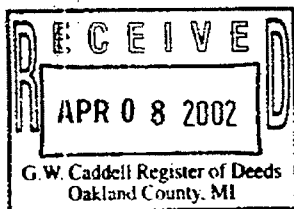


LIBER 25379 PG 503



170950
LIBER 25379 PAGE 503
\$17.00 MISC RECORDING
\$2.00 REINUMENTATION
04/16/2002 09:43:18 A.M. RECEIPT# 3.324
PAID RECORDED - OAKLAND COUNTY
G.WILLIAM CADDELL, CLERK/REGISTER OF DEEDS

AMENDMENT TO WATERMAIN EASEMENT

On the 7th day of September, 2000, **DEMCO 38, L.L.C.**, a Michigan limited liability company, whose address is 45501 Helm Street, Plymouth, Michigan 48170, granted an easement for a water main favoring the City of Rochester Hills, Michigan, whose address is 1000 Rochester Hills Drive, Rochester, MI 48309, as recorded on March 1, 2001, in Liber 22403, Page 723, Oakland County Records (hereinafter referred to as the "Existing Easement"). The legal description of the original recorded easement is:

PART OF THE NORTHWEST 1/4 OF SECTION 30, T. 3N., R. 11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, PARENT PARCEL DESCRIPTION

COMMENCING AT THE NORTHEAST CORNER OF SECTION 30, T. 3 N., R. 11 E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN; THENCE S 00°19'29" E, 1,058.39 FEET ALONG THE EAST LINE OF SAID SECTION 30; THENCE S76°10'55"W., 718.31 FEET; THENCE S84°44'05"W., 76.24 FEET; THENCE 1,028.89 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 6,037.00 FEET PASSING THROUGH A CENTRAL ANGLE OF 09°45'54" WITH A LONG CHORD BEARING OF S81°40'13"W., 1,027.66 FEET; THENCE S03°23'22"E 8.62' TO THE POINT OF BEGINNING;

thence S03°23'22"E 20.03'; thence S89°38'08"W 13.80';
thence S53°04'26"W 377.56'; thence N89°20'34"E 55.90';
thence S00°39'27"E 40.95'; thence S89°20'33"W 20.06';
thence N00°39'27"W 20.95'; thence S89°20'33"W 399.28';
thence S00°39'26"E 90.33'; thence N89°20'35"E 14.44';
thence S00°39'26"E 20.00'; thence S89°20'35"W 14.44';
thence S00°39'27"E 8.81'; thence S45°00'00"E 26.32';
thence N90°00'00"E 245.01'; thence S00°00'00"E 20.00';
thence N90°00'00"W 253.29'; thence N45°00'00"W 42.75';
thence N00°39'27"W 127.30'; thence S89°20'33"W 148.13';
thence N45°00'00"W 27.83'; thence N00°02'27"E 245.36';
thence N89°23'36"E 20.00'; thence S00°02'27"W 237.30';
thence S45°00'00"E 11.12'; thence N89°20'34"E 489.35';
thence N53°04'26"E 411.42'; thence N89°38'08"E 19.35'
to the Point of Beginning.

O.K. - LG

PT 15-30-227-004

Subsequent to the creation of the Existing Easement, the location of the Water Main Easement was changed to accommodate field conditions. Based upon this fact, Demco 38, L.L.C. and the City of Rochester Hills agree by this document to amend the Existing Easement so that the following legal description shall replace and supercede the

LIBER 25379PG504

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 of Rochester Hills, Michigan, shall have those same easement rights in the following described easement:

WATER MAIN EASEMENT DESCRIPTION(ASBUILT):

COMMENCING AT THE NORTHEAST CORNER OF SECTION 30, T. 3 N., R. 11 E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN; THENCE S00°19'29"E 1,058.39 FEET ALONG THE EAST LINE OF SAID SECTION 30; THENCE S76°10'55"W 718.31 FEET; THENCE S84°44'05"W 76.24 FEET; THENCE 1,028.89 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 6,037.00 FEET PASSING THROUGH A CENTRAL ANGLE OF 09°45'54" WITH A LONG CHORD BEARING OF S81°40'13"W 1,027.66 FEET; THENCE S03°23'22"E 67.94 FEET THENCE S03°23'22"E 8.82 FEET; TO THE POINT OF BEGINNING:

THENCE S03°23'22"E	20.03 FEET;	THENCE S89°38'08"W	13.81 FEET
THENCE S53°04'26"W	377.24 FEET;	THENCE N89°20'34"E	40.75 FEET
THENCE S45°00'00"E	21.21 FEET;	THENCE S00°39'27"E	15.78 FEET
THENCE S89°20'34"W	20.00 FEET;	THENCE N00°39'27"W	7.62 FEET
THENCE N45°00'00"W	4.65 FEET;	THENCE S89°20'34"W	35.60 FEET
THENCE S00°39'26"E	9.89 FEET;	THENCE S89°20'34"W	20.00 FEET
THENCE N00°39'26"W	9.89 FEET;	THENCE S89°20'33"W	340.44 FEET
THENCE S00°39'26"E	90.34 FEET;	THENCE N89°20'34"E	4.51 FEET
THENCE S00°39'26"E	20.00 FEET;	THENCE S89°20'34"W	4.51 FEET
THENCE S00°39'26"E	8.81 FEET;	THENCE S45°00'00"E	26.32 FEET
THENCE N90°00'00"E	231.86 FEET;	THENCE S00°00'00"E	20.00 FEET
THENCE S90°00'00"W	240.14 FEET;	THENCE N45°00'00"W	42.76 FEET
THENCE N00°39'26"W	162.69 FEET;	THENCE N55°57'40"E	319.04 FEET
THENCE N00°17'38"E	129.30 FEET;	THENCE N89°24'07"E	20.00 FEET
THENCE S00°17'38"W	140.18 FEET;	THENCE S55°57'40"W	318.82 FEET
THENCE S00°39'26"E	4.61 FEET;	THENCE N89°20'33"E	340.44 FEET
THENCE N00°39'26"W	7.73 FEET;	THENCE N53°04'26"E	398.03 FEET
THENCE N89°38'08"E	19.36 FEET;	TO THE POINT OF BEGINNING.	

SEE ATTACHED EXHIBIT A

0715-30-227-004

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 WHEREOF, the undersigned have executed this document on this 11th of OCTOBER, 2001.

[Signatures on next page]

APPROVED DESC
M. TAUNY
ROCHESTER HILLS
ENGINEERING DEPT.
10-24-01

LIBER 25379PG505

IN THE PRESENCE OF:

Jane A. Mehta
JANE A. MEHTA

W. Forman
W. FORMAN

Demco 38, L.L.C.,
a Michigan limited liability company

By: DeMattia/AEW Realty Company,
L.L.C., a Delaware limited liability
Company

Its: Member

By: DeMattia Investments II, L.L.C.,
a Michigan limited liability company

Its: Managing Member

By: [Signature]
Gary D. Roberts

Its: Executive Vice President

Jean Close
JEAN CLOSE

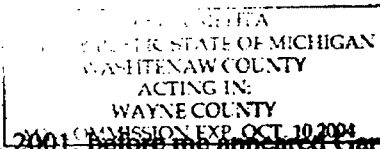
Lisa Sage
LISA SAGE

City of Rochester Hills

By: Pat Somerville

Its: Mayor

STATE OF MICHIGAN)
)ss.
COUNTY OF WAYNE)



On this 11th day of October, 2001, before me appeared Gary D. Roberts who made an oath that he is the Executive Vice President of Demattia Investments II, L.L.C., the Managing Member of DeMattia/AEW Realty Company, the Member of Demco 38, L.L.C., to me personally known and who acknowledged that he executed this instrument on behalf of Demco 38, L.L.C.

Jane A. Mehta
Notary Public, WASH TENAW County, MI
My commission expires: 10.10.04

STATE OF MICHIGAN)
)ss.
COUNTY OF OAKLAND)

On this 26th day of March, 2001, before me appeared PAT Somerville, who made an oath that he/she is the MAYOR of the City of Rochester Hills, Michigan, to me personally known, and who acknowledged that he/she executed this instrument on behalf of the City of Rochester Hills.

Jean Close
Notary Public, OAKLAND County, MI
My commission expires: 8/30/2005

Jean Close
Notary Public, Oakland County, MI
My Commission Expires August 31, 2001
ROCHESTER HILLS COUNSEL

LIBER 25379PC506

Drafted By:

Douglas Forman
DEMCO 38, L.L.C
45501 Helm St.
Plymouth, MI. 48170

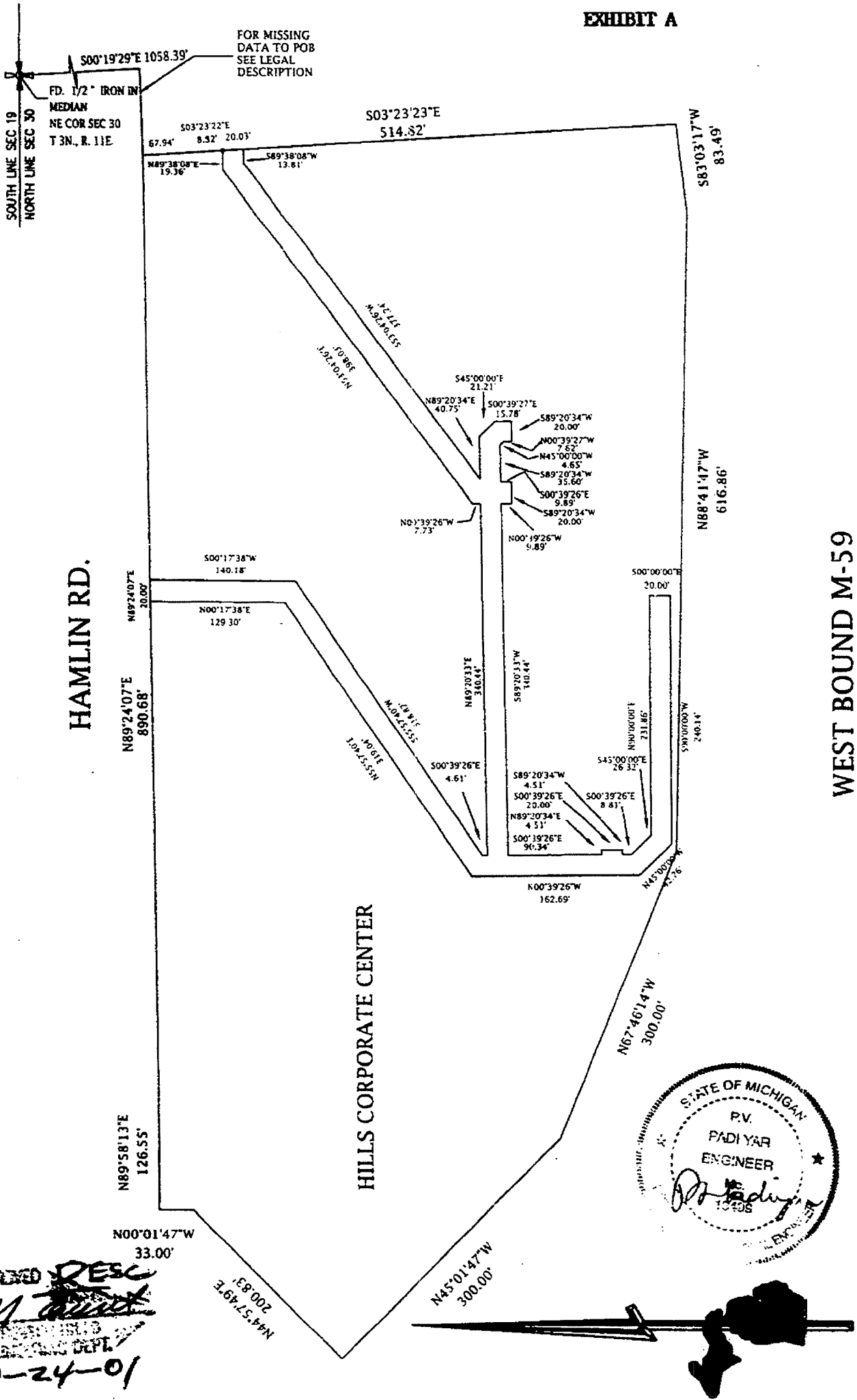
When recorded return to:

City of Rochester Hills
1000 Rochester Hills Dr.
Rochester Hills, MI. 48309

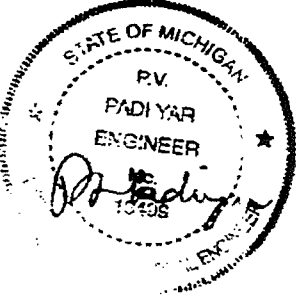
SKETCH OF DESCRIPTION **188-25379PC507**

PART OF THE NORTHWEST & Northeast 1/4 of Section 30, T. 3N. R. 11E.,
City of Rochester Hills, Oakland County

EXHIBIT A



APPROVED **DESC**
M. [Signature]
PROFESSIONAL ENGINEER & SURVEYOR
ENGINEERING DEPT.
10-24-01



STELLAR CONSULTING SERVICES, INC.

PROJECT #: 9843
DRAWN BY: AJB

PROFESSIONAL ENGINEERS & SURVEYORS PHONE: (248) 244-1500
1000 W. MAPLE ROAD FAX: (248) 244-0908
SUITE 102 EMAIL: stellarconsulting@earthlink.com
TROY, MI. 48064

DATE: 06/28/01

SHEET 1 OF 2

DESCRIPTION

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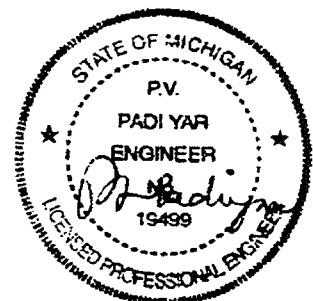
EXHIBIT A

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COMMENCING AT THE NORTHEAST CORNER OF SECTION 30, T. 3 N., R. 11 E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN; THENCE S00°19'29"E 1,058.39 FEET ALONG THE EAST LINE OF SAID SECTION 30; THENCE S76°10'55"W 718.31 FEET; THENCE S84°44'05"W 76.24 FEET; THENCE 1,028.89 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 6,037.00 FEET PASSING THROUGH A CENTRAL ANGLE OF 09°45'54" WITH A LONG CHORD BEARING OF S81°40'13"W 1,027.66 FEET; THENCE S03°23'22"E 67.94 FEET THENCE S03°23'22"E 8.82 FEET; TO THE POINT OF BEGINNING:

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 THENCE N00°39'26"W 7.73 FEET; THENCE N53°04'26"E 398.03 FEET
 THENCE N89°38'08"E 19.36 FEET; TO THE POINT OF BEGINNING.

APPROVED *DESC*
M. [Signature]
 REGISTERED PROFESSIONAL ENGINEER
 ENGINEERING DEPT.
 10-24-01



STELLAR CONSULTING SERVICES, INC.

PROFESSIONAL ENGINEERS & SURVEYORS PHONE: (248) 244-1500
 1000 W. MAPLE ROAD FAX: (248) 244-0908
 SUITE 102 EMAIL: stellarconsulting@earthlink.com
 TROY, MI. 48064

DATE: 06/28/01