

PEDESTRIAN PATHWAY EASEMENT

Rochester Avon Partners, LLC, a Michigan limited liability company of 251 E. Merrill, Suite 205, Birmingham, Michigan 48009, 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 pedestrian pathway on, under, through and across land more particularly described as:

See Attached Exhibits A & B

Parcel ID #15-14-351-069

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the pedestrian pathway, 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 pedestrian pathway 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 pedestrian pathway: (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 17th day of June, 2022.

Rochester Avon Partners, LLC

By: *Doraid Markus*
Doraid Markus
Its: Manager

STATE OF MICHIGAN

COUNTY OF Oakland

The foregoing instrument was acknowledged before me this 17th day of June, 2022, by Doraid Markus, who is the Manager of Rochester Avon Partners, LLC, a Michigan limited liability company, on behalf of the company.

Drafted by:
Bradley F. Scobel, Esq.
Seyburn Kahn, P.C.
2000 Town Center, Ste. 1500
Southfield, Michigan 48098

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

Natasha Ours
Oakland Natasha Ours, Notary Public
County, Michigan
My Commission Expires: 4/18/24

John Staraw
Approved
6/12/22

NATASHA OURO
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Apr 18, 2024
ACTING IN COUNTY OF Oakland

**EXHIBIT A
PATHWAY EASEMENT**

LEGAL DESCRIPTION

PARCEL ID 15-14-351-069

Land in a part of the Southwest 1/4 Section 14, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, described as follows:

Commencing at the Southwest Section Corner of said Section 14, thence South 89 degrees 51 minutes 30 seconds East 195.50 feet along the south line of Section 14; thence North 60.00 feet to the north line of Avon Road (120 feet wide) and the POINT OF BEGINNING; thence along said north line North 89 degrees 51 minutes 30 seconds West 135.50 feet to the east line of S. Rochester Road (width varies); thence along said east line North 270.00 feet; thence South 89 degrees 51 minutes 30 seconds East 193.50 feet; thence South 24.30 feet; thence South 89 degrees 51 minutes 30 seconds East 85.00 feet; thence North 24.30 feet; thence S89°51'30"E 57.00 feet; thence South 270.00 feet to the north line of said Avon Road; thence along said north line North 89 degrees 51 minutes 30 seconds West 200.00 feet to the POINT OF BEGINNING. Containing 2.03± acres

PATHWAY EASEMENT

A variable width easement for pathway in a part of the Southwest 1/4 Section 14, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, described as follows:

Commencing at the Southwest Section Corner of said Section 14, thence South 89 degrees 51 minutes 30 seconds East 195.50 feet along the south line of Section 14; thence North 60.00 feet to the north line of Avon Road (120 feet wide); thence along said north line North 89 degrees 51 minutes 30 seconds West 109.26 feet to the POINT OF BEGINNING of this pathway easement; thence continuing along said north line North 89 degrees 51 minutes 30 seconds West 26.24 feet to the easterly line of S. Rochester Road (width varies); thence along said east line North 6.34 feet; thence South 89 degrees 51 minutes 30 seconds East 8.16 feet to a point of curvature; thence 19.54 feet along the arc of a curve to the right, said curve having a radius of 29.00 feet, a central angle of 38 degrees 36 minutes 50 seconds, and a chord that bears South 70 degrees 33 minutes 05 seconds East 19.18 feet to the POINT OF BEGINNING.

Approved
Jm
City of Rochester Hills
06/17/2022 9:19:49 AM

REV 6-14-22

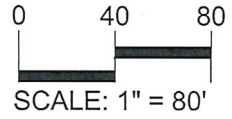
SHEET 1 OF 1
APRIL 14, 2022
2019-007

**PEA
GROUP**

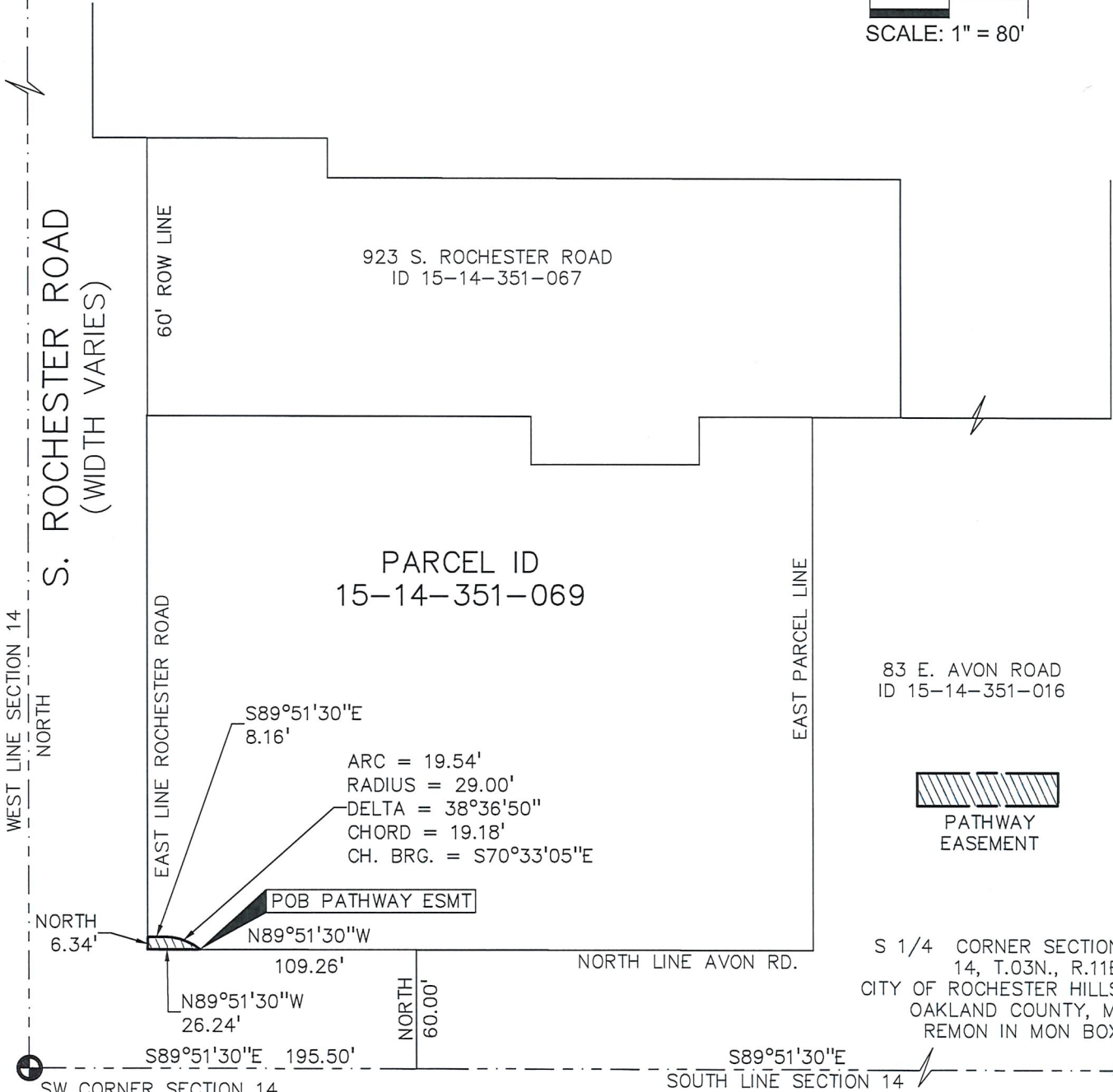
t: 844.813.2949
www.peagroup.com

ROCHESTER AVON PARTNERS, LLC
251 EAST MERRILL STREET, SUITE 205
BIRMINGHAM, MICHIGAN 48009

EXHIBIT B PATHWAY EASEMENT



W 1/4 CORNER SECTION 14
T.03N., R.11E
CITY OF ROCHESTER HILLS
OAKLAND COUNTY, MI
REMON IN MON BOX



S 1/4 CORNER SECTION 14,
T.03N., R.11E
CITY OF ROCHESTER HILLS
OAKLAND COUNTY, MI
REMON IN MON BOX

SW CORNER SECTION 14,
T.03N., R.11E
CITY OF ROCHESTER HILLS
OAKLAND COUNTY, MI
REMON IN MON BOX

AVON ROAD
(120 FT. WIDE)

Approved

 City of Rochester Hills
 06/17/2022 9:19:54 AM

PEA
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REV 6-14-22

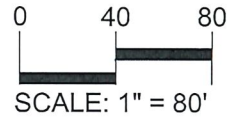
SHEET 1 OF 2
APRIL 14, 2022
2019-007

ROCHESTER AVON PARTNERS, LLC
251 EAST MERRILL STREET, SUITE 205
BIRMINGHAM, MICHIGAN 48009

EXHIBIT B
PATHWAY EASEMENT
PARENT PROPERTY

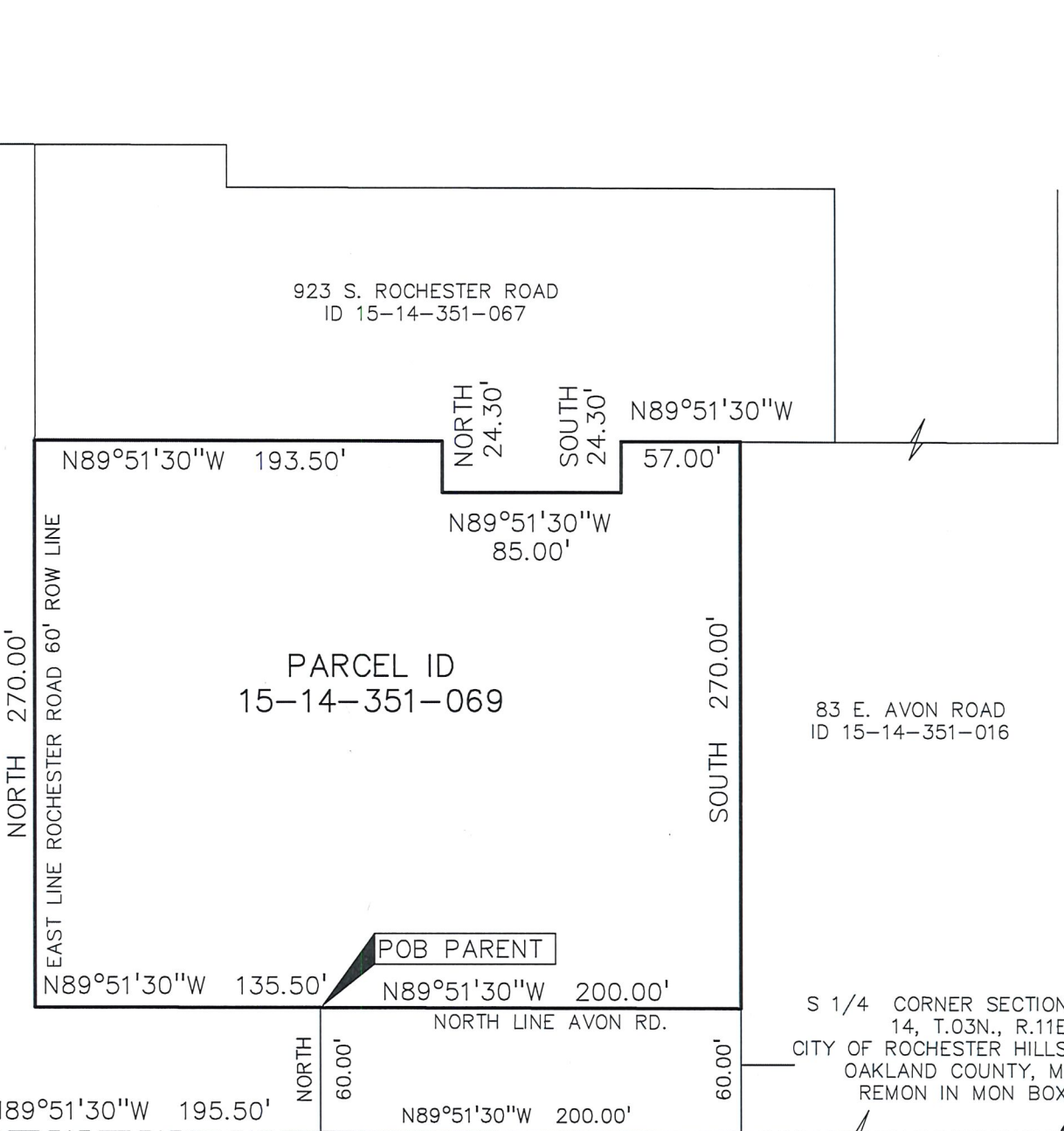


NORTH



W 1/4 CORNER SECTION 14
T.03N., R.11E
CITY OF ROCHESTER HILLS
OAKLAND COUNTY, MI
REMON IN MON BOX

WEST LINE SECTION 14
S. ROCHESTER ROAD
(WIDTH VARIES)



83 E. AVON ROAD
ID 15-14-351-016

S 1/4 CORNER SECTION
14, T.03N., R.11E
CITY OF ROCHESTER HILLS
OAKLAND COUNTY, MI
REMON IN MON BOX

AVON ROAD
(120 FT. WIDE)

SW CORNER SECTION 14,
T.03N., R.11E
CITY OF ROCHESTER HILLS
OAKLAND COUNTY, MI
REMON IN MON BOX

Approved
Jm
City of Rochester Hills
06/17/2022 9:19:54 AM

PEA
GROUP

REV 6-14-22

SHEET 2 OF 2
APRIL 14, 2022
2019-007

ROCHESTER AVON PARTNERS, LLC
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BIRMINGHAM, MICHIGAN 48009

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