

### TERMINATION OF EASEMENTS

This Termination of Easements ("Termination") is made on August  
19, 2015 by the City of Rochester Hills, a Michigan municipal corporation whose address is 1000 Rochester Hills Drive, Rochester Hills, MI 48309 ("City") and Pulte Land Company, LLC, a Michigan limited liability company, whose address is 100 Bloomfield Hills Parkway, Bloomfield Hills, Michigan 48304 ("Pulte").

### RECITALS

A. City is the grantee of a watermain easement dated July 9, 1991 and recorded June 10, 1996 in Liber 16338, Page 90, Oakland County Records and a sanitary sewer easement dated July 9, 1991 and recorded on June 10, 1996 in Liber 16338, Page 82, Oakland County Records ("Original Easements").

B. The water main described in the Original Easements has not been constructed.

C. The sanitary sewer described in the Original Easements has not been constructed.

D. The land primarily burdened by the Original Easements is described on attached Exhibit A ("Property") and is now owned by Pulte.

E. The City has approved a PUD Agreement for development of the Property as a condominium recorded in Liber 48374, Page 643, Oakland County Records ("PUD Agreement").

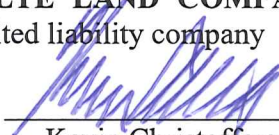
F. The City and Pulte agree that the Original Easements are not necessary to develop the Property in connection with the PUD Agreement, and wish to terminate and vacate the Original Easements as they pertain to the Property.

G. The portions of the Original Easements to be terminated and vacated are depicted on attached Exhibit B.

### TERMINATION

1. **Termination.** The City and Pulte hereby consent and agree to termination of the Original Easements and vacating the areas of the Original Easements as depicted on Exhibit B as they pertain to the Property, and upon execution and recording of this Termination, the Original Easements shall be of no force and effect.
2. **Notice.** By recording this Termination, notice is hereby given that the Original Easements are terminated.
3. **Successors and Assigns.** This Termination shall run with the land described in Exhibit A and shall be binding upon and inure to the benefit of Pulte, the City, and their respective successors, transferees, grantees and assigns.

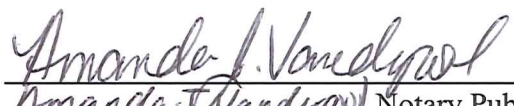
PULTE LAND COMPANY, LLC, a Michigan limited liability company

By:   
 Kevin Christofferson  
 Its: Vice President of Finance

STATE OF MICHIGAN                    )  
   ) ss  
 COUNTY OF OAKLAND                )

Acknowledged before me on August 19th, 2015 by Kevin Christofferson, the Vice President of Finance of Pulte Land Company, LLC, a Michigan limited liability company, on behalf of the company.

Embossed Hereon Is My  
 Oakland County, Michigan Notary Public Seal  
 My Commission Expires March 05, 2020  
 AMANDA J. VANDERPOOL

  
 Amanda J. Vanderpool Notary Public  
 Oakland County, MI  
 Acting in Oakland County, MI  
 My Commission Expires: March 5, 2020

(signatures continue on following page)

**CITY OF ROCHESTER HILLS**, a Michigan  
municipal corporation

By: \_\_\_\_\_

Its: Mayor

and

By: \_\_\_\_\_

Its: Clerk

STATE OF MICHIGAN            )  
  ) ss  
COUNTY OF OAKLAND        )

Acknowledged before me on \_\_\_\_\_, 2015 by \_\_\_\_\_,  
the Mayor, and \_\_\_\_\_, the Clerk, of the City of Rochester Hills, a  
Michigan municipal corporation, on behalf of the corporation.

\_\_\_\_\_  
Notary Public  
\_\_\_\_\_  
County, MI  
Acting in Oakland County, MI  
My Commission Expires: \_\_\_\_\_

Drafted by:  
Sandra Sorini Elser  
Bodman PLC  
201 S. Division, Suite 400  
Ann Arbor, Michigan 48104

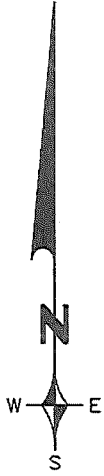
When recorded return to:  
City of Rochester Hills  
1000 Rochester Hills Drive  
Rochester Hills, MI 48309

John Staraw  
Approved 9/1/15

**EXHIBIT A TO TERMINATION  
SKETCH AND LEGAL DESCRIPTION OF PROPERTY**

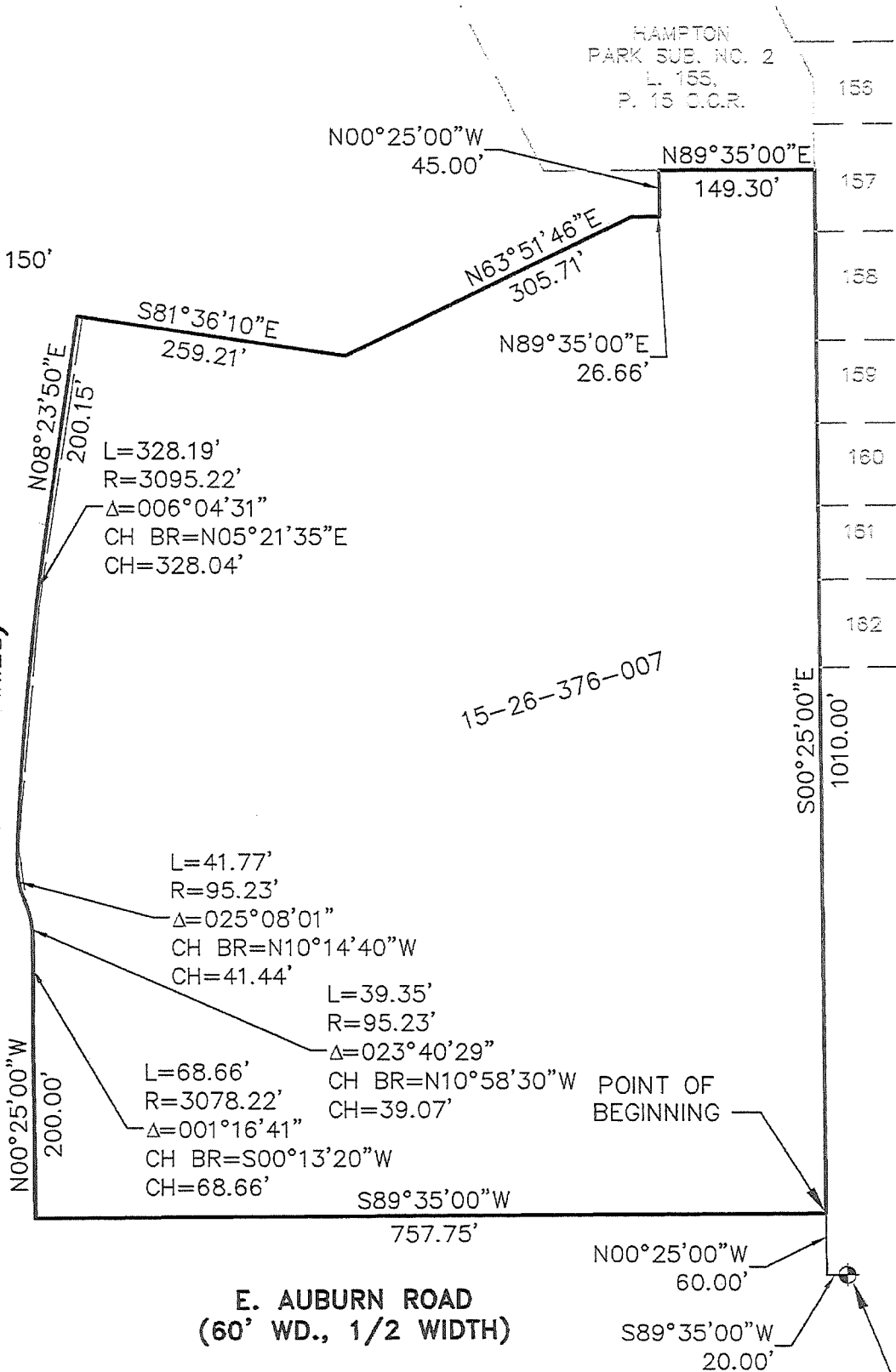
*(see attached)*

# EXHIBIT "A"



SCALE: 1" = 150'

BARCLAY CIRCLE  
(WIDTH VARIES)



HAMPTON  
PARK SUB. NO. 2  
L. 155,  
P. 15 O.C.R.

EDINSHIRE SUBDIVISION NO. 3 L. 155, P. 1 O.C.R.

15-26-376-007

S. 1/4 COR.  
SECTION 26  
T. 3 N., R. 11 E.,  
ROCHESTER HILLS,  
OAKLAND CO., MI.

Mike Taunt  
Approved 9/17/15

Z:\Projects\13178\DWG\13178 SAN ESMTS.dwg, BDY, 9/17/2015 10:23:47 AM, sbiaszczuk

REVISIONS			BOUNDARY SKETCH BARRINGTON PARK		DATE	SCALE HOR: 1" = 150'
ITEM	DATE	BY	ROCHESTER HILLS MICHIGAN			FIELD BOOK NO.
PER CITY REVIEW	9/17/15	SRB	 Civil Engineers & Land Surveyors 55800 GRAND RIVER AVE, SUITE 100 NEW HUDSON, MICHIGAN 48165 P: (248) 437-5099 F: (248) 437-5222 www.zeimetwozniak.com		DESIGNED BY	JOB NO. 13178
					DRAWN BY	SHEET NO. 1/2
					PTG	

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# EXHIBIT "A"

## LEGAL DESCRIPTION

PART OF THE SOUTHWEST 1/4 OF SECTION 26, T. 3 N., R. 11 E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 26 AND ALONG THE SOUTH LINE OF SAID SECTION 26 S. 89°35'00" W. 20.00 FEET; THENCE N. 00°25'00" W. 60.00 FEET TO THE NORTH RIGHT OF WAY LINE OF E. AUBURN ROAD (60 FEET WIDE) ALSO BEING THE POINT OF BEGINNING; THENCE ALONG SAID NORTH RIGHT OF WAY LINE OF E. AUBURN ROAD S. 89°35'00" W. 757.75 FEET; THENCE THE FOLLOWING SIX (6) COURSES ALONG THE EAST RIGHT OF WAY LINE OF BARCLAY CIRCLE (WIDTH VARIES), 1) N. 00°25'00" W. 200.00 FEET, 2) 68.66 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS 3,078.22 FEET, CENTRAL ANGLE 01°16'41" AND A CHORD THAT BEARS N. 00°13'20" E. 68.66 FEET, 3) 39.34 FEET ALONG THE ARC OF A CURVE TO LEFT, RADIUS 95.23 FEET, CENTRAL ANGLE 23°40'29" AND A CHORD THAT BEARS N. 10°58'30" W. 39.07 FEET, 4) 41.77 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS 95.23 FEET, CENTRAL ANGLE 25°08'01" AND A CHORD THAT BEARS N. 10°14'40" W. 41.44 FEET, 5) 328.19 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS 3,095.22 FEET, CENTRAL ANGLE 06°04'31" AND A CHORD THAT BEARS N. 05°21'35" E. 328.04 FEET, 6) N. 08°23'50" E. 200.15 FEET; THENCE S. 81°36'10" E. 259.21 FEET; THENCE N. 63°51'46" E. 305.71 FEET; THENCE N. 89°35'00" E. 26.66 FEET; THENCE N. 00°25'00" W. 45.00 FEET TO A POINT ON THE SOUTH LINE OF HAMPTON PARK SUB. NO. 2 AS RECORDED IN LIBER 155, PAGE 15, OAKLAND COUNTY RECORDS; THENCE ALONG SAID SOUTH LINE N. 89°35'00" E. 149.30 FEET TO A POINT ON THE WEST LINE OF EDINSHIRE SUBDIVISION NO. 3, AS RECORDED IN LIBER 155, PAGE 1, OAKLAND COUNTY RECORDS; THENCE IN PART ALONG SAID WEST LINE S. 00°25'00" E. 1,010.00 FEET TO THE POINT OF BEGINNING, CONTAINING 15.60 ACRES MORE OR LESS, BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

TAX PARCEL NO. 15-26-376-007

Z:\Projects\13178\DWG\13178 SAN ESMTS.dwg, BDY 2, 9/17/2015 10:23:47 AM, sbiaszczyk

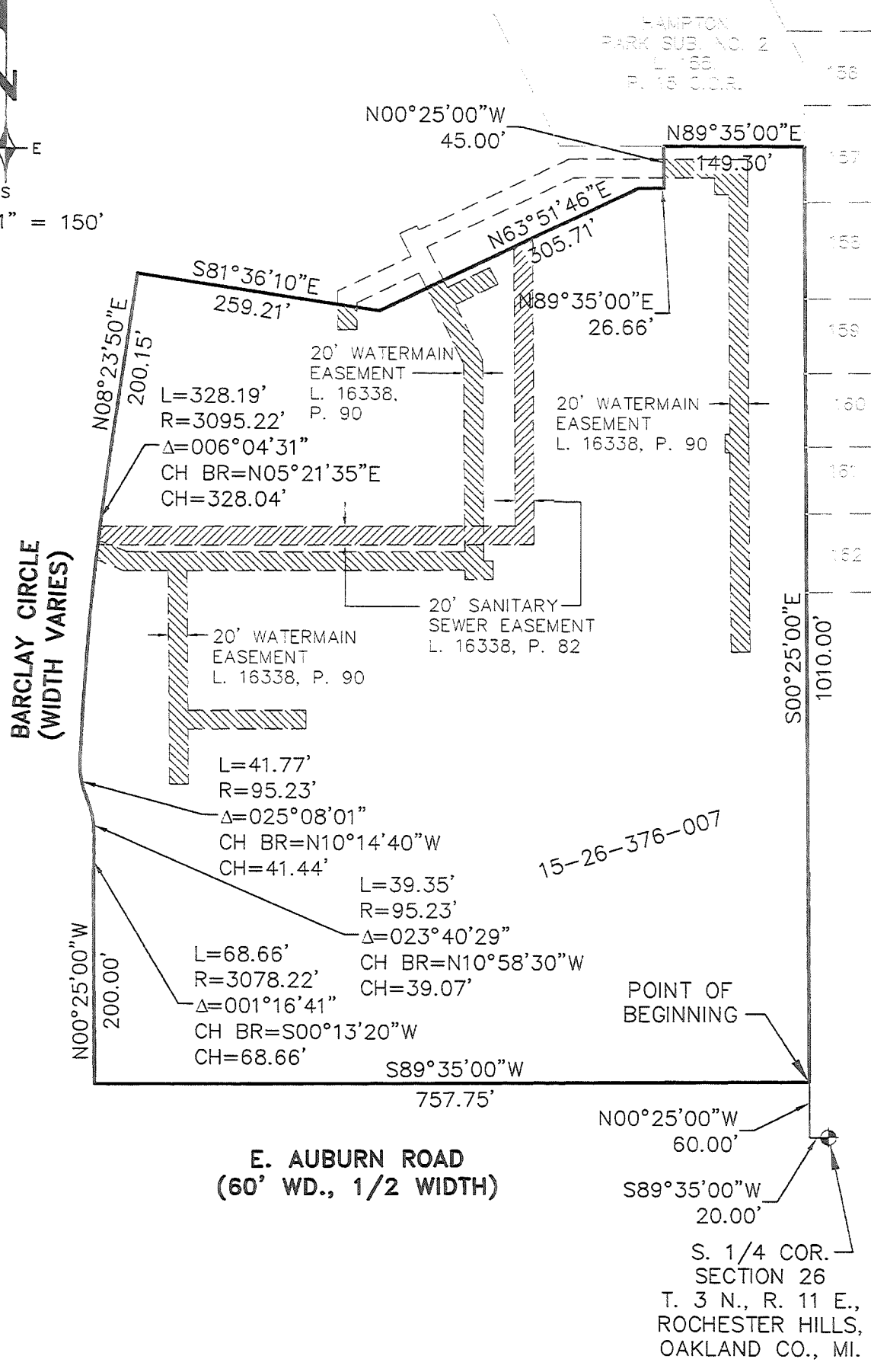
<b>REVISIONS</b>			<b>LEGAL DESCRIPTION</b>		DATE	SCALE HOR: 1" =	FIELD BOOK NO.	JOB NO. <b>13178</b>	SHEET NO. <b>2/2</b>	© COPYRIGHT 2015
ITEM	DATE	BY	<b>BARRINGTON PARK</b>							
PER CITY REVIEW	9/17/15	SRB	ROCHESTER HILLS MICHIGAN							
			<b>Z EIMET W OZNIAK</b>		DESIGNED BY					
			& ASSOCIATES							
			Civil Engineers & Land Surveyors		DRAWN BY					
			55800 GRAND RIVER AVE, SUITE 100		PTG					
			NEW HUDSON, MICHIGAN 48165							
			P: (248) 437-5099 F: (248) 437-5222 www.zeimetwozniak.com							

**EXHIBIT B TO TERMINATION**  
**DEPICTION OF TERMINATED EASEMENTS**  
*(see attached)*

# EXHIBIT "B"



SCALE: 1" = 150'



EDINBURGH SUBDIVISION NO. 3 L. 155, P. 1 O.G.R.

15-26-376-007

REVISIONS		
ITEM	DATE	BY

**EASEMENTS TO BE VACATED  
BARRINGTON PARK**

ROCHESTER HILLS MICHIGAN

**Z E I M E T W O Z N I A K**  
& ASSOCIATES  
Civil Engineers & Land Surveyors  
55800 GRAND RIVER AVE. SUITE 100  
NEW HUDSON, MICHIGAN 48165  
P: (248) 437-5099 F: (248) 437-5222 www.zcimetwozniak.com

DATE	SCALE HOR: 1" = 150'
DESIGNED BY	FIELD BOOK NO.
DRAWN BY PTG	JOB NO. 13178
	SHEET NO. 1/2

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# EXHIBIT "B"

## LEGAL DESCRIPTION


A CENTERLINE DESCRIPTION OF A 20 FOOT WATERMAIN EASEMENT TO BE VACATED LOCATED IN THE SOUTHWEST 1/4 OF SECTION 26, T. 3 N., R. 11 E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 26 AND ALONG THE SOUTH LINE OF SAID SECTION 26 S. 89°35'00" W. 20.00 FEET; THENCE N. 00°25'00" W. 60.00 FEET TO THE NORTH RIGHT OF WAY LINE OF E. AUBURN ROAD (60 FEET WIDE, 1/2 WIDTH); THENCE ALONG SAID NORTH RIGHT OF WAY LINE S. 89°35'00" W. 757.75 FEET; THENCE N. 00°25'00" W. 200.00 FEET; THENCE 68.66 FEET ALONG A CURVE TO THE LEFT, 3078.22 FEET, CENTRAL ANGLE 01°16'41", AND A CHORD THAT BEARS N. 00°13'20" E. 68.66 FEET; THENCE 39.35 FEET ALONG A CURVE TO THE LEFT, RADIUS 95.23 FEET, CENTRAL ANGLE 23°40'29", AND A CHORD THAT BEARS N. 10°58'30" W. 39.07 FEET; THENCE 41.77 FEET ALONG A CURVE TO THE RIGHT, RADIUS 95.23 FEET, CENTRAL ANGLE 25°08'01", AND A CHORD THAT BEARS N. 10°14'40" W. 41.44 FEET; THENCE 228.30 FEET ALONG A CURVE TO THE RIGHT, RADIUS 3095.22 FEET, CENTRAL ANGLE 04°13'34", AND A CHORD THAT BEARS N. 04°26'06" E. 228.25 FEET TO A POINT OF BEGINNING 1 OF SAID EASEMENT TO BE VACATED; THENCE S. 67°55'00" E. 32.62 FEET; THENCE N. 89°35'00" E. 55.00 FEET TO A POINT 'A'; THENCE S. 00°25'00" E. 10.00 FEET TO A POINT 'B'; THENCE N. 89°35'00" E. 10.00 FEET; THENCE CONTINUING FROM SAID POINT 'B' S. 00°25'00" E. 160.00 FEET TO A POINT 'C'; THENCE S. 00°25'00" E. 70.00 FEET; THENCE CONTINUING FROM SAID POINT 'C' N. 89°35'00" E. 135.00 FEET; THENCE CONTINUING FROM SAID POINT 'A' N. 89°35'00" E. 314.27 FEET TO A POINT 'D'; THENCE S. 00°25'00" E. 10.00 FEET; THENCE N. 89°35'00" E. 20.00 FEET; THENCE CONTINUING FROM SAID POINT 'D' N. 00°25'00" W. 215.00 FEET; THENCE N. 26°08'14" W. 73.00 FEET TO A POINT 'E'; THENCE N. 63°51'45" E. 60.00 FEET; THENCE CONTINUING FROM SAID POINT 'E' N. 26°08'14" W. 19.01 FEET TO A POINT OF ENDING 1 ON THE NORTHERLY PROPERTY LINE; THENCE THE FOLLOWING TWO (2) COURSES ALONG THE NORTHERLY PROPERTY LINE TO A POINT OF BEGINNING 2: 1) S. 63°51'46" W. 65.43 FEET AND 2) N. 81°36'10" E. 34.69 FEET; THENCE FROM SAID POINT OF BEGINNING 2, S. 00°25'00" E. 25.76 FEET TO A POINT OF ENDING 2; THENCE FROM SAID POINT OF ENDING 1 THE FOLLOWING THREE (3) COURSES ALONG THE SAID NORTHERLY PROPERTY LINE TO A POINT OF BEGINNING 3: 1) N. 63°51'46" E. 240.28 FEET, 2) N. 89°35'00" E. 26.66 FEET, AND 3) N. 00°25'00" W. 21.05 FEET; THENCE FROM SAID POINT OF BEGINNING 3, N. 89° 35'00" E. 177.00 FEET; THENCE S. 00°25'00" E. 18.00 FEET TO A POINT 'H'; THENCE S. 89°35'00" W. 25.00 FEET; THENCE CONTINUING FROM SAID POINT 'H' S. 00°25'00" E. 279.00 FEET TO A POINT 'J'; THENCE S. 89°35'00" W. 15.00 FEET; THENCE CONTINUING FROM SAID POINT 'J' S. 00°25'00" E. 225.00 FEET TO A POINT OF ENDING 3. SIDWELL 15-26-376-007.

## LEGAL DESCRIPTION

A CENTERLINE DESCRIPTION OF A 20 FOOT SANITARY SEWER EASEMENT TO BE VACATED LOCATED IN THE SOUTHWEST 1/4 OF SECTION 26, T. 3 N., R. 11 E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 26 AND ALONG THE SOUTH LINE OF SAID SECTION 26 S. 89°35'00" W. 20.00 FEET; THENCE N. 00°25'00" W. 60.00 FEET TO THE NORTH RIGHT OF WAY LINE OF E. AUBURN ROAD (60 FEET WIDE, 1/2 WIDTH); THENCE ALONG SAID NORTH RIGHT OF WAY LINE S. 89°35'00" W. 757.75 FEET; THENCE N. 00°25'00" W. 200.00 FEET; THENCE 68.66 FEET ALONG A CURVE TO THE LEFT, 3078.22 FEET, CENTRAL ANGLE 01°16'41", AND A CHORD THAT BEARS N. 00°13'20" E. 68.66 FEET; THENCE 39.35 FEET ALONG A CURVE TO THE LEFT, RADIUS 95.23 FEET, CENTRAL ANGLE 23°40'29", AND A CHORD THAT BEARS N. 10°58'30" W. 39.07 FEET; THENCE 41.77 FEET ALONG A CURVE TO THE RIGHT, RADIUS 95.23 FEET, CENTRAL ANGLE 25°08'01", AND A CHORD THAT BEARS N. 10°14'40" W. 41.44 FEET; THENCE 243.43 FEET ALONG A CURVE TO THE RIGHT, RADIUS 3095.22 FEET, CENTRAL ANGLE 04°30'22", AND A CHORD THAT BEARS N. 04°34'31" E. 243.37 FEET TO A POINT OF BEGINNING OF SAID EASEMENT TO BE VACATED; THENCE N. 89°35'00" E. 451.00 FEET; THENCE N. 00°25'00" W. 310.00 FEET TO THE POINT OF ENDING. SIDWELL 15-26-376-007.

REVISIONS			<b>EASEMENTS TO BE VACATED BARRINGTON PARK</b> ROCHESTER HILLS MICHIGAN		DATE	SCALE HOR: 1" = 150'
ITEM	DATE	BY				FIELD BOOK NO.
			 <b>ZEIMET WOZNIAK &amp; ASSOCIATES</b> Civil Engineers & Land Surveyors 55800 GRAND RIVER AVE, SUITE 100 NEW HUDSON, MICHIGAN 48165 P: (248) 437-5099 F: (248) 437-5222 www.zeimetwozniak.com		DESIGNED BY	JOB NO. <b>13178</b>
					DRAWN BY PTG	SHEET NO. <b>2/2</b>
						© COPYRIGHT 2015