

**ROCHESTER COLLEGE
STORM WATER RETENTION SYSTEM
SECOND AMENDED MAINTENANCE AGREEMENT**

This Second Amended Maintenance Agreement is made as of _____, 2016, by and between Rochester University, a Michigan non-profit corporation successor in interest to Rochester College, formerly known as Michigan Christian Junior College, formerly known as Michigan Christian College ("College"), whose address is 800 West Avon Road, Rochester Hills, Michigan 48307, and the City of Rochester Hills, a Michigan municipal corporation ("City"), of 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309.

RECITALS

A. College owns the property legally described on the attached Exhibit A ("Property").

B. College and the City entered into a certain Agreement for Maintenance of Storm Water Retention System dated April 9, 1996, recorded in Liber 16691, Page 310, Oakland County Records, as amended by a certain Rochester College Storm Water Retention System First Amended Maintenance Agreement dated January 4, 2002, recorded in Liber 25379, Page 473, Oakland County Records (as amended, the "Maintenance Agreement").

B. College and the City desire to further amend the Maintenance Agreement to add additional storm water facilities to the Maintenance Agreement and a maintenance plan for the storm water facilities.

NOW, THEREFORE, College and the City hereby amend the Maintenance Agreement to add the "New Rochester College Storm Water System Maintenance Agreement Area" as depicted on the attached Exhibit B, which shall be subject to the terms and conditions of the Maintenance Agreement.

College and the City further amend the Maintenance Agreement to provide that College will be responsible for the proper maintenance of the storm water facilities in accordance with the "Storm Water Operations and Maintenance Schedule" attached hereto at Exhibit C.

Exempt from Transfer Tax under MCLA 207.526(a); MSA 7.456(26)(a).

[signatures on following pages]

IN WITNESS WHEREOF, the undersigned have hereunder affixed their signatures on this 31st day of May, 2016.

Rochester University,
a Michigan non-profit corporation

By: Thomas D. Rellinger

Name Printed: Thomas D. Rellinger

Its: VP, Finance, Operations & Development

STATE OF MICHIGAN)
) SS:
COUNTY OF OAKLAND)

This agreement was acknowledged before me on May 31, 2016, by Thomas D. Rellinger, the VP Finance, Operations of Rochester University, a Michigan non-profit corporation, on behalf of the corporation. Development



Virginia A. May
Notary Public,
Oakland County, Michigan
My Commission Expires: 09-02-2017
(Acting in Oakland County)

John Staran
Approved 7-14-16

City of Rochester Hills,
a Michigan municipal corporation

By: _____
Bryan Barnett, Mayor

By: _____
Tina Barton, Clerk

STATE OF MICHIGAN)
) SS:
COUNTY OF OAKLAND)

This agreement was acknowledged before me on _____, 2016, by Bryan Barnett, Mayor, and Tina Barton, Clerk, of the City of Rochester Hills, on behalf of the City.

Notary Public,
_____, County, Michigan
My Commission Expires: _____
(Acting in Oakland County)

Drafted by:

John D. Gaber, Esq.
Williams, Williams, Rattner & Plunkett, P.C.
380 N. Old Woodward Ave., Suite 300
Birmingham, Michigan 48009

When Recorded, Return to:

Clerk
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, Michigan 48309

EXHIBIT 'A'

LEGAL DESCRIPTION OF OVERALL PARCEL:

AS PROVIDED BY CITY OF ROCHESTER HILLS (TAX DESCRIPTION):

ROCHESTER COLLEGE

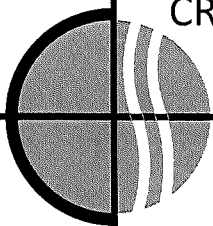
T3N, R11E, SEC 15

PART OF S 1/2 OF SW 1/4 & PART OF W 1/2 OF SE 1/4

BEG AT PT DIST E 756.99 FT & N 60 FT FROM S 1/4 COR, TH W 756.89 FT,
TH N 89-48-25 W 1309.71 FT, TH N 88-25-10 W 390.91 FT, TH N 42-34-44 E
252.80 FT, TH ALG CURVE TO RIGHT, RAD 5524.16 FT, CHORD BEARS N 46-42-52
E 796.77 FT, DIST OF 797.46 FT, TH N 50-51-00 E 1021.20 FT, TH N 89-39-41
E 244.89 FT, TH N 89-47-00 E 27 FT, TH NELY 1740 FT ALG CEN LI OF CLINTON
RIVER, TH S 59-44-00 E 25 FT, TH S 22-07-04 E 226.22 FT, TH S 71-51-04 E
610 FT, TH S 02-16-58 W 118.03 FT, TH S 01-52-23 W 623.74 FT, TH W 393.37
FT, TH S 01-40-04 W 287.19 FT, TH W 2.50 FT, TH S 01-40-04 W 539.97 FT, TH
W 39.35 FT, TH N 01-40-04 E 213.09 FT, TH W 212.24 FT, TH S 213 FT TO BEG

76.23 A 8-3-05 FR 003,006 & 376-001

Mike Taunt
Approved 7/22/16



CREATIVE SITE SOLUTIONS, PLC

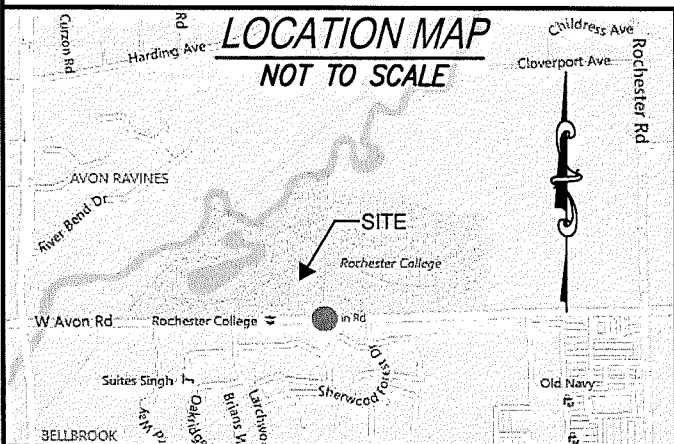
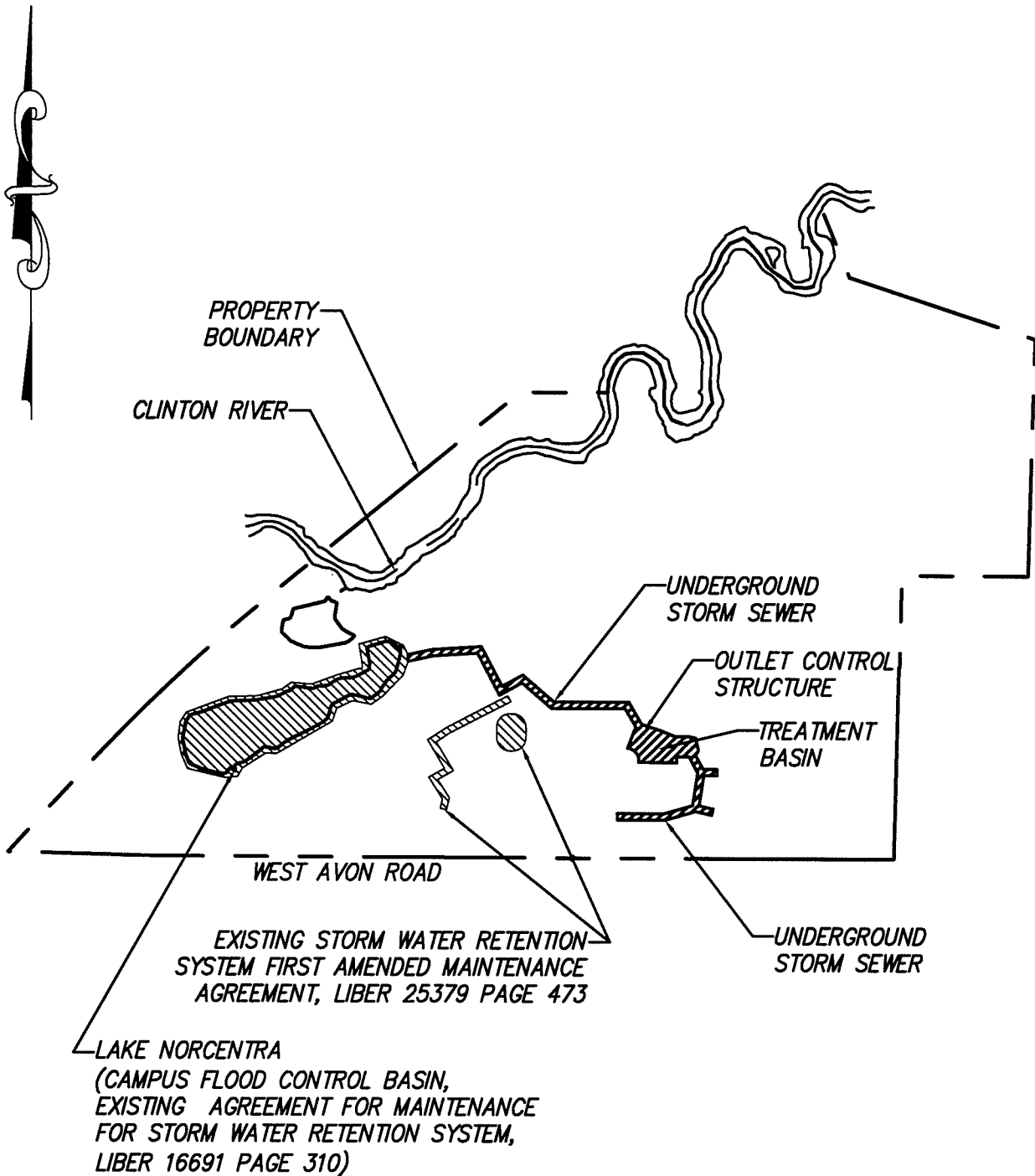
CIVIL ENGINEERING
& SITE DESIGN

3728 NASH DRIVE
TROY, MI 48083
248 259 2023
jarnold@creative-site-solutions.com

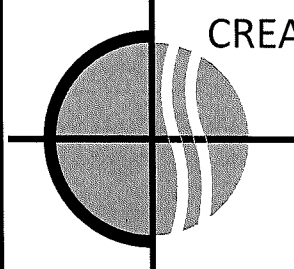
DRAWN: JA	DATE: 07/21/2016
CHECKED: JG	DATE: 05/20/2016
MANAGER: JA	SCALE: N/A
JOB No. JA1511	SHEET: 1 OF 1
SECTION 15 TOWN 3 NORTH RANGE 11 EAST	
ROCHESTER HILLS OAKLAND COUNTY, MI	

EXHIBIT 'B'

STORM WATER SYSTEM MAINTENANCE AGREEMENT AREA MAP



-  EXISTING ROCHESTER COLLEGE STORM WATER SYSTEM MAINTENANCE AGREEMENT AREA
-  NEW ROCHESTER COLLEGE STORM WATER SYSTEM MAINTENANCE AGREEMENT AREA



CREATIVE SITE SOLUTIONS, PLC

CIVIL ENGINEERING & SITE DESIGN

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DRAWN: JA	DATE: 05/20/2016
CHECKED: JG	DATE: 05/20/2016
MANAGER: JA	SCALE: 1" = 500'
JOB No. JA1511	SHEET: 1 OF 1
SECTION 15 TOWN 3 NORTH RANGE 11 EAST	
ROCHESTER HILLS OAKLAND COUNTY, MI	

EXHIBIT 'C'

STORM WATER OPERATIONS AND MAINTENANCE SCHEDULE ROCHESTER COLLEGE FIELD HOUSE PROJECT

	FLOOD CONTROL BASIN (LAKE NORCENTRA)	STORM SEWER STRUCTURES	STORM SEWER PIPES	OUTLET CONTROL STRUCTURES	PAVEMENT AREAS	
<u>MAINTENANCE ACTIVITIES</u>						<u>FREQUENCY</u>
INSPECT FOR SEDIMENT ACCUMULATION	X	X		X		ANNUALLY
INSPECT FOR FLOATABLES, DEAD VEGETATION AND DEBRIS	X	X	X	X		ANNUALLY AND AFTER MAJOR STORM EVENTS
WEATHER AND COMPARE TO AS-BUILT PLANS	X	X	X	X	X	ANNUALLY
<u>PREVENTATIVE MAINTENANCE</u>						
REMOVE ACCUMULATED SEDIMENT BY VACUUM TRUCK	X	X		X		WHEN VOLUME IS REDUCED BY 10% OR MORE
REMOVE FLOATABLES, DEAD VEGETATION AND DEBRIS	X	X		X		AS NEEDED
SWEEPING OF PAVED SURFACES (STREETS AND PARKING AREAS)					X	SEMI-ANNUALLY
<u>REMEDIAL ACTIONS</u>						
STRUCTURAL REPAIRS OR REPLACEMENT	X	X	X	X	X	AS NEEDED
MAKE ADJUSTMENTS, REPAIRS TO ENSURE PROPER FUNCTIONING	X	X	X	X	X	AS NEEDED
OIL AND GASOLINE SPILLS					X	CLEAN UP IMMEDIATELY

PREPARED BY:

CREATIVE SITE SOLUTIONS, PLC

CIVIL ENGINEERING
& SITE DESIGN

3728 NASH DRIVE
TROY, MI 48083
248 259 2023
jarnold@creative-site-solutions.com
Contact: Jason Arnold, P.E.

DRAWN: JA

DATE: 05/20/2016

CHECKED: JG

DATE: 05/25/2016

MANAGER: JA

SCALE: N/A

JOB No. JA1511

SHEET: 1 OF 1

SECTION 15 TOWN 3 NORTH RANGE 11 EAST

ROCHESTER HILLS OAKLAND COUNTY, MI