

AMENDMENT TO PEDESTRIAN / BICYCLE PATHWAY EASEMENT

On the 14th day of September 1981, Lutheran Social Services of Michigan, d.b.a., Danish Village, whose address is 2566 Walton Boulevard, Rochester Hills, Michigan, granted an easement for a pedestrian / bicycle pathway favoring the city of Rochester Hills, Michigan, whose address is 1000 Rochester Hills Drive, Rochester Hills, MI 48309, as recorded on April 13, 1982 in Liber 8170, Pages 801 through 805, Oakland County Records (hereinafter referred to as the "Existing Easement"). The legal description of the original recorded easement is:

A twelve foot wide easement for pedestrian asphalt path, 8 ft. in width, the centerline of which is described as follows:

Commencing at the south $\frac{1}{4}$ corner of said Section 8; thence N.89°44'02"W., along the south line of said Section 8, 295.16 ft.; thence N.4°03'10"W., 74.57 ft. to the point of beginning of the easement herein described; thence S.88°30'44"E., 40.16 ft.; thence S.70°20'46"E., 29.73 ft.; thence S.86°00'33"E., 86.21 ft.; thence S.88°20'23"E., 69.03 ft.; thence N.6°16'38"W., 100.60 ft.; thence N.2°23'09"W., 96.08 ft.; thence due north, 68.00 ft.; thence N. 12°40'49"E., 20.73 ft. to the point of ending.

Exception from the above described easement the land in the existing right-of-way of Walton Blvd. described as the south 60 ft. of the east 295.16 ft. of the southwest $\frac{1}{4}$ of said section 8.

Currently, the City of Rochester Hills is commencing construction of a roadway improvement along Brewster Road that requires the relocation of the existing pedestrian / pathway.

The City of Rochester Hills and Lutheran Housing Corporation, d.b.a., Danish Village wish to amend the legal description of the easement to describe its new location.

Based on the facts and circumstances, the parties agree to and by this document amend the existing easement so that only the following legal description shall replace and supersede the legal description of the existing easement, as originally recorded. The originally recorded legal description for the easement shall be of no further force or effect and the City of Rochester Hills, Michigan, shall have those same easement rights in the following described easement:

A VARIABLE WIDTH EASEMENT FOR AN EIGHT (8) FOOT WIDE ASPHALT PEDESTRIAN PATH AND RETAINING WALL, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH $\frac{1}{4}$ CORNER OF SECTION 8 (L.22064, P.392, OAKLAND COUNTY RECORDS), TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN; THENCE ALONG THE SOUTH LINE OF SECTION 8 N.89°35'21".W, 283.61 FEET; THENCE N.04°03'10".W, 74.60 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE CENTERLINE OF A TWELVE (12) FOOT WIDE EASEMENT ALONG THE FOLLOWING SEVEN (7) COURSES TO "POINT A":

- (1) S.88°24'23".E, 40.44 FEET
- (2) S.70°12'04".E, 29.73 FEET
- (3) S.85°51'51".E, 86.21 FEET
- (4) S.88°11'41".E, 69.03 FEET
- (5) N.06°07'56".W, 41.88 FEET
- (6) N.15°30'11".E, 31.36 FEET
- (7) N.02°18'51".W, 205.72 FEET

THENCE FROM "POINT A" ALONG THE CENTERLINE OF AN EIGHTEEN (18) FOOT WIDE EASEMENT N.02°18'51".W, 6.07 FEET TO THE POINT OF ENDING.

EXCEPTING FROM THE ABOVE DESCRIBED EASEMENT THE LAND IN THE EXISTING RIGHT-OF-WAY OF WALTON BLVD. DESCRIBED AS THE SOUTH 60 FEET OF THE EAST 295.16 FEET OF THE SOUTHWEST 1/4 OF SAID SECTION 8, AND THE RIGHT OF WAY OF BREWSTER ROAD.

Also with

A VARIABLE WIDTH EASEMENT FOR AN EIGHT (8) FOOT WIDE ASPHALT PEDESTRIAN PATH AND RETAINING WALL, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE PROPERTY CONTROLLING CORNER OF SECTION 8 (L.22064, P.392, OAKLAND COUNTY RECORDS), TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN; THENCE ALONG THE NORTH AND SOUTH LINE OF SECTION 8 N.03°54'23".W, 345.17 FEET; THENCE S.86°05'27".W, 58.41 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE CENTERLINE OF AN EIGHTEEN (18) FOOT WIDE EASEMENT N.02°18'50".W, 58.03 FEET TO "POINT A"; THENCE ALONG THE CENTERLINE OF A TWELVE (12) FOOT WIDE EASEMENT N.02°18'50".W, 217.10 FEET TO THE POINT OF ENDING.

EXCEPTING FROM THE ABOVE DESCRIBED EASEMENT THE LAND IN THE EXISTING RIGHT-OF-WAY OF BREWSTER ROAD.

In all other respects, the original easement is ratified confirmed and redeclared. The recording of this document is exempt pursuant to MCLA 205.505 (a) and MCLA 207.526 g (a).

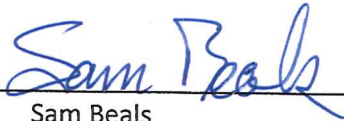
In Witness Whereof, the undersigned have executed this document on the 28th day of January, 2016.

Danish Village Limited Dividend Housing Association
Limited Partnership, a Michigan Limited Partnership

Danish Village GP, LLC, a Michigan Limited Liability
Company

By: Lutheran Social Services of Michigan

Its: Sole Member

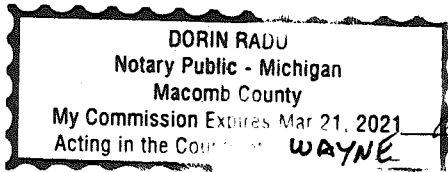

By: Sam Beals
Its: Chief Executive Officer

City of Rochester Hills

By: Bryan K. Barnett
Its: Mayor

STATE OF MICHIGAN)
COUNTY OF OAKLAND) ss
WAYNE

On this 28th day of JANUARY, 2016 before me appeared SAM BEALS
who made oath that he is the Chief Executive Officer of Lutheran Social Services of Michigan to me
personally known and who acknowledged that he executed the within instrument on behalf of Lutheran
Social Services of Michigan.



Dorin Radu

Notary Public

MACOMB

County, Michigan

My Commission Expires: 03/21/2021

STATE OF MICHIGAN)
COUNTY OF OAKLAND) ss

On this _____ day of _____, 2016 before me appeared Bryan K. Barnett, who made oath
that he is the Mayor of the City of Rochester Hills, Michigan, to me personally known and who
acknowledged said instrument to be his free act and deed.

_____, Notary Public

_____ County, Michigan

My Commission Expires: _____

Drafted by:

Steven Sutton, P.E.
Nowak & Fraus Engineers
46777 Woodward Avenue
Pontiac, Michigan 48342

When recorded, return to:

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