

AMENDED AND RESTATED WATERMAIN EASEMENT

KNOW ALL BY THESE PRESENTS, that Rochester University, a Michigan nonprofit corporation, whose address is 800 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 413, 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).

[SIGNATURE OF GRANTOR ON FOLLOWING PAGE]

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

ROCHESTER UNIVERSITY,
a Michigan nonprofit corporation

By: Thomas Reulinger
Name: THOMAS REULINGER
Its: EXECUTIVE VP & CEO

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me on October 21, 2020 by Thomas Reulinger
the EXECUTIVE VP & CEO of Rochester University, 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

THIS INSTRUMENT DRAFTED BY

Alexandra E. Dieck
Bodman PLC
201 S. Division Street, Suite 400
Ann Arbor, Michigan 48104

RETURN TO WHEN RECORDED:

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

John Staran
Approved 11/3/20

EXHIBIT "A"

LEGAL DESCRIPTION OF ROCHESTER UNIVERSITY PARCEL
TAX PARCEL I.D. #15-15-451-011:

A PARCEL OF LAND LOCATED IN THE WEST 1/2 OF THE SOUTHEAST 1/4 AND PART OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 15, T3N-R11E, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 15, THENCE DUE WEST, ALONG THE SOUTH LINE OF SAID SECTION 15 AND THE CENTERLINE OF W. AVON ROAD, 2794.58 FEET TO THE SOUTH 1/4 CORNER OF SAID SECTION 15; THENCE NORTH 03°26'11" EAST 60.11 FEET ALONG THE NORTH-SOUTH 1/4 LINE TO THE POINT OF BEGINNING AND THE NORTH LINE OF SAID W. AVON ROAD, 60 FOOT HALF WIDTH; THENCE, ALONG THE NORTH LINE OF SAID W. AVON ROAD, NORTH 89°47'56" WEST 1313.10 FEET AND NORTH 88°26'03" WEST 391.01 FEET TO THE SOUTHEASTERLY LINE OF THE CLINTON RIVER "TRAIL" (FORMALLY KNOWN AS THE GRAND TRUNK WESTERN RAILROAD); THENCE, ALONG THE SOUTHEASTERLY LINE OF SAID "TRAIL", NORTH 42°34'57" EAST 252.70 FEET; THENCE CONTINUING ALONG THE SOUTHEASTERLY LINE OF SAID "TRAIL", NORTHEASTERLY 797.44 FEET ON THE ARC OF A 5524.16 FOOT RADIUS CURVE TO THE RIGHT, WITH A DELTA ANGLE OF 08°16'15" AND CHORD BEARING AND DISTANCE OF NORTH 46°42'59" EAST 796.75 FEET; THENCE, CONTINUING ALONG THE SOUTHEASTERLY LINE OF SAID "TRAIL", NORTH 50°51'00" EAST 1021.05 TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15; THENCE, ALONG SAID SOUTH LINE, NORTH 89°38'14" EAST 244.84 FEET TO THE EAST 1/8 CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 15; THENCE, ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15, NORTH 89°45'33" EAST 27 FEET, MORE OR LESS, TO A POINT ON THE CENTER OF THE CLINTON RIVER; THENCE FOLLOWING ALONG THE CENTER OF THE CLINTON RIVER IN MEANDERING DIRECTIONS, BUT GENERALLY NORTHEASTERLY, A DISTANCE OF 1740 FEET, MORE OR LESS, DOWNSTREAM; THENCE LEAVING THE CENTER OF THE CLINTON RIVER, SOUTH 59°41'28" EAST 25 FEET, MORE OR LESS; THENCE SOUTH 22°04'32" EAST 226.40 FEET; THENCE SOUTH 71°53'04" EAST 609.74 FEET; THENCE SOUTH 02°10'13" WEST 118.12 FEET; THENCE SOUTH 01°51'27" WEST 19.46 FEET; THENCE NORTH 88°21'57" WEST 336.59 FEET; THENCE SOUTH 57°20'54" WEST 128.22 FEET; THENCE SOUTH 28°45'21" WEST 508.13 FEET; SOUTH 52°53'14" EAST 202.49 FEET; THENCE SOUTH 53°54'10" WEST 81.99 FEET; THENCE SOUTH 36°05'50" EAST 60.00 FEET; THENCE NORTH 53°54'10" EAST 179.32 FEET TO A POINT ON THE WEST BOUNDARY OF THE ROCHESTER CHURCH OF CHRIST PARCEL AS SURVEYED BY BUCKERFIELD ENGINEERING, RECORDED IN LIBER 10030, PAGES 313 & 314, OAKLAND COUNTY RECORDS; THENCE, ALONG SAID WEST BOUNDARY LINE, SOUTH 01°40'04" WEST 272.83 FEET; THENCE DUE WEST 2.50 FEET; THENCE SOUTH 01°40'04" WEST 539.97 FEET TO THE NORTH LINE OF SAID W. AVON ROAD; THENCE, ALONG SAID NORTH LINE, DUE WEST 39.55 FEET; THENCE NORTH 01°40'04" EAST 213.09 FEET; THENCE DUE WEST 212.24 FEET; THENCE DUE SOUTH 213.00 FEET TO THE NORTH LINE OF SAID W. AVON ROAD; THENCE, ALONG SAID NORTH LINE, DUE WEST 753.34 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 68.36 ACRES OF LAND AND IS SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS WHICH MAY OR MAY NOT BE OF RECORD.

Jm
10/29/20

EXHIBIT B
WATERMAIN EASEMENT AREA

(see attached)

EXHIBIT "B"

LEGAL DESCRIPTION FOR WATERMAIN EASEMENT

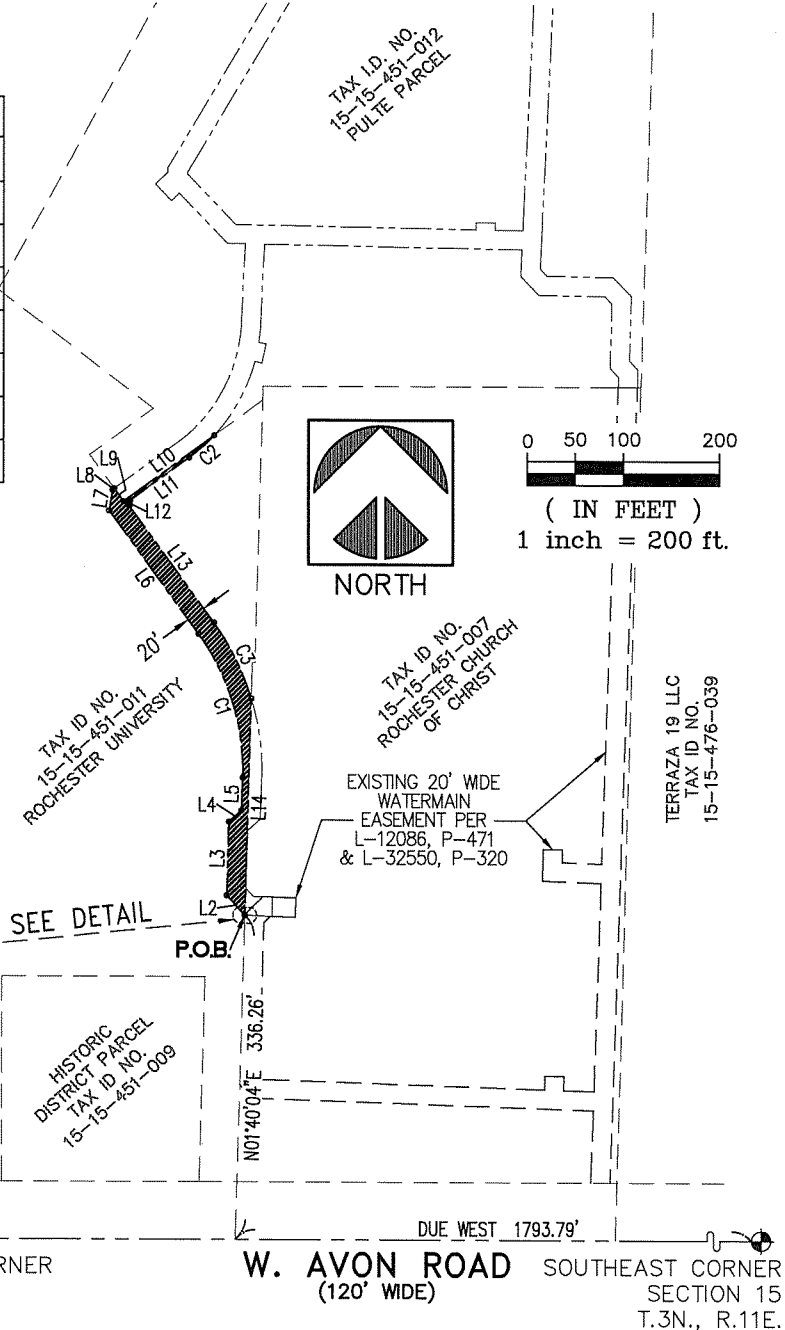
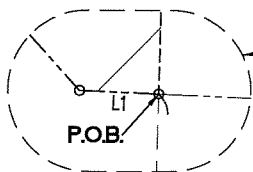
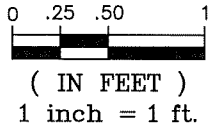
EASEMENT SITUATED IN THE CITY OF ROCHESTER HILLS, COUNTY OF OAKLAND, STATE OF MICHIGAN, BEING PART OF THE SOUTHEAST 1/4 OF SECTION 15, TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS:

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 NORTH 87°33'21" WEST 0.41 FEET; THENCE NORTH 42°09'09" WEST 27.57 FEET; THENCE NORTH 01°40'04" EAST 76.77 FEET; THENCE NORTH 47°35'27" EAST 17.57 FEET; THENCE NORTH 02°15'27" EAST 34.46 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 242.00 FEET, AN ARC LENGTH OF 159.46 FEET, A CENTRAL ANGLE OF 37°45'10", AND A CHORD BEARING AND DISTANCE OF NORTH 17°13'13" WEST 156.59 FEET; THENCE NORTH 36°05'48" WEST 158.14 FEET; THENCE NORTH 09°26'12" EAST 22.24 FEET; THENCE NORTH 53°54'12" EAST 2.13 FEET; THENCE SOUTH 36°05'50" EAST 16.50 FEET; THENCE NORTH 53°54'10" EAST 116.79 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 182.85 FEET, AN ARC LENGTH OF 34.84 FEET, A CENTRAL ANGLE OF 10°55'07", AND A CHORD BEARING AND DISTANCE OF SOUTH 48°07'19" WEST 34.79 FEET; THENCE SOUTH 53°54'12" WEST 76.14 FEET; THENCE SOUTH 09°26'12" WEST 5.67 FEET; THENCE SOUTH 36°05'48" EAST 149.74 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 262.00 FEET, AN ARC LENGTH OF 88.29 FEET, A CENTRAL ANGLE OF 19°18'28", AND A CHORD BEARING AND DISTANCE OF SOUTH 26°26'34" EAST 87.87 FEET; THENCE SOUTH 01°40'04" WEST 226.24 FEET TO THE POINT OF BEGINNING.

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N87°33'21"W	0.41'
L2	N42°09'09"W	27.57'
L3	N01°40'04"E	76.77'
L4	N47°35'27"E	17.57'
L5	N02°15'27"E	34.46'
L6	N36°05'48"W	158.14'
L7	N09°26'12"E	22.24'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L8	N53°54'12"E	2.13'
L9	S36°05'50"E	16.50'
L10	N53°54'10"E	116.79'
L11	S53°54'12"W	76.14'
L12	S09°26'12"W	5.67'
L13	S36°05'48"E	149.74'
L14	S01°40'04"W	226.24'

CURVE TABLE					
CURVE #	RADIUS	ARC LENGTH	CENTRAL ANGLE	CHORD DIRECTION	CHORD LENGTH
C1	242.00'	159.46'	37°45'10"	N17°13'13"W	156.59'
C2	182.85'	34.84'	10°55'07"	S48°07'19"W	34.79'
C3	262.00'	88.29'	19°18'28"	S26°26'34"E	87.87'



SOUTH 1/4 CORNER
SECTION 15
T.3N., R.11E.

W. AVON ROAD
(120' WIDE)

SOUTHEAST CORNER
SECTION 15
T.3N., R.11E.

The UMLOR Group
LAND DEVELOPMENT SERVICES

Approved
Jm Wozniak

WATERMAIN EASEMENT—UNIVERSITY 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