WATERMAIN EASEMENT

The Pointe Group, Inc., a Michigan experation, whose address is 2185 Crooks Road, Rochester Hills, MI 48309, the owner of land situated in the City of Rochester Hills, Oakland County, Michigan, and more particularly described on Exhibit A, attached hereto, hereby 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 situated in the City of Rochester Hills, Oakland County, Michigan, more particularly described on Exhibit A, attached hereto

Sidwell No. ______15-34-477-016

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the sanitary sewer, 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 interference with the construction, operation, maintenance, repair and/or replacement of the watermain: Ca) 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 Tax under MCLA 207.526(a); MSA 7.456 (26) (a).

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this day of part of the Pointe Group, Inc., a Michigan Corporation

Witnesses:

Signed by:

By:

CHARLES E. HAND

Piontkowski President

Piont Kersky

This agreement was acknowledged before me on the pointe Group, Inc., a Michigan Corporation.

This agreement was acknowledged before me on the Pointe Group, Inc.

The Pointe Group, Inc.

Drafted by:

Douglas A. Tull, Attorney at Law,

44841 Van Dyke Avenue,

P.O. Box 180912,

Utica, Michigan 48318-0912

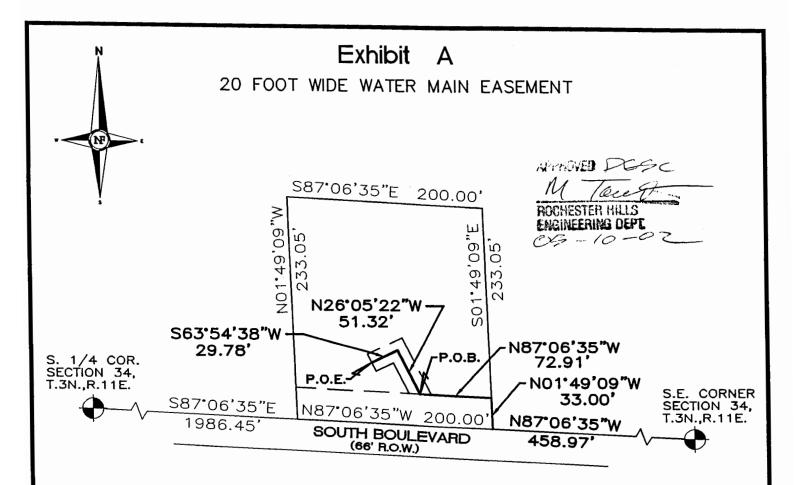
Return to:

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

Oakland County, Michigan My Commission Expires 2 1/2005

NOTATION ENVIRED SON, 2594

Oil per John Storan



Legal Description - Parcel

Part of the East ½ of the East ½ of the Southeast ¼ of Section 34, T.3N., R.11E., City of Rochester Hills, Oakland County, Michigan, being more particularly described as: Beginning at a point on the South line of said Section 34, N. 87° 06′ 35″ W., 458.97 feet from the S.E. corner of Section 34; thence N. 87° 06′ 35″ W., 200.00 feet along the South section line to the S.E. corner of "Martin Farms Subdivision"; thence N. 01° 49′ 09″ W., 233.05 feet along the east line of "Martin Farms Subdivision;" thence S. 87° 06′ 35″ E., 200.00 feet; thence S. 01° 49′ 09″ E., 233.05 feet to the Point of Beginning.

Subject to the rights of the public in South Boulevard Road. Containing 46,456 square feet or 1.066 acres.

Legal Description - Water Main Easement

Land in the aforementioned parcel for the purpose of a 20.00 foot wide watermain easement, the centerline of which is more particularly described as follows:

Commencing at the Southeast corner of aforementioned parcel, thence N. 01° 49′ 09″ W., 33.00 feet; thence N. 87° 06′ 35″ W., 72.91 feet to the Point of Beginning; thence N. 26° 05′ 22″ W., 51.32 feet; thence S. 63° 54′ 38″ W., 29.78 feet to the Point of Ending.

S.E. 1/4 of Section 34 T. 3 N., R. 11 E., City of Rochester Hills, Oakland Co., MI

NE NOWAK & FRAUS

Consulting Engineers • Land Surveyors • Land Planners

46777 Woodward Avenue Pontiac, Michigan 48342 Tel. (248) 332-7931 Fax. (248) 332-8257

SCALE

DATE

DRA WN

JOB No. SHEET

1" = 100' 05-09-02

JMR

5-A381-01 1 of 1