

WATERMAIN EASEMENT

Rathka Building & Construction, Inc., a Michigan corporation,
of 11684 Majestic Court, Shelby Township, MI 48315

grants to the CITY OF ROCHESTER HILLS, a Michigan municipal corporation, of 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309, an easement for the construction, operation, maintenance, repair and/or replacement of a watermain on, under, through and across land more particularly described as:

Sidwell # 15-25-352-022

See Attached Exhibit A

In connection with the grant of easement, Grantor waives and relinquishes 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.

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

Grantor expressly reserves to Grantor and Grantor's 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 4th day of September, 2014.

Rathka Building & Construction, Inc.

Signature: Roy E. Rathka, Jr.

Print or type name: Roy E. Rathka, Jr.

Title: President

Signature: _____

Print or type name: _____

Title: _____

STATE OF MICHIGAN
COUNTY OF Oakland

The foregoing instrument was acknowledged before me this 4th day of September, 2014, by Roy E. Rathka Jr., who is the President of Rathka Building & Construction, a Michigan corporation, on behalf of the INC.

Drafted by:
Joseph Ciaramitaro, Jr.
42850 Garfield, Suite 104
Clinton Twp. MI 48038

When recorded, return to:

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

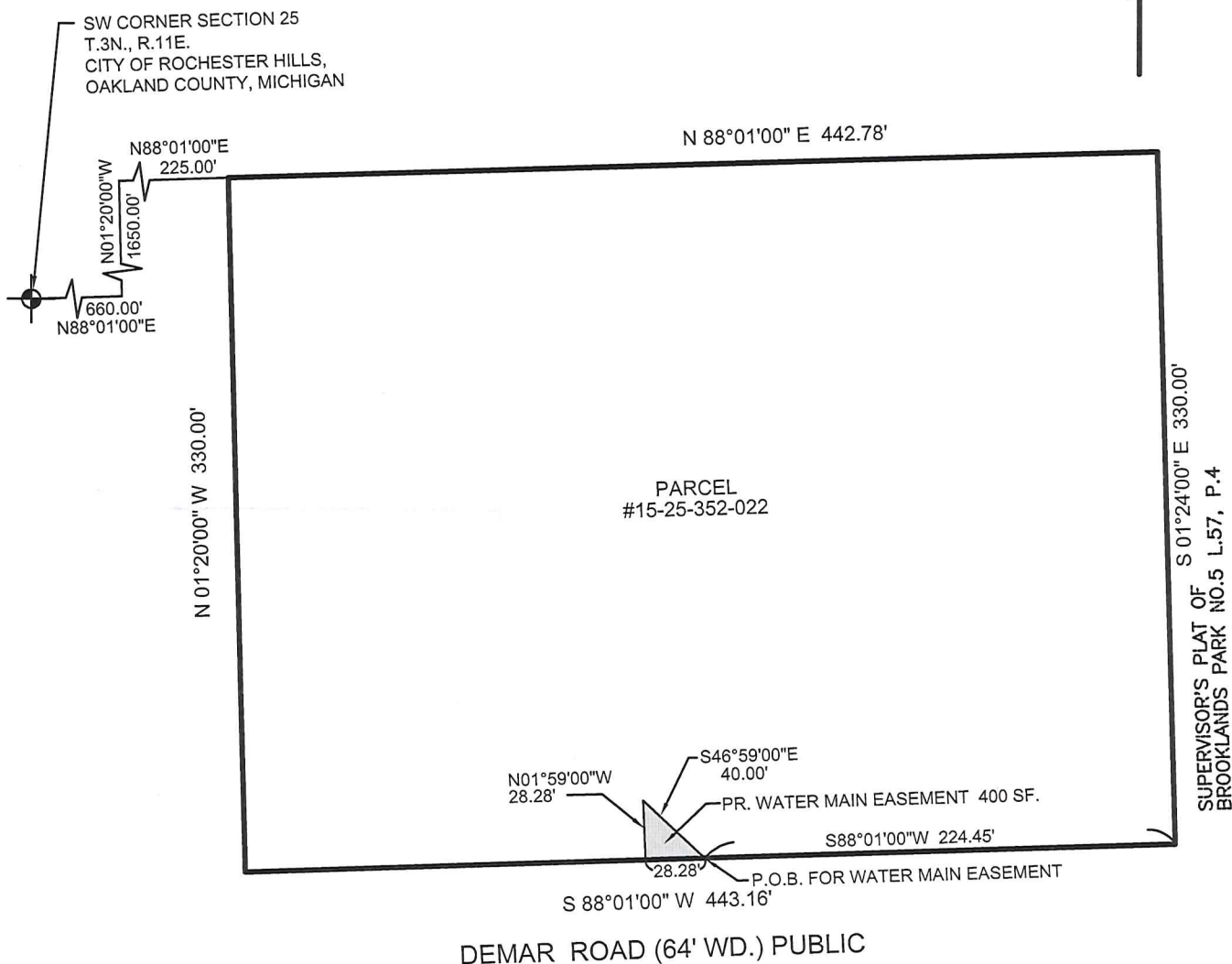
John Staraw
Approved 9/15/14

Maria Sigler

Maria Sigler, Notary Public
Macomb County, Michigan
My Commission Expires: 4-14-19
Acting in Oakland County

EXHIBIT "A"

WATER MAIN EASEMENT



WATER MAIN EASEMENT DESCRIPTION

A VARIABLE WIDTH EASEMENT FOR WATER MAIN LOCATED IN THE SOUTHWEST 1/4 OF SECTION 25, T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN. COMMENCING AT THE SOUTHWEST CORNER OF SECTION 25; THENCE ALONG THE SOUTH LINE OF SAID SECTION 25 AND THE CENTERLINE AUBURN ROAD N88°01'00"E 660.00 FEET TO THE CENTERLINE OF GRAVEL RIDGE ROAD (50 FEET WIDE); THENCE ALONG SAID CENTERLINE OF GRAVEL RIDGE ROAD N01°20'00"W 1650.00 FEET; THENCE N88°01'00"E 225.00 FEET; THENCE CONTINUING N88°01'00"E 442.78 FEET TO THE WEST LINE OF SUPERVISOR'S PLAT OF BROOKLANDS PARK NO. 5, AS RECORDED IN LIBER 57, PAGE 4, OAKLAND COUNTY RECORDS; THENCE ALONG SAID WEST LINE S01°24'00"E 330.00 FEET; THENCE S88°01'00"W 224.25 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S88°01'00"W 28.28 FEET; THENCE N01°59'00"W 28.28 FEET; THENCE S46°59'00"E 40.00 FEET TO THE POINT OF BEGINNING. CONTAINING 400 SF. OF LAND MORE OR LESS.
SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS OF RECORD OR OTHERWISE.

*Mike Taunt
Approved 10/17/14*



Fenn & Associates, Inc. Land Surveying and Civil Engineering
14933 Commercial Drive, Shelby Township, MI 48315
Phone: 586-254-9577 Fax: 586-254-9020 www.fennsurveying.com

WATER MAIN EASEMENT EXHIBIT

REGAL ESTATES

PART OF THE SW. 1/4 OF SEC. 25
CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN

CLIENT: RATHKA BUILDING

DATE 7-10-14

JOB NO. C13-009

SCALE 1" = 80'

FIELD BY NONE

CHECKED J.S.R., P.E.

DRAWN MAS

SHEET 1 OF 1