WATERMAIN EASEMENT (WoodSpring Suites, Rochester Hills)

WOODSPRING SUITES DETROIT ROCHESTER HILLS LLC, a Kansas limited liability company, whose address is 8621 East 21st North, Suite 250, Wichita, Kansas 67206 ("Grantor"), grants to the CITY OF ROCHESTER HILLS, a Michigan municipal corporation, of 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309 ("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 replacement of a watermain on, under through and across land more particularly described as:

See Attached Exhibit A

Tax Parcel Number 15-30-176-010

In connection with the grant of easement, and upon acceptance by the City of a dedication of the watermain and related facilities as public utilities, Grantor waives and relinquishes any of Grantor's right, title or interest in the watermain, or related facilities, 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 within the easement area.

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

Grantor expressly reserves to Grantor and Grantor's transferees, 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.

For the consideration of less than \$100. 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 11th day of ________, 2016.

WoodSpring Suites Detroit Rochester Hills LLC Its: STATE OF KANSAS **COUNTY OF SEDGWICK** 10/11 , 2016, by Scott Frey, LLC, a Kansas limited liability Oll Notary Public My Commission Expires:

When recorded, return to:

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

PAM LANGLEY **NOTARY PUBLIC** STATE OF KANSAS My Appt. Exp. 02-22-2019

Drafted by: Karl N. Hesse Foulston Siefkin LLP 1551 N. Waterfront Pkwy, Ste 100 Wichita, KS 67206

John Storan Approved 11/16/16

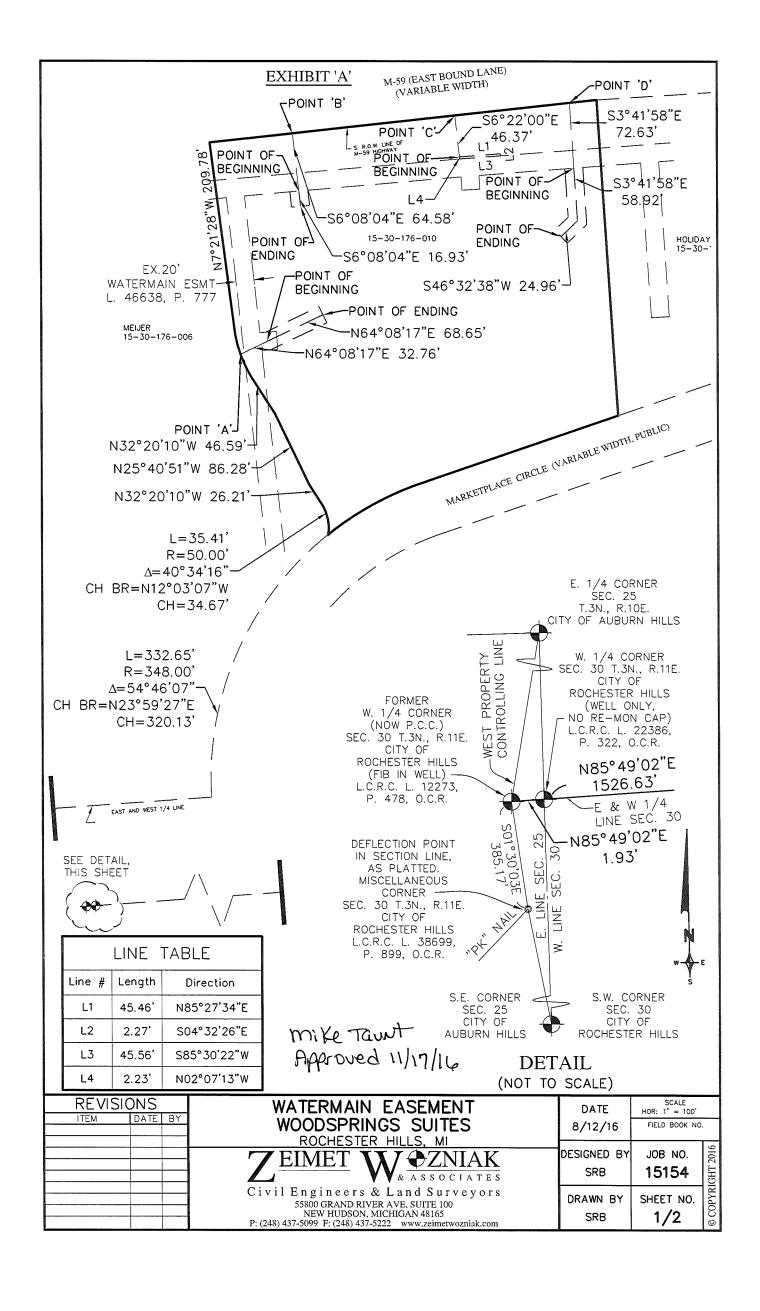


EXHIBIT 'A'

WATERMAIN EASEMENT DESCRIPTION

A DESCRIPTION OF A WATERMAIN EASEMENT LOCATED IN THE CITY OF ROCHESTER HILLS, COUNTY OF OAKLAND, MICHIGAN, DESCRIBED AS:

PART OF THE NORTHWEST QUARTER OF SECTION 30, TOWN 3 NORTH, RANGE 11 EAST, COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 30 (AS REMONUMENTED) SAID QUARTER CORNER BEING NORTH 85 DEGREES 49 MINUTES 02 SECONDS EAST 1.93 FEET ALONG THE WESTERLY EXTENSION OF THE EAST AND WEST QUARTER LINE OF SAID SECTION 30 FROM A PROPERTY-CONTROLLING CORNER (FORMERLY DESCRIBED AS THE WEST QUARTER CORNER) OF SAID SECTION 30 AND PROCEEDING ALONG SAID EAST AND WEST QUARTER LINE NORTH 85°49'02" EAST 1,526.63 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF MARKETPLACE CIRCLE (VARIABLE WIDTH); THENCE ALONG SAID RIGHT-OF-WAY LINE 332.65 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS 348.00 FEET, CENTRAL ANGLE 54°46'06" AND A CHORD THAT BEARS NORTH 23°59'27" EAST 320.13 FEET; THENCE 35.41 FEET ALONG THE ARC OF A CURVE TO THE LEFT, RADIUS 50.00 FEET, CENTRAL ANGLE AND A CHORD THAT BEARS NORTH 12°03'07" WEST 34.67 FEET; THENCE NORTH 32°20' 10" WEST 26.21 FEET; THENCE NORTH 25°40'51" WEST 86.28 FEET; THENCE NORTH 32°20'10" WEST 46.59 FEET; THENCE 29.49 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS 132.00 FEET, CENTRAL ANGLE 12°47'57", AND A CHORD THAT BEARS NORTH 25°56'11" WEST 29.43 FEET TO A POINT 'A'; THENCE NORTH 64°08'17" EAST 32.76 FEET TO A POINT OF BEGINNING OF THE CENTERLINE OF A 20 FOOT WIDE WATERMAIN EASEMENT; THENCE NORTH 64°08'17" EAST 68.65 FEET TO A POINT OF ENDING; THENCE FROM SAID POINT 'A' 28.05 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS 132.00 FEET, CENTRAL ANGLE 12°10' 43", AND A CHORD THAT BEARS NORTH 13°26'51 WEST 28.00 FEET; THENCE NORTH 07°21'28" WEST 209.78 FEET; THENCE NORTH 83°38'00" EAST 92.28 FEET TO A POINT 'B'; THENCE SOUTH 06°08'04" EAST 64.58 FEET TO A POINT OF BEGINNING OF THE CENTERLINE OF A 20 FOOT WIDE WATERMAIN EASEMENT; THENCE SOUTH 06°08'04" EAST 16.93 FEET TO A POINT OF ENDING; THENCE FROM SAID POINT 'B' NORTH 83°38'00" EAST 180.78 FEET TO A POINT 'C'; THENCE SOUTH 06°22'00" EAST 46.37 FEET TO A POINT OF BEGINNING OF A WATERMAIN EASEMENT; THENCE THE FOLLOWING FOUR (4) COURSES ALONG SAID EASEMENT: NORTH 85°27'34" EAST 45.46 FEET AND SOUTH 04°32'26" EAST 2.27 FEET AND SOUTH 85°30'22" WEST 45.56 FEET AND NORTH 02°07'13" WEST 2.23 FEET TO THE POINT OF BEGINNING; THENCE FROM SAID POINT 'C' NORTH 83°38'00" EAST 127.94 FEET TO A POINT 'D'; THENCE SOUTH 03°41'58" EAST 72.63 FEET TO A POINT OF BEGINNING OF THE CENTERLINE OF A 20 FOOT WIDE WATERMAIN EASEMENT; THENCE SOUTH 03°41'58" EAST 58.92 FEET; THENCE SOUTH 46°32'38" WEST 24.96 FEET TO A POINT OF ENDING.

				SUITES 8/12/16 FIELD BOOK NO.			
REVIS	DATE	3 <u>Y</u>	WATERMAIN EASEMENT WOODSPRINGS SUITES		HOR: 1" = N/A		
			ZEIMET W& ZNIAK ASSOCIATES	DESIGNED BY SRB	JOB NO. 15154		
			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	DRAWN BY SRB	SHEET NO. 2/2		