

**WATERMAIN EASEMENT**

**Gateway Properties – Rochester Hills, LLC**, a Michigan limited liability company of 38700 Van Dyke Ave, Suite 200, Sterling Heights, Michigan 48312, owner of Units 2 and 3 (herein defined), **RH Hospitality, LLC**, a Michigan limited liability company of 29200 Northwestern Highway, Suite 450, Southfield, Michigan 48034, owner of Unit 1 (herein defined), and **Gateway of Rochester Hills Association**, a Michigan non-profit corporation, as the administrator of Gateway of Rochester Hills and pursuant to rights reserved in Article VIII, Section 4 of the Master Deed with respect to Common Elements in the condominium, whose address is 38700 Van Dyke, Suite 200, Sterling Heights, Michigan 48312 ( collectively "Grantor) 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:

Parcel No(s): 15-34-477-017 (Unit 1), 15-34-477-018 (Unit 2), 15-34-477-019 (Unit 3)  
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 are installed pursuant to Exhibit A, which improvements are necessary to the use and exercise of easement rights granted hereunder.

The easement shall be irrevocable and non-exclusive, and each Grantor and its successors and assigns may use and enjoy the easement area situated on its property in common with the City.

Each Grantor expressly reserves to itself and its 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 situated on its property, and (b) the right to grant other non-exclusive easements and rights-of-way across, over, under and through the easement parcel situated on its property, with the condition that prior to such a grant written consent shall be obtained from the City, which consent shall not be unreasonably withheld.

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 2nd day of May, 2019.

*[Signature]*  
Gateway Properties – Rochester Hills, LLC

\_\_\_\_\_  
Signature  
Emily D'Agostini Kunath  
(Print Name)  
\_\_\_\_\_  
Authorized Agent  
Title

STATE OF MICHIGAN  
COUNTY OF Macomb

The foregoing instrument was acknowledged before me this 2nd day of May, 2019, by Emily D'Agostini Kunath, Authorized Agent of Gateway Properties- Rochester Hills, LLC, a Michigan limited liability company, on behalf of the company.

*[Signature]*  
\_\_\_\_\_  
Scott Keith, Notary Public  
Oakland County, Michigan  
Acting in Macomb County  
My Commission Expires: 11/19/2024

RH Hospitality, LLC

Majid Koza  
Signature  
MAJID KOZA  
(Print Name)  
MANAGER  
Title

STATE OF MICHIGAN  
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 9th day of May, 2019, by MAJID KOZA who is a member of RH Hospitality, LLC, a Michigan limited liability company, on behalf of the company.

Alan W. Baskins  
, Notary Public  
County, Michigan  
My Commission Expires:

ALAN W. BASKINS  
Notary Public, State of Michigan  
County of Oakland  
My Commission Expires July 6, 2020  
Acting in the County of OAKLAND

~~Gateway of Rochester Hills Association  
[Signature]  
Signature  
Emily D'Agostini Kunath  
(Print Name)  
Board member  
Title~~

STATE OF MICHIGAN  
COUNTY OF Macomb

The foregoing instrument was acknowledged before me this 2nd day of May, 2019, by Emily D'Agostini Kunath, Board Member of Gateway of Rochester Hills Association, a Michigan non-profit corporation, on behalf of the corporation.

Scott Keith  
Scott Keith, Notary Public  
Oakland County, Michigan  
Acting in Macomb County  
My Commission Expires: 11/19/2024

See next page  
for signature

Drafted by:  
Emily D'Agostini Kunath  
38700 Van Dyke, Suite 200  
Sterling Heights, MI 48312

When recorded, return to:

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

*RH Hospitality, LLC*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
Title

STATE OF MICHIGAN  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_,  
2019, by \_\_\_\_\_ who is a member of \_\_\_\_\_,  
\_\_\_\_\_, a Michigan limited liability company, on behalf of the company.

\_\_\_\_\_  
Notary Public  
County, Michigan  
My Commission Expires:

*Gateway of Rochester Hills Association*

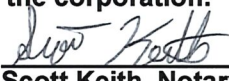
  
\_\_\_\_\_  
Signature

*Emily D'Agostini Kunath*  
\_\_\_\_\_  
(Print Name)

*Board member*  
\_\_\_\_\_  
Title

STATE OF MICHIGAN  
COUNTY OF Macomb

The foregoing instrument was acknowledged before me this 2nd day of May,  
2019, by Emily D'Agostini Kunath, board member of Gateway of Rochester Hills  
Association, a Michigan non-profit corporation, on behalf of the corporation.

  
\_\_\_\_\_  
Scott Keith, Notary Public  
Oakland County, Michigan  
Acting in Macomb County  
My Commission Expires: 11/19/2024

*John Staran  
Approved 5/23/19*

Drafted by:  
Emily D'Agostini Kunath  
38700 Van Dyke, Suite 200  
Sterling Heights, MI 48312

When recorded, return to:

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

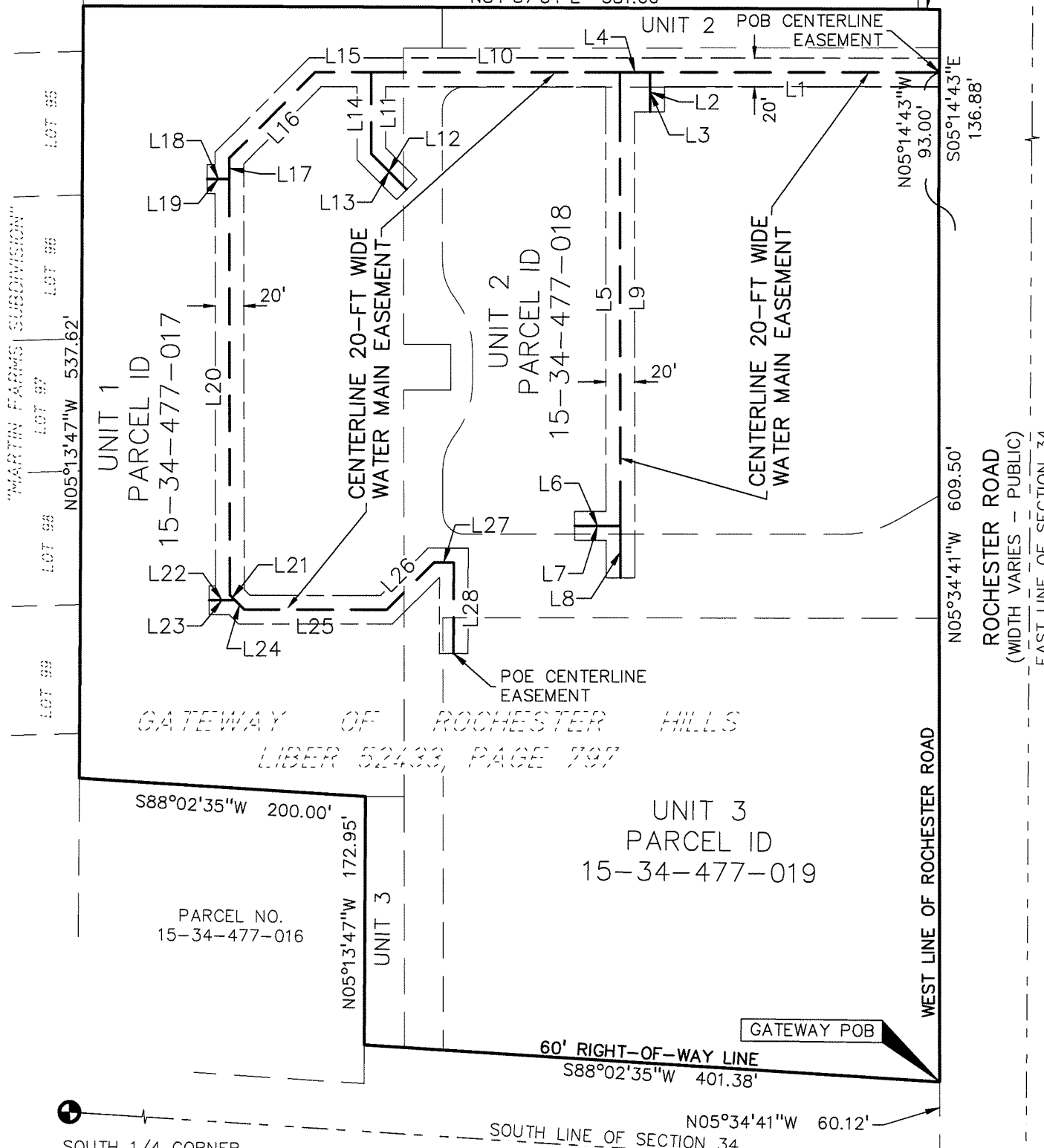
# EXHIBIT A WATERMAIN EASEMENT

EAST 1/4 CORNER  
SECTION 34  
T.03N., R.11E.  
CITY OF ROCHESTER HILLS  
OAKLAND COUNTY, MI

PARCEL NO.  
15-34-429-021

N84°45'17"E  
15.00'

N84°37'34"E 581.66'



GATEWAY OF ROCHESTER HILLS  
LIBER 52433, PAGE 797

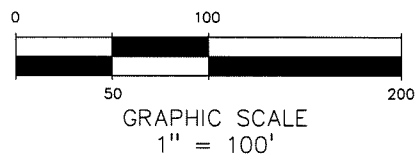
SOUTH 1/4 CORNER  
SECTION 34  
T.03N., R.11E.  
CITY OF ROCHESTER HILLS  
OAKLAND COUNTY, MI

SOUTH BLVD.  
(WIDTH VARIES-PUBLIC)

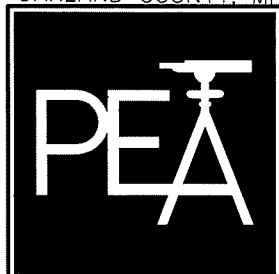
SOUTHEAST CORNER  
SECTION 34 T.03N., R.11E.  
CITY OF ROCHESTER HILLS  
OAKLAND COUNTY, MI



*Jenny M.  
Approved 5/16/19*



NOTE:  
SEE SHEET 2 OF 3 FOR COURSES  
AND DISTANCES ALONG THE  
CENTERLINE OF THE 20-FOOT WIDE  
EASEMENT FOR WATERMAIN



**PEA, Inc.**

2430 Rochester Ct, Ste 100  
Troy, MI 48063-1872  
t: 248.689.9090  
f: 248.689.1044  
www.peainc.com

CLIENT: GATEWAY PROPERTIES -  
ROCHESTER HILLS, LLC  
38700 VAN DYKE AVE., SUITE 200  
STERLING HEIGHTS, MICHIGAN

SCALE: 1" = 100'

JOB No: 2017-237

DATE: 4-19-19

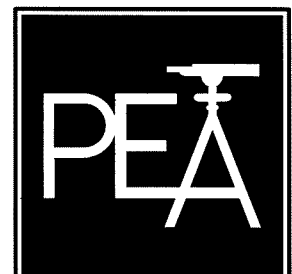
DWG. No: 1 OF 3

# EXHIBIT A WATERMAIN EASEMENT

COURSES AND DISTANCES ALONG THE CENTERLINE  
OF THE 20-FOOT WIDE EASEMENT FOR WATER MAIN  
FROM SHEET 1 OF 3

Line Table		
Line #	Direction	Length
L1	S84°25'19"W	201.54'
L2	S05°34'41"E	27.51'
L3	N05°34'41"W	27.51'
L4	S84°25'19"W	21.00'
L5	S05°34'41"E	315.80'
L6	S84°25'19"W	31.96'
L7	N84°25'19"E	31.96'
L8	S05°34'41"E	35.75'
L9	N05°34'41"W	351.55'
L10	S84°25'19"W	173.00'
L11	S05°34'41"E	57.00'
L12	S50°34'41"E	34.75'
L13	N50°34'41"W	34.75'
L14	N05°34'41"W	57.00'

Line Table		
Line #	Direction	Length
L15	S84°25'19"W	39.14'
L16	S39°25'19"W	84.65'
L17	S05°34'41"E	14.64'
L18	S84°25'19"W	15.50'
L19	N84°25'19"E	15.50'
L20	S05°34'41"E	289.56'
L21	S50°34'41"E	4.87'
L22	S84°25'19"W	17.96'
L23	N84°25'19"E	17.96'
L24	S50°34'41"E	9.27'
L25	N84°25'19"E	99.05'
L26	N39°31'56"E	46.76'
L27	N84°38'32"E	13.90'
L28	S05°21'28"E	63.50'



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CLIENT: GATEWAY PROPERTIES –  
ROCHESTER HILLS, LLC  
38700 VAN DYKE AVE., SUITE 200  
STERLING HEIGHTS, MICHIGAN

SCALE: NTS

JOB No: 2017-237

DATE: 4-19-19

DWG. No: 2 OF 3

**EXHIBIT A  
WATERMAIN EASEMENT**

**LEGAL DESCRIPTIONS**

**GATEWAY OF ROCHESTER HILLS**

The land referred to in this document is described as follows:

City of Rochester Hills, County of Oakland, State of Michigan

Units 1, 2 and 3, "Gateway of Rochester Hills" Condominium, according to the Master Deed recorded in Liber 52433, Pages 797 through 839, inclusive, as amended, Oakland County Records and designated as Oakland County Condominium Subdivision Plan No. 2259, together with rights in common elements and limited common elements, as set forth in the above Master Deed (and amendments thereto) and as described in Act 59 of the Public Acts of 1978, as amended.

**WATER MAIN EASEMENT**

A 20-foot wide easement for water main in a part of the Southeast 1/4 Section 34, Town 03 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, described as:

Commencing at the southeast corner of said Section 34, thence South 88 degrees 02 minutes 35 seconds West, 60.12 feet along the south line of said Section 34 to the extension of the west line of Rochester Road (width varies); thence along said west line North 05 degrees 34 minutes 41 seconds West 669.62 feet; thence North 05 degrees 14 minutes 43 seconds West 93.00 feet to the **POINT OF BEGINNING** of the centerline of a 20-foot wide easement for watermain; thence continuing along said centerline the following 28 courses and distances; 1) South 84 degrees 25 minutes 19 seconds West 201.54 feet; 2) South 05 degrees 34 minutes 41 seconds East 27.51 feet; 3) North 05 degrees 34 minutes 41 seconds West 27.51 feet; 4) South 84 degrees 25 minutes 19 seconds West 21.00 feet; 5) South 05 degrees 34 minutes 41 seconds East 315.80 feet; 6) South 84 degrees 25 minutes 19 seconds West 31.96 feet; 7) North 84 degrees 25 minutes 19 seconds East 31.96 feet; 8) South 05 degrees 34 minutes 41 seconds East 35.75 feet; 9) North 05 degrees 34 minutes 41 seconds West 351.55 feet; 10) South 84 degrees 25 minutes 19 seconds West 173.00 feet; 11) South 05 degrees 34 minutes 41 seconds East 57.00 feet; 12) South 50 degrees 34 minutes 41 seconds East 34.75 feet; 13) North 50 degrees 34 minutes 41 seconds West 34.75 feet; 14) North 05 degrees 34 minutes 41 seconds West 57.00 feet; 15) South 84 degrees 25 minutes 19 seconds West 39.14 feet; 16) South 39 degrees 25 minutes 19 seconds West 84.65 feet; 17) South 05 degrees 34 minutes 41 seconds East 14.64 feet; 18) South 84 degrees 25 minutes 19 seconds West 15.50 feet; 19) North 84 degrees 25 minutes 19 seconds East 15.50 feet; 20) South 05 degrees 34 minutes 41 seconds East 289.56 feet; 21) South 50 degrees 34 minutes 41 seconds East 4.87 feet; 22) South 84 degrees 25 minutes 19 seconds West 17.96 feet; 23) North 84 degrees 25 minutes 19 seconds East 17.96 feet; 24) South 50 degrees 34 minutes 41 seconds East 9.27 feet; 25) North 84 degrees 25 minutes 19 seconds East 99.05 feet; 26) North 39 degrees 31 minutes 56 seconds East 46.76 feet; 27) North 84 degrees 38 minutes 32 seconds East 13.90 feet; and 28) South 05 degrees 21 minutes 28 seconds East 63.50 feet to the **POINT OF ENDING** of the centerline of this 20-foot wide easement for water main.



**PEA, Inc.**

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CLIENT: GATEWAY PROPERTIES –  
ROCHESTER HILLS, LLC  
38700 VAN DYKE AVE., SUITE 200  
STERLING HEIGHTS, MICHIGAN

SCALE: NTS

JOB No: 2017-237

DATE: 4-19-19

DWG. No: 3 OF 3