

WATER MAIN EASEMENT

Hampton Plaza L.L.C., a Michigan limited liability company of 1334 Maplelawn Drive, Troy, MI 48084 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 Exhibit A

Parcel ID#15-26-100-007

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the water man, 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 HEREOF, the undersigned have hereunto affixed their signatures on this 12<sup>th</sup> day of May, 2021.

Hampton Plaza L.L.C.

*Stuart Frankel*  
\_\_\_\_\_  
Signature

Stuart Frankel  
\_\_\_\_\_  
(Print Name)

Managing Member  
\_\_\_\_\_  
Title

STATE OF MICHIGAN  
COUNTY OF Oakland

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of May, 2021, by Stuart Frankel who is the managing member of Hampton Plaza L.L.C., a Michigan limited liability company, on behalf of the company.

*Josy A. Foisy*  
\_\_\_\_\_  
JOSY A. FOISY  
Notary Public, State of Michigan  
County of Oakland  
My Commission Expires Sep. 23, 2025  
Acting in the County of Oakland

, Notary Public

Oakland County, Michigan

My Commission Expires: 9-23-2025

Drafted by:

Adele Swann  
City of Rochester Hills  
1000 Rochester Hills Dr.  
Rochester Hills, MI 48309

*John Staran*  
*Approved 5/13/21*

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

# EXHIBIT A

## WATER MAIN EASEMENT (LEGAL DESCRIPTIONS)

### LEGAL DESCRIPTION - PROPERTY

LAND SITUATED IN THE CITY OF ROCHESTER HILLS, COUNTY OF OAKLAND, STATE OF MICHIGAN, DESCRIBED AS:

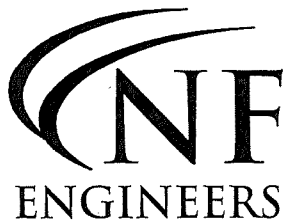
PART OF THE NORTHWEST 1/4 OF SECTION 26, TOWN 3 NORTH, RANGE 11 EAST, AVON TOWNSHIP, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS NORTH 88 DEGREES 52 MINUTES 45 SECONDS EAST, 75.01 FEET ALONG THE NORTH LINE OF SECTION 26 AND DUE SOUTH 60.01 FEET FROM THE NORTHWEST CORNER OF SECTION 26, TOWN 3 NORTH, RANGE 11 EAST; THENCE NORTH 88 DEGREES 52 MINUTES 45 SECONDS EAST, 585.00 FEET ALONG A LINE PARALLEL TO AND 60.00 FEET SOUTH OF THE NORTH LINE OF SECTION 26; THENCE SOUTH 01 DEGREES 07 MINUTES 15 SECONDS EAST 888.03 FEET; THENCE DUE WEST 602.26 FEET; THENCE DUE NORTH 876.42 FEET ALONG A LINE PARALLEL TO AND 75.00 FEET EAST OF THE WEST LINE OF SECTION 26 TO THE POINT OF BEGINNING.

2011-2135 S. ROCHESTER ROAD, ROCHESTER HILLS, MI 48307  
TAX ID: 15-26-100-007

### LEGAL DESCRIPTION - 20' WIDE WATER MAIN EASEMENT

PART OF THE NORTHWEST 1/4 OF SECTION 26, TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN,

A 20' WIDE CENTERLINE EASEMENT BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF SECTION 26, TOWN 3 NORTH, RANGE 11 EAST; THENCE NORTH 88 DEGREES 52 MINUTES 45 SECONDS EAST, 75.01 FEET; THENCE DUE SOUTH 60.01 FEET; THENCE NORTH 88 DEGREES 52 MINUTES 45 SECONDS EAST, 585.00 FEET; THENCE SOUTH 01 DEGREES 07 MINUTES 15 SECONDS EAST 888.03 FEET; THENCE DUE WEST 280.78 FEET; THENCE DUE NORTH 152.62 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 49 MINUTES 21 SECONDS WEST, 134.29 FEET TO THE POINT OF ENDING.



**NOWAK & FRAUS ENGINEERS**  
46777 WOODWARD AVE.  
PONTIAC, MI 48342-5032  
TEL. (248) 332-7931  
FAX. (248) 332-8257

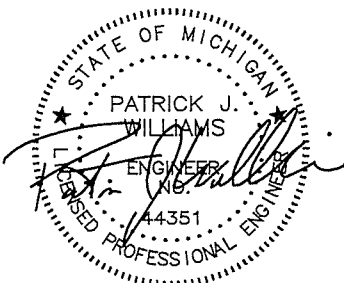


Exhibit Approved  
Date: 4/29/2021 JM

DATE	DRAWN	JOB NO.	SHEET
04-28-21	APW	B738-04	1 of 2

# EXHIBIT A

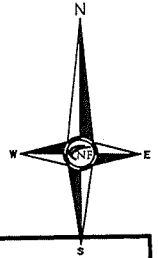
## WATER MAIN EASEMENT (SKETCH)

NW CORNER  
SECTION 26  
T.3N., R.11E.

N88°52'45"E  
75.01'  
S0°00'00"W  
60.01'

E. HAMLIN ROAD  
(WIDTH VARIES)

N88°52'45"E  
585.00'



WEST LINE SECTION 26  
ROCHESTER ROAD  
(WIDTH VARIES)

N0°00'00"E  
876.42'

S1°07'15"E  
888.03'

CENTERLINE OF  
20' WIDE WATER  
MAIN EASEMENT

P.O.E.

P.O.B.

N89°49'21"W  
134.29'

N0°00'00"W  
152.62'

N90°00'00"W  
602.26'

N90°00'00"W  
280.78'



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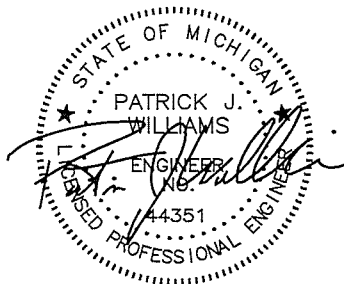


Exhibit Approved  
Date: 4/29/2021 JM

SCALE 1"=100'    DATE 04-28-21    DRAWN APW    JOB NO. B738-04    SHEET 2 of 2