

**SANITARY SEWER AND WATERMAIN EASEMENT**

Rochester Community Schools, a Public School District within the State of Michigan, of 501 West University, Rochester, Michigan 48307, grants an easement for an existing sanitary sewer and watermain, favoring the City of Rochester Hills, a Michigan municipal corporation, of 1000 Rochester Hills Drive, Rochester Hills, MI 48309 for construction, operation, maintenance, repair and/or replacement of the existing sanitary sewer and watermain, under, through and across land more particularly described as:

Sidwell #15-23-400-012 and #15-23-400-002

(Now 15-23-400-012)

See Attached Exhibit A

Currently, Rochester Community Schools are commencing construction of an expansion to its building and parking area on the subject property such that it is now necessary to revise the watermain.

The City and Rochester Community Schools, wish to create the legal description of the easement to describe the existing location of the sanitary sewer and watermain.

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the sanitary sewer and 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 sanitary sewer and watermain 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 construction, operation, maintenance, repair and/or replacement of the sanitary sewer and watermain: (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 condition that prior to such a grant written consent shall be obtained from the City, which consent shall not be unreasonably withheld.

The recording of this document is exempt pursuant to MCLA 207.505 (a) and MCLA 207.526(a).

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS HEREOF, the undersigned have executed this document on this 16 day of MAY, 2018.

**Rochester Community Schools**

By: Robert Shaner  
Name Robert Shaner  
Its: Superintendent

**City of Rochester Hills**

By: \_\_\_\_\_  
Bryan K. Barnett, Mayor

By: \_\_\_\_\_  
Tina Barton, City Clerk

STATE OF MICHIGAN )  
 )ss.  
COUNTY OF OAKLAND )

The foregoing instrument was acknowledged before me this 16 day of May, 2018, by Superintendent, Robert Shaner, of Rochester Community Schools, a public school District on behalf of the district.

MAUREEN MARIE NAKONEK  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF OAKLAND  
My Commission Expires September 17, 2023

Maureen Marie Nakonek  
Notary Public  
OAKLAND County, Michigan  
My Commission Expires: 9/17/2023

STATE OF MICHIGAN )  
 )ss.  
COUNTY OF OAKLAND )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by Bryan K. Barnett, Mayor of City of Rochester Hills and Tina Barton, City Clerk of City of Rochester Hills, a Michigan municipal corporation, on behalf of the City of Rochester Hills.

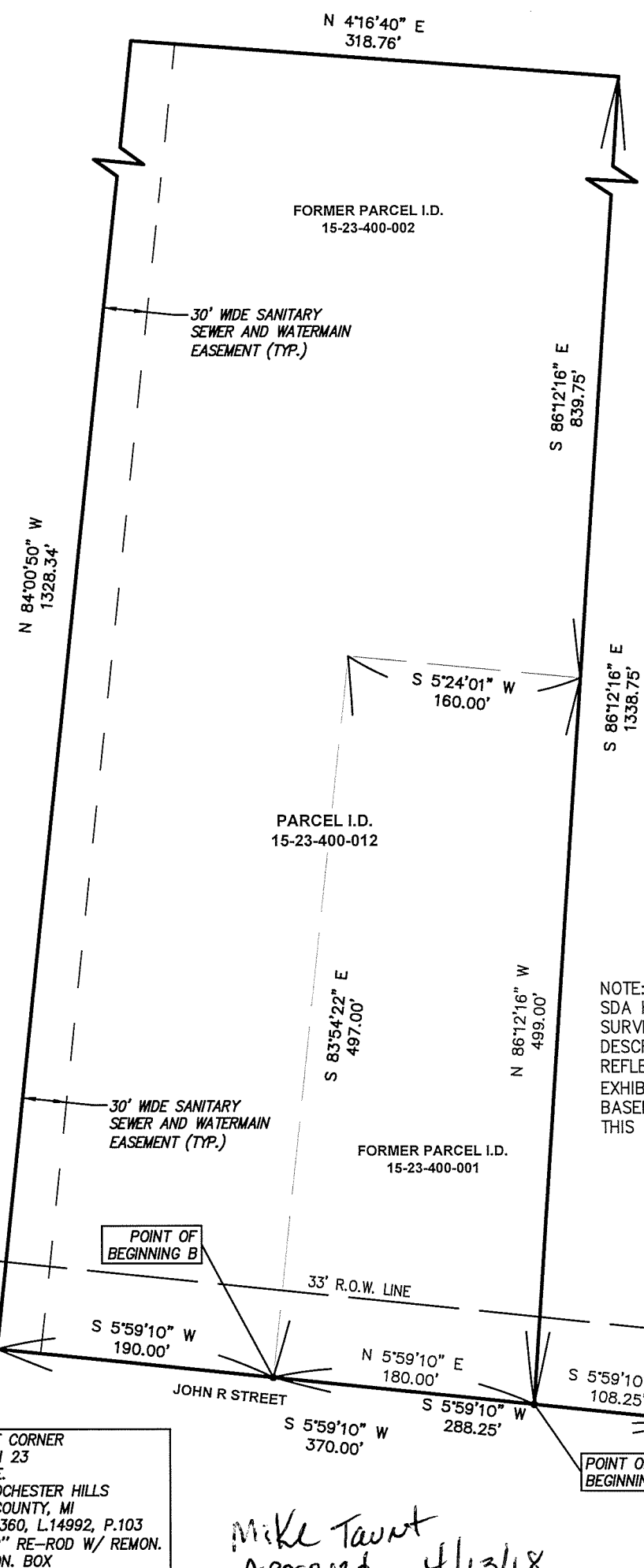
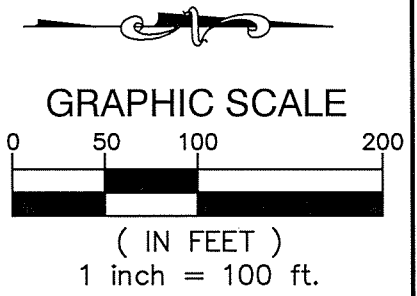
\_\_\_\_\_  
Notary Public  
County, \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

When recorded, return to:  
Tina Barton, City Clerk  
City of Rochester Hills  
1000 Rochester Hills Drive  
Rochester Hills, MI 48309

Drafted by:  
James Serbinski  
Spalding DeDecker  
905 South Blvd East  
Rochester Hills, MI 48307

John Staraw  
Approved 5/21/18

EXHIBIT "A"



NOTE:  
SDA HAS NOT PERFORMED A BOUNDARY SURVEY OF THIS PARCEL AND THE PARCEL DESCRIPTION DOES NOT NECESSARILY REFLECT FIELD-MEASURED VALUES. THE EXHIBIT "A" DESCRIPTION IS WRITTEN BASED UPON THE RECORD DESCRIPTION OF THIS OVERALL PARCEL.

EAST 1/4 CORNER OF SECTION 23 T.3N., R.11E. CITY OF ROCHESTER HILLS OAKLAND COUNTY, MI L.C.R.C. #3362, L15359, P.527 FOUND 3/4" IRON W/ REMON. DISK IN MON. BOX

SOUTHEAST CORNER OF SECTION 23 T.3N., R.11E. CITY OF ROCHESTER HILLS OAKLAND COUNTY, MI L.C.R.C. #3360, L14992, P.103 FOUND 1/2" RE-ROD W/ REMON. DISK IN MON. BOX

*Mike Tawnt  
Approved 4/13/18*

Plotted: Apr 10, 2018, 7:10 AM by user: 938 - Saved: 4/10/2018 by user: 938  
N:\NP\NLD Projects\NP16012 - Rochester Schools - Ace School\DWG\NP16012EAS.dwg



905 South Blvd. East Phone: (248) 844-5400  
Rochester Hills, MI 48307 Fax: (248) 844-5404  
www.sda-eng.com

DRAWN: J.SERBINSKI	DATE: 1-2-18
CHECKED: T.LINDOW	DATE: 1-2-18
MANAGER: T.SOVEL	SCALE:
JOB No. NP16-012	SHEET: 1 OF 2
SECTION 23 TOWN 3 NORTH RANGE 11 EAST	
CITY OF ROCHESTER HILLS OAKLAND COUNTY, MI	

# EXHIBIT "A"

## LEGAL DESCRIPTION

ACE SCHOOL  
1440 JOHN R ROAD  
ROCHESTER HILLS, MI 48307

FORMER PARCELS: #15-23-400-001 AND #15-23-400-002

Now: 15-23-400-012

ALL PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 23; TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS:

BEGINNING AT A POINT A ON THE EAST SECTION LINE, S 05°59'10" W 108.25 FEET FROM THE EAST 1/4 CORNER TO THE POINT OF BEGINNING A: N 86°12'16" W 499.00 FEET; THENCE S 05°24'01" W 160.00 FEET; THENCE S 83°54'22" E 497.00 FEET TO THE SECTION LINE; THENCE N 05°59'10" E 180.00 FEET TO THE POINT OF BEGINNING.

ALSO, INCLUDING:

ALL PART OF THE EAST 1/2 OF SECTION 23, TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS:

BEGINNING AT A POINT B ON THE EAST SECTION LINE, S 05°59'10" W 288.25' FROM THE EAST 1/4 CORNER TO THE POINT OF BEGINNING B: S 05°59'10" W 190.00 FEET; THENCE N 84°00'50" W 1328.34 FEET; THENCE N 04°16'40" E 318.76 FEET; THENCE S 86°12'16" E 839.75 FEET; THENCE S 05°24'01" W 160 FEET; THENCE S 83°54'22" E 497.00 FEET TO THE SECTION LINE AND TO THE POINT OF BEGINNING.

## LEGAL DESCRIPTION OF THE SANITARY SEWER AND WATERMAIN EASEMENT

THE SOUTHERLY 30 FEET OF THE ABOVE DESCRIBED PROPERTY.

Plotted: Feb 21, 2018, 9:23 AM by user: 938 - Saved: 2/21/2018 by user: 938  
N:\NP\NLD\_P\Projects\NP16012 - Rochester Schools - Ace School\DWG\NP16012EAS.dwg



**SPALDING DeDECKER**  
Engineers | Surveyors

905 South Blvd. East  
Rochester Hills, MI 48307

Phone: (248) 844-5400  
Fax: (248) 844-5404

www.sda-eng.com

DRAWN: J.SERBINSKI	DATE: 1-2-18
CHECKED: T.LINDOW	DATE: 1-2-18
MANAGER: T.SOVEL	SCALE:
JOB No. NP16-012	SHEET: 2 OF 2
SECTION 23 TOWN 3 NORTH RANGE 11 EAST	
CITY OF ROCHESTER HILLS OAKLAND COUNTY, MI	