 - 770 (the "AGREEMENT").

The STORM WATER RETENTION AGREEMENT for INDUSTRO-PLEX SUBDIVISION refers to the location of the actual storm water retention basin within the INDUSTRO-PLEX SUBDIVISION in the Recitals and Paragraph 1, as being "Lot 12", when, in reality, according the final Plat of the Subdivision, the Retention Basin had been renamed to "Outlot A", however, the STORM WATER RETENTION AGREEMENT for INDUSTRO-PLEX SUBDIVISION, was not amended at the time of final plat approval by the Township (now, City), to reflect that change. See attached Exhibit A, INDUSTRO-PLEX SUBDIVISION Plat as recorded at Liber 168, Pages 14-15, OCR.

The Developer, as of the date of signing this Amendment Agreement owns Outlot A and also Lots 1-11 of the INDUSTRO-PLEX SUBDIVISION and desires, together with the City, to correct the reference in the original recorded STORM WATER RETENTION AGREEMENT for INDUSTRO-PLEX SUBDIVISION.

NOW THEREFORE, it is agreed between the parties hereto, as follows:

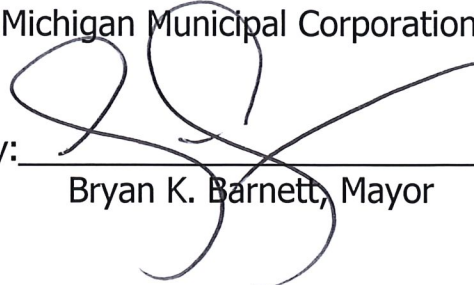
1. Amendment. The STORM WATER RETENTION AGREEMENT for INDUSTRO-PLEX SUBDIVISION is hereby amended to change the references in the Agreement from Lot 12 to Outlot A as the location of the Storm Water Retention Basin.

2. Except as amended hereby, the STORM WATER RETENTION AGREEMENT for INDUSTRO-PLEX SUBDIVISION, shall remain in full force and effect.

The Parties have executed this Agreement effective as of the ___ day of August, 2018.

The City:

CITY OF ROCHESTER HILLS
a Michigan Municipal Corporation

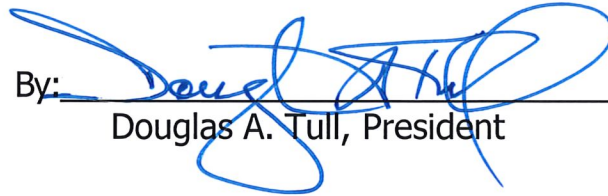


By: _____
Bryan K. Barnett, Mayor

Dated: August __, 2018

The Developer:

STAR-BATT, INC.
a Michigan Corporation



By: _____
Douglas A. Tull, President

Dated: August 7, 2018


State of Michigan)
) §§
County of Oakland)

This agreement was acknowledged before me on August __, 2018, by Bryan K. Barnett, Mayor, on behalf of the City of Rochester Hills, Michigan.

_____, Notary Public
_____ County, Michigan
My commission expires: ___/___/20___
Acting in Oakland County, Michigan

State of Michigan)
) §§
County of Macomb)

The foregoing instrument was acknowledged before me August 7, 2018 by Douglas A. Tull, President of Star-Batt, Inc., a Michigan corporation, on behalf of the Corporation.

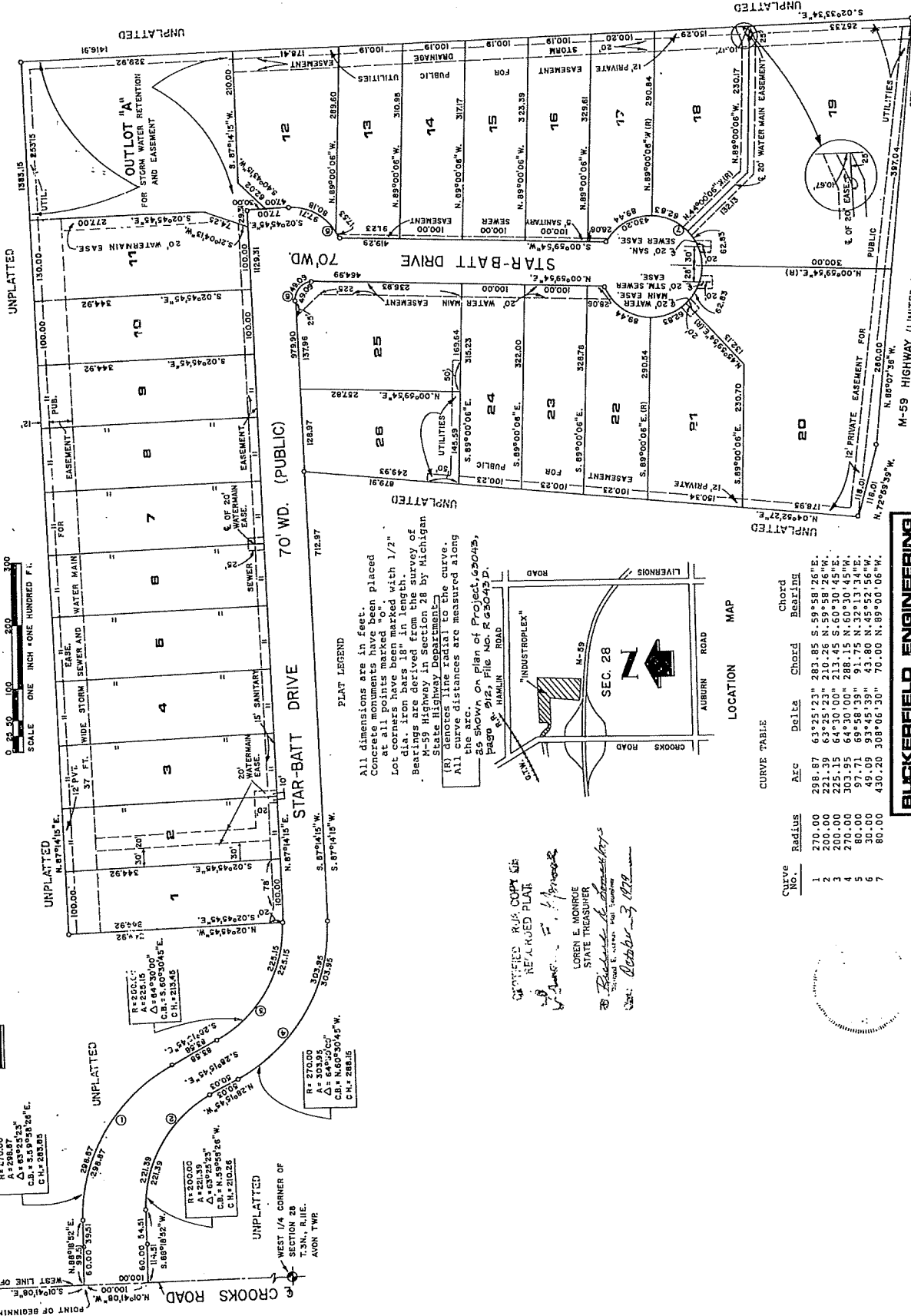


Deborah A. Aude, Notary Public
Macomb County, Michigan
My commission expires: 07/20/2020
Acting in Macomb County, Michigan

Drafted by and when recorded return to:
Douglas A. Tull, Attorney at Law,
44841 Van Dyke Avenue,
P.O. Box 180912,
Utica, Michigan 48318-0912

"INDUSTROPLEX"

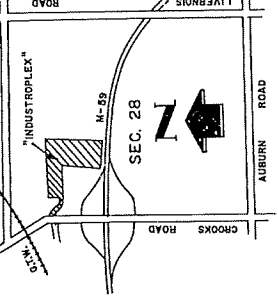
A SUBDIVISION OF PART OF THE NORTH-WEST 1/4 OF SECTION 28,
T.3N., R.11E., AVON TOWNSHIP, OAKLAND COUNTY, MICHIGAN



SCALE ONE INCH = ONE HUNDRED FT.

PLAT LEGEND

All dimensions are in feet.
Concrete monuments to be placed
at corners marked "C".
Lot corners have been marked with 1/2"
dia. iron bars 18" in length.
Bearings are derived from the survey of
N-59 Highway as shown on the Michigan
State Highway Department's plat.
(1) All curve distances are measured along
the arc.
AS SHOWN ON PLAN OF PROJECT 65045,
PAGE 212, FILE NO. R 65045 D.



LOCATION MAP

CURVE TABLE

Curve No.	Radius	Δ/c	Delta	Chord	Bearing	Chord
1	270.00	208.87	63°25'12"	283.85	S. 59°58'26"E.	283.85
2	200.00	225.15	64°30'00"	213.45	S. 60°30'45"E.	213.45
3	200.00	303.95	64°30'00"	288.15	N. 60°30'45"E.	288.15
4	270.00	97.71	69°58'39"	91.75	N. 32°13'24"E.	91.75
5	80.00	43.09	83°45'39"	43.80	N. 45°52'56"W.	43.80
6	80.00	430.20	308°06'30"	70.00	N. 89°00'05"W.	70.00

COPYED RUL COPY 55
REARDED PLAT
Loren E. Monroe
STATE TREASURER
MICHIGAN
October 3, 1972

BUCKERFIELD ENGINEERING
CIVIL ENGINEERING ■ LAND SURVEYING
118 WEST THIRD STREET ■ ROCHESTER, MICHIGAN 48063
TELEPHONE (313) 851-4330

'INDUSTROPLEX'

A SUBDIVISION OF PART OF THE NORTH-WEST 1/4 OF SECTION 28,
T.3N., R.11E., AVON TOWNSHIP, OAKLAND COUNTY, MICHIGAN

PROPRIETOR'S CERTIFICATE

Stolaruk Corporation, a corporation duly organized and existing under the laws of the State of Michigan, by Steve Stolaruk, President, and Vivian J. Stolaruk, Secretary-Treasurer, as proprietor, has caused the land to be surveyed, divided, mapped and dedicated as represented on this plat, and that the streets are for the use of the public, and that public utility easements, water, main easements and sanitary sewer easements are shown on the plat. Lots 20 & 21 shall not have direct vehicular access to M-59 Highway.

WITNESSES:
Stolaruk Corporation
13900 W. Eight Mile Road
Southfield, MI 48070
James H. Buckerfield
Steve Stolaruk, President
Vivian J. Stolaruk
Vivian J. Stolaruk, Secretary-Treasurer

ACKNOWLEDGEMENT

State of Michigan)
County of Oakland)
I, *William A. Walls Jr.*, Notary Public, do hereby certify that on this 13th day of December, 1978, the above named parties, *Steve Stolaruk*, Secretary-Treasurer, and *Vivian J. Stolaruk*, Secretary-Treasurer, of the above named corporation, to me known to be such president and secretary-treasurer of said corporation, and acknowledged that they executed the foregoing instrument as such officers as the free act and deed of said corporation, by its authority.

William A. Walls Jr.
Notary Public
Oakland County, Michigan
My Commission Expires August 31, 1981

PROPRIETOR'S CERTIFICATE

Michigan National Bank West Metro (a Michigan banking association), a corporation duly organized and existing under the laws of the State of Michigan by David L. Griffin, Senior Vice President, and Michael S. Elze, Vice President, the proprietor, has caused the land to be surveyed, divided, mapped and dedicated as represented on this plat, and that the streets are for the use of the public, and that public utility easements, water main easements, and sanitary sewer easements are shown on the plat. Lots 20 & 21 shall not be for the uses shown on the plat. Lots 20 & 21 shall not have direct vehicular access to M-59 Highway.

WITNESSES:
Michigan National Bank
West Metro
P. O. Box 2095
Livonia, MI 48451
David L. Griffin
David L. Griffin, Senior Vice President
Michael S. Elze
Michael S. Elze, Vice President

ACKNOWLEDGEMENT

State of Michigan)
County of Oakland)
Personally came before me this 14th day of December, 1978, David L. Griffin, Senior Vice President, and Michael S. Elze, Vice President, of the above named corporation, to me known to be such president and vice president of said corporation, and acknowledged that they executed the foregoing instrument as such officers as the free act and deed of said corporation, by its authority.

William A. Walls Jr.
Notary Public
Oakland County, Michigan
My Commission Expires August 31, 1981

OUTLOT "A" IS FOR THE USE OF THE LOT OWNERS AND STORM WATER RETENTION AS PER AGREEMENT WITH AVON TOWNSHIP AS RECORDED IN L.7604 P. 105

B-3-19

James H. Buckerfield
for

OUTLOT "A" IS FOR THE USE OF THE LOT OWNERS AND STORM WATER RETENTION AS PER AGREEMENT WITH AVON TOWNSHIP AS RECORDED IN L.7604 P. 105

SURVEYOR'S CERTIFICATE

I, JAMES H. BUCKERFIELD, surveyor, certify: That I have surveyed, divided and mapped the land shown on this plat, described as follows: "INDUSTROPLEX", a subdivision of part of the Northwest 1/4 of Section 28, T.3 N., R.11 E., Avon Township, Oakland County, Michigan, described as: Commencing at the Northwest corner of said Section 28, bearing S. 88° 18' 52" E., 28.98241 ft. to the point of beginning; thence N. 88° 18' 52" E., 99.51 ft.; thence along a curve to the right of radius 270.00 ft. (long chord bears S. 59° 58' 26" E., 283.85 ft.) an arc distance of 298.87 ft.; thence S. 28° 15' 45" E., 93.58 ft.; thence along a curve to the left of radius 200.00 ft. (long chord bears S. 60° 24' 45" W., 344.92 ft.) an arc distance of 221.39 ft.; thence N. 87° 14' 15" E., 1393.15 ft.; thence S. 02° 33' 34" E., 1416.91 ft. to the North line of M-59 Highway, an Interstate Highway; thence along said North line, N. 85° 07' 36" W., 677.04 ft. and N. 72° 59' 39" W., 118.01 ft.; thence N. 04° 52' 27" E., 879.91 ft.; thence S. 87° 14' 15" W., 722.97 ft.; thence along N. 60° 24' 45" W., 288.15 ft. an arc distance of 303.95 ft.; thence N. 28° 15' 45" W., 50.03 ft.; thence along a curve to the left of radius 200.00 ft. (long chord bears N. 59° 58' 26" W., 210.26 ft.) an arc distance of 221.39 ft.; thence S. 88° 18' 52" W., 114.51 ft. to the West line of said Section 28; thence along said line, N. 01° 41' 09" W., 100.00 ft. to the point of beginning. The plat contains 26 lots, numbered 1 to 26, both inclusive, and one outlot, "A".

That I have made such survey, land division and plat by the direction of the owners of such land. That such plat is a correct representation of all the exterior boundaries of the land shown thereon. That the plat contains all the required monuments and lot markers have been located in the ground and that survey has been deposited with the municipality, as required by Section 125 of the Act. That the accuracy of survey is within the limits required by Section 126 of the Act. That the bearings shown on the plat are as expressed as required by section 126(3) of the Act and as explained in the legend.

Date DEC. 1, 1978

Buckerfield Engineering
118 West Third Street
Rochester, MI 48063
James H. Buckerfield
James H. Buckerfield, Owner
Registered Professional
Engineer and Land Surveyor
No. 10,868

COUNTY TREASURER'S CERTIFICATE

The records in my office show no unpaid taxes or special assessments for the five years preceding *December 1, 1978*, involving the lands included in this plat.

Ray E. Hill
Deputy County
Treasurer, Oakland County
Approved on *May 4, 1978*

COUNTY DRAIN COMMISSIONER'S CERTIFICATE

Approved on *December 22, 1978* as complying with Section 192 of Act 288, P. A. 1967, and the applicable rules and regulations published by my office in the County of Oakland.

George H. Brain
George H. Brain, Drain Commissioner

CERTIFICATE OF COUNTY ROAD COMMISSIONERS

Approved on *May 7, 1978* as complying with Section 181 of Act 288, P. A. 1967 and the applicable rules and regulations of the Board of Road Commissioners of Oakland County.

Richard V. Vogt
Richard V. Vogt, Chairman
Commissioner

CERTIFICATE OF MUNICIPAL APPROVAL

I certify that this plat was approved by the Township Board of the Township of Avon, at a meeting held *April 17, 1978*, and was reviewed and found to be in compliance with Act 288, P. A. 1967.

Public sanitary sewers are installed and ready for connection. Surety has been given to the township to ensure installation of public water services. All monuments and lot markers were deposited with the clerk for placing of monuments and lot markers within a reasonable length of time, not to exceed one year from the above date.

Thelma G. Spencer
Thelma G. Spencer, Township Clerk

COUNTY PLAT BOARD CERTIFICATE

This plat has been reviewed and is approved by the Oakland County Plat Board on *July 2, 1978* as being in compliance with all of the provisions of Act 288, P. A. 1967, and the plat board's applicable rules and regulations.

Wallace F. Gabeler, Jr.
Wallace F. Gabeler, Jr., Chairman of Board Commissioners

R. Hugh Dolan
R. Hugh Dolan, Oakland County Treasurer

Lynn D. Allen
Lynn D. Allen - Oakland County Clerk - Register of Deeds

RECORDING CERTIFICATE

State of Michigan) s.s.:
County of Oakland)
This plat was received for record on the *27th* day of *December*, 1978, recorded in Liber *108* of Plats on pages *18-19*

Lynn D. Allen
Lynn D. Allen, Register of Deeds

BUCKERFIELD ENGINEERING
CIVIL ENGINEERING • LAND SURVEYING
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