

WATERMAIN EASEMENT

Pulte Homes of Michigan, LLC, a Michigan limited liability company of **100 Bloomfield Hills Parkway, Suite 150 Bloomfield Hills, Michigan 48304** 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 watermain on, under through and across land more particularly described as:

See attached Exhibits A and B

Sidwell # 15-28-226-001, -007, -008, -021, 022,
+ 15-28-204-004

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the watermain, 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 watermain 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 watermain: (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 23 day of Aug., 2016.

PULTE HOMES OF MICHIGAN, LLC.

Paul W. Schyck

Signature
Paul W. Schyck

(Print Name)
Division Director of Land Development

Title

Signature

(Print Name)

Title

STATE OF MICHIGAN
COUNTY OF Oakland

The foregoing instrument was acknowledged before me this 23rd day of August, 2016, by Paul W. Schyck who is a member of PULTE HOMES OF MICHIGAN, LLC., of 100 BLOOMFIELD HILL PARKWAY, a Michigan limited liability company, on behalf of the company.

Zina P. Thomas

Notary Public
County, Michigan
My Commission Expires:

Drafted by:
PAUL W. SCHYCK
100 BLOOMFIELD HILLS PARKWAY
BLOOMFIELD HILLS, MI. 48304
When recorded, return to:

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

Notary Public, State of Michigan
County of Wayne
My Commission Expires Feb. 01, 2019
Acting in the County of Oakland

John Staran
Approved 8/25/16

EXHIBIT "A"

DESCRIPTION OF EASEMENT FOR WATER MAIN

PART OF THE NORTHEAST 1/4 OF SECTION 28, TOWN 3 NORTH, RANGE 11 EAST,
CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 28, TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT NORTHEAST CORNER OF SAID SECTION 28; THENCE SOUTH 705.50 FEET ALONG THE EAST LINE OF SECTION 28 AND N87°10'47"W 60.07 FEET TO THE POINT OF BEGINNING; THENCE EXTENDING SOUTH 530.28 FEET ALONG THE WEST LINE OF LIVERNOIS ROAD (60.00 FEET 1/2 WIDTH); THENCE N.86°50'01"W 271.11 FEET; THENCE SOUTH 1.60 FEET; THENCE ALONG THE NORTHERLY AND EASTERLY LINE OF "WHISPERING WILLOWS NO. 1 AS RECORDED IN LIBER 173 ON PAGES 1-4, OAKLAND COUNTY RECORDS THE FOLLOWING COURSES AND DISTANCES; N87°10'47"W 898.39 FEET, N00°38'51"W 172.73 FEET, S88°51'51"W 314.56 FEET AND N01°17'26"W 927.16 FEET TO THE SOUTH RIGHT OF WAY LINE OF HAMLIN ROAD; THENCE ALONG THE SOUTH RIGHT OF WAY LINE OF HAMLIN ROAD THE FOLLOWING (3) THREE COURSES AND DISTANCES. (1) N89°12'02"E 226.31 FEET, (2) S00°47'58"E 12.00 FEET, (3) N89°12'02"E 98.62 FEET; THENCE S00°38'51"E 328.00 FEET; THENCE S86°46'06"E 271.56 FEET; THENCE SOUTH 225.34 FEET; THENCE S87°10'47"E 906.53 FEET TO THE POINT OF BEGINNING. CONTAINING 22.423 ACRES OF LAND.

SUBJECT TO ANY EASEMENTS AND/OR RIGHTS OF WAY RECORDED OR OTHERWISE.

DESCRIPTION OF 20 FEET WATER MAIN EASEMENT

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 28, TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT NORTHEAST CORNER OF SAID SECTION 28; THENCE S89°12'02"W 1241.20 FEET ALONG THE NORTH LINE OF SECTION 28, ALSO BEING THE CENTERLINE OF HAMLIN ROAD (WIDTH VARIES); THENCE S00°38'51"E 72.00 FEET; THENCE S89°12'02"W 98.62 FEET TO THE POINT OF BEGINNING; THENCE S00°47'58"E 10.00 FEET; THENCE S89°12'03"W 8.13 FEET; THENCE S44°21'09"W 34.33 FEET; THENCE N00°38'51"W 35.36 FEET; THENCE N44°21'09"E 12.56 FEET; THENCE N89°12'03"E 23.47 FEET; THENCE S00°47'58"E 10.00 FEET TO THE POINT OF BEGINNING.

CLIENT PULTE HOMES OF MICHIGAN, LLC	PROJECT NO. 15-002	FIELD BOOK 000
	DATE 7-25-16	SHEET 1 OF 2
SCALE NTS	DRAWN BY E.A.	CHECKED BY D.H.K.



FAZAL KHAN & ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
 43279 SCHOENHERR STERLING HEIGHTS, MI 48313
 PHONE (586) 739-8007 FAX (586) 739-6994
WWW.FAZALKHAN.COM