

WATER MAIN EASEMENT

JBD GRACE ROCHESTER, LLC, a Michigan limited liability company of 300 E. Long Lake Rd., Suite 280, Bloomfield Hills, MI 48304, 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 water main on, under through and across land more particularly described as:

See attached Water Main Exhibits A and B (*Legal Descriptions & Drawing*)

Commonly known as: 2791 Walton Blvd., Rochester Hills, MI 48309
Parcel ID#: 70-15-17-103-002

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the water main, 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 water main 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 water main: (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 WHEREOF, the undersigned have hereunto affixed their signatures on this 9th day of December, 2021.

JBD GRACE ROCHESTER, LLC

BY: _____

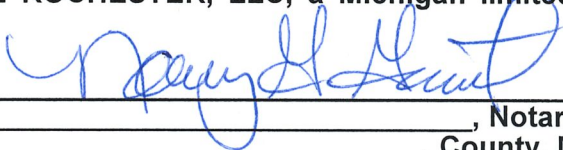
Joseph B. Davies

ITS: Manager

STATE OF MICHIGAN)
)ss.
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 9th day of December, 2021, by Joseph B. Davies, who is the Manager of JBD GRACE ROCHESTER, LLC, a Michigan limited liability company, on behalf of the company.

NANCY G. GIRARDOT
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Sep 15, 2025
ACTING IN COUNTY OF **OAKLAND**


_____, Notary Public
_____, County, Michigan
My Commission Expires: _____

Drafted by:

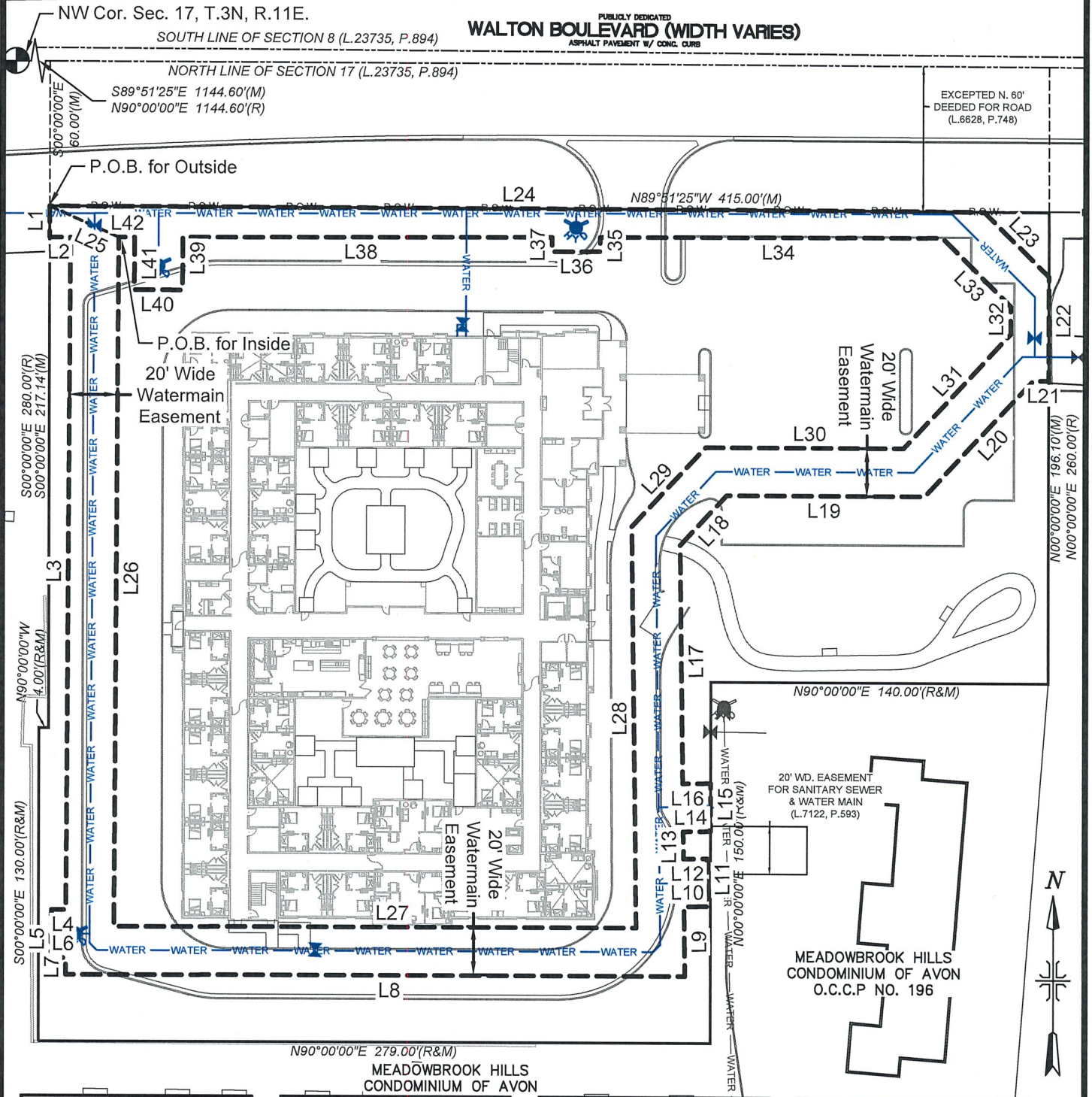
Pamela S. Ritter
Strobl Sharp PLLC
300 East Long Lake Road | Suite 200
Bloomfield Hills, MI 48304-2376
Email: pritter@stroblaw.com
P: 248.205.2765

When recorded, return to:

Clerks Dept.
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

John Staran
Approved 3/4/22

Water Main Easement EXHIBIT "A" Sketch of Easement



Line Table		
Line #	Length	Direction
L1	12.99	S0° 00' 00"E
L2	8.69	N89° 49' 51"E
L3	279.95	S0° 15' 52"W
L4	6.00	N89° 44' 08"W
L5	20.00	S0° 15' 52"W
L6	6.00	S89° 44' 08"E
L7	6.82	S0° 15' 52"W
L8	257.15	N89° 58' 34"E
L9	28.93	N0° 44' 22"W
L10	9.93	N89° 15' 38"E
L11	20.00	N0° 44' 22"W

Line Table		
Line #	Length	Direction
L12	9.93	S89° 15' 38"W
L13	11.37	N0° 44' 22"W
L14	11.36	N89° 15' 38"E
L15	20.00	N0° 00' 00"E
L16	11.61	S89° 15' 38"W
L17	98.73	N0° 44' 22"W
L18	28.41	N42° 43' 37"E
L19	82.17	N90° 00' 00"E
L20	66.28	N42° 43' 37"E
L21	6.47	N90° 00' 00"E
L22	43.15	N0° 00' 00"E

Line Table		
Line #	Length	Direction
L23	38.10	N45° 00' 00"W
L24	388.06	N89° 51' 25"W
L25	31.46	S65° 46' 49"E
L26	286.82	S0° 15' 52"W
L27	216.80	N89° 58' 34"E
L28	166.75	N0° 44' 22"W
L29	45.14	N42° 43' 37"E
L30	82.17	N90° 00' 00"E
L31	65.36	N42° 43' 37"E
L32	11.38	N0° 00' 00"W
L33	40.24	N45° 00' 00"W

Line Table		
Line #	Length	Direction
L34	142.12	S89° 49' 51"W
L35	6.00	S0° 10' 09"E
L36	20.00	S89° 49' 51"W
L37	6.00	N0° 10' 09"W
L38	153.28	S89° 49' 51"W
L39	22.01	S0° 15' 52"W
L40	20.00	N89° 44' 08"W
L41	21.85	N0° 15' 52"E
L42	6.62	S89° 49' 51"W

Exhibit Approved

02/25/2022 9:19:10 AM

LAPHAM ASSOCIATES

ENGINEERING
PLANNING
ENVIRONMENTAL
SURVEYING

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West Branch, MI 48661

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Revised Feb. 24, 2022

Project No.: P-200415	Drawn By: S.E.BELL
Date: November 2, 2021	Sheet No.: 1 of 2
Scale: 1"=60'	Checked By:

Water Main Easement EXHIBIT "B"

Property Description:

Land in the City of Rochester Hills, Oakland County, MI, described as follows:

Part of the Northwest 1/4 of Section 17, Town 3 North, Range 11 East, Township of Avon (now City of Rochester Hills), Oakland County, Michigan, described as: Beginning at a point distant East 1144.60 feet from the Northwest section corner; thence South 280.00 feet; thence West 4.00 feet; thence South 130.00 feet; thence East 279.00 feet; thence North 150.00 feet; thence East 140.00 feet; thence North 260.00 feet; thence West 415.00 feet to the Point of Beginning. EXCEPT for the North 60 feet deeded for road, as disclosed by Quit Claim Deed recorded in Liber 6628, page 748, Oakland County Records.

SURVEYED AS:

Part of the Northwest One-quarter of Section 17, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, described as: Beginning S89°51'25"E, along the north line of said Section 17 (Recorded as EAST), 1144.60 feet and S00°00'00"E, 60.00 feet from the Northwest Corner of said Section 17; thence continuing S00°00'00"E, 217.14 feet; thence N90°00'00"W 4.00 feet; thence S00°00'00"E, 130.00 feet; thence N90°00'00"E, 279.00 feet; thence N00°00'00"E, 150.00 feet; thence N90°00'00"E, 140.00 feet; thence N00°00'00"E, 196.10 feet; thence N89°51'25"W, parallel with and 60.00 feet south of said north line of Section 17, 415.00 feet back to the point of beginning.

SIDWELL# 15-17-103-002

Water Main Easement Description:

Part of the Northwest 1/4 of Section 17, Town 3 North, Range 11 East, Township of Avon (now City of Rochester Hills), Oakland County, Michigan, described as: Beginning at a point distant S89°51'25"E (Recorded as EAST), 1144.60 feet and S00°00'00"E, 60.00 feet from the Northwest Corner of said Section 17 for the Point of Beginning of the outside boundary of a water main easement; thence continuing S00°00'00"E, along the westerly line of the granting parcel, 12.99 feet; thence N89°49'51"E, 8.69 feet; thence S0°15'52"W, 279.95 feet; thence N89°44'08"W 6.00 feet; thence S0°15'52"W, 20.00 feet; thence S89°44'08"E, 6.00 feet; S0°15'52"W, 6.82 feet; thence N89°58'34"E, 257.15 feet; thence N0°44'22"W, 28.93 feet; thence N89°15'38"E, 9.93 feet; thence N0°44'22"W, 20.00 feet; thence S89°15'38"W, 9.93 feet; thence N0°44'22"W, 11.37 feet; thence N89°15'38"E, 11.36 feet; thence N00°00'00"E, along the easterly property line of the granting parcel, 20.00 feet; thence S89°15'38"W, 11.61 feet; thence N0°44'22"W, 98.73 feet; thence N42°43'37"E, 28.41 feet; thence N90°00'00"E, 82.17 feet; thence N42°43'37"E, 66.28 feet; thence N90°00'00"E, 6.47 feet; thence N00°00'00"E, along the easterly property line of granting parcel, 43.15 feet; thence N45°00'00"W, 38.10 feet; thence N89°51'25"W, along the right-of-way of Walton Boulevard, 388.06 feet back to the Point of Beginning

AND with an inside boundary of said water main easement described as: Commencing at the Northwest Corner of said Section 17; thence S89°51'25"E (Recorded as EAST), 1144.60 feet; thence S00°00'00"E, 60.00 feet; thence S65°46'49"E, 31.46 feet to the Point of Beginning of the inside boundary of said water main easement; thence S0°15'52"W, 286.82 feet; thence N89°58'34"E, 216.80 feet; thence N0°44'22"W, 166.75 feet; thence N42°43'37"E, 45.14 feet; thence N90°00'00"E, 82.17 feet; thence N42°43'37"E, 65.36 feet; thence N00°00'00"W 11.38 feet; thence N45°00'00"W, 40.24 feet; thence S89°49'51"W, 142.12 feet; thence S0°10'09"E, 6.00 feet; thence S89°49'51"W, 20.00 feet; thence N0°10'09"W, 6.00 feet; thence S89°49'51"W, 153.28 feet; thence S0°15'52"W, 22.01 feet; thence N89°44'08"W, 20.00 feet; thence N0°15'52"E, 21.85 feet; thence S89°49'51"W, 6.62 feet back to the Point of Beginning.



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Jm
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Revised Feb. 24, 2022

Project No.:	Drawn By:
P-200415	S.E.BELL
Date:	Sheet No.:
October 19, 2021	2 of 2
Scale:	Checked By:
N/A	