

VACATION OF SANITARY SEWER EASEMENT

The City of Rochester Hills, whose address is 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309, was granted an Easement for Sanitary Sewer from Rochester Community Schools (hereinafter "Owner"), which Easement was recorded on March 22, 2004 at Liber 32550, Page 307 , Oakland County Records, (copy attached hereto as Exhibit "A").

This sewer has been determined to be a private sewer, and the Owner intends to vacate this easement across the entire property. The City has agreed and does hereby vacate the recorded Sanitary Sewer Easement included in the attached Exhibit "A".

This instrument is exempt from the Michigan Real Estate Transfer Tax pursuant to the provisions of MCL 207.505(a) and 207.526(a), because the value of the consideration given is less than One Hundred Dollars (\$100.00).

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, this ____ day of _____, 20__.

CITY OF ROCHESTER HILLS

By: Bryan K. Barnett, Mayor

By: Tina Barton, Clerk

ACKNOWLEDGMENT

STATE OF MICHIGAN) ss
COUNTY OF)

The foregoing instrument was acknowledged before me this _____ day of _____, 20____ by

Bryan K. Barnett, the Mayor of Rochester Hills, and Tina Barton, Clerk of Rochester Hills, on behalf of the City of Rochester Hills.

Notary Public _____ County, Michigan.

My Commission Expires: _____
Acting in the County of _____

WHEN RECORDED, RETURN TO:

CLERK'S DEPARTMENT
CITY OF ROCHESTER HILLS
1000 ROCHESTER HILLS DRIVE
ROCHESTER HILLS, MI 48309

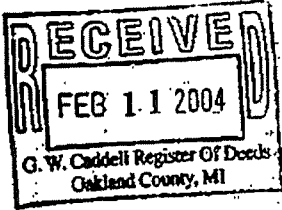
DRAFTED BY:

THOMAS SOVEL, P.E.
SPALDING DEDECKER
905 SOUTH BOULEVARD EAST
ROCHESTER HILLS, MI 48307

EXHIBIT "A"

LIBER 32550 PG 307

144035
LIBER 32550 PAGE 307
\$16.00 MISC RECORDING
\$4.00 REINFORCEMENT
03/22/2004 10:13:57 A.M. RECEIPT# 35851
PAID RECORDED - OAKLAND COUNTY
G. WILLIAM CADDELL, CLERK/REGISTER OF DEEDS



SANITARY SEWER EASEMENT

Rochester Community Schools, a Michigan Municipal corporation, of
501 W. University Drive, Rochester, MI 48307
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 sanitary sewer
on, under through and across land more particularly described as:

See Attached Exhibit A and Exhibit B
~~Schedule~~

In connection with the grant of easement, Grantor waives and relinquishes any right,
title or interest in the sanitary sewer, 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 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.

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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 sanitary sewer: (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

Exempt from Transfer Tax under
MCLA 207.526 (a); MSA 7.456 (26) (a).

IN WITNESS WHEREOF, the undersigned have hereunto affixed their signatures on this
11th day of October, 20 02.

IN THE PRESENCE OF
Signature Kelly Cox
Print or type name: Kelly Cox

Signature Linda Goodman
Print or type name: Linda Goodman

Signature _____
Print or type name: _____

Signature _____
Print or type name: _____

ROCHESTER COMMUNITY SCHOOLS
Signature Deborah L. Walter
Deborah L. Walter
(Print Name)
Director Of Facility Operations
Title

Signature _____
(Print Name) **O.K. - AW**
Title _____

STATE OF MICHIGAN
COUNTY OF Oakland

The foregoing instrument was acknowledged before me this 11th day of October
20 02, by Deborah L. Walter who is the Director Of Facility Operations of
Rochester Comm. Schools, a Michigan Municipal Corporation

Drafted by: Thomas J. Sovel
Spalding DeDecker Assoc., Inc. Nancy A. Koss
905 South Boulevard East, Notary Public
Rochester Hills, MI 48307 County, Michigan
Commission Expires: _____

When recorded, return to: APPROVED AS TO FORM
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309
ROCHESTER HILLS COUNSEL

NANCY A. KOSS
Notary Public, Oakland County, MI
My Commission Expires Feb 8, 2006

EXHIBIT "A"

LIBER 32550 PG 308

EXHIBIT "A"

FURNISHED LEGAL DESCRIPTION
LAWYER'S TITLE INSURANCE CORP.
COMMITMENT No. S25088-F
DATED MAY 30, 1989
(OBTAINED FROM TAX RECORDS)

THE TAX DESCRIPTION OF THE COMBINED PARCEL (INCLUDED IN THE TITLE COMMITMENT) IS DESCRIBED AS FOLLOWS:

TOWN 3 NORTH, RANGE 11 EAST, SECTION 11, PART OF THE NORTHWEST QUARTER, BEGINNING AT A POINT IN THE WEST SECTION LINE, DISTANT SOUTH 650 FEET FROM THE NORTHWEST SECTION CORNER; THENCE EAST, 865.55 FEET TO THE WEST LINE OF "JUNCTION LAND COMPANY'S SUBDIVISION"; THENCE SOUTH 00 DEGREES 05 MINUTES 00 SECONDS EAST, 133.24 FEET TO THE SOUTHWEST CORNER OF SAID SUBDIVISION; THENCE EAST, 224.92 FEET; THENCE SOUTH 60 FEET; THENCE EAST 60 FEET; THENCE SOUTH, 319.72 FEET TO THE 1/8 LINE; THENCE WEST, 1154.70 FEET TO THE WEST SECTION LINE; THENCE NORTH 00 DEGREES 27 MINUTES 00 SECONDS EAST, 513.50 FEET TO THE POINT OF BEGINNING.

15-11-101-018

LEGAL DESCRIPTION
AS-FIELD SURVEYED BY
SPALDING DeDECKER ASSOCIATES, INC.
OCTOBER 2000 (REVISED APRIL 2002)

A PARCEL OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 11, T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 11, THENCE S01°28'06"E 650.09' (RECORDED AS SOUTH 650.00') TO THE POINT OF BEGINNING; THENCE N88°00'23"E 864.81' (RECORDED AS EAST 866.48'); THENCE ALONG THE BOUNDARY LINE OF "JUNCTION LAND CO.'S SUBDIVISION" (RECORDED IN L.22, P.28 OF PLATS, OAKLAND COUNTY RECORDS) THE FOLLOWING 2 COURSES: (1) THENCE S02°01'43"E (RECORDED AS SOUTH) 133.24'; AND (2) THENCE N88°05'01"E (RECORDED AS EAST) 224.92'; THENCE ALONG THE BOUNDARY LINE OF "NORTH HILL GARDENS" (RECORDED IN L.48, P.49 OF PLATS, OAKLAND COUNTY RECORDS) THE FOLLOWING 3 COURSES: (1) THENCE ALONG THE WESTERLY LINE OF COURTLAND BLVD. (60' WIDE); S01°54'59"E (RECORDED AS SOUTH) 60.00'; (2) THENCE ALONG THE SOUTH LINE OF RED OAK LANE (60' WIDE), N88°05'01"E (RECORDED AS EAST) 60.00' AND (3) THENCE S01°54'59"E 320.57' (RECORDED AS SOUTH 319.72'); THENCE ALONG THE NORTH LINE OF "HILL CREST NO. 2" (RECORDED IN L.57, P.12 OF PLATS, OAKLAND COUNTY RECORDS); S88°02'23"W (RECORDED AS WEST) 1154.01' (RECORDED AS 1154.07'); THENCE ALONG THE WEST LINE OF SAID SECTION 11, N01°28'06"W 513.55' (RECORDED AS N00°27'E 513.50') TO THE POINT OF BEGINNING. CONTAINING 12.6339 ACRES, SUBJECT TO MICHIGAN DEPARTMENT OF TRANSPORTATION EASEMENT FOR HIGHWAY PURPOSES, AND SUBJECT TO AND TOGETHER WITH ALL EASEMENTS, EXCEPTIONS, CONDITIONS, RESERVATIONS, AND RESTRICTIONS CONTAINED IN PRIOR CONVEYANCES OF RECORD OR OTHERWISE.

DESC
M

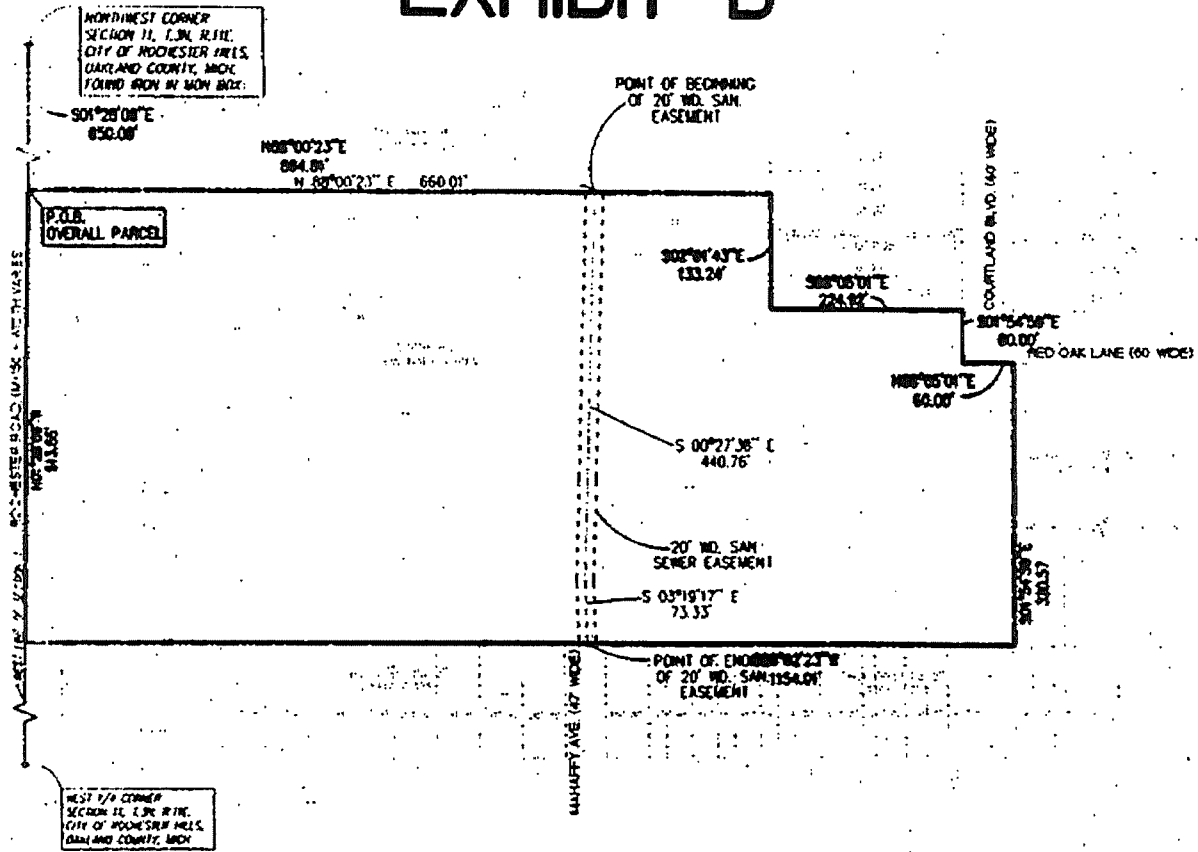
02-20-03



SPALDING DeDECKER ASSOCIATES, INC.
ENGINEERS SURVEYORS
905 SOUTH BLVD. EAST
ROCHESTER HILLS, MI 48307
PH: (248) 844-5400 FAX: (248) 844-5404
www.spaldingdedecker.com

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|--|----------------|
| DRAWN: T. RUDARY | DATE: 07-26-02 |
| CHECKED: A. HANNA | DATE: 07-26-02 |
| MANAGER: T. SOVEL | SCALE: - |
| JOB No. DV02-015 | SHEET: 1 of 1 |
| SECTION 11 TOWN 3 NORTH RANGE 11 EAST | |
| CITY OF ROCHESTER HILLS OAKLAND COUNTY, MI | |

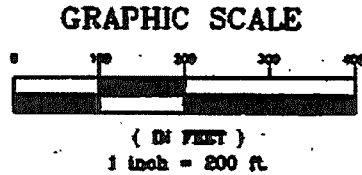
EXHIBIT "B"



SANITARY SEWER EASEMENT DESCRIPTION

A SANITARY SEWER EASEMENT LOCATED IN AND BEING A PART OF THE NORTHWEST 1/4 OF SECTION 11, T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AN EASEMENT OF 20 FEET WIDTH, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER (OF SAID SECTION 11, THENCE ALONG THE WEST SECTION LINE, S01°28'06"E 650.09'; THENCE N88°00'23"E 660.01' TO THE POINT OF BEGINNING; THENCE S00°27'38"E 440.76'; THENCE S03°19'17"E 73.33' TO THE POINT OF ENDING.



DESC
M. Hanna

pt: 15-11-101-018

2-20-03



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www.spaldingdedecker.com

| | |
|---------------------------------------|--------------------|
| DRAWN: T. RUDARY | DATE: 07-26-02 |
| CHECKED: A. HANNA | DATE: 07-26-02 |
| MANAGER: T. SOVEL | SCALE: 1" = 200' |
| JOB No. DV02-015 | SHEET: 1 OF 1 |
| SECTION 11 TOWN 3 NORTH RANGE 11 EAST | |
| CITY OF ROCHESTER HILLS | OAKLAND COUNTY, MI |