

WATERMAIN EASEMENT

Riverside,

BSS ROCHESTER HILLS, LLC, a Missouri limited liability company, of 4825 NW 41<sup>st</sup> Street, Suite 500, Missouri 64150 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 watermain on, under through and across land more particularly described as:

See Attached Exhibits A & B

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 material 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, (b) the right to construct and use parking lots within the easement for the purposes of parking motor vehicles, and (c) 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 2nd day of June, 2017.

BSS Rochester Hills, LLC, a Missouri limited liability company

By: NorthPoint Development, LLC, its Manager

Nathaniel Hagedorn, its Manager

STATE OF Missouri  
COUNTY OF Platte

The foregoing instrument was acknowledged before me this 2nd day of June, 2017, by Nathaniel Hagedorn, the Manager of NorthPoint Development, LLC, which is the Manager of BSS Rochester Hills, LLC, a Missouri limited liability company.

Drafted by:  
David Hunter, PEA, INC  
2430 Rochester Ct, #100  
Troy, MI 48063  
When recorded, return to:

City of Rochester Hills  
1000 Rochester Hills Drive  
Rochester Hills, MI 48309

Paula Y. Sage

Notary Public

My Commission Expires:

9-1-2018

PAULA Y. SAGE  
Notary Public - Notary Seal  
STATE OF MISSOURI  
Jackson County  
My Commission Expires: 09/01/2018  
Commission # 14629787

John Staraw  
Approved 6/12/17

# EXHIBIT "A"

## PROPERTY DESCRIPTION

Per Title Source, Inc., Agent for: Chicago Title Insurance Company  
Order Number: 62399350; Effective Date: March 15, 2017

Land Situated in the City of Rochester Hills in the County of Oakland in the State of MI

Unit 8, STAR BATT CONDOMINIUM, according to the Master Deed recorded in Liber 10306, pages 611, amended by First Amendment to the Master Deed recorded in Liber 14426, pages 224 through 231, both inclusive, and re-recorded in Liber 14484, Page 77, Second Amendment to the Master Deed recorded in Liber 47964, Page 137, Third Amendment to Master Deed recorded in L 50567P 837, and designated as Oakland County Condominium Subdivision Plan No. 531, together with rights in general common elements and limited common elements, as set forth in the above described Master Deed and as described in Act 59 of the Public Acts of 1978, as amended.

#15-29-276-015

Jenny M.  
Approved 8/30/19



**PEA, Inc.**

2430 Rochester Ct, Ste 100  
Troy, MI 48063-1872  
t: 248.689.9090  
f: 248.689.1044  
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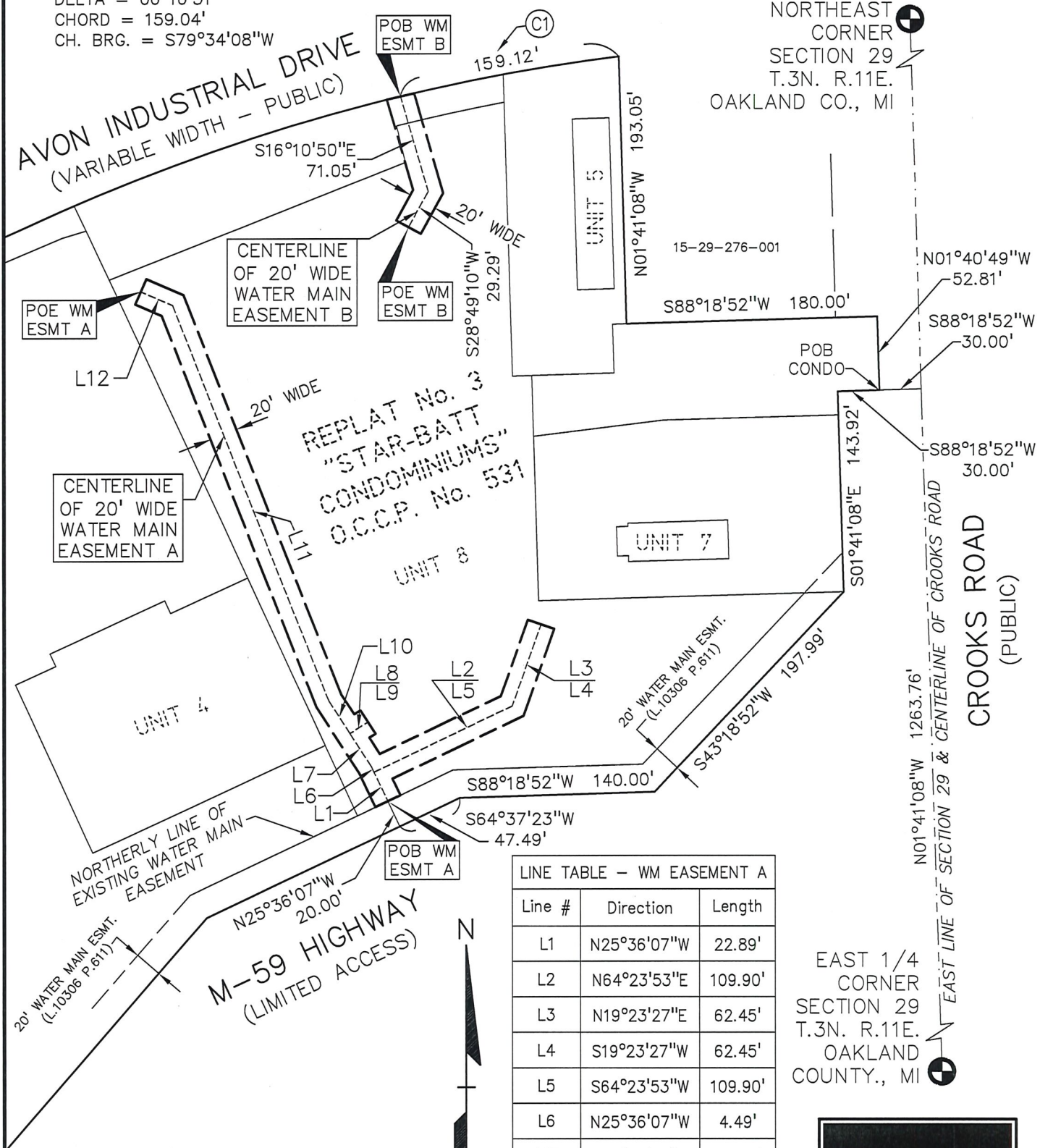
<b>BSS ROCHESTER HILLS, LLC</b> 4825 NW 41ST ST, SUITE 500 RIVERSIDE, MO 64150	SCALE: NTS	JOB No: 2016-303
	DATE: 5-5-17	DWG. No: 1 of 1



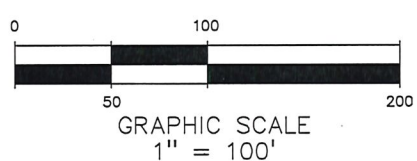
## EXHIBIT B SKETCH OF WATER MAIN EASEMENT

(C1) ARC = 159.12'  
 RADIUS = 1,452.84'  
 DELTA = 06°16'31"  
 CHORD = 159.04'  
 CH. BRG. = S79°34'08"W

NORTHEAST  
 CORNER  
 SECTION 29  
 T.3N. R.11E.  
 OAKLAND CO., MI



Line #	Direction	Length
L1	N25°36'07"W	22.89'
L2	N64°23'53"E	109.90'
L3	N19°23'27"E	62.45'
L4	S19°23'27"W	62.45'
L5	S64°23'53"W	109.90'
L6	N25°36'07"W	4.49'
L7	N32°43'21"W	28.20'
L8	N57°16'39"E	15.35'
L9	S57°16'39"W	15.35'
L10	N32°43'21"W	28.07'
L11	N21°28'21"W	305.70'
L12	N66°28'21"W	24.88'



CLIENT:  
**BSS ROCHESTER HILLS, LLC**  
 4825 NW 41ST ST, SUITE 500  
 RIVERSIDE, MO., 64150

SCALE: 1" = 100'  
 DATE: 05-04-17

JOB No: 2016-303  
 DWG. No: 1 of 2



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**EXHIBIT B**  
**SKETCH OF WATER MAIN EASEMENT**

**LEGAL DESCRIPTION – 20 FOOT WIDE WATER MAIN EASEMENT A**

An Easement for Water Main over land in the City of Rochester Hills, Oakland County, Michigan being part of the Northeast 1/4 of Section 29, Town 3 North, Range 11 East, Avon Township, whose CENTERLINE is more particularly described as follows:

COMMENCING at the East 1/4 corner of said Section 29;  
 thence N01°41'08"W, 1263.76 feet along the East Line of Section 29;  
 thence S88°18'52"W, 30.00 feet;  
 thence continuing S88°18'52"W, 30.00 feet;  
 thence S01°41'08"E, 143.92 feet;  
 thence S43°18'52"W, 197.99 feet;  
 thence S88°18'52"W, 140.00 feet;  
 thence S64°37'23"W, 47.49 feet;  
 thence N25°36'07"W, 20.00 feet to the northerly line of an existing water main easement as recorded in Liber 10306, Page 611 O.C.R. and the POINT OF BEGINNING;

thence (L1) N25°36'07"W, 22.89 feet;  
 thence (L2) N64°23'53"E, 109.90 feet;  
 thence (L3) N19°23'27"E, 62.45 feet;  
 thence (L4) S19°23'27"W, 62.45 feet;  
 thence (L5) S64°23'53"W, 109.90 feet;  
 thence (L6) N25°36'07"W, 4.49 feet;  
 thence (L7) N32°43'21"W, 28.20 feet;  
 thence (L8) N57°16'39"E, 15.35 feet;  
 thence (L9) S57°16'39"W, 15.35 feet;  
 thence (L10) N32°43'21"W, 28.07 feet;  
 thence (L11) N21°28'21"W, 305.70 feet;  
 thence (L12) N66°28'21"W, 24.88 feet to the POINT OF ENDING.

**LEGAL DESCRIPTION – 20 FOOT WIDE WATER MAIN EASEMENT B**

An Easement for Water Main over land in the City of Rochester Hills, Oakland County, Michigan being part of the Northeast 1/4 of Section 29, Town 3 North, Range 11 East, Avon Township, whose CENTERLINE is more particularly described as follows:

COMMENCING at the East 1/4 corner of said Section 29;  
 thence N01°41'08"W, 1263.76 feet along the East Line of Section 29;  
 thence S88°18'52"W, 30.00 feet;  
 thence N01°40'49"W, 52.81 feet;  
 thence S88°18'52"W, 180.00 feet;  
 thence N01°41'08"W, 193.05 feet to the south line of Avon Industrial Drive (as platted with "Avon Industrial Subdivision" recorded in Liber 172 of Plats, Page 17, Oakland County Records);  
 thence along said south line, 159.12 feet along the arc of a non-tangent curve to the left, having a radius of 1452.84 feet, a central angle of 06°16'31", and a chord bearing S79°34'08"W 159.04 feet to the POINT OF BEGINNING;

thence S16°10'50"E, 71.05 feet;  
 thence S28°49'10"W, 29.29 feet to the POINT OF ENDING.



**PEA, Inc.**

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CLIENT: <b>BSS ROCHESTER HILLS, LLC</b> 4825 NW 41ST ST, SUITE 500 RIVERSIDE, MO., 64150	SCALE: N.T.S.	JOB No: 2016-303
	DATE: 05-04-17	DWG. No: 2 of 2