

AMENDMENT TO SANITARY SEWER EASEMENT

Claridge Properties, a Michigan Limited Partnership, whose address is 6733 Bloomfield Lane, West Bloomfield, Michigan, 48322 ("Grantor") and the City of Rochester Hills, a Michigan Municipal Corporation, whose address is 1000 Rochester Hills Drive, Rochester Hills, Michigan, 48309 ("Grantee"), hereby amend that certain Sanitary Sewer Easement granted by Grantor to Grantee dated January 31st, 1995 and recorded in Liber 15556, Pages 203-205, Oakland County Records ("Existing Easement") as hereinafter provided. The legal description of the Existing Easement is set forth on **Exhibit A** attached hereto and made a part hereof.

During construction of improvements to the property, a section of sanitary sewer will be built out side of the Existing Easement and Grantor and Grantee now desire to relocate the Existing Easement and to amend the legal description of the Existing Easement to correctly describe its new location.

Based on the above-described facts and circumstances, Grantor and Grantee do hereby amend the Existing Easement as set, depicted and described on attached Exhibit B, which amended description shall replace and supersede the description of the Existing Easement. The original description of the Existing Easement shall be of no further force or effect.

Except as amended hereby, The Existing Easement and all rights granted to Grantee therein are ratified and confirmed. This instrument is exempt from transfer tax pursuant to MCL 207.505(a) and MCL 207.526(a).

[signature page follows]

2/2/14
John Staro
Approved

IN WITNESS WHEREOF, Grantor and Grantee have caused this instrument to be duly executed on the 27 day of Jan, 2014.

CLARIDGE PROPERTIES,
a Michigan limited partnership

By: Paul B. Fried
Paul B. Fried
Its: General Partner

STATE OF MICHIGAN)
) SS.
COUNTY OF OAKLAND)

This instrument was acknowledged before me on 1-27-2014 by Paul B. Fried, the General Partner of Claridge Properties, a Michigan limited partnership, on behalf of said limited partnership.

Patricia Sliwa
Print Name: Patricia Sliwa
Notary Public, State of MI, Oakland County

My Commission Expires: 01/02/2019



City of Rochester Hills,
a Michigan Municipal Corporation
By: _____
Bryan K. Barnett
Its: Mayor

STATE OF MICHIGAN)
) SS.
COUNTY OF OAKLAND)

This instrument was acknowledged before me on _____ by Bryan K. Barnett, Mayor of the City of Rochester Hills, a Michigan Municipal Corporation, on behalf of said corporation.

Print Name: _____
Notary Public, State of _____, _____ County

My Commission Expires: _____

Drafted by:
Kendall B. Lynchey, Attorney at Law
1938 E. Lincoln Highway, Suite 210
New Lenox, IL 60451

After Recording Return to:
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

EXHIBIT "A" SANITARY SEWER EASEMENT (Existing)

DESCRIPTION OF REAL ESTATE

Situated in the City of Rochester Hills, Oakland County, Michigan, described as:

Land in the Township of Avon now known as the City of Rochester Hills, Oakland County, Michigan, part of the Northwest 1/4 of Section 15, Town 3 North, Range 11 East, described as follows:

Commencing at the Northwest corner of said Section 15, thence East along the North line of said Section 15, a distance of 200.00 feet; thence South 01 degrees 40 minutes 40 seconds West, 60.03 feet to the point of beginning of the lands herein described; thence East 403.36 feet; thence South 02 degrees 18 minutes 20 seconds West, 222.95 feet; thence East 100.00 feet; thence South 02 degrees 18 minutes 20 seconds West, 691.00 feet; thence North 87 degrees 57 minutes 08 seconds West, 633.09 feet to a point 60 feet East of the West line of said Section 15, thence North 01 degrees 40 minutes 40 seconds East 40.00 feet; thence South 87 degrees 57 minutes 08 seconds East, 160.00 feet; thence North 01 degree 40 minutes 40 seconds East, 283.00 feet; thence North 87 degrees 57 minutes 08 seconds West, 160.00 feet to a point 60 feet East of the West line of said Section 15, thence North 01 degrees 40 minutes 40 seconds East, 378.00 feet; thence East 140.00 feet; thence North 01 degrees 40 minutes 40 seconds East 189.97 feet to the point of beginning. Subject to the rights of the public and of any governmental unit in any part thereof taken, used or deeded for street, road or highway purposes.

Excepting therefrom the following described parcel:

The land lying Southerly of the existing building bounded on the East and West by extended building foundation lines and on the South by the South property line and described as: Land in the Township of Avon now known as the city of Rochester Hills, Oakland County, Michigan, part of the Northwest 1/4 of Section 15, Town 3 North, Range 11 East, described as follows: Commencing at the Northwest corner of said Section 15, thence East along the North line of said Section 15, a distance of 200.00 feet; thence South 01 degrees 40 minutes 40 seconds West, 60.03 feet; thence East 403.36 feet; thence South 02 degrees 18 minutes 20 seconds West, 222.95 feet; thence East 100.00 feet; thence South 02 degrees 18 minutes 20 seconds West, 691.00 feet; thence North 87 degrees 57 minutes 08 seconds West, 129.40 feet to the point of beginning; thence North 87 degrees 57 minutes 08 seconds West, 125.00 feet; thence North 02 degrees 18 minutes 20 seconds East, 30.67 feet to the Southwest corner of building; thence along building South 87 degrees 57 minutes 08 seconds East, 125.00 feet to the Southeast corner of building; thence South 02 degrees 18 minutes 20 seconds West, 30.11 feet to the point of beginning.

20 FEET WIDE SANITARY SEWER EASEMENT

Commencing at the southeast corner of the above described parcel thence N. 87° 57' 08" W. 115.22 feet; thence N. 02° 18' 20" E. 20.00 feet to the point of beginning of the centerline of a 20 feet wide sanitary sewer easement; thence N. 02° 18' 20" E. 251.47 feet; thence S. 87° 41' 40" E. 105.00 feet; thence S. 43° 19' 04" E. 14.30 feet; thence N. 43° 19' 04" W. 14.30 feet; thence N. 87° 41' 40" W. 105.00 feet; thence N. 02° 18' 20" E. 99.90 feet to the point of ending of the centerline of a 20 feet wide sanitary sewer easement.

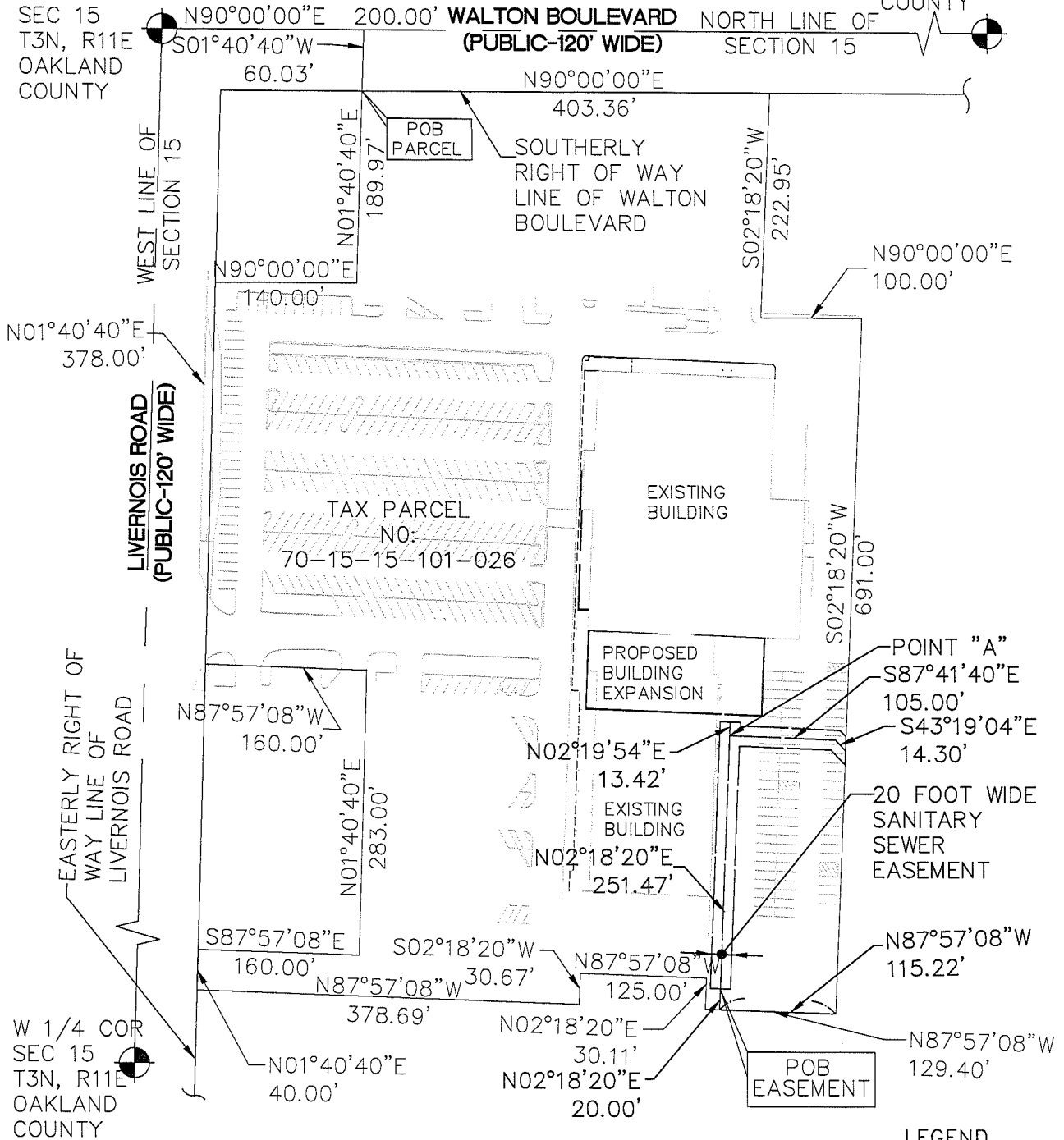
Mike Tawt
Approved 2/21/14

EXHIBIT B SANITARY SEWER EASEMENT



N 1/4 COR
SEC 15
T3N, R11E
OAKLAND
COUNTY

NW SEC. COR
SEC 15
T3N, R11E
OAKLAND
COUNTY



LEGEND

- SECTION CORNER
- POB PLACE OF BEGINNING

CLIENT THE KROGER COMPANY SKETCH AND DESCRIPTION OF A 20 FOOT WIDE SANITARY SEWER EASEMENT LOCATED IN SECTION 15 TOWN 03 NORTH, RANGE 11 EAST CITY OF ROCHESTER HILLS OAKLAND COUNTY, MICHIGAN SCALE: 0 75 150 1 INCH = 150 FEET	JOB: 12001167	CAD: 12001167EA-01
	DR. TRP	CH. ME
	BOOK XX	PG. XX
	SHEET 1 OF 3	DATE: 12-13-13
FILE CODE: EA-01-SAN		
ATWELL 866.850.4200 www.atwell-group.com OFFICES IN NORTH AMERICA AND ASIA		

*Mike Taunt
Approved 3/11/14*

EXHIBIT B SANITARY SEWER EASEMENT

DESCRIPTION OF TAX PARCEL 70-15-15-101-026 (PROVIDED BY OTHERS):

Land in the Township of Avon now known as the city of Rochester Hills, Oakland County, Michigan, part of the Northwest 1/4 of Section 15, Town 3 North, Range 11 East, described as follows:

Commencing at the Northwest corner of said Section 15, thence East along the North line of said Section 15, a distance of 200.00 feet; thence South 01 degrees 40 minutes 40 seconds west, 60.03 feet to the point of beginning of the lands herein described; thence East 403.36 feet; thence South 02 degrees 18 minutes 20 seconds West, 222.95 feet; thence East 100.00 feet; thence South 02 degrees 18 minutes 20 seconds West, 691.00 feet; thence North 87 degrees 57 minutes 08 seconds West 633.09 feet to a point 60 feet East of the West line of said Section 15; thence North 01 degrees 40 minutes 40 seconds East 40.00 feet; thence South 87 degrees 57 minutes 08 seconds East 160.00 feet; thence North 01 degrees 40 minutes 40 seconds East 283.00 feet; thence North 87 degrees 57 minutes 08 seconds West 160.00 feet to a point 60 feet East of the West line of said Section 15; thence North 01 degrees 40 minutes 40 seconds East 378.00 feet; thence East 140.00 feet; thence North 01 degrees 40 minutes 40 seconds East 189.97 feet to the point of beginning. Subject to the rights of the public and of any governmental unit in any part thereof taken, used or deeded for street, road or highway purposes.

Excepting therefrom the following described parcel:

The land lying Southerly of the existing building bounded on the East and West by extended building foundation lines and on the South by the South property line and described as: Land in the Township of Avon now known as the city of Rochester Hills, Oakland County, Michigan, part of the Northwest 1/4 of Section 15, Town 3 North, Range 11 East, described as follows: Commencing at the Northwest corner of said Section 15, thence East along the North line of said Section 15, a distance of 200.00 feet; thence South 01 degrees 40 minutes 40 seconds west, 60.03 feet to the point of beginning of the lands herein described; thence East 403.36 feet; thence South 02 degrees 18 minutes 20 seconds West, 222.95 feet; thence East 100.00 feet; thence South 02 degrees 18 minutes 20 seconds West, 691.00 feet; thence North 87 degrees 57 minutes 08 seconds West 129.40 feet to the point of beginning; thence North 87 degrees 57 minutes 08 seconds West 125.00 feet; thence North 02 degrees 18 minutes 20 seconds East 30.67 feet to the Southwest corner of building; thence along building South 87 degrees 57 minutes 08 seconds East 125.00 feet to the Southeast corner of building; thence South 02 degrees 18 minutes 20 seconds West 30.11 feet to the point of beginning.



CLIENT THE KROGER COMPANY SKETCH AND DESCRIPTION OF A 20 FOOT WIDE SANITARY SEWER EASEMENT LOCATED IN SECTION 15 TOWN 03 NORTH, RANGE 11 EAST CITY OF ROCHESTER HILLS OAKLAND COUNTY, MICHIGAN	JOB: 12001167	CAD: 12001167EA-01
	DR. TRP	CH. ME
	BOOK XX	PG. XX
	SHEET 2 OF 3	DATE: 12-13-13
FILE CODE: EA-01-SAN		
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EXHIBIT B SANITARY SEWER EASEMENT

DESCRIPTION OF THE CENTERLINE OF A 20 FOOT WIDE SANITARY SEWER EASEMENT LOCATED IN THE NORTHWEST 1/4 OF SECTION 15, T3N, R11E, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN

A 20 foot wide Sanitary Sewer Easement being 10 feet on both sides and at right angles to the following described Centerline: Commencing at the Northwest corner of Section 15, T3N, R11E, City of Rochester Hills, Oakland County, Michigan; thence N90°00'00"E 200.00 feet along the North line of said Section 15; thence S01°40'40"W 60.03 feet; thence N90°00'00"E 403.36 feet along the Southerly line of Walton Boulevard (120 feet wide); thence S02°18'20"W, 222.95 feet; thence N90°00'00"E 100.00 feet; thence S02°18'20"W 691.00 feet; thence N87°57'08"W 115.22 feet; thence N02°18'20"E 20.00 feet for a PLACE OF BEGINNING; thence continuing N02°18'20"E 251.47 feet to Point "A"; thence S87°41'40"E 105.00 feet; thence S43°19'04"E 14.30 feet to a Point of Ending;

ALSO from Point "A"; thence N02°19'54"E 13.42 feet to a Point of Ending, said easement to trim and extend to Property Lines.

CLIENT THE KROGER COMPANY SKETCH AND DESCRIPTION OF A 20 FOOT WIDE SANITARY SEWER EASEMENT LOCATED IN SECTION 15 TOWN 03 NORTH, RANGE 11 EAST CITY OF ROCHESTER HILLS OAKLAND COUNTY, MICHIGAN	JOB: 12001167	CAD: 12001167EA-01
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