WATERMAIN EASEMENT

Sidwell Nos.: 15-23-300-038 - Owned by NP Rochester Hills, LLC

Property Address: 1585 South Rochester Road

That NP Rochester Hills, LLC., a Missouri Limited Liablity Company, whose address is 5015 NW Canal Street, Suite 200, Riverside, Missouri 64150 ("Grantor"), in exchange for good and valuable consideration, receipt of which is acknowledged by Grantor, grants to the City of Rochester Hills, a Michigan Municipal Corporation, whose address is 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309, an easement for the construction, installation, operation, maintenance, repair and/or replacement of a Watermain Easement, on, over, under and across land more particularly described at Exhibit B. The Grantor shall not build any permanent above ground structures within the easement, except for fences.

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the <u>Watermain</u>, or the facilities incidental thereto, which may be located in the easement. Grantor has no obligation and will not install any of the improvements in the Watermain Easement.

All property disturbed or altered, now or in the future, by reason of the construction, operation, maintenance, repair and/or replacement of the <u>Watermain</u> 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 its successors and assigns may use and enjoy the easement area in common with the City.

Grantor expressly reserves to Grantor and its 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 Tax under MCL 207.526(a); MS 7.456 (26)(a).

| Date: September 7, 2014 | |
|-------------------------|--|
| , | By: Nathaniel Hagedom, Its: Manager |
| STATE OF MISSOURI) | O |
|) | |
| COUNTY OF PLATTE) | |

GRANTOR: NP Rochester Hills, LLC, a

Missouri Limited Liability Company

| The foregoing instrument was acknowledged before me on this | 7th day of September, 2016. |
|---|---------------------------------|
| | , of NP Rochester Hills, LLC, a |
| Missouri Limited Liability Company, on its behalf | |

Muy ll. mith

Clay, Notary Public
Platte County, Missouri

My Commission Expires: December 1, 2017

AMY M. SMITH

Notary Public - Notary Seal

STATE OF MISSOURI

Clay County

My Commission Expires: December 1, 2017

Commission # 13552904

Drafted by: Patrick S. McKay, Esq. Kirk, Huth, Lange & Badalamenti, PLC 19500 Hall Road, Suite 100 Clinton Township, Michigan 48038

When Recorded, return to: Clerks Department City of Rochester Hills 1000 Rochester Hills Drive Rochester Hills, MI 48309

John Steran Approved 9/14/16

EXHIBIT A LEGAL DESCRIPTIONS

LEGAL DESCRIPTION - PARCEL NO. 15-23-300-038: (per PEA, Inc.)

Part of the Southwest 1/4 of Section 23, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, being more particularly described as follows: BEGINNING at a point which is N01°48'43''W 1043.54 feet along the West line of Section 23 and N87°59'50"E 65.90 feet from the Southwest corner of Section 23, Town 3 North, Range 11 East; thence N01°48'43"W 250.00 feet; thence N87°59'50"E 615.00 feet; thence S01°48'43"E 250.00 feet; thence S87°59'50"W 615.00 feet to the POINT OF BEGINNING. Containing ±3.530 acres of land.

<u>LEGAL DESCRIPTION — WATER MAIN EASEMENT:</u> (per PEA, Inc.)

A variable width water main easement over part of the above described Parcel No. 15-23-300-038, being part of the Southwest 1/4 of Section 23, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, said easement being more particularly described as:

Commencing at the Southwest corner of said Section 23;

thence N01°48'43"W, 1043.54 feet along the West line of said Section 23;

thence (L1) N87°59'50"E, 74.90 feet to the East Right—of—Way line of Rochester Road (variable width), as recorded in Liber 12925, Pages 29—35 and Liber 13982, Pages 285—292, Oakland County Records and the POINT OF BEGINNING;

thence along said easement the following forty (40) courses:

- along said East Right-of-Way line (L2) N01°48'43"W, 20.00 feet:
- (L3) N87°59'50"E, 224.43 feet; 2)
- (L4) N42°59'50"E, 21.70 feet; 3)
- (L5) N87°59'50"E, 251.93 feet; 4)
- (L6) N02°00'10"W, 21.15 feet; 5)
- (L7) N87°59'55"E, 20.00 feet; 6)
- (L8) S02°00'10"E, 21.15 feet; 7)
- (L9) N87°59'50"E, 67.74 feet; 8) (L11) N02°00'10"W, 127.01 feet;
- 9) (L10) N42°59'50"E, 17.10 feet; (L12) N47°00'10"W, 84.28 feet; 11)
- 10) (L13) S87°59'55"W, 20.59 feet; 12)
- 13) (L14) S02°00'05"E, 18.92 feet;
- (L15) S87°59'55"W, 20.00 feet; 14)
- (L16) N02°00'05"W, 18.92 feet; 15) 17) (L18) S02°00'05"E, 18.53 feet;
- (L17) S87°59'55"W, 190.46 feet; 16)
- (L20) N02°00'05"W, 18.53 feet; 19)
- 18) (L19) S87°59'55"W, 20.00 feet; 20) (L21) S87°59'55"W, 207.04 feet;
- 21) (L22) S02°00'05"E, 39.47 feet;
- 22) (L23) S87°59'55"W, 20.00 feet;
- 23) (L24) N02°00'05"W, 39.47 feet;
- 24) (L25) S87°59'55"W, 53.13 feet to the aforementioned East Right-of-Way line;
- 25) along said East Right-of-Way line (L26) N01°48'43"W, 15.95 feet to the South line of Parcel No. 15-23-300-037;
- 26) along said South line (L27) N87°59'50"E, 543.50 feet;
- 27) (L28) S47°00'10"E, 41.63 feet;
- 28) (L29) N02°00'10"W, 29.44 feet to said South line;
- 29) along said South line (L30) N87°59'50"E, 20.00 feet;
- 30) (L31) S02°00'10"E, 49.44 feet; 31) (L32) S47°00'10"E, 18.18 feet to the West line of Parcel No. 15-23-300-037;
- 32) along said West line (L33) S01°48'43"E, 154.04 feet;
- 33) (L34) S42°59'50"W, 25.91 feet;
- 34) (L35) S87°59'50"W, 26.71 feet;
- 35) (L36) S02°00'10"E, 15.34 feet to the North line of Hamlin Place Farms Subdivision, as recorded in Liber 15, Page 34, Oakland County Records;
- 36) along said North line (L37) S87°59'50"W, 20.00 feet;
- 37) (L38) N02°00'10"W, 15.34 feet;
- 38) (L39) S87°59'50"W, 292.96 feet;
- 39) (L40) S42°59'50"W, 21.70 feet to said North line of Hamlin Place Farms and;
- 40) along said North line (L41) S87°59'50"W, 232.78 feet to the aforementioned East Right-of-Way line and the POINT OF BEGINNING.

Containing $\pm 27,535$ square feet or ± 0.635 acres of land.

Mike Taunt Approved 9130/16

NORTHPOINT DEVELOPMENT 5015 NW CANAL STREET, SUITE 200

RIVERSIDE, MO 64150

CLIENT:

SCALE: JOB No: 2015233 DATE: 9-20-16 DWG. No:



PEA, Inc.

2430 Rochester Ct, Ste 100 Troy, MI 48083-1872 t: 248.689.9090 f: 248.689.1044 www.peainc.com

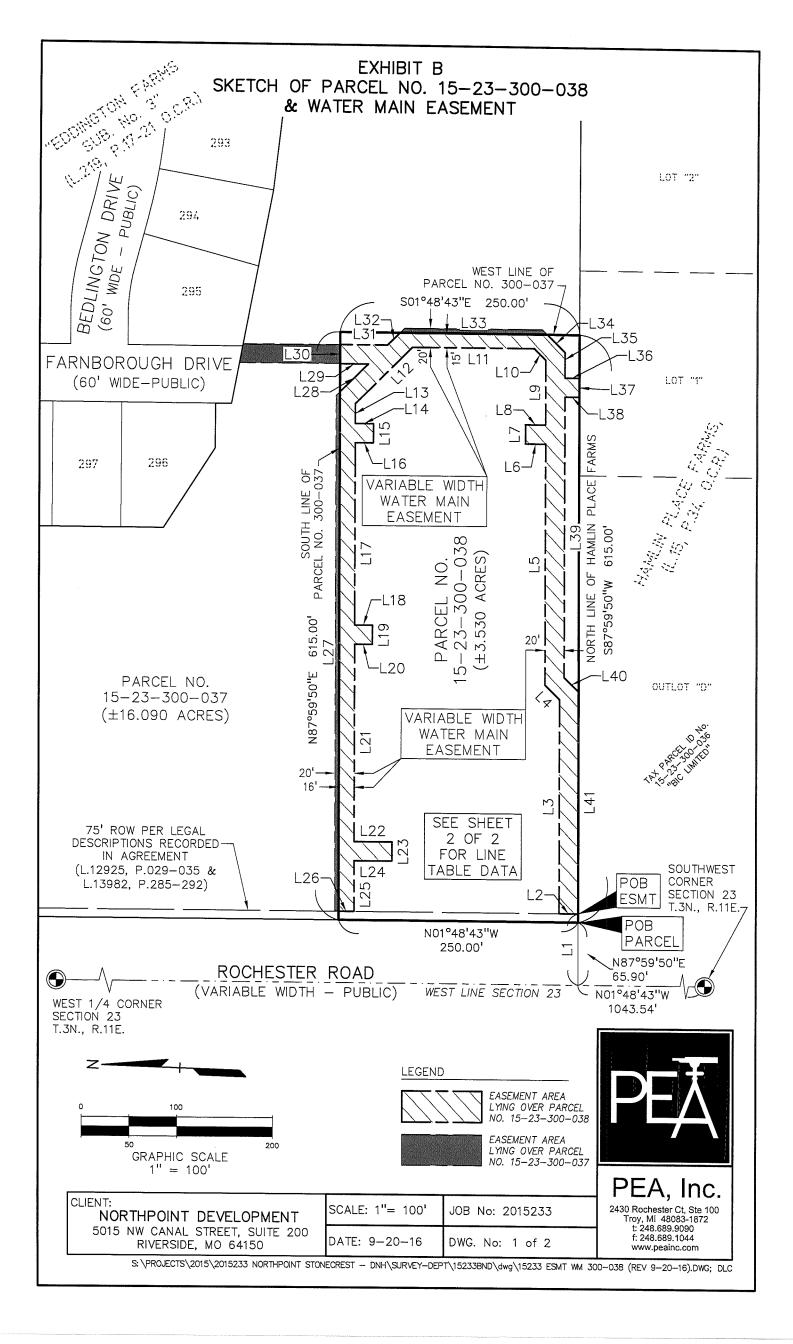


EXHIBIT B LINE TABLES

| Line Table | | |
|------------|--------------|---------|
| Line # | Direction | Length |
| | | Length |
| L1 | N87°59'50''E | 74.90' |
| L2 | N01°48'43"W | 20.00¹ |
| L3 | N87°59'50"E | 224.43' |
| L4 | N42°59'50"E | 21.70' |
| L5 | N87°59'50"E | 251.93' |
| L6 | N02°00'10''W | 21.15' |
| L7 | N87°59'55"E | 20.00' |
| L8 | S02°00'10"E | 21.15' |
| L9 | N87°59'50"E | 67.74' |
| L10 | N42°59'50"E | 17.10' |
| L11 | N02°00'10"W | 127.01' |
| L12 | N47°00'10''W | 84.28' |
| L13 | S87°59'55"W | 20.591 |
| L14 | S02°00'05"E | 18.92' |
| L15 | S87°59'55"W | 20.00' |
| L16 | N02°00'05"W | 18.92' |
| L17 | S87°59'55''W | 190.46' |
| L18 | S02°00'05"E | 18.53' |
| L19 | S87°59'55''W | 20.00' |
| L20 | N02°00'05"W | 18.53' |
| L21 | S87°59'55"W | 207.04' |

| Line Table | | |
|------------|--------------|----------------|
| Line # | Direction | Length |
| L22 | S02°00'05"E | 39.47' |
| L23 | S87°59'55"W | 20.00' |
| L24 | N02°00'05"W | 39.47 ' |
| L25 | S87°59'55"W | 53.13' |
| L26 | N01°48'43''W | 15.95' |
| L27 | N87°59'50"E | 543.50' |
| L28 | S47°00'10"E | 41.63' |
| L29 | N02°00'10''W | 29.44' |
| L30 | N87°59'50"E | 20.00' |
| L31 | S02°00'10"E | 49.44' |
| L32 | S47°00'10"E | 18.18' |
| L33 | S01°48'43"E | 154.04' |
| L34 | S42°59'50''W | 25.91' |
| L35 | S87°59'50''W | 26.71' |
| L36 | S02°00'10"E | 15.34' |
| L37 | S87°59'50''W | 20.00' |
| L38 | N02°00'10''W | 15.34' |
| L39 | S87°59'50''W | 292.96' |
| L40 | S42°59'50"W | 21.70' |
| L41 | S87°59'50''W | 232.78 |



CLIENT:

NORTHPOINT DEVELOPMENT

5015 NW CANAL STREET, SUITE 200

RIVERSIDE, MO 64150

SCALE: - JOB No: 2015233

DATE: 9-20-16 DWG. No: 2 of 2

PEA, Inc. 2430 Rochester Ct, Ste 100 Troy, MI 48083-1872 t: 248.689.9090 f: 248.689.1044 www.peainc.com