

PEDESTRIAN BICYCLE PATHWAY EASEMENT

FLAGSTAR BANK, FSB, a federally chartered savings bank, of 5151 Corporate Drive, Troy, Michigan 48098 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 bicycle pathway over, under, through and across land more particularly described as:

Sidwell #70-15-30-326-016

See attached Exhibit "A"

In connection with the grant of easement, Grantor grants and conveys to the CITY OF ROCHESTER HILLS all of Grantor's right, title and interest in the pedestrian bicycle pathway, and the facilities incidental thereto, which may be located in the easement described herein.

All property disturbed or altered, now or in the future, by reason of the construction, operation, maintenance, repair and/or replacement of the pedestrian bicycle 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 itself 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 bicycle 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 Taxes under MCL 207.505(a) and 207.526(a).

IN WITNESS HEREOF, the undersigned has hereunto affixed his signature on this 13th day of September, 2013.

Company Name: FLAGSTAR BANK, FSB, a federally chartered savings bank

Signature: [Handwritten Signature]

Print or type name: Thomas Darling

Title: Senior Vice President

STATE OF MICHIGAN
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 13th day of September, 2013, by Thomas Darling, who is a Senior Vice President of Flagstar Bank, FSB, a federally chartered savings bank, on behalf of the bank.

[Handwritten Signature], Notary Public
County, Michigan
My Commission Expires: June 10, 2017

When recorded, return to:

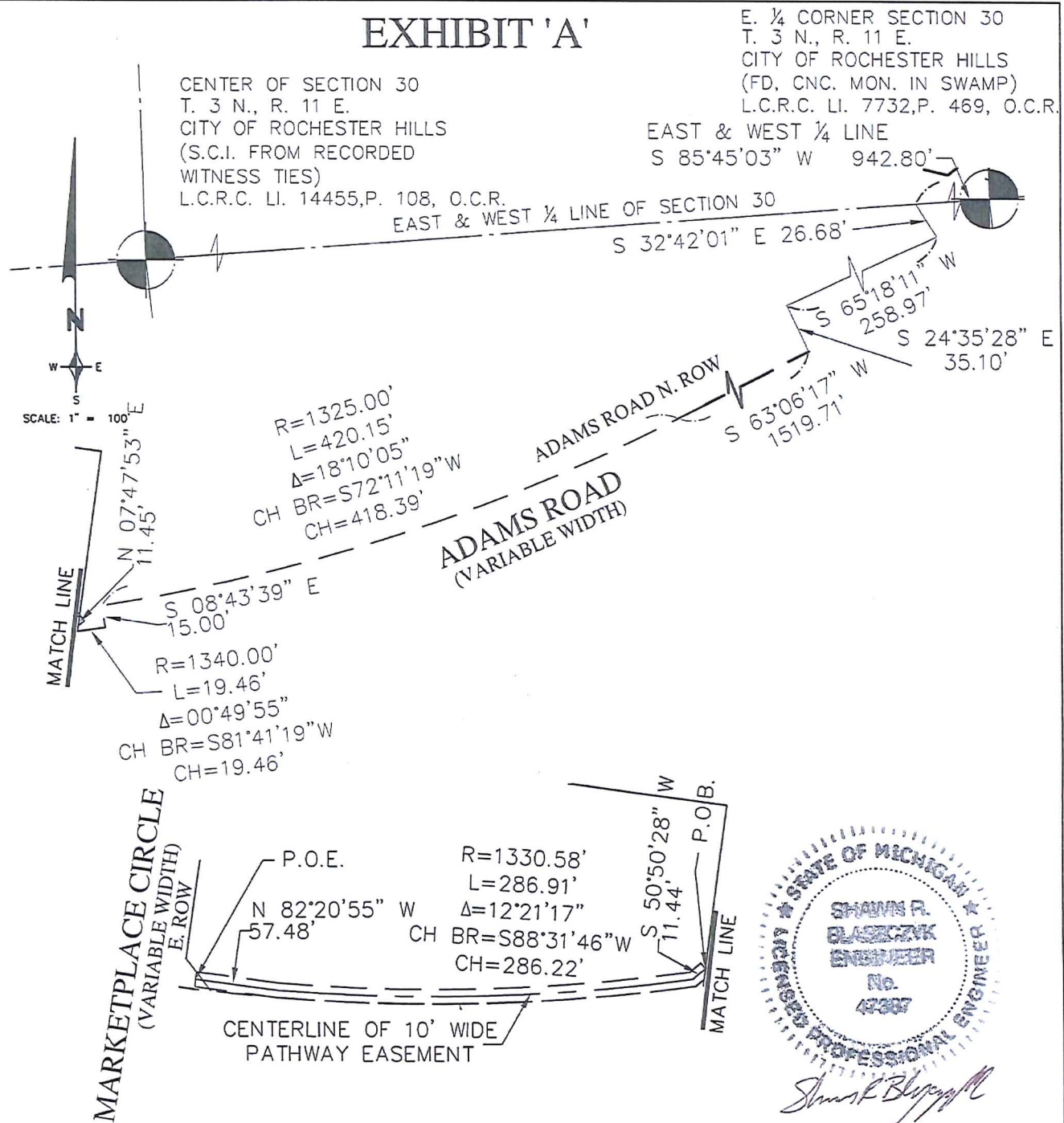
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

LAURALYN CAMPBELL
Notary Public, State of Michigan
County of Oakland
My Commission Expires June 10, 2017
Acting in the County of Oakland

Drafted By:
Deanna Dietz
Flagstar Bank
5151 Corporate Dr
Troy, MI 48098

9/18/13
John Staran Appd.

EXHIBIT 'A'



PATHWAY EASEMENT

A CENTERLINE OF A 10 FT. PATHWAY EASEMENT LOCATED IN THE SOUTHWEST 1/4 OF SECTION 30, T. 3 N., R. 11 E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 30 AND PROCEEDING ALONG THE EAST AND WEST 1/4 LINE OF SAID SECTION 30 S. 85°45'03" W. 942.80 FEET; THENCE THE FOLLOWING TWO (2) COURSES ALONG A MICHIGAN DEPARTMENT OF TRANSPORTATION (M.D.O.T.) RIGHT-OF-WAY: 1) S. 32°42'01" E. 26.68 FEET AND 2) S. 65°18'11" W. 258.97 FEET; THENCE S. 24°35'28" E. 35.10 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF ADAMS ROAD (VARIABLE WIDTH); THENCE THE FOLLOWING FOUR (4) COURSES ALONG SAID NORTHERLY RIGHT-OF-WAY LINE: 1) S. 63°06'17" W. 1519.71 FEET, 2) 420.15 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS 1325.00 FEET, CENTRAL ANGLE 18°10'05" AND A CHORD THAT BEARS S. 72°11'19" W. 418.39 FEET, 3) S. 08°43'39" E. 15.00 FEET, 4) 19.46 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS 1340.00 FEET, CENTRAL ANGLE 00°49'55", AND A CHORD THAT BEARS S. 81°41'19" W. 19.46 FEET THENCE N. 07°47'53" E. 11.45 FEET TO THE POINT OF BEGINNING OF A CENTERLINE OF A 10 FOOT WIDE PATHWAY EASEMENT; THENCE S. 50°50'28" W. 11.44 FEET; THENCE 286.91 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS 1330.58 FEET, CENTRAL ANGLE 12°21'17", AND A CHORD THAT BEARS S. 88°31'46" W. 286.22 FEET; THENCE N. 82°20'55" W. 57.48 FEET TO A POINT OF ENDING AT THE EAST RIGHT-OF-WAY LINE OF MARKETPLACE CIRCLE (VARIABLE WIDTH). SIDWELL 15-30-326-016

REVISIONS			PATHWAY EASEMENT ADAMS MARKETPLACE ROCHESTER HILLS, MICHIGAN	DATE	SCALE
ITEM	DATE	BY		05/30/07	HOR: 1" = 100' FIELD BOOK NO.
REVISE PER AS-BUILT	7/24/13	SRB	ZEIMET WOZNAK & ASSOCIATES Civil Engineers & Land Surveyors 40024 GRAND RIVER AVE, SUITE 100 NOVI, MICHIGAN 48375 P: (248) 442-1101 F: (248) 442-1241 www.zeimetwozniak.com	DESIGNED BY	JOB NO.
				SRB	97144
				DRAWN BY	SHEET NO.
				DAB/JMB	1

9/17/13 Mike Taut Appd.