

PEDESTRIAN PATHWAY EASEMENT

Esso Homes, Inc., a Michigan Corporation, whose address is 6875 Richmond, Troy, MI 48098 and Patrick McDaniel, a single man as to a 1/3 undivided interest, of 4265 Bay Beach Ln, Ft. Myers, FL 33913, and Mark McDaniel, a married man as to a 1/3 undivided interest, of 635 Seabrook Dr, Rochester Hills, MI 48307, and Joseph J. Micallef, a single man as to a 1/3 undivided interest of 1946 E. Long Lake Road, Troy, MI 48085

For and in consideration of the sum of: Five Thousand and no/100 Dollars (\$5,000.00) 5366 Rochester Joan  
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, and public use of a pedestrian pathway over, on, through and across land more particularly described as:

See Exhibit A  
Sidwell #15-28-478-057

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the pedestrian pathway, 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 pedestrian pathway 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, and public use of the pedestrian pathway:

(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 Tax under MCL 207.505(a) and 207.526(a).

IN WITNESS WHEREOF, the undersigned have hereunto affixed their signatures on this 27TH day of OCTOBER, 2017.

IN THE PRESENCE OF:

ESSO HOMES, INC., A MICHIGAN CORPORATION

[Signature]  
Signature

Hani Yousif, President

[Signature]  
Signature

Patrick McDaniel

[Signature]  
Signature

Mark McDaniel

[Signature]  
Signature

Joseph J. Micallef

[Signature]  
Signature

Print Name

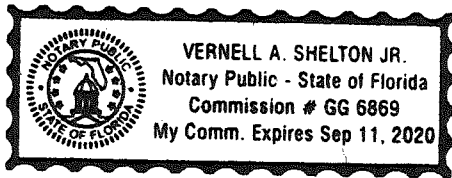
STATE OF MICHIGAN  
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 27TH day of OCTOBER, 2014, by Esso Homes, Inc., a Michigan Corporation, by Hani Yousif, President.

Patricia A. Petitto  
PATRICIA A. PETITTO Notary Public  
Acting in OAKLAND County, Michigan  
My Commission Expires: 12-31-19

STATE OF LEE Florida  
COUNTY OF Lee

The foregoing instrument was acknowledged before me this 31 day of October, 2016,  
By Patrick McDaniel, a single man.



[Signature]  
Notary Public  
Acting in LEE County, FL Michigan  
My Commission Expires: 9/11/2020

STATE OF MICHIGAN  
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 27TH day of OCTOBER, 2014,  
by Mark McDaniel, a married man, and Joseph J. Micallef, a single man.

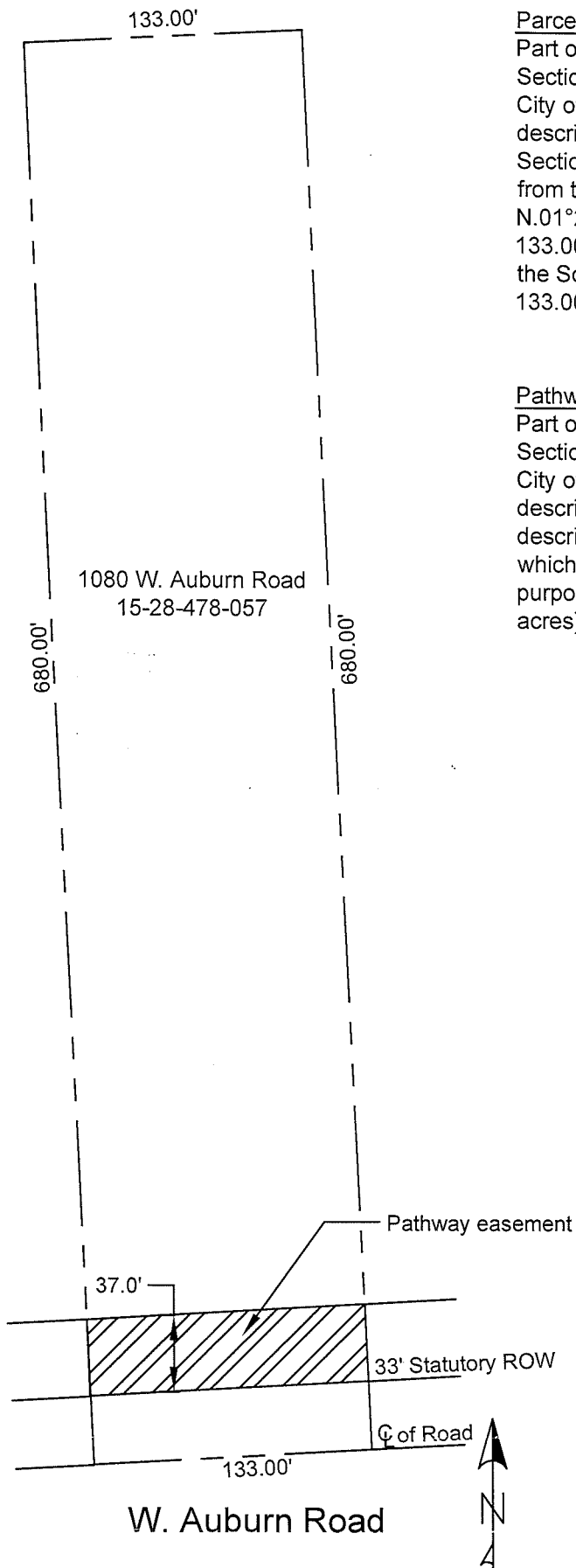
Patricia A. Petitto  
PATRICIA A. PETITTO Notary Public  
Acting in OAKLAND County, Michigan  
My Commission Expires: 12-31-19

Drafted by:  
Barbara J. Smith  
1000 Rochester Hills Drive  
Rochester Hills, MI 48309

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

Approved as to Form  
By John Staran 1/31/17

# EXHIBIT A



Parcel Description:

Part of the Southeast 1/4 of the Southeast 1/4 of Section 28, T.3N.. R.11E., Avon Township, now the City of Rochester Hills, Oakland County, Michigan, described as beginning at a point on the South Section line distance N.89°07'00" W., 307.50 feet from the Southeast Section corner; thence N.01°21'00"E., 680.0 feet; thence N.98°07'00"W., 133.00 feet; thence S.01°21'00"W., 680.00 feet to the South Section line; thence S.89°07'00"E., 133.00 feet to the point of beginning.

Pathway Easement Description:

Part of the Southeast 1/4 of the Southeast 1/4 of Section 28, T.3N.. R.11E., Avon Township, now the City of Rochester Hills, Oakland County, Michigan, described as the South 70 feet of the above described parcel, the most Southerly 33 feet of which are currently being used for roadway purposes, containing 4,921 square feet (0.113 acres).

Permanent pathway easement

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

**PATHWAY EASEMENT**  
 1060 W. Auburn Road  
 15-28-478-057

SCALE: 1" = 80'
DATE: 8/10/2016
SHEET 1 OF 1