

**WATERMAIN EASEMENT AGREEMENT**

This **WATERMAIN EASEMENT AGREEMENT**, dated the 29 day of November, 2013, is by and between **ROCHESTER HILLS REAL ESTATE, LLC**, a Michigan limited liability company ("Grantor"), of 10503 Citation Drive, Brighton, Michigan 48116, and the **CITY OF ROCHESTER HILLS**, a Michigan municipal corporation ("City"), of 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309.

The parties agree as follows:

Grantor hereby grants to City an easement for the construction, operation, maintenance, repair and/or replacement of a watermain on, under through and across land more particularly described as (the "Easement Area"):

See Exhibit A attached hereto

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 Area.

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 non-exclusive easements and rights-of-way across, over, under and through the Easement Area.

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

**IN WITNESS WHEREOF**, the undersigned have hereunto affixed executed the Watermain Easement Agreement on this 25 day of November, 2013.

**ROCHESTER HILLS REAL ESTATE, LLC**, a Michigan limited liability company

By: Frank M. Wronski  
Frank M. Wronski, President

STATE OF MICHIGAN

COUNTY OF Oakland

The foregoing instrument was acknowledged before me this 25 day of November, 2013, by Frank M. Wronski, in his capacity as President of Rochester Hills Real Estate, LLC, a Michigan limited liability company, on behalf of the company.

Joan Easterbrook  
Notary Public  
County, Michigan  
My Commission Expires: 5/28/2019

Signatures continued on next page

JOAN EASTERBROOK  
Notary Public, State of Michigan  
County of Oakland  
My Commission Expires May 28, 2019  
Acting in the County of Oakland

John Staran  
Approved 11/28/13

**CITY OF ROCHESTER HILLS**, a Michigan  
municipal corporation

By: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF MICHIGAN

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2013, by  
\_\_\_\_\_, in his/her capacity as \_\_\_\_\_ of the City of Rochester Hills, on behalf of  
the City.

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

Drafted by:

Alan J. Schwartz, Esq.  
Jacob & Weingarten, P.C. Notary Public  
2301 W. Big Beaver Rd., Suite 777  
Troy, Michigan 48084

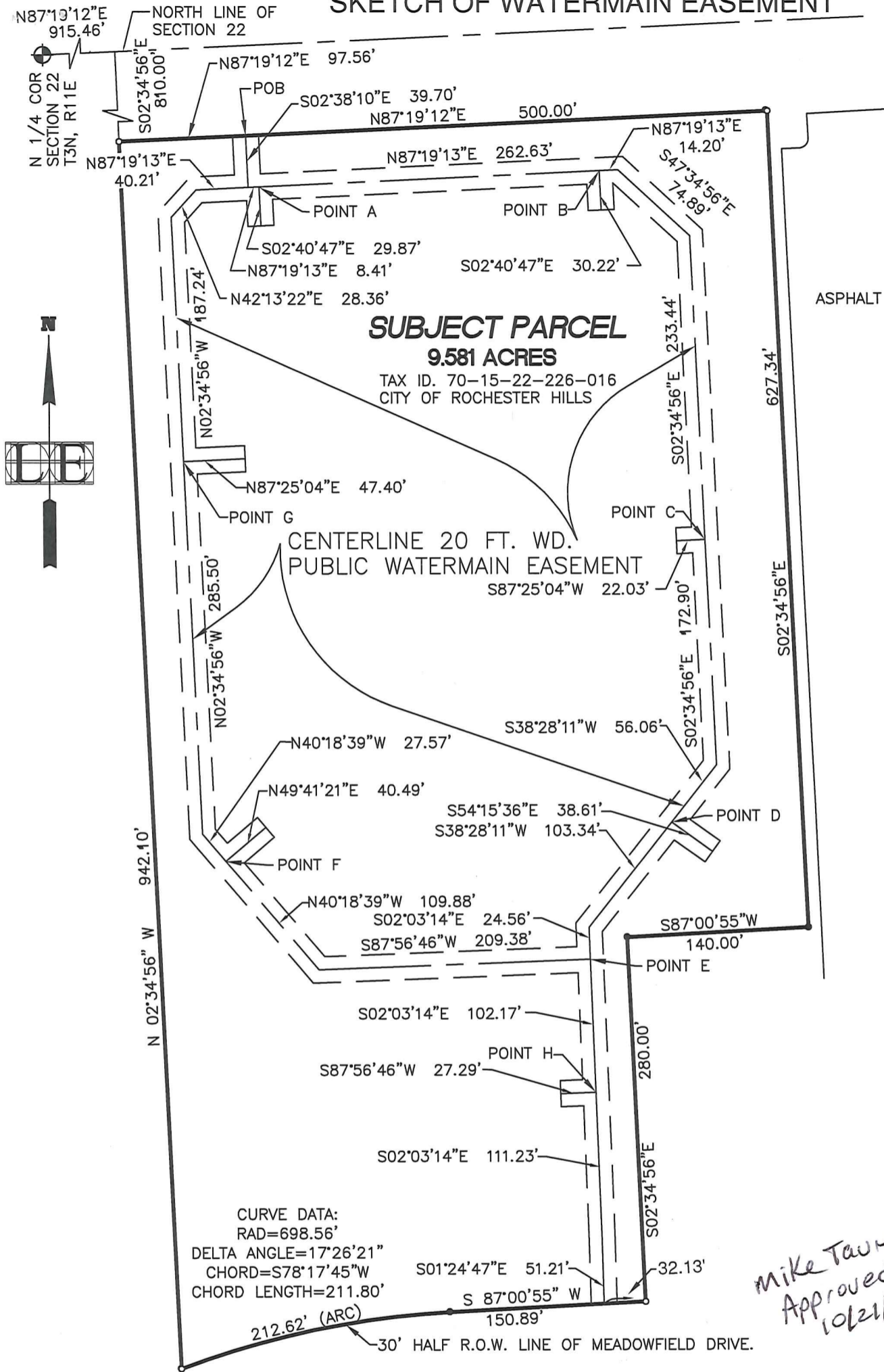
When recorded, return to:

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

**EXHIBIT A**  
**EASEMENT AREA**

See attached sketch and legal description.

# SKETCH OF WATERMAIN EASEMENT



*Mike Tawnt  
 Approved  
 10/21/13*

<b>LEGEND</b>	SECTION CORNER FENCE	SET IRON ROD FOUND IRON ROD/PIPE	FOUND MONUMENT SOIL BORING
---------------	-------------------------	-------------------------------------	-------------------------------



**LIVINGSTON ENGINEERING**  
 CIVIL ENGINEERING      SURVEYING      PLANNING  
 3300 S. OLD U.S. 23, BRIGHTON, MICHIGAN 48114  
 INTERNET: WWW.LIVINGSTONENG.COM      PHONE: (810) 225-7100      FAX: (810) 225-7699



<b>CLIENT</b> WELLBRIDGE OF R.H.		DATE 08-27-13
<b>DESCRIPTION</b> NE 1/4, SECTION 22 T3N-R11E, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN	SCALE 1"=100'	REV.
	SHEET No. 1 of 2	CREW
	DRAWN TEA/RLP	CHECK

**WATERMAIN EASEMENT:**

Part of the Northeast 1/4 of Section 22, T3N, R11E, City of Rochester Hills, Oakland County, Michigan, more particularly described as follows: Commencing at the North 1/4 Corner of said Section 22; thence along the North line of said Section 22, N 87°19'12" E, 915.46 feet; thence S 02°34'56" E, 810.00 feet; thence N 87°19'12" E, 97.56 feet to the POINT OF BEGINNING of the centerline of the twenty foot wide Public Water Main easement to be described; thence S 02°38'10" E, 39.70 feet; thence N 87°19'13" E, 8.41 feet to Point A; thence continuing N 87°19'13" E, 262.63 feet to Point B; thence continuing N 87°19'13" E, 14.20 feet; thence S 47°34'56" E, 74.89 feet; thence S 02°34'56" E, 233.44 feet to Point C; thence continuing S 02°34'56" E, 172.90 feet; thence S 38°28'11" W, 56.06 feet to Point D; thence continuing S 38°28'11" W, 103.34 feet; thence S 02°03'14" E, 24.56 feet to Point E; thence S 87°56'46" W, 209.38 feet; thence N 40°18'39" W, 109.88 feet to Point F; thence continuing N 40°18'39" W, 27.57 feet; thence N 02°34'56" W, 285.50 feet to Point G; thence continuing N 02°34'56" W, 187.24 feet; thence N 42°13'22" E, 28.36 feet; thence N 87°19'13" E, 40.21 feet to the point of terminus of said easement.

Also including a twenty foot wide Public easement for Water Main, the centerline of which is described as follows: Beginning at the aforementioned Point A; thence S 02°40'47" E, 29.87 feet to the point of terminus of said easement.

Also including a twenty foot wide Public easement for Water Main, the centerline of which is described as follows: Beginning at the aforementioned Point B; thence S 02°40'47" E, 30.22 feet to the point of terminus of said easement.

Also including a twenty foot wide Public easement for Water Main, the centerline of which is described as follows: Beginning at the aforementioned Point C; thence S 87°25'04" W, 22.03 feet to the point of terminus of said easement.

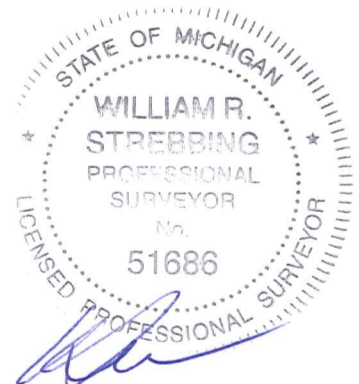
Also including a twenty foot wide Public easement for Water Main, the centerline of which is described as follows: Beginning at the aforementioned Point D; thence S 54°15'36" E, 38.61 feet to the point of terminus of said easement.

Also including a twenty foot wide Public easement for Water Main, the centerline of which is described as follows: Beginning at the aforementioned Point E; thence S 02°03'14" E, 102.17 feet to Point H; thence continuing S 02°03'14" E, 111.23 feet; thence S 01°24'47" E, 51.21 feet to the Northerly right of way line of Meadowfield Drive (30.00 foot 1/2 right of way) and the point of terminus of said easement (said point lies S 87°00'55" W, 32.13 feet from the Southeast corner of the subject parcel).

Also including a twenty foot wide Public easement for Water Main, the centerline of which is described as follows: Beginning at the aforementioned Point F; thence N 49°41'21" E, 40.49 feet to the point of terminus of said easement.

Also including a twenty foot wide Public easement for Water Main, the centerline of which is described as follows: Beginning at the aforementioned Point G; thence N 87°25'04" E, 47.40 feet to the point of terminus of said easement.

Also including a twenty foot wide Public easement for Water Main, the centerline of which is described as follows: Beginning at the aforementioned Point H; thence S 87°56'46" W, 27.29 feet to the point of terminus of said easement.



**LIVINGSTON ENGINEERING**

3300 S. OLD U.S. 23, BRIGHTON, MICHIGAN 48114

PHONE: 810-225-7100

www.livingstoneng.com

FAX: 810-225-7699