

AMENDMENT TO WATER MAIN EASEMENT

On the 13th day of December, 2002, Rochester Community Schools, a Public School District, whose address is 501 W. University Drive, Rochester, Michigan, 48307, granted an easement for a water main favoring the City of Rochester Hills, MI, a Municipal Corporation, whose address is 1000 Rochester Hills Drive, Rochester Hills, MI 48307 (the "City"), as recorded on March 31, 2004, in Liber 32637, Page 743, Oakland County Records (hereinafter referred to as the "Existing Easement"). The legal description of the original recorded easement is:

Legal Description Existing Water Main Easement (20 Foot Wide)

The centerline of a 20 foot permanent water main easement is described as: Beginning at a point which is N 00°06'00" E, 440.00 feet from the Center Post of Section 5, T.3N., R.11E., Avon Township, Oakland County, Michigan; thence N 89°54'00" W, 37.00 feet; thence N 44°54'00" W, 57.00 feet; thence N 89°54'00" W, 166.00 feet to a Point of Intersection called "A"; thence S 00°06'00" W, from Point "A" 75.00 feet to a Terminal Point, and N 64°39'02" W, 150.00 feet from Point "A" to Point of Intersection called "B"; thence S 25°20'58" W, 130.00 feet; thence S 26°39'02" E, 90.00 feet to a Terminal Point, and from Point "B"; thence N 64°39'02" W, 292.00 feet to a Point on the centerline of the 20' easement between Lots 213 and 214 "Hawthorn Subdivision No. 4" of the N.W. 1/4 of Section 5, T.3N., R.11E., Avon Township, Oakland County, Michigan as recorded in Liber 162, Pages 21,22 and 23, of the Oakland County Records

Legal Description of Proposed Water Main Easement (20 Feet Wide)

A 20 foot wide water main easement which is part of the parcel described above, Commencing at the Center Post of Section 5, T.3N., R.11E., Avon Township, Oakland County, Michigan; thence N 00°06'00" E, 440.00 feet; thence N 89°54'00" W, 37.00 feet R/M; thence N 44° 54'00" W, 57.00 feet R/M; thence N 89°54'00" W, 166.00 feet R/M to a Point of Intersection of existing easement called "A"; thence N 64°39'02" W, 164.76 feet M, 150.00 feet R from point "A" to a point of intersection of existing easement called "B"; thence S 25°20'58" W, 109.10 feet to the Point of Beginning of Proposed water main easement; thence S 77°28'13" W, 5.00 feet; thence N 60°44'14" W, 19.90 feet to the Point of Ending.

Currently, Rochester Community Schools are commencing construction of an expansion to its building and repaving the parking area on the subject property such that it is now necessary to revise the water main.

The City and Rochester Community Schools, wish to amend the legal description of the easement to describe its revised locations.

Based on these facts and circumstances, the parties agree to and by this document amend the existing easement so that the following legal description shall replace and supersede the legal description of the existing easement as originally recorded, the originally recorded legal description for the existing easement shall be of no further force or effect and the City shall have those same easement rights in the following described easement:

"See Attached Exhibit A"

In all other respects, the original easement is ratified, confirmed and redeclared. The recording of this document is exempt pursuant to MCLA 207.505 (a) and MCLA 207.526(a).

IN WITNESS HEREOF, the undersigned have executed this document on this 22 day of April, 2019.

Rochester Community Schools

By: Dana J. Taylor
Dana J. Taylor

Title: Deputy Superintendent for Business Affairs

STATE OF MICHIGAN)
)ss.
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 22 day of April, 2019, by Dana J. Taylor, Deputy Superintendent for Business Affairs, of Rochester Community Schools, a Public School District, on behalf of the District.

THERESA KIMBLE
Notary Public - Michigan
Macomb County
My Commission Expires Sept. 28, 2025

Theresa Kimble
Notary Public
Macomb County, Acting in Oakland, MI
My Commission Expires: _____

City of Rochester Hills

By: _____
Bryan K. Barnett, Mayor

By: _____
Tina Barton, City Clerk

STATE OF MICHIGAN)
)ss.
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this _____ day of _____, 2019, by Bryan K. Barnett, Mayor of City of Rochester Hills and Tina Barton, City Clerk of City of Rochester Hills, a Michigan municipal corporation, on behalf of the Corporation.

Notary Public

County, _____
My Commission Expires: _____

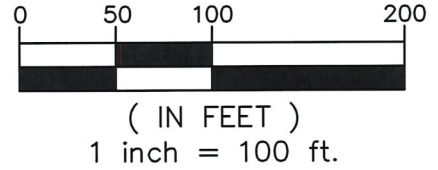
When recorded, return to:
Tina Barton, City Clerk
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

Drafted by:
James Serbinski
Spalding DeDecker
905 South Blvd East
Rochester Hills, MI 48307

John Starow
Approved 4/30/19

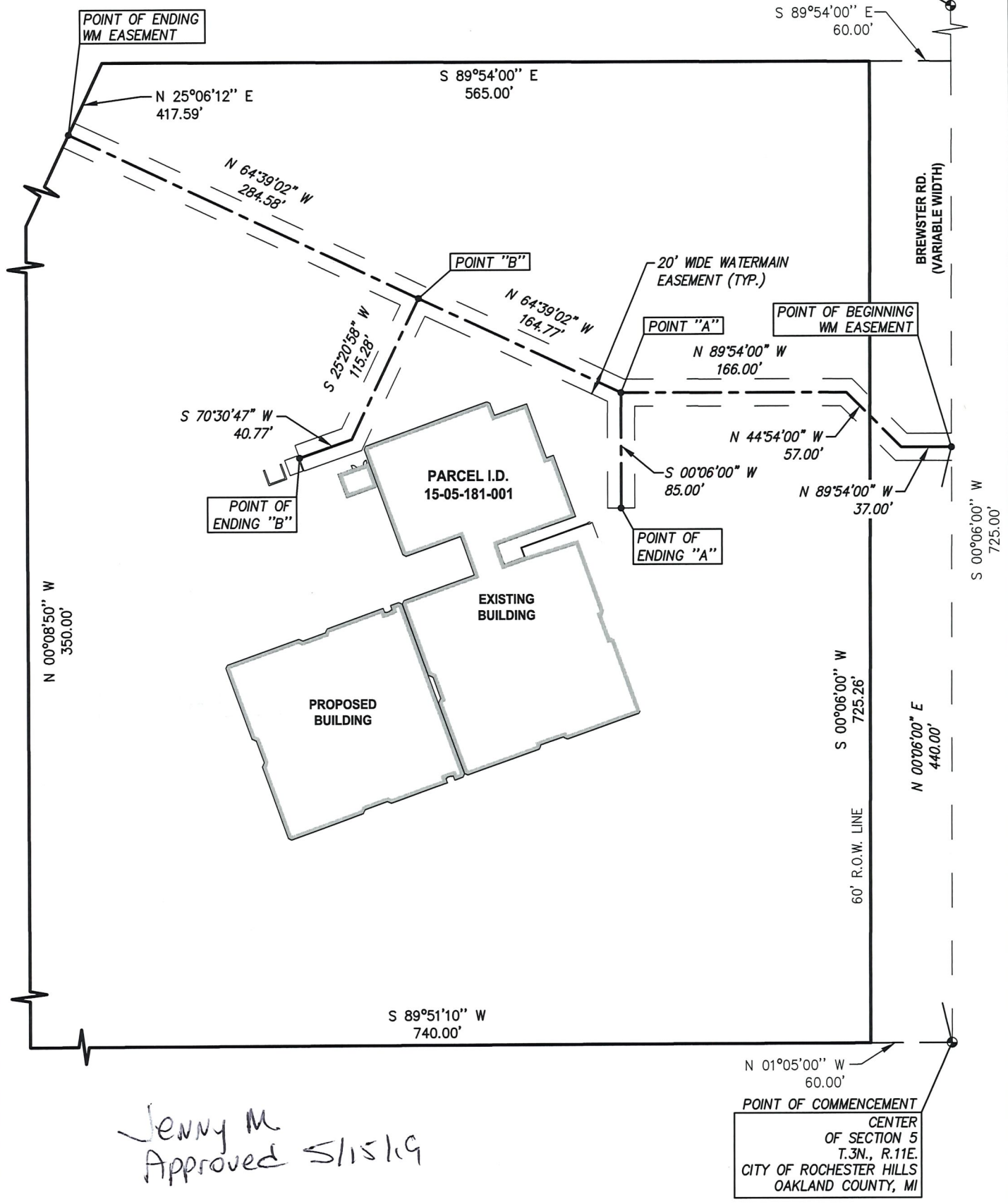
EXHIBIT "A"

GRAPHIC SCALE



NOTE:
SDA HAS NOT PERFORMED A BOUNDARY SURVEY OF THIS PARCEL AND THE PARCEL DESCRIPTION DOES NOT NECESSARILY REFLECT FIELD-MEASURED VALUES. THE EXHIBIT "A" DESCRIPTION IS WRITTEN BASED UPON THE RECORD DESCRIPTION OF THIS OVERALL PARCEL.

NORTH 1/4 CORNER
OF SECTION 5
T.3N., R.11E.
CITY OF ROCHESTER HILLS
OAKLAND COUNTY, MI



*Jenny M
Approved 5/15/19*

Plotted: May 9, 2019, 10:3 AM by user: 938 - Saved: 5/9/2019 by user: 938
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905 South Blvd. East Phone: (248) 844-5400
Rochester Hills, MI 48307 Fax: (248) 844-5404
www.sda-eng.com

DRAWN: J.SERBINSKI	DATE: 4-1-19
CHECKED: T.SOVEL	DATE: 4-1-19
MANAGER: T.SOVEL	SCALE: 1" = 100'
JOB No. NP16-013	SHEET: 1 OF 2
SECTION 5 TOWN 3 NORTH RANGE 11 EAST	
CITY OF ROCHESTER HILLS OAKLAND COUNTY, MI	

EXHIBIT "A"

LEGAL DESCRIPTION OF WATER MAIN EASEMENT

A 20' WIDE STRIP OF LAND, LOCATED IN THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, THE CENTER LINE OF WHICH IS INTENDED TO FOLLOW THE WATER MAIN AS CONSTRUCTED, AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER POST OF SECTION 5, TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN; THENCE N 00°06'00" E, 440.00 FEET TO THE POINT OF BEGINNING WM EASEMENT; THENCE N 89°54'00" W, 37.00 FEET; THENCE N 44°54'00" W, 57.00 FEET; THENCE N 89°54'00" W, 166.00 FEET TO A POINT OF INTERSECTION CALLED "A"; THENCE S 00°06'00" W, FROM POINT "A" 85.00 FEET TO A POINT OF ENDING "A", AND N 64°39'02" W, 164.77 FEET FROM POINT "A" TO POINT OF INTERSECTION CALLED "B"; THENCE S 25°20'58" W, 115.28 FEET; THENCE S 70°30'47" W, 40.77 FEET TO A POINT OF ENDING "B", AND FROM POINT "B"; THENCE N 64°39'02" W, 284.58 FEET TO A POINT ON THE CENTERLINE OF THE 20' EASEMENT BETWEEN LOTS 213 AND 214 "HAWTHORN SUBDIVISION NO. 4" OF THE NORTHWEST QUARTER OF SECTION 5, TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 162 OF PLATS, PAGES 21, 22, AND 23, OF THE OAKLAND COUNTY RECORDS, ALSO KNOWN AS THE POINT OF ENDING WM EASEMENT.

LEGAL DESCRIPTIONS

ROCHESTER COMMUNITY SCHOOLS - BREWSTER ELEMENTARY SCHOOL
 1535 BREWSTER RD.
 ROCHESTER HILLS, MI 48306

PARCEL: #15-05-181-001

LAND LOCATED IN AND BEING A PART OF THE NORTHWEST QUARTER OF SECTION 5, TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN; SAID LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER POST OF SAID SECTION 5, THENCE ALONG THE EAST-WEST CENTER LINE OF SECTION 5, S 89°51'10" W, 800.00 FEET; THENCE N 00°08'50" W, 350.00 FEET; THENCE N 25°06'12" E, 417.59 FEET; THENCE S 89°54'00" E, 625.00 FEET TO THE NORTH-SOUTH CENTER LINE OF SAID SECTION 5 AND ALSO THE CENTERLINE OF BREWSTER ROAD (VARIABLE WIDTH); THENCE ALONG SAID CENTERLINE S 00°06'00" W, 725.00 FEET TO THE POINT OF BEGINNING. EXCEPTING THE EAST 60 FEET TAKEN FOR ROAD RIGHT OF WAY. CONTAINING 11.61 ACRES AND SUBJECT TO RESTRICTIONS AND EASEMENTS OF RECORD.

Plotted: May 9, 2019, 10:4 AM by user: 938 - Saved: 5/9/2019 by user: 938
 N:\NP\NLD Projects\NP16013 - Rochester Schools - Brewster School\DWG\NP16013EAS.dwg



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CHECKED: T.SOVEL	DATE: 4-1-19
MANAGER: T.SOVEL	SCALE:
JOB No. NP16-013	SHEET: 2 OF 2
SECTION 5 TOWN 3 NORTH RANGE 11 EAST	
CITY OF ROCHESTER HILLS OAKLAND COUNTY, MI	