

## WATERMAIN EASEMENT

Robertson Brewster Village, LLC, a Michigan limited liability company ("Grantor"), 6905 Telegraph Road, Suite 200, Bloomfield Hills, MI 48301 grants to the CITY OF ROCHESTER HILLS, a Michigan municipal corporation ("City"), of 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309, an easement on, under, through and across a portion of Grantor's property described in Exhibit A attached for the construction, operation, maintenance, repair and/or replacement of a watermain on, under, through and across land more particularly described as:

See Attached Exhibit B Sheets ~~1,4~~ 2  
Part of Sidwell #15-08-376-015 and 15-08-331-041 ("Property")

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 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 watermain: (a) the right of ingress and egress over, through and across the easement, and (b) the right to grant other nonexclusive easements and rights-of-way across, over, under and through the easement parcel, with the condition that prior to such a grant, the written consent shall be obtained from the City, except that the improvements provided in the City approved site plan for development of the Property are permitted and no separate written consent from City is needed.

Exempt from Transfer Taxes under MCL 207.505(a) and 207.526(a).

[Signatures and Acknowledgements on Following Page]

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 10<sup>th</sup> day of JUNE, 2020.

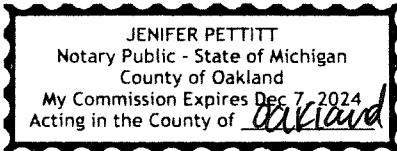
ROBERTSON BREWSTER VILLAGE, LLC,  
a Michigan limited liability company

BY: ROBERTSON BROTHERS CO.,  
a Michigan corporation, Manager

By: [Signature]  
James V. Clarke  
Its President

STATE OF MICHIGAN )  
                                  ) SS.  
COUNTY OF OAKLAND )

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of JUNE, 2020, by James V. Clarke, President of Robertson Brothers Co., a Michigan corporation, a Manager of Robertson Brewster Village, LLC, a Michigan limited liability company, on behalf of the corporation and companies.



[Signature]  
\_\_\_\_\_  
Oakland County, Michigan  
Acting in Oakland County, Michigan  
My Commission Expires: 12-07-2024

Drafted by:  
C. Kim Shierk  
380 N. Old Woodward Ave.  
Suite 300  
Birmingham, MI 48009

John Staraw  
Approved 6/24/20

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

EXHIBIT A  
PROPERTY DESCRIPTION

LEGAL DESCRIPTION - PROPERTY  
(PROPOSED BREWSTER VILLAGE CONDOMINIUM)

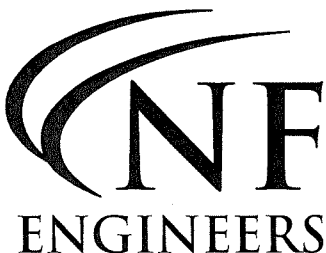
PART OF THE SOUTHWEST 1/4 OF SECTION 8, TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 8; THENCE SOUTH 89 DEGREES 57 MINUTES 18 SECONDS EAST, 11.55 FEET TO THE PROPERTY CONTROLLING CORNER; THENCE NORTH 04 DEGREES 03 MINUTES 10 SECONDS WEST ALONG THE PROPERTY CONTROLLING LINE BETWEEN THE SAID PROPERTY CONTROLLING CORNER AND THE CENTER POST OF SAID SECTION 8, 620.24 FEET; THENCE SOUTH 85 DEGREES 56 MINUTES 50 SECONDS WEST, 60.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 85 DEGREES 56 MINUTES 50 SECONDS WEST, 211.51 FEET; THENCE NORTH 04 DEGREES 03 MINUTES 10 SECONDS WEST, 110.00 FEET; THENCE SOUTH 85 DEGREES 56 MINUTES 50 SECONDS WEST, 467.95 FEET; THENCE NORTH 03 DEGREES 47 MINUTES 21 SECONDS WEST, 257.86 FEET TO A POINT ON THE SOUTH LINE OF SHADOW WOODS SUBDIVISION No. 1, AS RECORDED IN LIBER 160 OF PLATS, ON PAGES 30 THROUGH 35, OAKLAND COUNTY RECORDS; THENCE THE FOLLOWING THREE (3) COURSES ALONG THE SOUTH AND EAST LINES OF SAID SHADOW WOODS SUBDIVISION No. 1: 1) SOUTH 89 DEGREES 34 MINUTES 48 SECONDS EAST, 240.52 FEET, 2) NORTH 04 DEGREES 03 MINUTES 10 SECONDS WEST, 300.91 FEET AND 3) SOUTH 89 DEGREES 34 MINUTES 48 SECONDS EAST, 439.82 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF BREWSTER ROAD (103 FEET WIDE); THENCE SOUTH 04 DEGREES 03 MINUTES 10 SECONDS EAST ALONG SAID WEST RIGHT OF WAY LINE, 615.71 FEET TO THE POINT OF BEGINNING.

CONTAINS 312,264 SQ. FT. OR 7.17 ACRES OF LAND.

# 15-08-376-015 & # 15-08-331-041

Jenny M.  
Approved 6/9/20



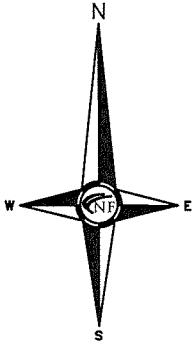
NOWAK & FRAUS ENGINEERS  
46777 WOODWARD AVE.  
PONTIAC, MI 48342-5032  
WWW.NOWAKFRAUS.COM

REVISED  
06-09-2020

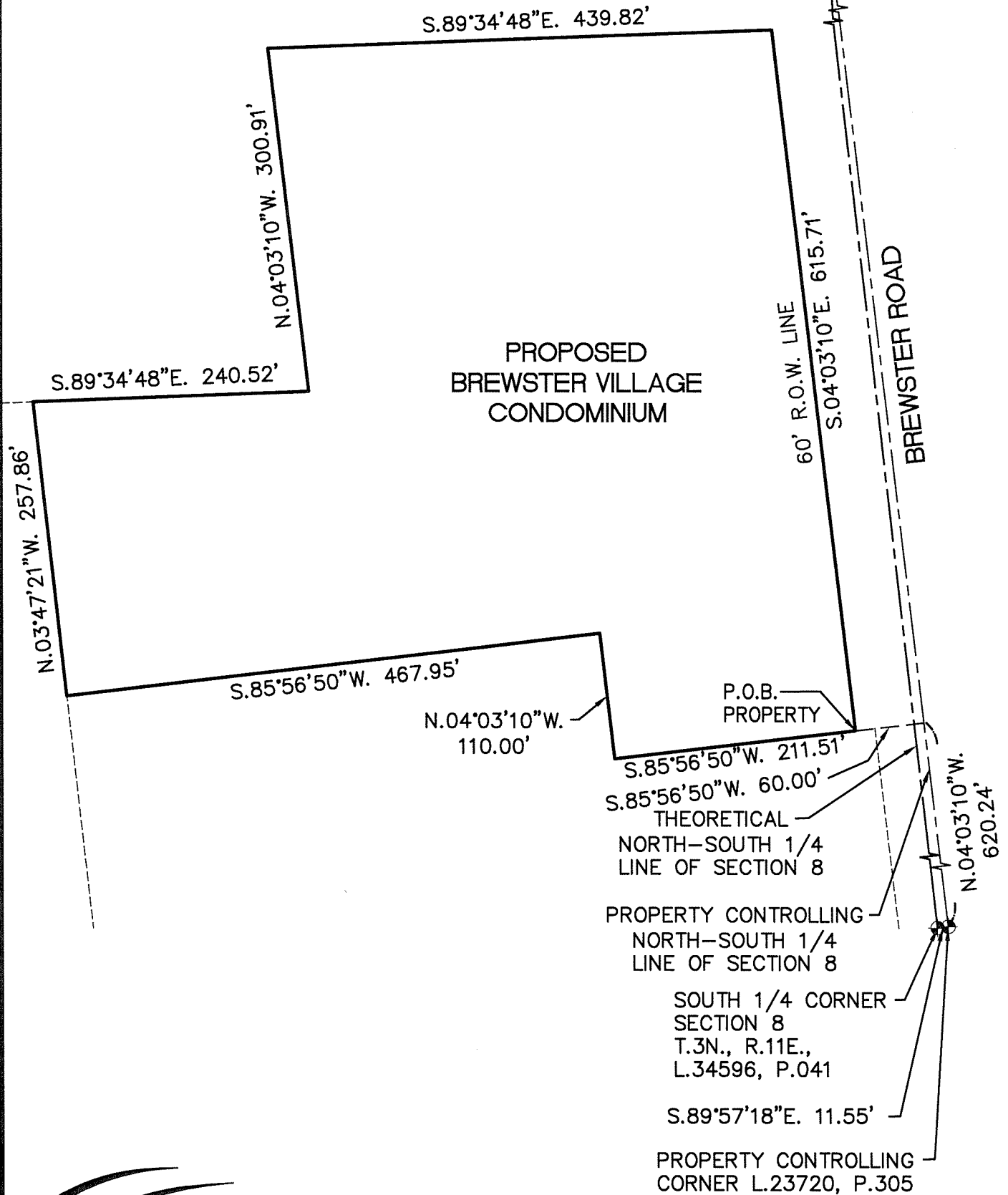
DATE	DRAWN	JOB NO.	SHEET
3-9-2020	M.C.	K342	1 of 2

# EXHIBIT A

## PROPERTY SKETCH



CENTER POST  
SECTION 8  
T.3N., R.11E.,  
L.19009, P.147



NF

ENGINEERS

NOWAK & FRAUS ENGINEERS  
46777 WOODWARD AVE.  
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REVISED  
06-09-2020

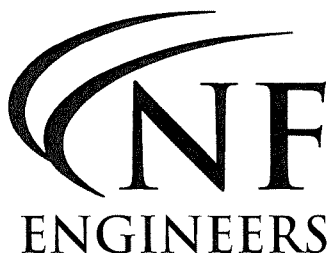
DATE	SCALE	DRAWN	JOB NO.	SHEET
3-9-2020	1" = 120'	M.C.	K342	2 of 2

# EXHIBIT B

## WATER MAIN EASEMENT DESCRIPTION

### LEGAL DESCRIPTION - WATER MAIN EASEMENT

A TWENTY (20) FOOT WIDE WATER MAIN EASEMENT BEING PART OF THE SOUTHWEST 1/4 OF SECTION 8, TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, BEING DESCRIBED ALONG ITS CENTERLINE AS: COMMENCING AT THE PROPERTY CONTROLLING SOUTH 1/4 CORNER OF SAID SECTION 8 BEING S.89°57'18"E. 11.55 FEET FROM THE SOUTH 1/4 CORNER OF SAID SECTION 8; THENCE N.04°03'10"W. ALONG THE PROPERTY CONTROLLING LINE BETWEEN THE SAID PROPERTY CONTROLLING CORNER AND THE CENTER POST OF SAID SECTION 8, 620.24 FEET; THENCE S.85°56'50"W. 185.00 FEET TO THE POINT OF BEGINNING OF SAID EASEMENT; THENCE N.04°03'04"W. 66.62 FEET TO POINT 'A'; THENCE CONTINUING N.04°03'04"W. 184.38 FEET TO POINT 'B'; THENCE CONTINUING N.04°03'04"W. 119.03 FEET TO POINT 'C'; THENCE CONTINUING N.04°03'04"W. 127.51 FEET TO POINT 'D'; THENCE S.85°56'50"W. 166.03 FEET TO POINT 'E'; THENCE S.04°03'10"E. 246.54 FEET; THENCE S.85°56'51"W. 38.99 FEET TO POINT 'F'; THENCE CONTINUING S.85°56'51"W. 245.82 FEET; THENCE N.49°49'20"W. 51.03 FEET TO A POINT OF ENDING; THENCE CONTINUING FROM SAID POINT 'A' N.85°56'50"E. 15.00 FEET TO A POINT OF ENDING; THENCE CONTINUING FROM SAID POINT 'B' S.85°56'51"W. 166.03 FEET TO A POINT OF ENDING; THENCE CONTINUING FROM SAID POINT 'C' N.85°56'00"E. 108.86 FEET; THENCE N.63°26'00"E. 17.46 FEET TO A POINT OF ENDING; THENCE CONTINUING FROM SAID POINT 'D' N.04°03'04"W. 94.52 FEET TO A POINT OF ENDING; THENCE CONTINUING FROM SAID POINT 'E' N.04°03'10"W. 117.35 FEET TO A POINT OF ENDING; THENCE CONTINUING FROM SAID POINT 'F' N.04°05'33"W. 24.93 FEET TO THE POINT OF ENDING.



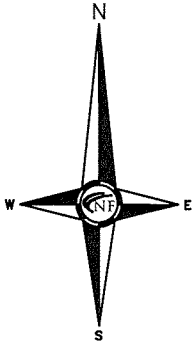
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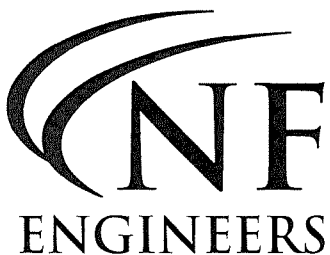
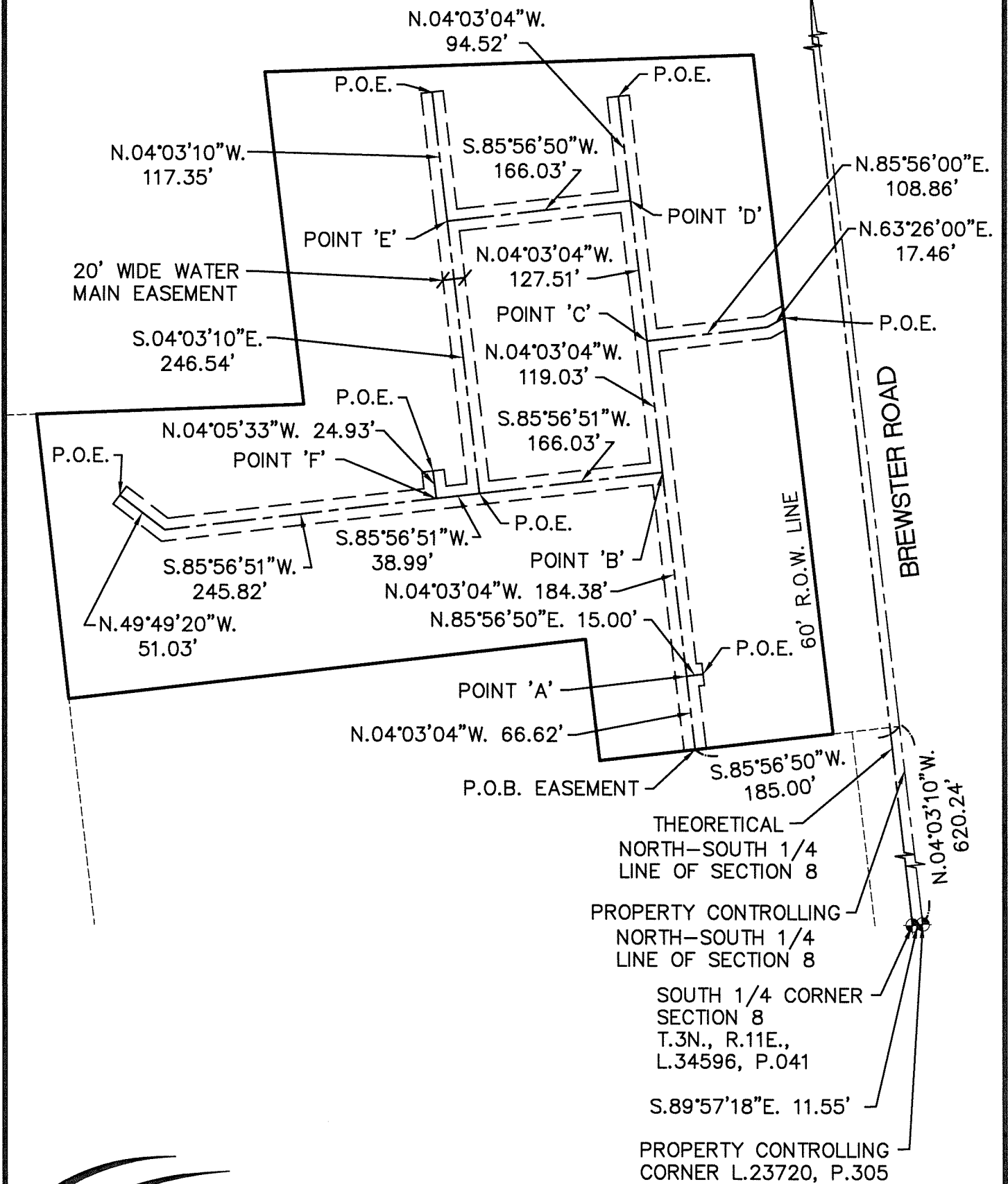
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# EXHIBIT B

## WATER MAIN EASEMENT SKETCH



CENTER POST  
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