

WATERMAIN EASEMENT

AMERICAN HOUSE ROCHESTER HILLS PROPERTY OWNER LLC, a Delaware limited liability company, of One Towne Square, Suite 1600, Southfield, Michigan 48076 ("15-31-301-036") and AMERICAN HOUSE ROCHESTER MC LLC, a Michigan limited liability company, of One Towne Square, Suite 1600, Southfield, Michigan 48076 ("15-31-301-037" and collectively with 15-31-301-036 the "Grantors") grants to the CITY OF ROCHESTER HILLS, a Michigan municipal corporation, of 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309 (the "City"), 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

The description of the easement property is attached as Exhibit B and depicted on Exhibit C.

Sidwell # 15-31-301-036 and 15-31-301-037

In connection with the grant of easement, Grantors waive and relinquish 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 and the City shall obtain the consent of Key Bank National Association, a national banking corporation, its successors or assignees (the "Servicer") and/or the Federal National Mortgage Association ("Fannie Mae") prior to any relocation of this watermain easement or the facilities located therein.


The easement shall be irrevocable and non-exclusive, and Grantors and Grantors' successors and assigns may use and enjoy the easement area in common with the City.

Grantors expressly reserve to Grantors and Grantors' 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
19th day of January, 2016.

AMERICAN HOUSE ROCHESTER HILLS
PROPERTY OWNER LLC, a Delaware limited
liability company

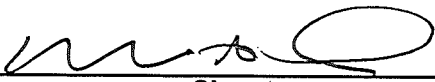


Signature
PAUL A. STODULSKI

(Print Name)
AUTHORIZED REPRESENTATIVE

Title

AMERICAN HOUSE ROCHESTER MC LLC, a
Michigan limited liability company



Signature
PAUL A. STODULSKI

(Print Name)
AUTHORIZED REPRESENTATIVE

Title

CITY OF ROCHESTER HILLS, a Michigan
municipal corporation

Signature
Bryan K. Barnett

(Print Name)
Mayor

Title

STATE OF MICHIGAN
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 19th day of JANUARY, 2016, by PAUL A. STODULSKI who is a AUTHORIZED REP., of AMERICAN HOUSE ROCHESTER HILLS PROPERTY OWNER LLC, a Delaware limited liability company, on behalf of the company.

Regina M. Horn
Notary Public - Michigan
Oakland County
My Commission Expires Sept 8, 2017
Acting in the County of OAKLAND

Regina M. Horn
REGINA M. HORN, Notary Public
OAKLAND County, Michigan
My Commission Expires: 9-8-17

STATE OF MICHIGAN
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 19th day of JANUARY, 2016, by PAUL A. STODULSKI who is a AUTHORIZED REP., of AMERICAN HOUSE ROCHESTER MC LLC, a Michigan limited liability company, on behalf of the company.

Regina M. Horn
Notary Public - Michigan
Oakland County
My Commission Expires Sept 8, 2017
Acting in the County of OAKLAND

Regina M. Horn
REGINA M. HORN, Notary Public
OAKLAND County, Michigan
My Commission Expires 9-8-17

STATE OF MICHIGAN
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 2016, by Bryan K. Barnett who is the Mayor, of the CITY OF ROCHESTER HILLS, a Michigan municipal corporation, on behalf of the company.

Drafted By:
Adam P. Lumberg
Sullivan Ward, Asher + Patton PC
25800 Northwestern Hwy, #1000
Southfield, MI 48075-8412

, Notary Public
County, Michigan
My Commission Expires

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

John Staran
Approved 2/16/16

Exhibit A

EXHIBIT A

PROPERTY DESCRIPTION PARCEL ID. 15-31-301-036

(BASED ON WARRANTY DEED, LIBER 40292, PAGE 028, FOR PARCEL IDENTIFICATION NUMBER 15-31-301-036)
 COMMENCING OF THE WEST 1/4 CORNER OF SECTION 31, TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 463.15 FEET ALONG THE WEST LINE OF SAID SECTION 31 AND THE CENTERLINE OF ADAMS ROAD (VARIABLE WIDTH) FOR A PLACE OF BEGINNING; THENCE NORTH 88 DEGREES 44 MINUTES 58 SECONDS EAST 199.83 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 134.44 FEET; THENCE NORTH 88 DEGREES 41 MINUTES 38 SECONDS EAST 493.58 FEET; THENCE SOUTH 00 DEGREES 15 MINUTES 18 SECONDS EAST 164.32 FEET; THENCE NORTH 88 DEGREES 44 MINUTES 58 SECONDS EAST 300.39 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 164.26 FEET; THENCE NORTH 88 DEGREES 44 MINUTES 58 SECONDS EAST 331.17 FEET; THENCE SOUTH 00 DEGREES 14 MINUTES 45 SECONDS EAST 235.56 FEET; THENCE NORTH 89 DEGREES 54 MINUTES 34 SECONDS WEST 108.00 FEET; THENCE SOUTH 00 DEGREES 14 MINUTES 45 SECONDS EAST 50.00 FEET; THENCE NORTH 89 DEGREES 54 MINUTES 34 SECONDS WEST 205.00 FEET; THENCE NORTH 00 DEGREES 14 MINUTES 45 SECONDS WEST 50.00 FEET; THENCE NORTH 89 DEGREES 54 MINUTES 34 SECONDS WEST 513.90 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 239.61 FEET; THENCE NORTH 89 DEGREES 55 MINUTES 08 SECONDS WEST 255.00 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 107.50 FEET; THENCE NORTH 89 DEGREES 55 MINUTES 08 SECONDS WEST 244.50 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 51.17 FEET ALONG THE WEST LINE OF SAID SECTION 31 AND THE CENTERLINE OF SAID ADAMS ROAD TO THE PLACE OF BEGINNING, TOGETHER WITH THE BENEFIT OF i) DECLARATION OF EASEMENTS RECORDED IN LIBER 40199, PAGE 667 AND ii) EASEMENT AGREEMENT RECORDED IN LIBER 40199, PAGE 690, OAKLAND COUNTY RECORDS.

PROPERTY DESCRIPTION PARCEL ID. 15-31-301-037

(BASED ON WARRANTY DEED, LIBER 47826, PAGE 489, FOR PARCEL IDENTIFICATION NUMBER 15-31-301-037)
 LAND LOCATED IN THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN
 COMMENCING AT THE WEST 1/4 CORNER OF SECTION 31, T3N, R11E, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN; THENCE S00°00'00"E 514.32 FEET ALONG THE WEST LINE OF SAID SECTION 31 AND THE CENTERLINE OF ADAMS ROAD (VARIABLE WIDTH) FOR A PLACE OF BEGINNING; THENCE S89°55'08"E 244.50 FEET; THENCE S00°00'00"E 107.50 FEET; THENCE S89°55'08"E 255.00 FEET; THENCE S00°00'00"E 239.61 FEET; THENCE N89°54'34"W 155.57 FEET; THENCE S00°00'00"E 40.50 FEET; THENCE N89°54'34"W 136.00; THENCE N00°00'00"E 40.50 FEET; THENCE N89°54'34"W 207.93 FEET; THENCE N00°00'00"E 347.03 FEET ALONG THE WEST LINE OF SAID SECTION 31 AND THE CENTERLINE OF SAID ADAMS ROAD TO THE PLACE OF BEGINNING, CONTAINING 3.48 ACRES OF LAND, MORE OR LESS, BEING SUBJECT TO THE RIGHTS OF THE PUBLIC OVER THE WESTERLY 60 FEET THERE OF AS OCCUPIED BY SAID ADAMS ROAD, BEING PART OF THE SOUTHWEST ¼ OF SAID SECTION 31, TOGETHER WITH THE BENEFITS AFFORDED BY i) DECLARATION OF EASEMENTS RECORDED IN LIBER 40199, PAGE 667 AND ii) EASEMENT AGREEMENT RECORDED IN LIBER 40199, PAGE 690, OAKLAND COUNTY RECORDS.

*Mike Tavit
 Approved 12/21/15*

WATER MAIN EASEMENT PART OF THE SOUTHWEST 1/4 SECTION 31, T.-03-N., R.-11-E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN



ENGINEERS LAND SURVEYORS
 PLANNERS LANDSCAPE ARCHITECTS
 28 W. ADAMS, SUITE 1200
 DETROIT, MICHIGAN 48226
 (313) 962-4442

DATE:	08/06/15	CHECKED BY	DATE	SCALE:	N/A
DRAWN:	JZB	ALG	08/15	SHEET:	1 OF 1
DESIGN:				JOB No:	17568.02
SECTION:	31	T-03-N, R-11-E			

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N:\17150017568.02 American House Roch Hills\Easements\Water Main Easement\Water Main Easement 1756802.dwg

Exhibit B

EXHIBIT B

CENTERLINE OF 20' WIDE WATER MAIN EASEMENT 1

(PART OF PARCEL IDENTIFICATION NUMBERS 15-31-301-036 AND 15-31-301-037)

THE CENTERLINE OF A 20' WIDE WATER MAIN EASEMENT, BEING A PART OF THE SOUTHWEST 1/4 OF SECTION 31, T.-3-N., R.-11-E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS:
COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 31; THENCE S00°00'00"E, 463.15 FEET ALONG THE WEST LINE OF SAID SECTION 31 AND THE CENTERLINE OF ADAMS ROAD (VARIABLE WIDTH); THENCE N88°44'58"E, 33.01 FEET; THENCE S00°00'00"E, 67.45 FEET TO THE POINT OF BEGINNING; THENCE N88°59'30"E, 61.63 FEET TO A POINT A; THENCE CONTINUING N88°59'30"E, 44.50 FEET TO A POINT B; THENCE CONTINUING N88°59'30"E, 53.33 FEET; THENCE N66°29'30"E, 77.47 FEET; THENCE N90°00'00"E, 376.43 FEET; THENCE S45°00'00"E, 10.23 FEET; THENCE S00°00'00"E, 87.38 FEET TO A POINT C; THENCE CONTINUING S00°00'00"E, 56.74 FEET; THENCE S45°00'00"E, 17.39 FEET; THENCE S89°45'46"E, 15.52 FEET TO A POINT D; THENCE CONTINUING S89°45'46"E, 158.56 FEET TO A POINT E; THENCE CONTINUING S89°45'46"E, 182.91 FEET; THENCE S45°00'00"E, 9.89 FEET; THENCE S00°00'00"E, 50.79 FEET TO A POINT F; THENCE CONTINUING S00°00'00"E, 125.34 FEET; THENCE S45°00'00"W, 10.92 FEET; THENCE N89°54'34"W, 31.39 FEET TO A POINT G; THENCE N89°54'34"W, 121.67 FEET; THENCE S45°05'26"W, 15.31 FEET TO THE POINT OF ENDING.

ALSO BEGINNING AT A POINT A; THENCE S00°35'18"E, 33.00 FEET TO THE POINT OF ENDING

ALSO BEGINNING AT A POINT B; THENCE S01°00'30"E, 14.16 FEET TO THE POINT OF ENDING.

ALSO BEGINNING AT A POINT C; THENCE N90°00'00"W, 98.28 FEET TO A POINT H; THENCE CONTINUING N90°00'00"W, 15.83 FEET; THENCE S45°00'00"W, 46.85 FEET; THENCE N90°00'00"W, 38.45 FEET TO THE POINT OF ENDING.

ALSO BEGINNING AT A POINT D; THENCE S00°00'00"E, 13.55 FEET TO THE POINT OF ENDING.

ALSO BEGINNING AT A POINT E; THENCE N00°00'00"E, 35.72 FEET TO THE POINT OF ENDING.

ALSO BEGINNING AT A POINT F; THENCE N90°00'00"E, 15.66 FEET TO THE POINT OF ENDING.

ALSO BEGINNING AT A POINT G; THENCE N00°00'00"E, 17.43 FEET TO THE POINT OF ENDING.

ALSO BEGINNING AT A POINT H; THENCE N00°00'00"E, 10.98 FEET TO THE POINT OF ENDING.

CENTERLINE OF 20' WIDE WATER MAIN EASEMENT 2

(PART OF PARCEL IDENTIFICATION NUMBERS 15-31-301-036 AND 15-31-301-037)

THE CENTERLINE OF A 20' WIDE WATER MAIN EASEMENT, BEING A PART OF THE SOUTHWEST 1/4 OF SECTION 31, T.-3-N., R.-11-E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS:
COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 31; THENCE S00°00'00"E, 861.35 FEET ALONG THE WEST LINE OF SAID SECTION 31 AND THE CENTERLINE OF ADAMS ROAD (VARIABLE WIDTH); THENCE S89°54'34"E, 207.93 FEET; THENCE S00°00'00"E, 17.84 FEET TO THE POINT OF BEGINNING; THENCE S89°57'00"E, 75.20 FEET TO A POINT I; THENCE CONTINUING S89°57'00"E, 60.80 FEET TO THE POINT OF ENDING.

ALSO BEGINNING AT A POINT I; THENCE N00°00'00"E, 42.98 FEET TO THE POINT OF ENDING.

WATER MAIN EASEMENT

PART OF THE SOUTHWEST 1/4 SECTION 31, T.-03-N., R.-11-E.,
CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN

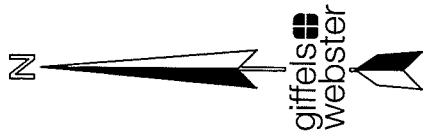


ENGINEERS LAND SURVEYORS
PLANNERS LANDSCAPE ARCHITECTS
28 W. ADAMS, SUITE 1200
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(313) 962-4442

DATE:	08/06/15	CHECKED BY	DATE	SCALE:	N/A
DRAWN:	JZB	ALG	08/15	SHEET:	1 OF 1
DESIGN:				JOB No:	17568.02
SECTION:	31	T-03-N, R-11-E			

Exhibit C

EXHIBIT C

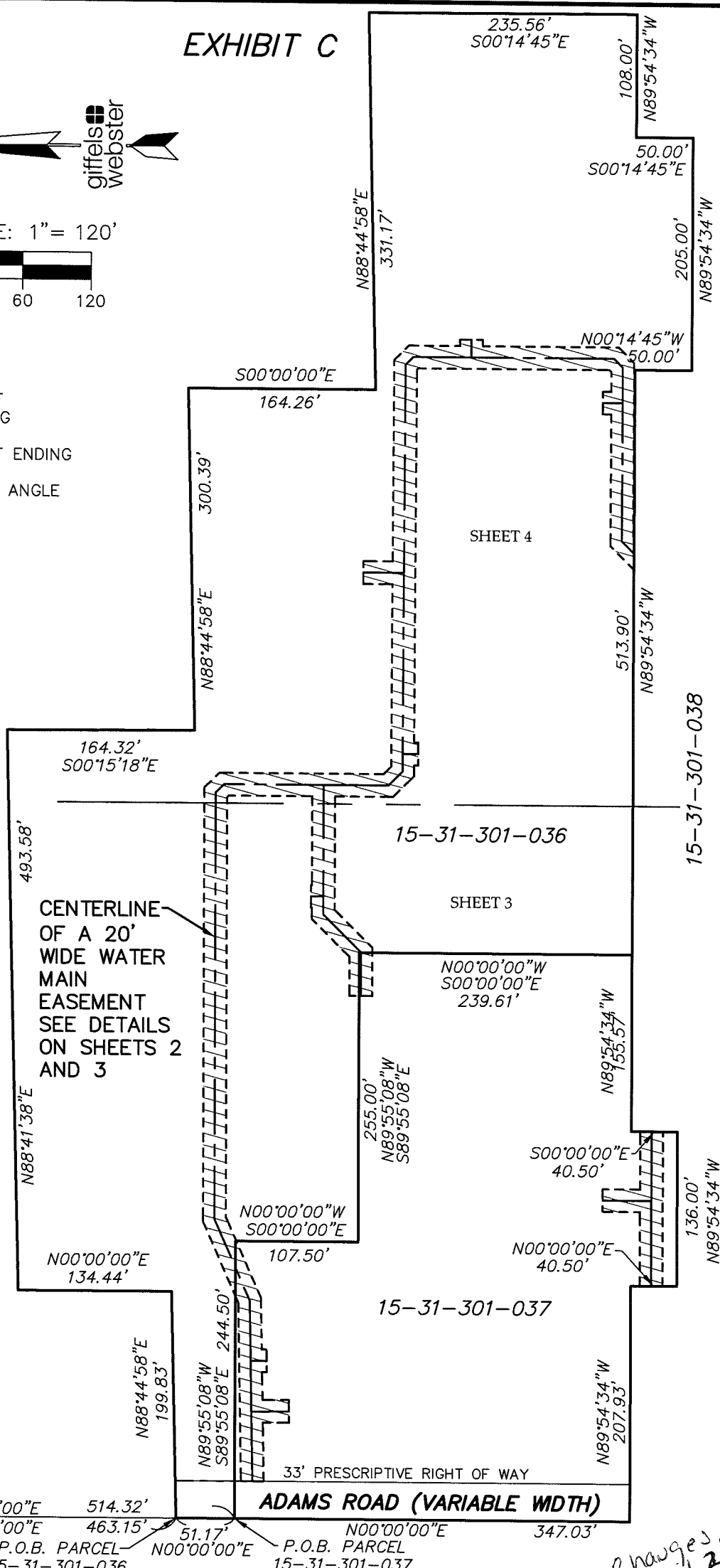


SCALE: 1" = 120'



LEGEND

- P.O.B. POINT OF BEGINNING
- P.O.E. POINT OF ENDING
- C.A. CENTRAL ANGLE



POINT OF COMMENCEMENT
WEST 1/4 CORNER
OF SECTION 31,
T.-3-N., R.-11-E.,
AVON TOWNSHIP,
CITY OF ROCHESTER HILLS,
OAKLAND COUNTY, MI

WEST LINE OF SECTION 31 514.32'
EAST LINE OF SECTION 36 463.15'
P.O.B. PARCEL 15-31-301-036
P.O.B. PARCEL 15-31-301-037

ADAMS ROAD (VARIABLE WIDTH)

Changes Appd 2/1/16 ARS

WATER MAIN EASEMENT

PART OF THE SOUTHWEST 1/4 SECTION 31, T.-03-N., R.-11-E.,
CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN

REV. 12-17-15

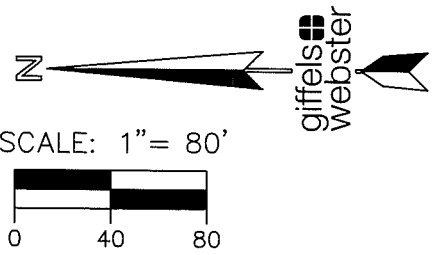


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(313) 962-4442

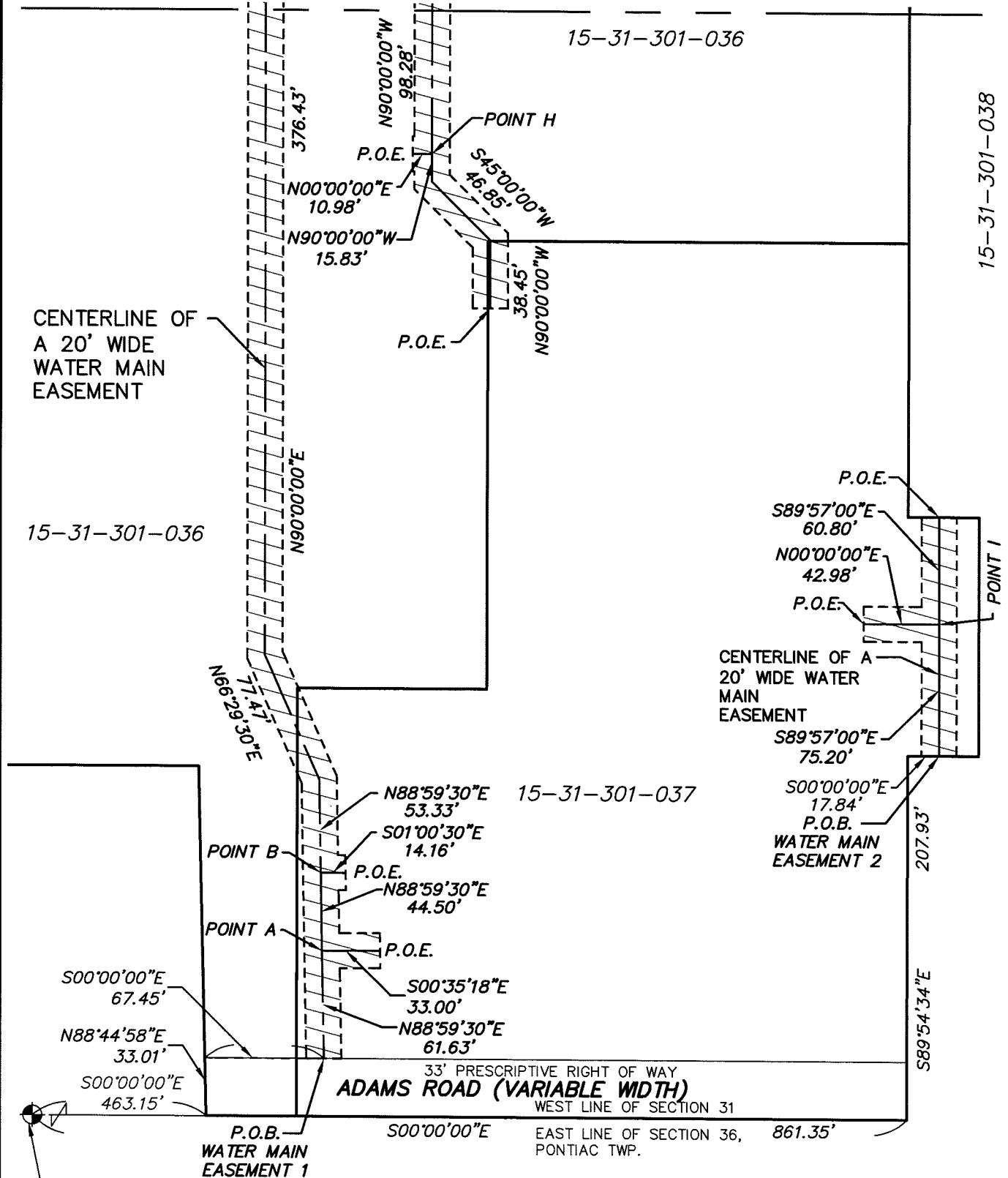
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DRAWN: JZB			SHEET: 1 OF 3
DESIGN:			JOB No: 17568.02
SECTION: 31	T-03-N, R-11-E		

LEGEND

- P.O.B. POINT OF BEGINNING
- P.O.E. POINT OF ENDING
- C.A. CENTRAL ANGLE



MATCHLINE SEE SHEET 3



POINT OF COMMENCEMENT
WEST 1/4 CORNER
OF SECTION 31,
T.-3-N., R.-11-E.,
AVON TOWNSHIP,
CITY OF ROCHESTER HILLS,
OAKLAND COUNTY, MI

WATER MAIN EASEMENT

PART OF THE SOUTHWEST 1/4 SECTION 31, T.-03-N., R.-11-E.,
CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN

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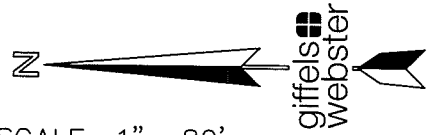
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PLANNERS LANDSCAPE ARCHITECTS
28 W. ADAMS, SUITE 1200
DETROIT, MICHIGAN 48226
(313) 962-4442

DATE:	08/06/15	CHECKED BY:	ALG	DATE:	08/15	SCALE:	1" = 80'
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DESIGN:						JOB No:	17568.02
SECTION:	31		T-03-N, R-11-E				

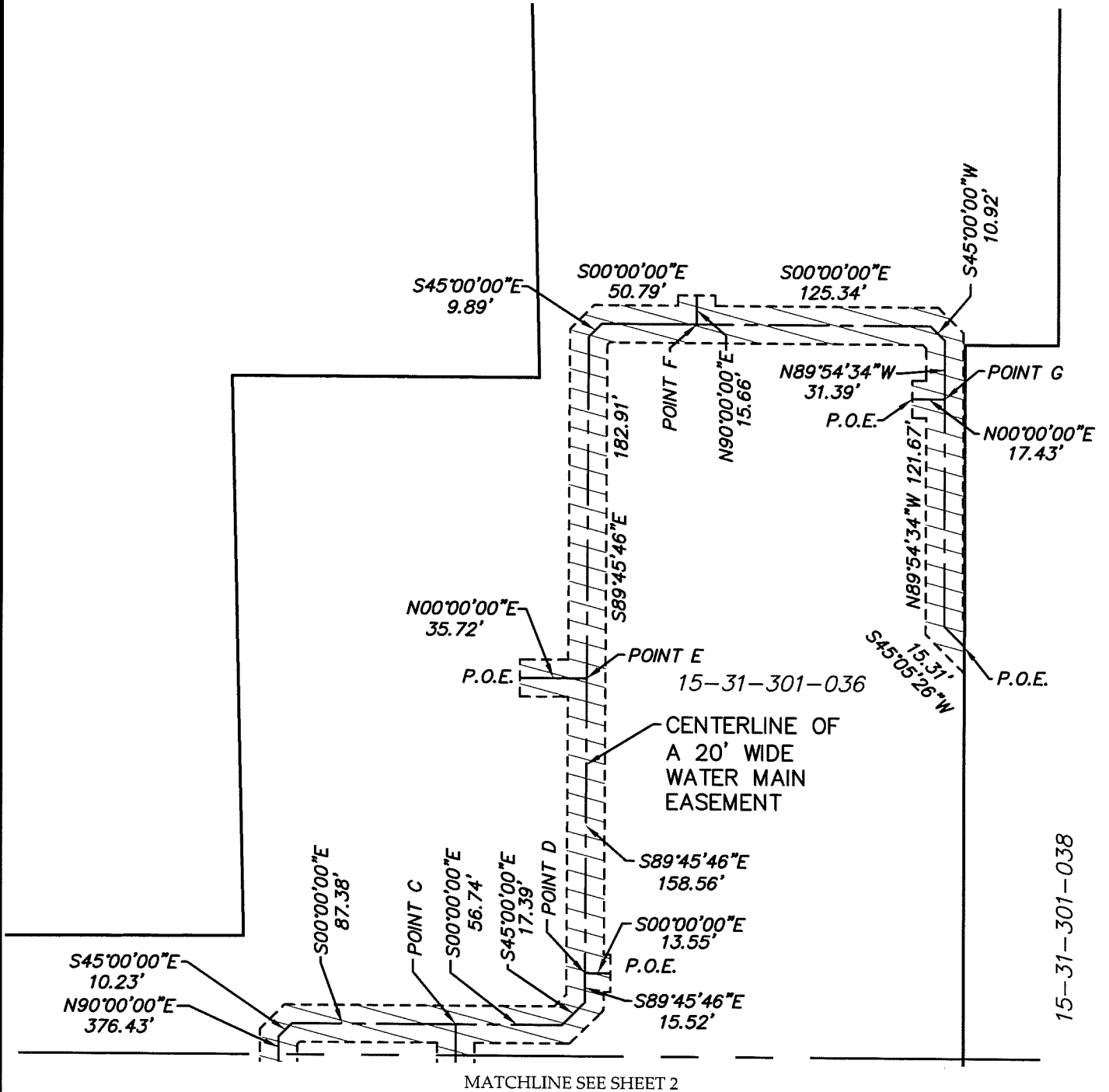
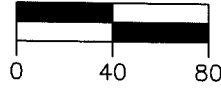
N:\171500\17568.02 American House Roch Hills\Easements\Water Main Easement\Water Main Easement 1756802.dwg

LEGEND

- P.O.B. POINT OF BEGINNING
- P.O.E. POINT OF ENDING
- C.A. CENTRAL ANGLE



SCALE: 1" = 80'



WATER MAIN EASEMENT

PART OF THE SOUTHWEST 1/4 SECTION 31, T.-03-N., R.-11-E.,
CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN

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PLANNERS LANDSCAPE ARCHITECTS
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DETROIT, MICHIGAN 48226
(313) 962-4442

DATE:	08/06/15	CHECKED BY:	DATE:	SCALE:	1" = 80'
DRAWN:	JZB	ALG	08/15	SHEET:	3 OF 3
DESIGN:				JOB No:	17568.02
SECTION:	31	T-03-N, R-11-E			

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