

WATER MAIN EASEMENT

First State Bank, a Michigan Banking corporation of 24300 Little Mack, Saint Clair Shores, MI 48080

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 Exhibit A

Parcel ID# 15-23-300-039

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 17 day of SEPTEMBER, 2018.

Signature: [Handwritten Signature]
Print or type name: ROBERT KIRK
Title: DIRECTOR / ATTORNEY

STATE OF MICHIGAN
COUNTY OF Macomb

The foregoing instrument was acknowledged before me this 17th day of September 2018 by ROBERT KIRK, who is the DIRECTOR / ATTORNEY of FIRST STATE BANK, A MICHIGAN BANKING CORPORATION MICHIGAN corporation, on behalf of the corporation.

[Handwritten Signature]
RENATA GARBARINO, Notary Public
County, Michigan
My Commission Expires: 06-29-2024

Drafted by:
Briana Simon
Stonefield Engineering & Design
28454 Woodward Avenue
Royal Oak, MI 48067

When recorded, return to:
Clerks Dept.
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

John Staron
Approved 9/27/18

RENATA GARBARINO
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF MACOMB
My Commission Expires June 29, 2024
Acting in the County of Macomb

EXHIBIT A

PROPERTY DESCRIPTION: 15-23-300-039

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

TOWN 3 NORTH, RANGE 11 EAST, SECTION 23. PART OF THE SOUTHWEST 1/4 OF SECTION 23, BEGINNING AT A POINT DISTANT NORTH 01 DEGREES 50 MINUTES 00 SECONDS WEST 2.36 FEET AND NORTH 85 DEGREES 52 MINUTES 55 SECONDS EAST 66.05 FEET AND SOUTH 01 DEGREES 48 MINUTES 43 SECONDS EAST 498.70 FEET FROM THE WEST 1/4 CORNER OF SECTION 23, THENCE NORTH 88 DEGREES 11 MINUTES 17 SECONDS EAST 124.90 FEET, THENCE ALONG A CURVE TO LEFT, RADIUS OF 650 FEET, CHORD BEARS NORTH 83 DEGREES 37 MINUTES 30 SECONDS EAST 103.42 FEET, DISTANCE OF 103.53 FEET, THENCE ALONG A CURVE TO THE RIGHT, RADIUS OF 535 FEET, CHORD BEARS NORTH 83 DEGREES 05 MINUTES 51 SECONDS EAST 75.30 FEET, DISTANCE OF 75.37 FEET, THENCE SOUTH 01 DEGREES 48 MINUTES 43 SECONDS EAST 199.55 FEET, THENCE SOUTH 88 DEGREES 11 MINUTES 17 SECONDS WEST 303.03 FEET, THENCE NORTH 01 DEGREES 48 MINUTES 43 SECONDS WEST 184.64 FEET TO THE POINT OF BEGINNING.

EASEMENT DESCRIPTION:

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

TOWN 3 NORTH, RANGE 11 EAST, SECTION 23. PART OF THE SOUTHWEST 1/4 OF SECTION 23, BEGINNING AT A POINT DISTANT NORTH 01 DEGREES 50 MINUTES 00 SECONDS WEST 2.36 FEET AND NORTH 85 DEGREES 52 MINUTES 55 SECONDS EAST 66.05 FEET AND SOUTH 01 DEGREES 48 MINUTES 43 SECONDS EAST 498.70 FEET AND NORTH 88 DEGREES 11 MINUTES 17 SECONDS EAST 124.90 FEET AND ALONG A CURVE TO THE LEFT, RADIUS OF 650 FEET, CHORD BEARS NORTH 83 DEGREES 37 MINUTES 30 SECONDS EAST 103.42 FEET, DISTANCE OF 103.53 FEET AND ALONG A CURVE TO THE RIGHT, RADIUS OF 535 FEET, CHORD BEARS NORTH 83 DEGREES 05 MINUTES 51 SECONDS EAST 75.30 FEET, DISTANCE OF 75.37 FEET AND SOUTH 01 DEGREES 48 MINUTES 43 SECONDS EAST 187.22 FEET FROM THE WEST 1/4 CORNER OF SECTION 23 TO THE POINT OF BEGINNING OF A 12.33 FOOT WIDE WATER MAIN EASEMENT, THENCE CONTINUING SOUTH 01 DEGREES 48 MINUTES 43 SECONDS EAST 12.33 FEET; THENCE SOUTH 88 DEGREES 11 MINUTES 17 SECONDS WEST 180.86 FEET, THENCE NORTH 01 DEGREES 48 MINUTES 53 SECONDS WEST 12.34 FEET; THENCE NORTH 88 DEGREES 11 MINUTES 21 SECONDS EAST 180.86 FEET TO THE POINT OF BEGINNING.

NOTES:

1. A CURRENT TITLE POLICY HAS NOT BEEN FURNISHED AT TIME OF SURVEY, THEREFORE EASEMENTS AND/OR ENCUMBRANCES AFFECTING SUBJECT PARCEL MAY NOT BE SHOWN.

2. ALL PROPERTY SPLITS REQUIRE PRIOR CITY, TOWNSHIP, COUNTY, AND/OR STATE APPROVAL.

BASIS OF BEARING:

NORTH 01°48'43" WEST, BEING THE WEST LINE OF SECTION 23, PER EDDINGTON FARMS SUBDIVISION.

REVISED SEPTEMBER 28, 2018 – PER REVIEW COMMENTS
REVISED SEPTEMBER 26, 2018 – PER REVIEW COMMENTS



KEM-TEC & ASSOCIATES

22556 GRATIOT AVE. EASTPOINTE, MI 48021
PROFESSIONAL SURVEYORS – PROFESSIONAL ENGINEERS
(586)772-2222 * FAX (586)772-4048

PREPARED FOR: STONEFIELD ENGINEERING & DESIGN	
FIELD SURVEY: N/A	DATE: SEPTEMBER 6, 2018
DRAWN BY: RCE	SHEET: 2 OF 2
SCALE: 1" = 60'	JOB NO.: 17-04145