

**AMENDMENT TO CONSERVATION EASEMENT**

On the 3rd day of May, 2001, Adam J. Maida, Roman Catholic Archbishop of the Archdiocese of Detroit, of 1234 Washington Boulevard, Detroit, MI 48226, granted to the City of Rochester Hills, whose address is 1000 Rochester Hills Drive, Rochester Hills, MI 48309 (the "City"), a Conservation Easement to protect various natural areas of the site described as Conservation Easement Numbers 1 through 3, as recorded by the Oakland County Register of Deeds on July 23, 2001, in Liber 23310, Page 53 (the "Easement"), specifically pertaining to certain property located in the City of Rochester Hills, Oakland County, Michigan, more particularly described in the original conservation easement document which is Exhibit A attached hereto, and reiterated in Exhibit B attached hereto.

Subsequent to the original Easement, Mooney Real Estate Holdings y, has elected to implement additional site improvements, including the construction of a new restroom and storage building, such that is now necessary to amend Conservation Easement No. 3 from the original Easement to allow for the new improvements required per the approved construction plan. *(as the successor in interest to the subject property, pursuant to a certain Warranty Deed dated Sept. 25, 2018 recorded at Liber 52220, pg. 805 Oakland County Records,*

Based on these facts and circumstances, the parties agree to and by this document do hereby amend the existing Easement so that the original Conservation Easement No. 3, included as part of the originally recorded Easement (the original easement is attached as Exhibit A), is hereby superseded and replaced with the revised Exhibit B, attached hereto, and the original Conservation Easement No. 3 shall be of no further force or effect. *Exempt from transfer taxes under MCL 207.505(a) and 207.526(a).*

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on the 1 day of February, 2022.

**MOONEY REAL ESTATE HOLDINGS**

By: [Signature]

Printed Name: Jeff Wagoner

Its: Treasurer

**CITY OF ROCHESTER HILLS**

By: Bryan K. Barnett, Mayor

STATE OF MICHIGAN  
COUNTY OF Wayne

The foregoing instrument was acknowledged before me this 1 day of February, 2022, by Jeff Wagoner who is the Treasurer of Mooney Real Estate Holdings.

[Signature]  
Sarah Asher, Notary Public  
Wayne County, Michigan

SARAH ASHER  
Notary Public, State of Michigan  
County of Wayne  
My Commission Expires May, 01, 2026  
Acting in the County of Wayne

My Commission Expires: 5.1.2026

John Staran  
Approved 3/2/22

STATE OF MICHIGAN  
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2022,  
by Bryan K. Barnett, Mayor of the City of Rochester Hills, on behalf of the City.

\_\_\_\_\_  
\_\_\_\_\_, Notary Public  
\_\_\_\_\_ County, Michigan

My commission expires:

Drafted By:

Thomas Sovel  
Spalding DeDecker Associates, FNC  
905 South Blvd. E.  
Rochester Hills, MI 48307

When Recorded Return to:  
Clerks Dept.  
City of Rochester Hills  
1000 Rochester Hills Drive  
Rochester Hills, MI 48309

RECEIVED  
FEB 03 2022  
DEPT. OF PUBLIC SERVICES  
CITY OF ROCHESTER HILLS

LISTR 23310PC953

23310332  
PAGE 53  
RECORDING  
REMONUMENTATION  
MAY 10 11 32 AM RECEIPT 49631  
RECORDED - OAKLAND COUNTY  
WILLIAM CADDELL, CLERK/REGISTER OF DEEDS

**Conservation Easement**  
St. Paul Albanian Catholic Church / Rochester Hills

THIS CONSERVATION EASEMENT, made this Third day of May 2000, by and between Adam J. Maida, Roman Catholic Archbishop of the Archdiocese of Detroit, its successors and assigns, whose address is 1234 Washington Boulevard, Detroit, Michigan 48226-1825 (hereinafter GRANTOR) and the City of Rochester Hills, a Michigan Municipal Corporation, its successors and assigns, whose address is 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309 (hereinafter GRANTEE).

WITNESSETH, for and in consideration of the sum or One (\$1.00) Dollar and no cents, the receipt of which is acknowledged; and other good and valuable consideration, GRANTOR hereby GRANTS AND CONVEYS TO GRANTEE a conservation easement on the terms and conditions stated below:

- 1. The premises subject to this Conservation Easement (hereinafter the EASEMENT PREMISES), are situated in the City of Rochester Hills, Oakland County, Michigan and are legally described as follows:

Refer to Exhibit 'A'

*Handwritten initials*

- 2. Except as agreed by the GRANTOR and GRANTEE, and as authorized by MDEQ Permit No. 99-10-0309, GRANTOR and its successors and assigns shall refrain from altering the topography of, placing fill material in, dredging, removing or excavating any soil or minerals from, draining surface water from, constructing or placing any structure on, plowing, tilling, cultivating, scarifying or otherwise altering or developing the easement premises.
- 3. The specific purpose of this easement is to maintain the EASEMENT PREMISES in their natural and undeveloped condition. GRANTOR, its successors and assigns, shall maintain the EASEMENT PREMISES in their natural and undeveloped condition, unless an alteration is approved by the GRANTEE or the MDEQ.
- 4. This easement does not grant or convey the GRANTEE or members of the general public any right of ownership, possession or use of the EASEMENT PREMISES.
- 5. Upon reasonable written notice to GRANTOR, its successors or assigns, at reasonable times, the GRANTEE, and its authorized employees and agents, may enter upon for inspection only the EASEMENT PREMISES to determine whether they are being maintained in compliance with the terms of this easement. The GRANTEE assumes all liability for the acts of any of its agents who enter the EASEMENT PREMISES and does hereby indemnify and hold the GRANTOR harmless from any loss, cost or expense incurred by the GRANTOR as a result of such acts.
- 6. This easement may be enforced by either an action at law or in equity and shall be enforceable against the owner of the EASEMENT PREMISES or any other person despite lack of privity of estate or contract.
- 7. This easement shall run with the land in perpetuity unless modified or terminated by written agreement of the parties.
- 8. GRANTOR shall indicate the existence of this easement on all deeds, mortgages, land contracts, plats and any other legal instrument(s) used to convey an interest in the EASEMENT PREMISES.
- 9. This easement shall be binding upon the successors and assigns of the parties.

**O.K. - LG**

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LIBER 23310 PG 954

IN WITNESS WHEREOF, the parties have executed this Agreement on the date first above written.

Signed in the presence of:

*Jeffrey Monforton*  
Jeffrey Monforton (Rev.)

*Adam J. Maida*  
Adam J. Maida, Roman Catholic Archbishop  
of the Archdiocese of Detroit

*Donald J. Scheible*  
Donald J. Scheible, R.A.

STATE OF MICHIGAN )  
COUNTY OF WAYNE )

This foregoing instrument was acknowledged before me this Third day of May 2000, by Adam J. Maida, Roman Catholic Archbishop of the Archdiocese of Detroit.

*Kathey Puente*  
Kathey Puente  
Notary Public, Wayne County, Michigan  
My commission expires on 9-11-2001

Drafted By:  
Beth M. Ryan  
Brown-Teefey & Assoc., PC  
4190 Telegraph Rd., Ste. 2700  
Bloomfield Hills, MI 48302  
Signed in the presence of:

CITY OF ROCHESTER HILLS, MICHIGAN

*Mary Jane Leslie*  
MARY JANE LESLIE  
*Jean Close*  
JEAN CLOSE

*Pat Somerville*

STATE OF MICHIGAN )  
COUNTY OF OAKLAND )

This foregoing instrument was acknowledged before me this 29th day of May 2000, by PAT SOMERVILLE on behalf of the City of Rochester Hills, Michigan.

When Recorded Return to:  
City of Rochester Hills  
1000 Rochester Hills Drive  
Rochester Hills, MI 48309

*Joan Close*  
Joan Close  
Notary Public, Oakland County, Michigan  
My commission expires 8/30/2005

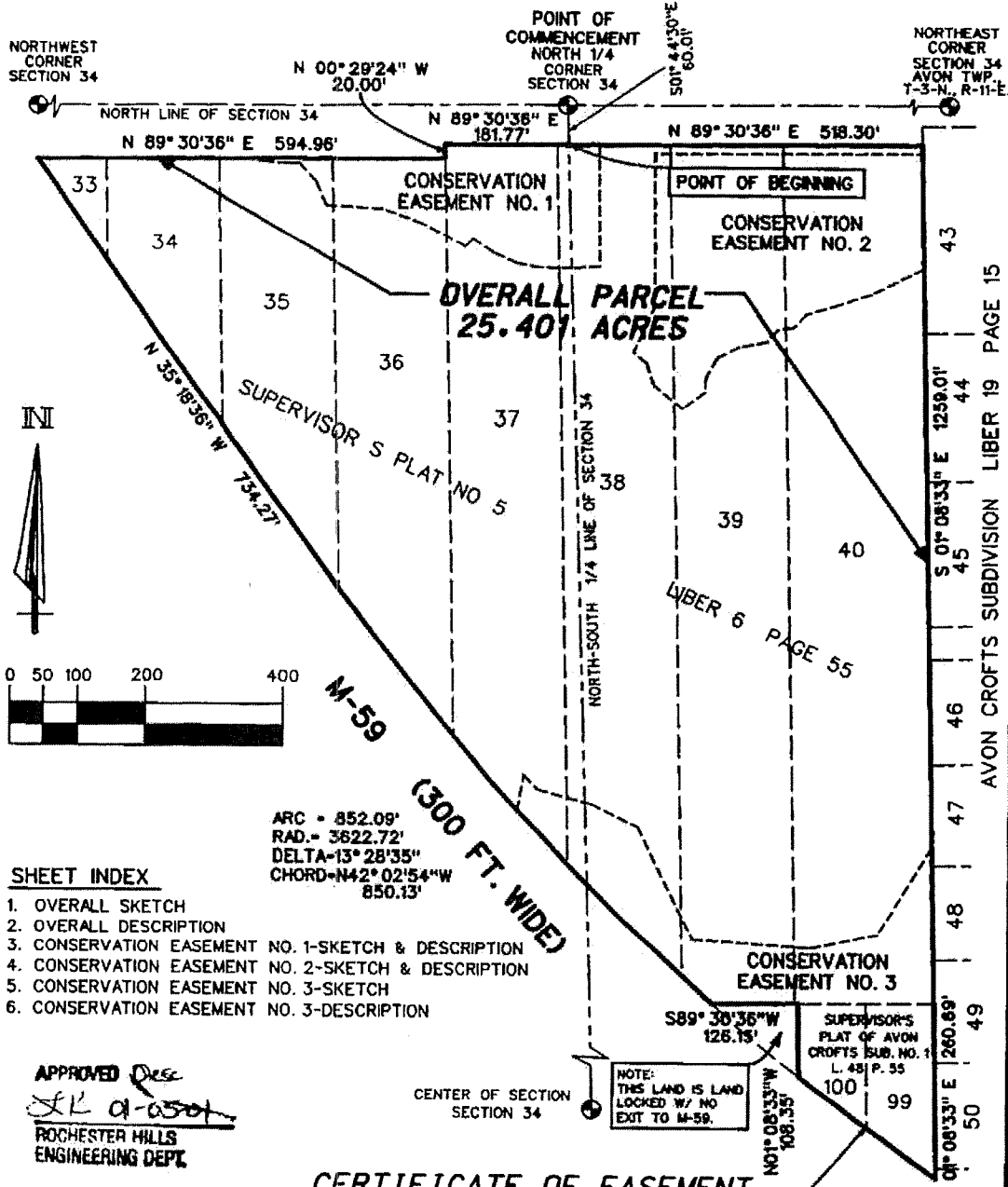
Joan Close  
Notary Public, Oakland County, MI  
My Commission Expires August 30, 2005

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LIBER 23310 PG 055

EXHIBIT A

AUBURN ROAD (VARIABLE WIDTH)



SHEET INDEX

1. OVERALL SKETCH
2. OVERALL DESCRIPTION
3. CONSERVATION EASEMENT NO. 1-SKETCH & DESCRIPTION
4. CONSERVATION EASEMENT NO. 2-SKETCH & DESCRIPTION
5. CONSERVATION EASEMENT NO. 3-SKETCH
6. CONSERVATION EASEMENT NO. 3-DESCRIPTION

APPROVED *[Signature]*  
 J.L. 01-05-01  
 ROCHESTER HILLS  
 ENGINEERING DEPT.

**CERTIFICATE OF EASEMENT  
 OVERALL SKETCH**  
 PART OF THE NORTH 1/2 OF SECTION 34,  
 T-3-N., R-11-E., CITY OF ROCHESTER HILLS,  
 OAKLAND COUNTY, MICHIGAN

<b>Giffels-Webster Engineers Inc.</b> ENGINEERS-SURVEYORS-PLANNERS 2871 BOND STREET, ROCHESTER HILLS, MICHIGAN 48309 (248) 852-3100	DATE: 04-07-00	CKD. BY:	DATE:	SCALE 1" = 200'
	DRAWN: L.L.C.	J.N.R.	04-00	SHEET 1 OF 6
	DESIGN: -			
	SECTION: 34	T- N.R- E-		<b>GWE NO. 14793</b>

12-8-00, REVISED P.O.B. TO CONSERVATION EASEMENT NO. 1.

LIBER 23310 PC 956

*LOSS*  
**LEGAL DESCRIPTION - OVERALL PARCEL**

*LOSS*

A PART OF LOTS 33 THROUGH 40 OF "SUPERVISOR'S PLAT NO.5" AS RECORDED IN LIBER 6, PAGE 55 OF PLATS, OAKLAND COUNTY RECORDS, AND A PART OF LOTS 99 AND 100 OF "SUPERVISOR'S PLAT OF AVON CROFTS SUBDIVISION NO.1" AS RECORDED IN LIBER 48, PAGE 55 OF PLATS, OAKLAND COUNTY RECORDS, ALL BEING A PART OF THE NORTH 1/2 OF SECTION 34, T-3-N., R-11-E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, AND BEING MORE PARTICULARLY DESCRIBED AS:  
COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 34; THENCE S.01° 44'30"E., 60.01 FEET ALONG THE NORTH-SOUTH 1/4 LINE OF SAID SECTION 34 TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF AUBURN ROAD (VARIABLE WIDTH), SAID POINT BEING THE POINT OF BEGINNING; THENCE N.89° 30'36"E., 518.30 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO A POINT ON THE EAST LINE OF SAID "SUPERVISOR'S PLAT NO.5"; THENCE S1° 08'33" E., 1259.01 FEET ALONG SAID EAST LINE TO A POINT AT THE NORTHEAST CORNER OF SAID "SUPERVISOR'S PLAT OF AVON CROFTS SUBDIVISION NO.1"; THENCE S1° 08'33"E., 260.69 FEET ALONG THE EAST LINE OF SAID SUBDIVISION TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF M-59 (300.00 FEET WIDE); THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE ALONG A CURVE TO THE RIGHT 252.85 FEET, SAID CURVE HAVING A RADIUS OF 3622.72 FEET, CENTRAL ANGLE OF 03° 59'56" AND LONG CHORD BEARING OF N53° 25'51"W., 252.80 FEET TO A POINT ON A LINE COMMON TO LOTS 100 AND 101 OF SAID "SUPERVISOR'S PLAT OF AVON CROFTS SUBDIVISION NO.1"; THENCE N.01° 08'33"W., 108.35 FEET ALONG SAID COMMON LOT LINE TO A POINT ON THE SOUTHERLY LINE OF LOTS 39 AND 40 OF SAID "SUPERVISOR'S PLAT NO.5"; THENCE S.89° 30'36"W., 126.15 FEET ALONG SAID SOUTHERLY LINE TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF M-59 (300 FEET WIDE); THENCE THE FOLLOWING TWO COURSES ALONG SAID NORTHERLY RIGHT-OF-WAY LINE: (1) ON A CURVE TO THE RIGHT 852.09 FEET, SAID CURVE HAVING A RADIUS OF 3622.72 FEET, CENTRAL ANGLE OF 13° 28'35" AND LONG CHORD BEARING OF N.42° 02'54"W., 850.13 FEET AND, (2) N. 35° 18'36"W., 734.27 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF AUBURN ROAD (VARIABLE WIDTH); THENCE THE FOLLOWING THREE COURSES ALONG SAID SOUTH RIGHT-OF-WAY LINE: (1) N89° 30'36"E., 594.96 FEET, AND (2) N00° 29'24"W., 20.00 FEET, AND (3) N89° 30'36"E., 181.77 FEET TO THE POINT OF BEGINNING AND CONTAINING 25.401 ACRES.

SUBJECT TO ANY EASEMENTS, RESTRICTIONS OR RIGHTS OF WAY RECORDED OR OTHERWISE.

PROPERTY I.D. NUMBERS: 15-34-127-006 AND 15-34-201-014

*LOSS*  
Lot 33-37      Lot 38 & 39 & 40  
                    Lot 99-100

*LOSS*

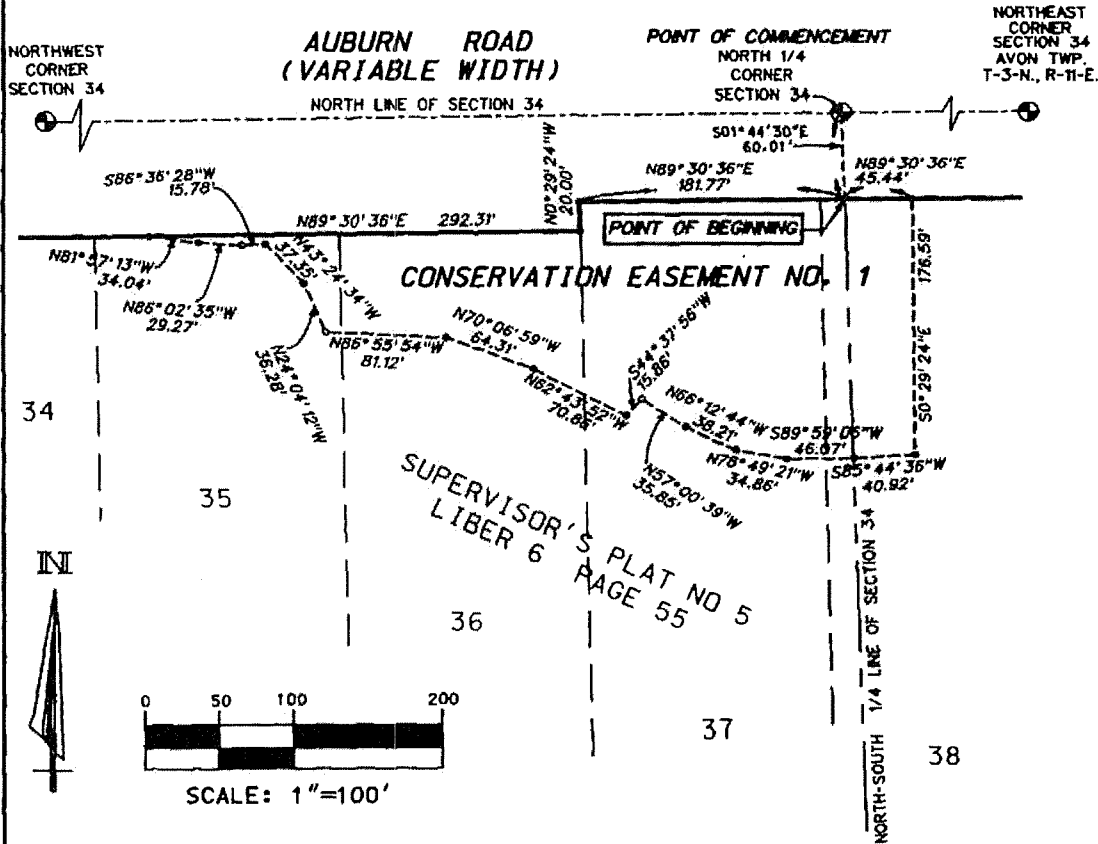
**CERTIFICATE OF EASEMENT  
OVERALL DESCRIPTION**

PART OF THE NORTH 1/2 OF SECTION 34,  
T-3-N., R-11-E., CITY OF ROCHESTER HILLS,  
OAKLAND COUNTY, MICHIGAN

<b>Giffels-Webster Engineers Inc.</b> ENGINEERS-SURVEYORS-PLANNERS 2871 BOND STREET, ROCHESTER HILLS, MICHIGAN 48309 (248) 852-3100	DATE: 04-07-00	CKD. BY	DATE	SCALE N/A
	DRAWN: L.L.C.	J.N.R.	04-00	SHEET 2 OF 6
	DESIGN: -			
	SECTION: 34	T-	N.R-	-E.

12-8-00 REVISED P.O.B. TO CONSERVATION EASEMENT  
1-8-01 ADDED PROPERTY I.D. NUMBERS.

LIBER 23310 PG 57

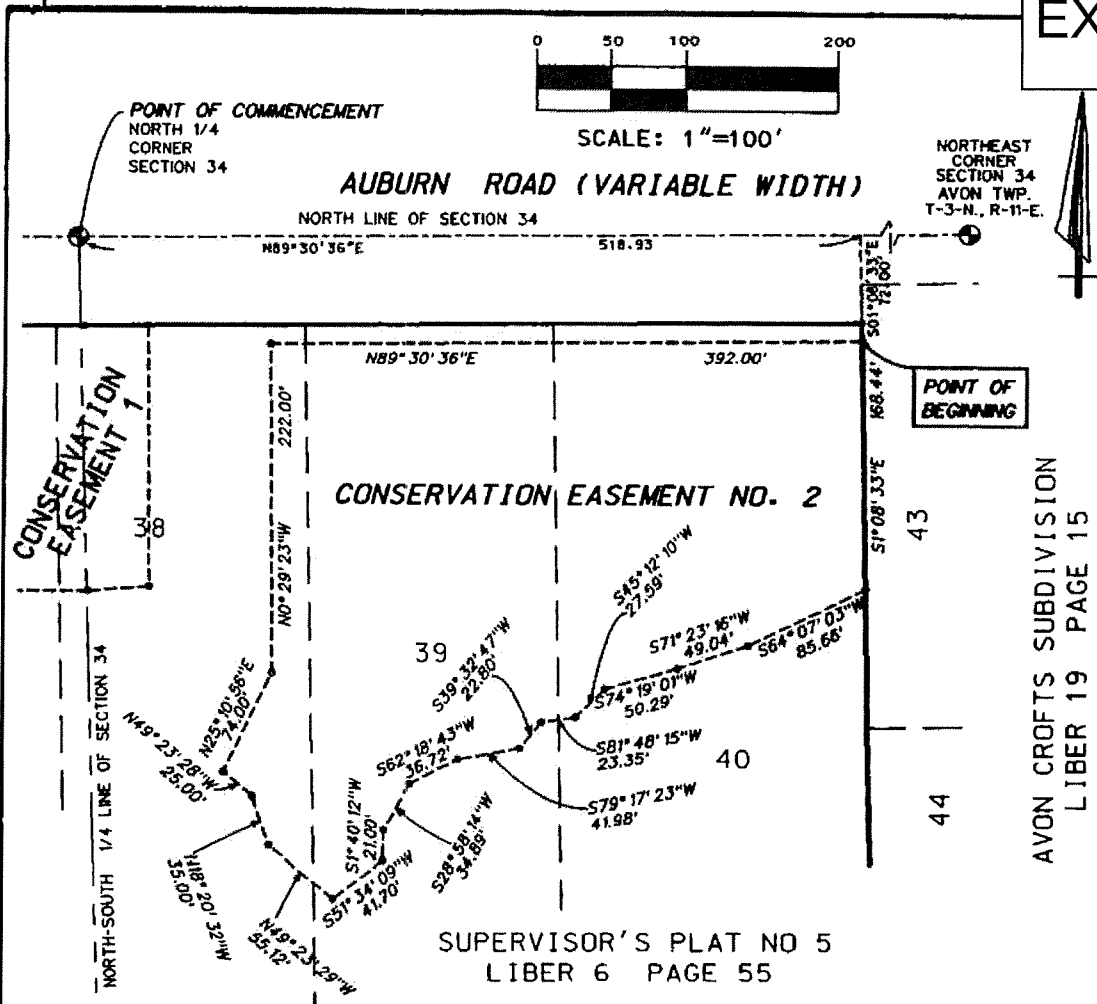


**CONSERVATION EASEMENT NO. 1  
DESCRIPTION**

A PART OF LOTS 35 THROUGH 38 OF "SUPERVISOR'S PLAT NO. 5", AS RECORDED IN LIBER 6, PAGE 55 OF PLATS, OAKLAND COUNTY RECORDS, ALL BEING A PART OF THE NORTH 1/2 OF SECTION 34, T-3-N., R-11-E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, AND BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 34; THENCE S. 01° 44' 30" E., 60.01 FEET ALONG THE NORTH-SOUTH 1/4 LINE OF SAID SECTION 34, TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF AUBURN ROAD (VARIABLE WIDTH), SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE N. 89° 30' 36" E., 45.44 FEET ALONG SAID SOUTH LINE; THENCE S. 00° 29' 24" E., 176.59 FEET; THENCE S. 85° 44' 36" W., 40.92 FEET; THENCE S. 89° 59' 06" W., 46.07 FEET; THENCE N. 78° 49' 21" W., 34.86 FEET; THENCE N. 66° 12' 44" W., 38.21 FEET; THENCE N. 57° 00' 39" W., 35.85 FEET; THENCE S. 44° 37' 56" W., 15.86 FEET; THENCE N. 62° 43' 52" W., 70.86 FEET; THENCE N. 70° 06' 59" W., 64.31 FEET; THENCE N. 86° 55' 54" W., 81.12 FEET; THENCE N. 24° 04' 12" W., 36.28 FEET; THENCE N. 43° 24' 34" W., 37.35 FEET; THENCE S. 86° 36' 28" W., 15.78 FEET; THENCE N. 86° 02' 35" W., 29.27 FEET; THENCE N. 81° 57' 13" W., 34.04 FEET; THENCE N. 89° 30' 36" E., 292.31 FEET; THENCE N. 00° 29' 24" W., 20.00 FEET; THENCE N. 89° 30' 36" E., 181.77 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.22 ACRES.

**CONSERVATION EASEMENT NO. 1  
SKETCH AND DESCRIPTION**  
PART OF THE NORTH 1/2 OF SECTION 34,  
T-3-N., R-11-E., CITY OF ROCHESTER HILLS,  
OAKLAND COUNTY, MICHIGAN

Giffels-Webster Engineers Inc. ENGINEERS-SURVEYORS-PLANNERS 2871 BOND STREET, ROCHESTER HILLS, MICHIGAN 48309 (248) 852-3100	DATE: 04-07-00	CKD. BY	DATE	SCALE 1" = 100'
	DRAWN: L.L.C.	J.N.R.	04/00	SHEET 3 OF 6
	DESIGN: -			G.W. NO. 14793
	SECTION: 34	T-3-N. R-11-E.		



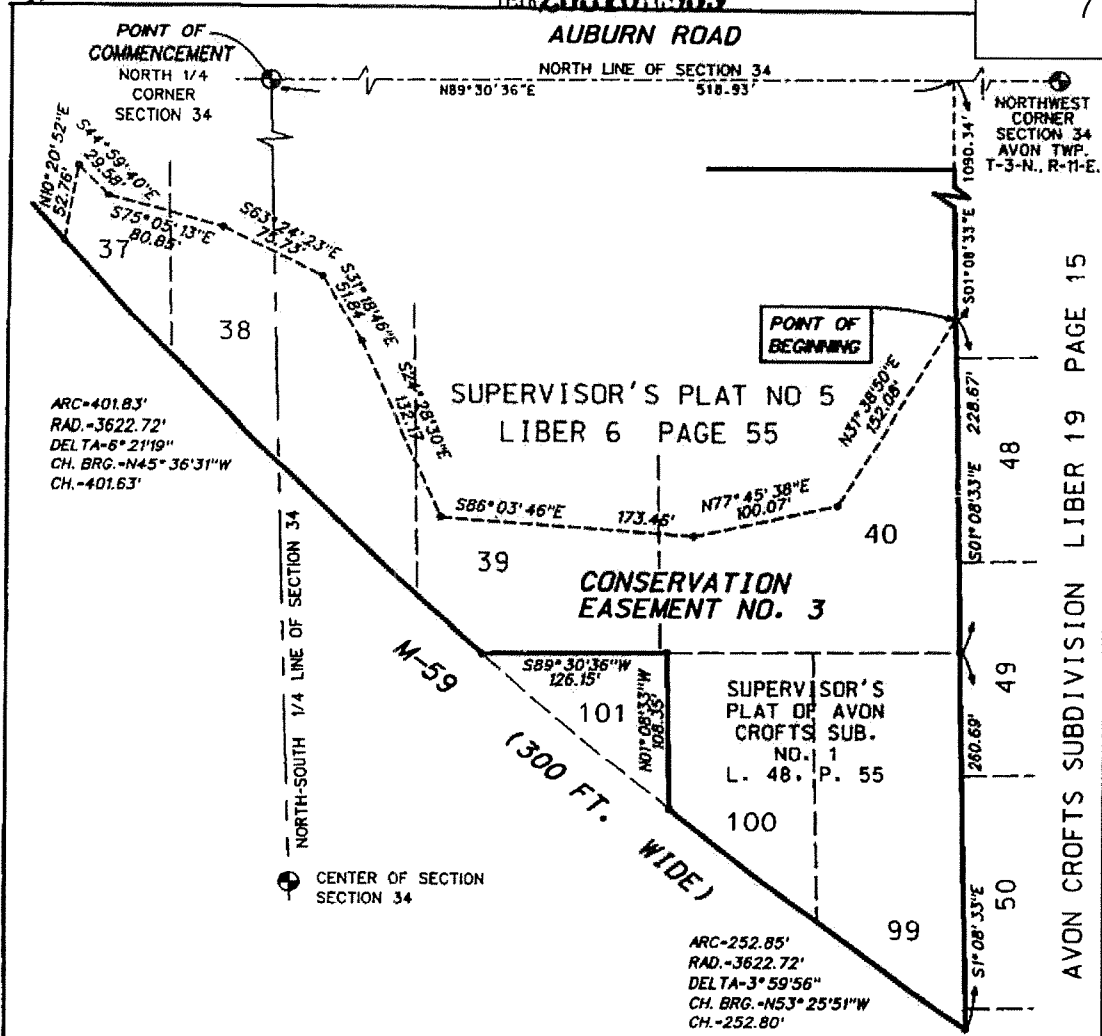
**CONSERVATION EASEMENT NO. 2  
DESCRIPTION**

A PART OF LOTS 38 THROUGH 40 OF "SUPERVISOR'S PLAT NO. 5", AS RECORDED IN LIBER 6, PAGE 55 OF PLATS, OAKLAND COUNTY RECORDS, ALL BEING A PART OF THE NORTHEAST OF SECTION 34, T-3-N., R-11-E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, AND BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 34; THENCE ALONG THE NORTH LINE OF SAID SECTION 34, N 89° 30' 36" E., 518.93 FEET; THENCE S. 01° 08' 33" E., 72.00 FEET TO A POINT ON THE EAST LINE OF SAID "SUPERVISOR'S PLAT NO. 5", SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S. 01° 08' 33" E., 168.44 FEET ALONG SAID EAST LINE; THENCE S. 64° 07' 03" W., 85.66 FEET; THENCE S. 71° 23' 16" W., 49.04 FEET; THENCE S. 74° 19' 01" W., 50.29 FEET; THENCE S. 45° 12' 10" W., 27.59 FEET; THENCE S. 81° 48' 15" W., 23.35 FEET; THENCE S. 39° 32' 47" W., 22.80 FEET; THENCE S. 79° 17' 23" W., 41.98 FEET; THENCE S. 62° 18' 43" W., 36.72 FEET; THENCE S. 28° 58' 14" W., 34.89 FEET; THENCE S. 01° 40' 12" W., 21.00 FEET; THENCE S. 51° 34' 09" W., 41.70 FEET; THENCE N. 49° 23' 29" W., 55.12 FEET; THENCE N. 18° 20' 32" W., 35.00 FEET; THENCE N. 49° 23' 28" W., 25.00 FEET; THENCE N. 25° 10' 56" E., 74.00 FEET; THENCE N. 00° 29' 23" W., 222.00 FEET TO A POINT 12.00 FEET SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF AUBURN ROAD (VARIABLE WIDTH); THENCE N. 89° 30' 36" E., 392.00 FEET PARALLEL TO SAID RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING AND CONTAINING 2.39 ACRES.

**CONSERVATION EASEMENT NO. 2  
SKETCH AND DESCRIPTION**  
PART OF THE NORTH 1/2 OF SECTION 34,  
T-3-N., R-11-E., CITY OF ROCHESTER HILLS,  
OAKLAND COUNTY, MICHIGAN

<b>Giffels-WebsterEngineers Inc.</b> ENGINEERS-SURVEYORS-PLANNERS 2871 BOND STREET, ROCHESTER HILLS, MICHIGAN 48309 (248) 852-3100	DATE: 04-07-00	CKD. BY	DATE	SCALE 1" = 100'
	DRAWN: L.L.C.	J.N.R.	04/00	SHEET 4 OF 6
	DESIGN: -			GWENO. 14793
	SECTION: 34	T-3-N., R-11-E.		





AVON CROFTS SUBDIVISION LIBER 19 PAGE 15

**CONSERVATION EASEMENT NO. 3**  
**SKETCH AND DESCRIPTION**  
PART OF THE NORTH 1/2 OF SECTION 34,  
T-3-N., R-11-E., CITY OF ROCHESTER HILLS,  
DAKLAND COUNTY, MICHIGAN

<b>Giffels-WebsterEngineers Inc.</b> ENGINEERS-SURVEYORS-PLANNERS 2871 BOND STREET, ROCHESTER HILLS, MICHIGAN 48309 (248) 852-3100	DATE: 04-07-00	CKD. BY	DATE	SCALE 1" = 100'
	DRAWN: L.L.C.	J.N.R.	04/00	SHEET 5 OF 6
	DESIGN: -			GWENO. 14793
	SECTION: 34	T-3-N., R-11-E.		

LIBER 23310 FC 060

**CONSERVATION EASEMENT NO. 3  
DESCRIPTION**

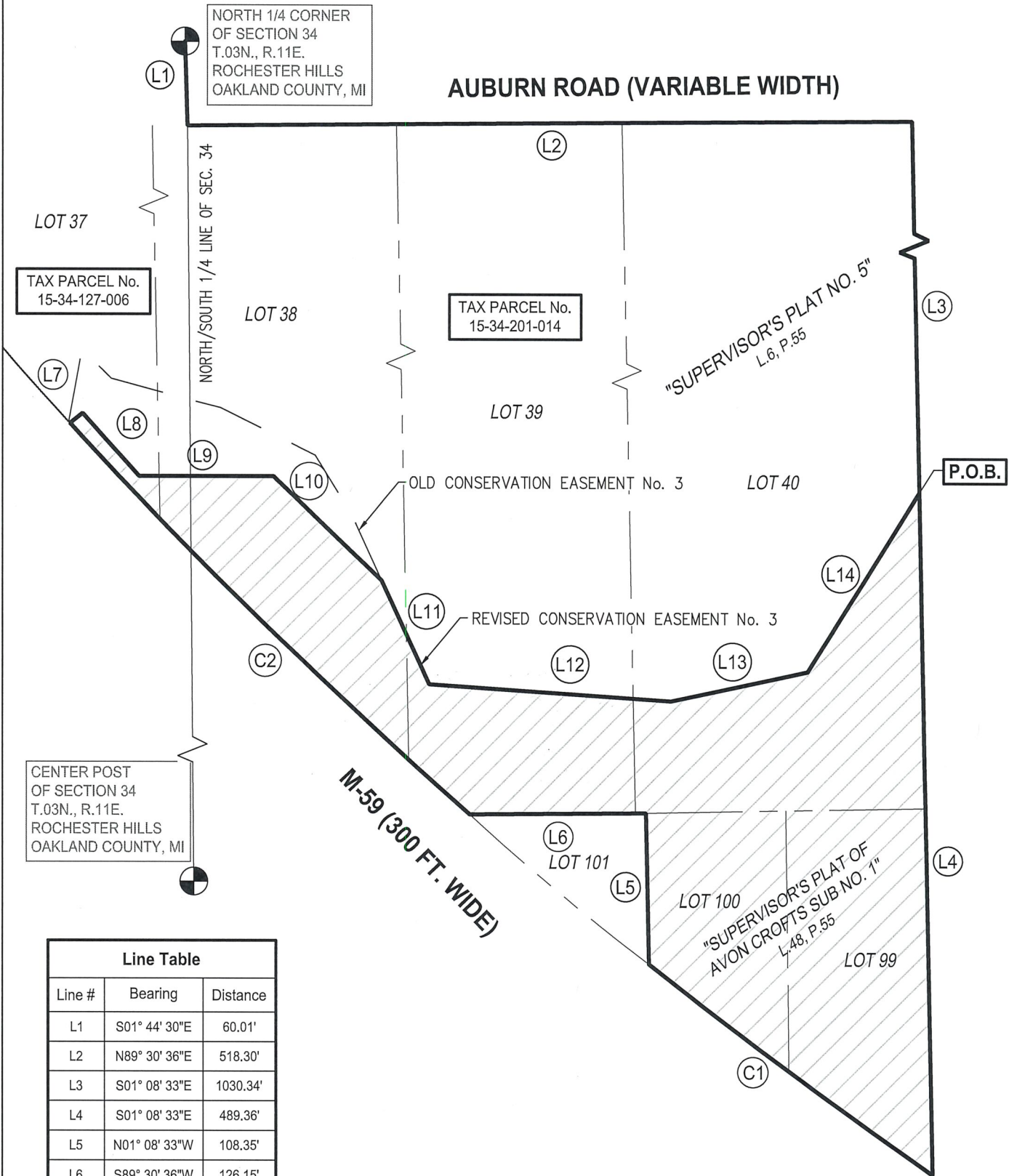
A PART OF LOTS 37 THROUGH 40 OF "SUPERVISOR'S PLAT NO. 5", AS RECORDED IN LIBER 6, PAGE 55 OF PLATS, OAKLAND COUNTY RECORDS, AND A PART OF LOTS 99 AND 100 OF "SUPERVISOR'S PLAT OF AVON CROFTS SUBDIVISION NO. 1", AS RECORDED IN LIBER 48, PAGE 55 OF PLATS, OAKLAND COUNTY RECORDS, ALL BEING A PART OF THE NORTH 1/2 OF SECTION 34, T-3-N., R-11-E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, AND BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 34; THENCE ALONG THE NORTH LINE OF SAID SECTION 34, N. 89° 30' 36" E., 518.93 FEET; THENCE S. 01° 08' 33" E., 1,090.34 FEET TO A POINT ON THE EAST LINE OF SAID "SUPERVISOR'S PLAT NO. 5", SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S. 01° 08' 33" E., 228.67 FEET ALONG SAID EAST LINE TO A POINT AT THE NORTHEAST CORNER OF SAID "SUPERVISOR'S PLAT OF AVON CROFTS SUBDIVISION NO. 1"; THENCE S. 01° 08' 33" E., 260.69 FEET ALONG THE EAST LINE OF SAID SUBDIVISION TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF M-59 (300 FEET WIDE); THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE ALONG A CURVE TO THE RIGHT 252.85 FEET, SAID CURVE HAVING A RADIUS OF 3,622.72 FEET, CENTRAL ANGLE OF 03° 59' 56" AND LONG CHORD BEARING OF N. 53° 25' 51" W., 252.80 FEET TO A POINT ON A LINE COMMON TO LOTS 100 AND 101 OF SAID "SUPERVISOR'S PLAT OF AVON CROFTS SUBDIVISION NO. 1"; THENCE N. 01° 08' 33" W., 108.35 FEET ALONG SAID COMMON LOT LINE TO A POINT ON THE SOUTHERLY LINE OF LOTS 39 AND 40 OF SAID "SUPERVISOR'S PLAT NO. 5"; THENCE S. 89° 30' 36" W., 126.15 FEET ALONG SAID SOUTHERLY LINE TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF M-59 (300 FEET WIDE); THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT 401.83 FEET, SAID CURVE HAVING A RADIUS OF 3,622.72 FEET, CENTRAL ANGLE OF 06° 21' 19" AND LONG CHORD BEARING OF N. 45° 36' 31" W., 401.63 FEET; THENCE N. 10° 20' 52" E., 52.76 FEET; THENCE S. 44° 59' 40" E., 29.58 FEET; THENCE S. 75° 05' 13" E., 80.85 FEET; THENCE S. 63° 24' 23" E., 75.73 FEET; THENCE S. 31° 18' 46" E., 51.84 FEET; THENCE S. 24° 28' 30" E., 132.17 FEET; THENCE S. 86° 03' 46" E., 173.46 FEET; THENCE N. 77° 45' 38" E., 100.07 FEET; THENCE N. 31° 38' 50" E., 152.08 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.35 ACRES OF LAND.

**CONSERVATION EASEMENT NO. 3  
SKETCH AND DESCRIPTION**  
PART OF THE NORTH 1/2 OF SECTION 34,  
T-3-N., R-11-E., CITY OF ROCHESTER HILLS,  
OAKLAND COUNTY, MICHIGAN

<b>Giffels-Webster Engineers Inc.</b> ENGINEERS-SURVEYORS-PLANNERS 2871 BOND STREET, ROCHESTER HILLS, MICHIGAN 48309 (248) 852-3100	DATE: 04-07-00	CKD. BY	DATE	SCALE N/A
	DRAWN: L.J.C.	J.N.R.	04/00	SHEET 6 OF 6
	DESIGN: -			
	SECTION: 34	T-3-N., R-11-E.		<b>GWENO. 14793</b>

# EXHIBIT B

## CONSERVATION EASEMENT No. 3



Line Table		
Line #	Bearing	Distance
L1	S01° 44' 30"E	60.01'
L2	N89° 30' 36"E	518.30'
L3	S01° 08' 33"E	1030.34'
L4	S01° 08' 33"E	489.36'
L5	N01° 08' 33"W	108.35'
L6	S89° 30' 36"W	126.15'
L7	N51° 22' 51"E	11.50'
L8	S41° 54' 59"E	60.68'
L9	N90° 00' 00"E	96.02'
L10	S46° 08' 10"E	107.18'
L11	S24° 28' 30"E	82.45'
L12	S86° 03' 46"E	173.46'
L13	N77° 45' 38"E	100.07'
L14	N31° 38' 50"E	152.08'

Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Distance
C1	252.851	3622.72	003°59'56"	N53° 25' 51"W	252.80
C2	400.421	3622.72	006°19'59"	N45° 37' 12"W	400.22

### SPALDING DEDecker

Engineers | Surveyors

905 South Blvd. East  
Rochester Hills, MI 48307

Phone: (248) 844-5400  
Fax: (248) 844-5440

www.sda-eng.com

DRAWN: N.POOLE	DATE: 04-21-21
CHECKED: S.KEHRER	DATE: 04-21-21
MANAGER: S.KEHRER	SCALE: 1" = 100'
JOB No. NP18071	SHEET: 1 OF 2
SECTION 34 TOWN 03 NORTH RANGE 11 EAST	
ROCHESTER HILLS OAKLAND COUNTY, MI	

Exhibit Approved

jm

02/15/2022 7:31:19 AM



# EXHIBIT B

## CONSERVATION EASEMENT No. 3

### LEGAL DESCRIPTION

OVERALL PARCEL DESCRIPTION  
AS RECORDED IN LIBER 23310, PAGE 956

A PART OF LOTS 33 THROUGH 40 OF "SUPERVISOR'S PLAT NO.5" AS RECORDED IN LIBER 6, PAGE 55 OF PLATS, OAKLAND COUNTY RECORDS, AND A PART OF LOTS 99 AND 100 OF "SUPERVISOR'S PLAT OF AVON CROFTS SUBDIVISION NO.1" AS RECORDED IN LIBER 48, PAGE 55 OF PLATS, OAKLAND COUNTY RECORDS. ALL BEING A PART OF THE NORTH ½ OF SECTION 34, T-3-N., R-11-E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, AND BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTH ¼ CORNER OF SAID SECTION 34: THENCE S.01° 44'30"E., 60.01 FEET ALONG THE NORTH-SOUTH ¼ LINE OF SAID SECTION 34 TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF AUBURN ROAD (VARIABLE WIDTH), SAID POINT BEING THE POINT OF BEGINNING; THENCE N.89°30'36"E., 518.30 FEET ALONG SAID SOUTH RIGHT-OF-WAYLINE TO A POINT ON THE EAST LINE OF SAID "SUPERVISOR'S PLAT NO.5"; THENCE S1°08'33"E., 1259.01 FEET ALONG SAID EAST LINE TO A POINT AT THE NORTHEAST CORNER OF SAID "SUPERVISOR'S PLAT OF AVON CROFTS SUBDIVISION NO.1"; THENCE S1°08'33"E., 260.69 FEET ALONG THE EAST LINE OF SAID SUBDIVISION TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF M-59 (300.00 FEET WIDE); THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE ALONG A CURVE TO THE RIGHT 252.85 FEET, SAID CURVE HAVING A RADIUS OF 3622.72 FEET, CENTRAL ANGLE OF 03°59'56" AND LONG CHORD BEARING OF N53°25'51"W., 252.80 FEET TO A POINT ON A LINE COMMON TO LOTS 100 AND 101 OF SAID "SUPERVISOR'S PLAT OF AVON CROFTS SUBDIVISION NO.1"; THENCE N.01°08'33"W., 108.35 FEET ALONG SAID COMMON LOT LINE TO A POINT ON THE SOUTHERLY LINE OF LOTS 39 AND 40 OF SAID "SUPERVISOR'S PLAT NO.5"; THENCE S.89°30'36"W., 126.15 FEET ALONG SAID SOUTHERLY LINE TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF M-59 (300 FEET WIDE); THENCE THE FOLLOWING TWO COURSES ALONG SAID NORTHERLY RIGHT-OF-WAY LINE: (1) ON A CURVE TO THE RIGHT 852.09 FEET, SAID CURVE HAVING A RADIUS OF 3622.72 FEET, CENTRAL ANGLE OF 13°28'35" AND LONG CHORD BEARING OF N.42°02'54"W., 850.13 FEET AND (2) N.35°18'36"W., 734.27 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF AUBURN ROAD (VARIABLE WIDTH); THENCE THE FOLLOWING THREE COURSES ALONG SAID SOUTH RIGHT-OF-WAY LINE: (1) N89°30'36"E., 594.96 FEET, AND (2) N00°29'24"W., 20.00 FEET, AND (3) N89°30'36"E., 181.77 FEET TO THE POINT OF BEGINNING AND CONTAINING 25.401 ACRES.

SUBJECT TO ANY EASEMENTS, RESTRICTIONS OR RIGHT OF WAY RECORDED OR OTHERWISE.

PROPERTY I.D. NUMBERS: 15-34-127-006 AND 15-34-201-014

LOT 33-37    LOT 38, 39 & 40                      LOT 99-100

### EXISTING CONSERVATION EASEMENT NO.3

AS RECORDED IN LIBER 23310, PAGE 960

A PART OF LOTS 37 THROUGH 40 OF SUPERVISOR'S PLAT NO. 5", AS RECORDED IN LIBER 6, PAGE 55 OF PLATS, OAKLAND COUNTY RECORDS, AND A PART OF LOTS 99 AND 100 OF "SUPERVISOR'S PLAT OF AVON CROFTS SUBDIVISION NO. 1", AS RECORDED IN LIBER 48, PAGE 55 OF PLATS, OAKLAND COUNTY RECORDS, ALL BEING A PART OF THE NORTH ½ OF SECTION 34, T-3-N., R-11-E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, AND BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTH ¼ CORNER OF SAID SECTION 34; THENCE ALONG THE NORTH LINE OF SAID SECTION 34, N. 89°30'36" E., 518.93 FEET; THENCE S. 01°08'33" E., 1,090.34 FEET TO A POINT ON THE EAST LINE OF SAID "SUPERVISOR'S PLAT NO. 5", SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S. 01°08'33" E., 228.67 FEET ALONG SAID EAST LINE TO A POINT AT THE NORTHEAST CORNER OF SAID SUPERVISOR'S PLAT OF AVON CROFTS SUBDIVISION NO. 1"; THENCE S. 01°08'33" E., 260.69 FEET ALONG THE EAST LINE OF SAID SUBDIVISION TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF M-59 (300 FEET WIDE); THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE ALONG A CURVE TO THE RIGHT 252.85 FEET, SAID CURVE HAVING A RADIUS OF 3,622.72 FEET, CENTRAL ANGLE OF 03°59'56" AND LONG CHORD BEARING OF N. 53°25'51" W., 252.80 FEET TO A POINT ON A LINE COMMON TO LOTS 100 AND 101 OF SAID "SUPERVISOR'S PLAT OF AVON CROFTS SUBDIVISION NO. 1"; THENCE N. 01°08'33" W., 108.35 FEET ALONG SAID COMMON LOT LINE TO A POINT ON THE SOUTHERLY LINE OF LOTS 39 AND 40 OF SAID "SUPERVISOR'S PLAT NO. 5"; THENCE S. 89°30'36" W., 126.15 FEET ALONG SAID SOUTHERLY LINE TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF M-59 (300 FEET WIDE); THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT 401.83 FEET, SAID CURVE HAVING A RADIUS OF 3,622.72 FEET, CENTRAL ANGLE OF 06°21'19" AND LONG CHORD BEARING OF N. 45°36'31" W., 401.63 FEET; THENCE N. 10°20'52" E., 52.76 FEET; THENCE S. 44°59'40" E., 29.58 FEET; THENCE S. 75°05'13" E., 80.85 FEET; THENCE S. 63°24'23" E., 75.73 FEET; THENCE S. 31°18'46" E., 51.84 FEET THENCE S. 24°28'30" E., 132.17 FEET; THENCE S. 86°03'46" E., 173.46 FEET; THENCE N. 77°45'38" E., 100.07 FEET; THENCE N. 31°38'50" E., 152.08 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.35 ACRES OF LAND.

### REVISED CONSERVATION EASEMENT NO.3

BY SPALDING DEDECKER IN APRIL 2021

A PART OF LOTS 37 THROUGH 40 OF SUPERVISOR'S PLAT NO. 5", AS RECORDED IN LIBER 6, PAGE 55 OF PLATS, OAKLAND COUNTY RECORDS, AND A PART OF LOTS 99 AND 100 OF "SUPERVISOR'S PLAT OF AVON CROFTS SUBDIVISION NO. 1", AS RECORDED IN LIBER 48, PAGE 55 OF PLATS, OAKLAND COUNTY RECORDS, ALL BEING A PART OF THE NORTH ½ OF SECTION 34, T-3-N., R-11-E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, AND BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 34, THENCE S 01°44'30" E 60.01 FEET; THENCE N 89°30'36" E 518.30 FEET; THENCE S 01°08'33" E 1030.34 FEET TO THE POINT OF BEGINNING;  
THENCE S 01°08'33" E 489.36 FEET; THENCE IN A NORTHWESTERLY DIRECTION WITH A NON-TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 3622.72 FEET, HAVING A CHORD BEARING OF N 53°25'51" W AND A CHORD DISTANCE OF 252.80, HAVING A CENTRAL ANGLE OF 03°59'56" AND AN ARC LENGTH OF 252.85 TO A POINT; THENCE N 01°08'33" W 108.35 FEET; THENCE S 89°30'36" W 126.15 FEET; THENCE IN A NORTHWESTERLY DIRECTION WITH A NON-TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 3622.72 FEET, HAVING A CHORD BEARING OF N 45°37'12" W AND A CHORD DISTANCE OF 400.22, HAVING A CENTRAL ANGLE OF 06°19'59" AND AN ARC LENGTH OF 400.42 TO A POINT; THENCE N 51°22'51" E 11.50 FEET; THENCE S 41°54'59" E 60.68 FEET; THENCE N 90°00'00" E 96.02 FEET; THENCE S 46°08'10" E 107.18 FEET; THENCE S 24°28'30" E 82.45 FEET; THENCE S 86°03'46" E 173.46 FEET; THENCE N 77°45'38" E 100.07 FEET; THENCE N 31°38'50" E 152.08 FEET TO THE POINT OF BEGINNING. CONTAINING 2.130 ACRES, MORE OR LESS.



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DRAWN: N.POOLE	DATE: 04-21-21
CHECKED: S.KEHRER	DATE: 04-21-21
MANAGER: S.KEHRER	SCALE: N/A
JOB No. NP18071	SHEET: 2 OF 2
SECTION 34 TOWN 03 NORTH RANGE 11 EAST	
ROCHESTER HILLS OAKLAND COUNTY, MI	

Exhibit Approved

*JM*

02/15/2022 7:31:34 AM