

WATERMAIN EASEMENT

MJC Somerset Pines LLC, a Michigan limited liability company, of 46600 Romeo Plank Rd., Ste 5, Macomb MI 48044, 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 replacement of a watermain on, under through and across land more particularly described as:

See Attached Exhibit A

#15-32-300-007-008,0094-010

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.

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 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 have affixed their signatures on this 18th day of December, 2013.

MJC SOMERSET PINES LLC

By: [Signature]

Michael Chirco, Manager

STATE OF MICHIGAN

COUNTY OF MACOMB

The foregoing instrument was acknowledged before me this 18th day of December, 2013, by Michael Chirco, Manager of MJC Somerset Pines LLC, a Michigan limited liability company, on behalf of and by authority of the Company.

Drafted by:

Stephen M. Guerra, Esq.

Makower Abbate PLLC

30140 Orchard Lake Road

Farmington Hills, MI 48334

[Signature], Notary Public

State of Michigan, County of _____

My commission expires: _____

Acting in the County of _____

When recorded, return to:

City of Rochester Hills

1000 Rochester Hills Drive

Rochester Hills, MI 48309

John Staran
Approved 2/18/14

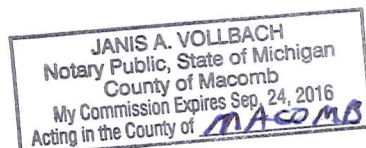
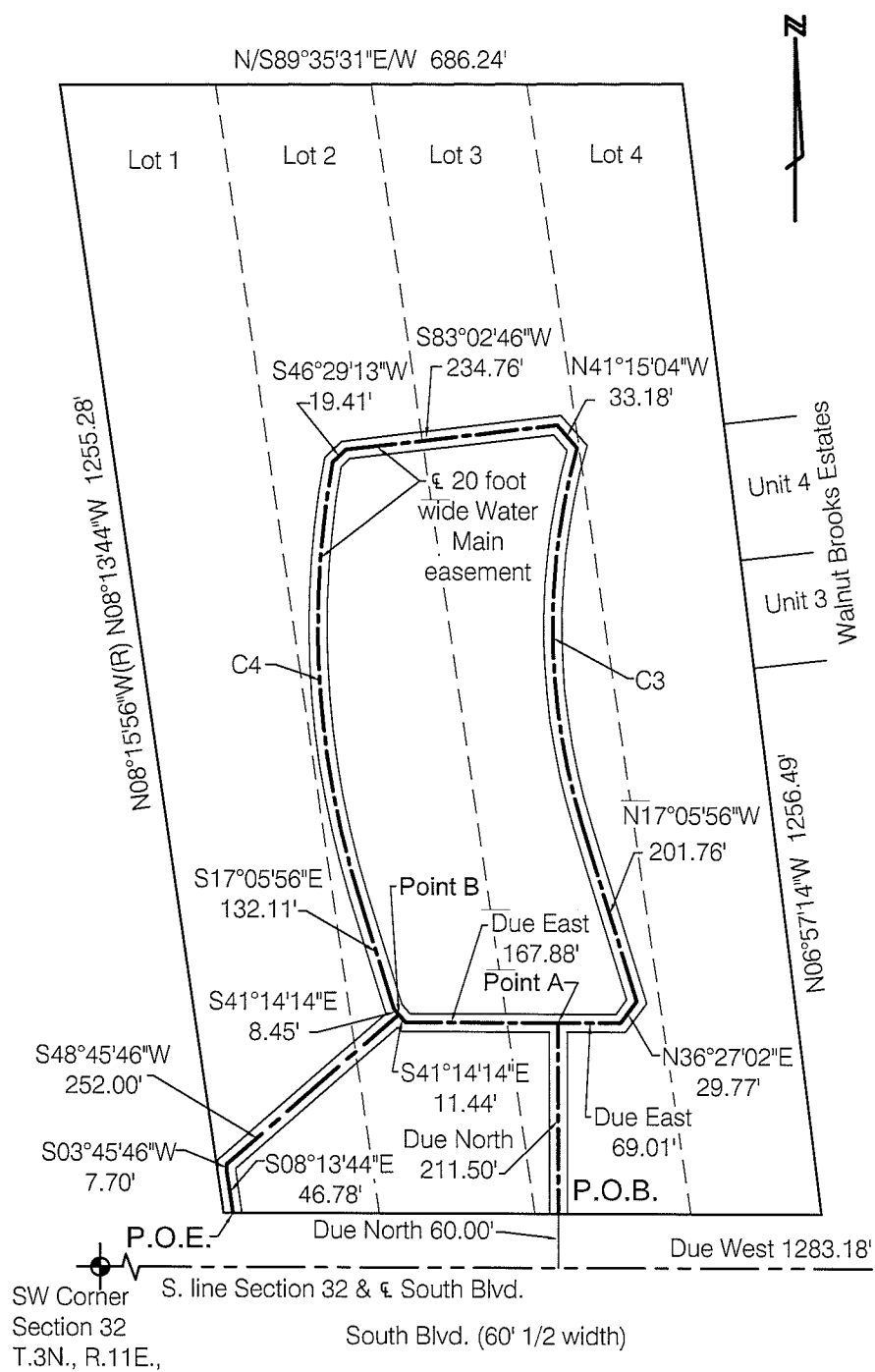


EXHIBIT 'A'
Proposed 20' wide Water Main Easement



20 FOOT WIDE
WATER MAIN EASEMENT

The E of a 20 foot wide Water Main Easement described as: Part of the SW1/4 of Section 32, T.3N., R.11E., Avon Township (now City of Rochester Hills), Oakland County, Michigan: Commencing at the S.1/4 Corner Section 32; thence Due West, 1283.18 feet along the S. line Section 32 and the E South Blvd.; thence Due North 60.00 feet to the Point of Beginning; thence along the E of said easement the following courses: Due North, 211.50 feet to Point A; Due East, 69.01 feet; N.36°27'02"E., 29.77 feet; N.17°05'56"W., 201.76 feet; along a curve to the right 422.38 feet chord bearing N.00°46'48"W., 416.70 feet; N.41°15'04"W., 33.18 feet; S.83°02'46"W., 234.76 feet; S.46°29'13"W., 19.41 feet; along a curve to the left 480.80 feet chord bearing S.03°18'15"E., 476.17 feet S.17°05'56"E., 132.11 feet; S.41°14'14"E., 8.45 feet to Point B; S.41°14'14"E., 11.44 feet; Due East, 167.88 feet to Point A. Also from Point B the following courses: S.48°45'46"W., 252.00 feet; S.03°45'46"E., 7.70 feet; S.08°13'44"E., 46.78 feet to the Point of Ending.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C3	741.50'	422.38'	416.70'	N 00°46'48" W	32°38'15"
C4	998.50'	480.80'	476.17'	S 03°18'15" E	27°35'22"

#15-32-300-007,-008,-009,
4-010
PROPERTY DESCRIPTION
(TOTAL)

LOTS 1, 2, 3, & 4 "S/P OF MESSMORE FARMS SUBDIVISION" PART OF THE SW1/4 SECTION 32, T.3N., R.11E., AVON TOWNSHIP (NOW CITY OF ROCHESTER HILLS), OAKLAND COUNTY, MICHIGAN L.66, P.16 O.C.R.

Fenn & Associates, Inc.
Land Surveying and Civil Engineering
14933 Commercial Drive, Shelby Township, MI 48315
Phone: 586-254-9577 Fax: 586-254-9020
www.fennsurveying.com

CLIENT: MJC SOMERSET, LLC
DATE 12/20/2013 SCALE 1" = 200'
DRAWN I.B. CHECK J.A.W., P.S.
JOB NO. C12-012.06X SHEET 1 OF 1

Mike Tawnt
Approved 2/19/14