

AMENDED AND RESTATED WATERMAIN EASEMENT

KNOW ALL BY THESE PRESENTS, that Rochester Church of Christ, Inc., a Michigan nonprofit corporation, whose address is 250 W. Avon Road, Rochester Hills, Michigan 48307 (hereinafter referred to as "Grantor"), being title holder to the following described parcel of land, to-wit:

See attached and incorporated Exhibit A ("Grantor Property")

for and in consideration of One (\$1.00) Dollar, receipt and sufficiency of which is hereby acknowledged, does hereby grant and convey to the City of Rochester Hills, a Michigan municipal corporation, whose address is 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309, (hereinafter referred to as "Grantee"), a non-exclusive perpetual easement for a water main, over, upon, across, in, through, and under the following described real property, to-wit:

See attached and incorporated Exhibit B ("Watermain Easement Area")

And to enter upon sufficient land adjacent to said water main easement for the purpose of exercising the rights and privileges granted herein. Grantee may install, repair, replace, improve, modify and maintain water main lines, and all necessary appurtenances thereto, within the easement herein granted. Grantor agrees not to build or to convey to others permission to build any permanent structures on, over, across, in, through, or under the above-described easement, except for such structures called for in the approved site plan for the adjacent Rochester University Townhomes Planned Unit Development,

Nothing herein prohibits paved driveways, parking and/or walkways, curbs, landscaping, and other utilities within the Watermain Easement Area, which do not interfere with use, operation, maintenance, repair and replacement of the water main in the Watermain Easement Area.

All portions of the Grantor Property damaged or disturbed by Grantee's exercise of easement rights, shall be reasonably restored by Grantee to the condition that existed prior to the damage or disturbance.

This instrument amends, restates and supersedes in its entirety, that certain Watermain Easement recorded on September 15, 2020 in Liber 54822, Page 435, Oakland County Records. This instrument shall run with the land first described above and shall be binding upon and inure to the benefit of the Grantor, Grantee, and their respective heirs, representatives, successors and assigns. This Easement is exempt from transfer taxes pursuant to MCL 207.505(a) and MCL 207.526(a).

The lender for the Grantor Property has consented to this Watermain Easement by the attached consent.

[SIGNATURE OF GRANTOR ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the undersigned Grantor has affixed his signature this 21 day of October, 2020

ROCHESTER CHURCH OF CHRIST, INC.,
a Michigan nonprofit corporation

By: [Signature]

Name: Donald B. Rulledge

Its: Treasurer

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me on October 21, 2020 by Donald B. Rulledge the Treasurer of Rochester Church of Christ, a Michigan nonprofit corporation, on behalf of the corporation.

Virginia A. May
Virginia A. May Notary Public
County of Oakland, State of MI
Acting in Oakland County, MI
My commission expires: 9-2-2027

[SIGNATURE OF LENDER ON FOLLOWING PAGE]

John Staraw
Approved 11/3/20

EXHIBIT A
GRANTOR'S PROPERTY

LAND SITUATED IN THE COUNTY OF OAKLAND, CITY OF ROCHESTER HILLS, STATE OF MICHIGAN,
DESCRIBED AS FOLLOWS:

PARCEL 1:

Commencing at the South 1/4 corner of said Section 15; Town 3 North, Range 11 East; thence due East, along the South line of Section 15, 1003.13 feet to the point of beginning of this parcel; thence North 01 degree 40 minutes 04 seconds East, 887.19 feet; thence due East, 393.37 feet to a point on the West line of a 12.46 acre parcel, thence South 01 degree 50 minutes 10 seconds West, along the West line of said 12.46 acre parcel, 260.31 feet to the Northwest corner of a 7.00 acre parcel; thence South 01 degree 35 minutes 20 seconds West, along the West line of said 7.00 acre parcel, 626.88 feet to a point on the South line of Section 15; thence due West along the south line of Section 15, 393.47 feet to the point of beginning.

PARCEL 2:

Land in the City of Rochester Hills, Oakland County, Michigan, More Particularly Described as: Commencing at the South 1/4 corner of said Section 15, Town 3 North, Range 11 East; thence due East, along the South line of Section 15, 1003.13 feet; thence North 01 degree 40 minutes 04 seconds East 600.00 feet; thence due West 2.50 feet; thence South 01 degree 40 minutes 04 seconds West 600.00 feet to the South line of Section 15; thence due East 2.50 feet back to the point of beginning.

Commonly known as: 250 W Avon Road, Rochester Hills, MI 48307

Tax Parcel: 15-15-451-007

EXHIBIT B
WATERMAIN EASEMENT AREA

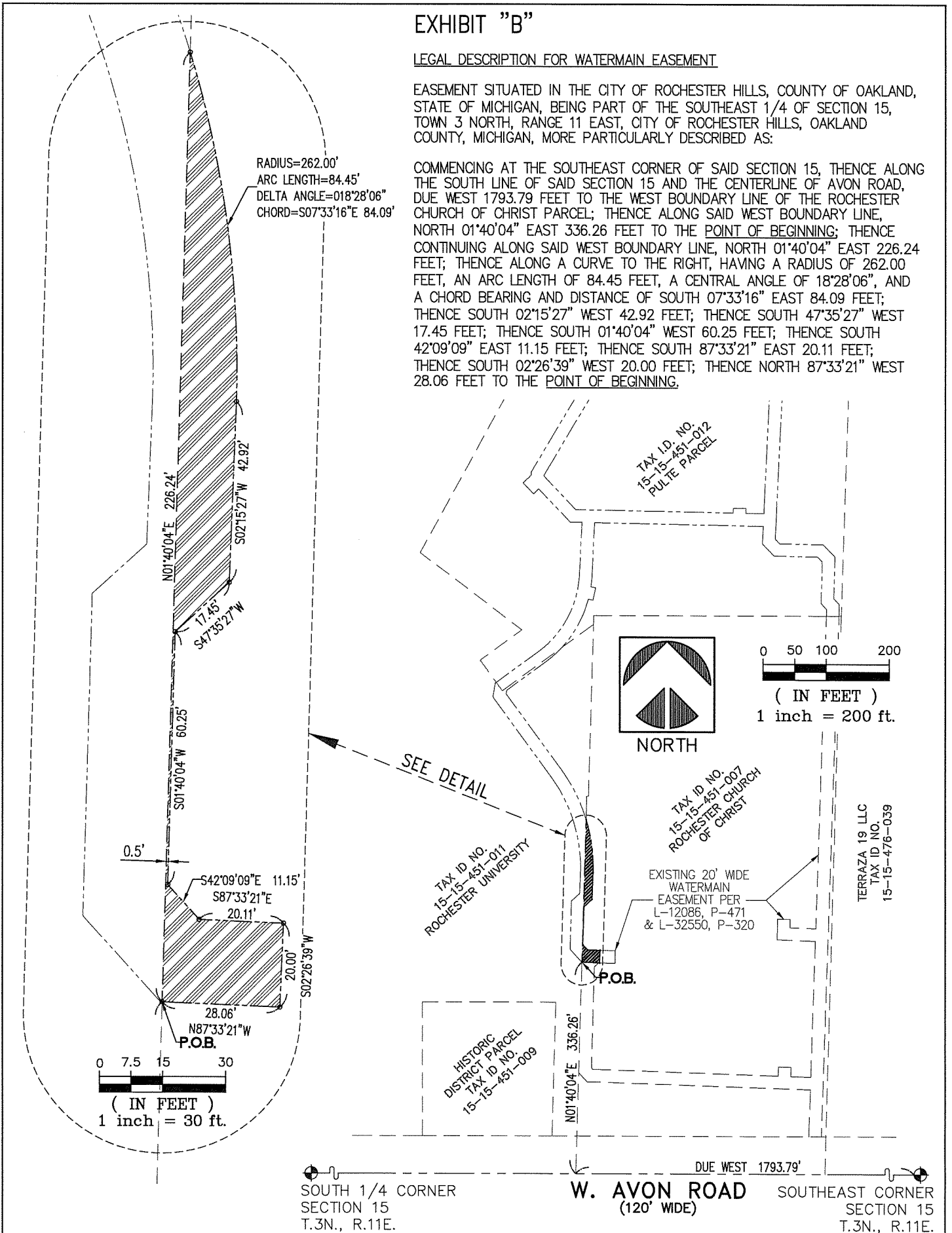
(see attached)

EXHIBIT "B"

LEGAL DESCRIPTION FOR WATERMAIN EASEMENT

EASEMENT SITUATED IN THE CITY OF ROCHESTER HILLS, COUNTY OF OAKLAND, STATE OF MICHIGAN, BEING PART OF THE SOUTHEAST 1/4 OF SECTION 15, TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 15, THENCE ALONG THE SOUTH LINE OF SAID SECTION 15 AND THE CENTERLINE OF AVON ROAD, DUE WEST 1793.79 FEET TO THE WEST BOUNDARY LINE OF THE ROCHESTER CHURCH OF CHRIST PARCEL; THENCE ALONG SAID WEST BOUNDARY LINE, NORTH 01°40'04" EAST 336.26 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST BOUNDARY LINE, NORTH 01°40'04" EAST 226.24 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 262.00 FEET, AN ARC LENGTH OF 84.45 FEET, A CENTRAL ANGLE OF 18°28'06", AND A CHORD BEARING AND DISTANCE OF SOUTH 07°33'16" EAST 84.09 FEET; THENCE SOUTH 02°15'27" WEST 42.92 FEET; THENCE SOUTH 47°35'27" WEST 17.45 FEET; THENCE SOUTH 01°40'04" WEST 60.25 FEET; THENCE SOUTH 42°09'09" EAST 11.15 FEET; THENCE SOUTH 87°33'21" EAST 20.11 FEET; THENCE SOUTH 02°26'39" WEST 20.00 FEET; THENCE NORTH 87°33'21" WEST 28.06 FEET TO THE POINT OF BEGINNING.



The UMLOR Group
 LAND DEVELOPMENT SERVICES

Approved sm 2/29/20

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| WATERMAIN EASEMENT - CHURCH PORTION | |
| FOR: ROCHESTER UNIVERSITY CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN | |
| The Umlor Group 49287 West Road Wixom, Michigan 48393 Tel. (248) 773-7656 Fax. (866) 690-4307 | DRAWN BY: JOC CHKD BY: TO DATE: 09-29-2020 SHT. NO.: 1 OF 1 |