#### BLOOMER WOODS SANITARY SEWER EASEMENT

S.E. MICHIGAN LAND HOLDING LLC, a Michigan limited liability company of 13001 23 Mile Road, Suite 200, Shelby Township, MI 48315 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 sanitary sewer on, under, thru and across land more particularly described as:

## See Attached Exhibit "A" Sidwell #15-13-301-058

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 Sanitary Sewer 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 sanitary sewer: (a) the right of ingress and egress over, thru and across the easement, and (b) the right to grant other nonexclusive easements and rights-of-way across, over, under and thru 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 MCL 207.505(a) and 207.526(a).

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 27<sup>714</sup> day of JULY, 2016.

S.E. MICHIGAN, LAND HOLDING LLC, A Michigan limited liability company Anthony Lombardo, Its Manager

STATE OF MICHIGAN ) COUNTY OF MACOMB)

The foregoing instrument was acknowledged before me this 27<sup>th</sup> day of JULY 2016, by ANTHONY LOMBARDO who is manager of S.E. MICHIGAN LAND HOLDING LLC, a Michigan limited liability company, on behalf of the company.

Drafted by: Lombardo Homes Wendy Fuhrman 13001 23 Mile Road, Suite 200 Shelby Township, MI 48315

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

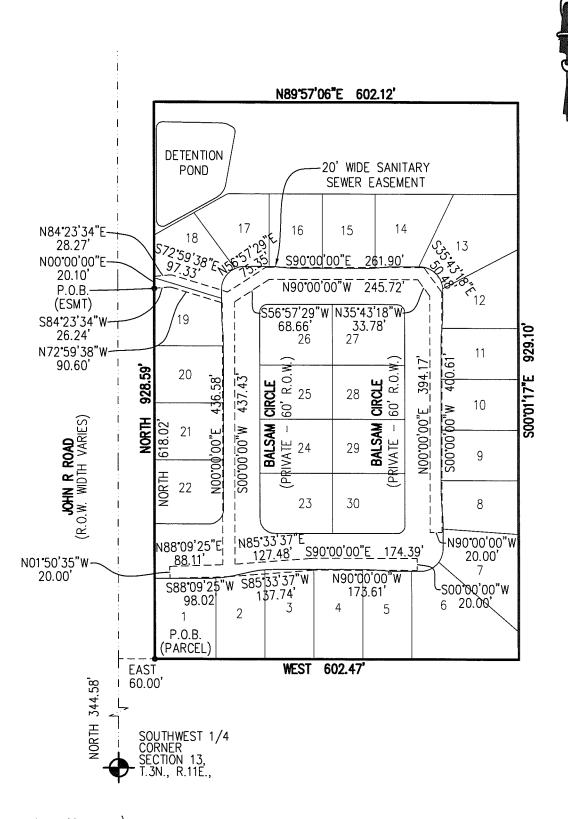
HEIDI L. VERELLEN NOTARY PUBLIC - STATE OF MICHIGAN COUNTY OF MACOMB My Commission Expires April 9, 2021 Acting in the County of Macomb

Heidi L. Verellen , Notary Public Macomb County, Michigan

My Commission Expires:

John Staran Approved 8/16/16

# EXHIBIT A SANITARY SEWER EASEMENT



mike Taunt Approved 9/8/16

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SCALE: 1" = 150' *75* 150

W-16-0474 SHEET I OF :

CLIENT: LOMBARDO HOMES

BLOOMER WOODS, S.W. 1/4 SEC. 13 PROJECT:

07/01/16



6303 26 MILE RD. SUITE 110 WASHINGTON TWP, MI 48094 T (586) 677 - 4081 F (586) 677 - 4084

## EXHIBIT A

## **LEGAL DESCRIPTION:**

PART OF THE SOUTHWEST 1/4 OF SECTION 13, T.3N., R.11E., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS NORTH 344.58' ALONG THE WEST LINE OF SAID SECTION 13 AND THE CENTERLINE OF JOHN R ROAD AND EAST 60.00' FROM THE SOUTHWEST CORNER OF SAID SECTION 13; THENCE NORTH 928.59'; THENCE N89'57'06"E 602.12'; THENCE S00'01'17"E 929.10'; THENCE WEST 602.47' TO THE POINT OF BEGINNING.

CONTAINING 559,438 SQUARE FEET - 12.843 ACRES (NET)

## LEGAL DESCRIPTION: SANITARY SEWER EASEMENT

PART OF THE SOUTHWEST 1/4 OF SECTION 13, T.3N., R.11E., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS NORTH 344.58' ALONG THE WEST LINE OF SAID SECTION 13 AND THE CENTERLINE OF JOHN R ROAD AND EAST 60.00' AND NORTH 618.02' FROM THE SOUTHWEST CORNER OF SAID SECTION 13 TO THE POINT OF BEGINNING; THENCE N00°00'00"E 20.10'; THENCE N84°23'34"E 28.27'; THENCE S72°59'38"E 97.33'; THENCE N56°57'29"E 75.35'; THENCE S90°00'00"E 261.90'; THENCE S35°43'18"E 50.48'; THENCE S00°00'00"W 400.61'; THENCE N90°00'00"W 245.72'; THENCE N00°00'00"E 394.17'; THENCE N35°43'18"W 33.78'; THENCE N90°00'00"W 245.72'; THENCE S56°57'29"W 68.66'; THENCE S00°00'00"W 437.43'; THENCE N85°33'37"E 127.48'; THENCE S90°00'00"E 174.39'; THENCE S00°00'00"W 20.00'; THENCE N90°00'00"W 173.61'; THENCE S85°33'37"W 137.74'; THENCE S88°09'25"W 98.02'; THENCE N01°50'35"W 20.00'; THENCE N88°09'25"E 88.11'; THENCE N00°00'00"E 436.58'; THENCE N72°59'38"W 90.60'; THENCE S84°23'34"W 26.24' TO THE POINT OF BEGINNING.

CONTAINING 34,857 SQUARE FEET --- 0.800 ACRES

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W-16-0474 HEET 2 OF 2

CLIENT:

LOMBARDO HOMES

PROJECT: BL DATE: 07

BLOOMER WOODS, S.W. 1/4 SEC. 13

07/01/16

6303 26 MILE RD. SUITE 110 WASHINGTON TWP, MI 48094 T (586) 677 - 4081 F (586) 677 - 4084