

AMENDMENT TO WATER MAIN EASEMENT

WILLIAM BEAUMONT HOSPITAL, a Michigan non-profit corporation, whose address is 3601 Thirteen Mile Road, Royal Oak, Michigan 48073, (Grantor") and the **CITY OF ROCHESTER HILLS**, a Michigan municipal corporation, whose address is 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309 ("Grantee") hereby amend that certain Water Main Easement granted by Grantor to Grantee, dated October 17, 2008, and recorded on February 11, 2009 in Liber 40883, Pages 476-479, Oakland County Records (hereinafter referred to as the "Existing Easement") as hereinafter provided. The legal descriptions of the easements granted by the Existing Easement are:

A 20 foot wide easement for water main located within a parcel of land being part of the South 1/4 of Section 36, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan being more particularly described along its centerline as follows:

Easement "A"

Commencing at the South 1/4 Corner of Section 36, Town 3 North, Range 11 East, thence along the following (3) courses; N.02°14'50"W., 362.06 feet; N.87°31'08"E., 538.67 feet and S.02°28'52"E., 18.71 feet to the point of beginning of easement; thence S.42°56'11"W., 15.18 feet; thence S.02°07'11"E., 51.02 feet to the point of ending of the easement.

Easement "B"

Commencing at the South 1/4 Corner of Section 36, Town 3 North, Range 11 East, thence along the following (2) courses; N.02°14'50"W., 55.00 feet and N.87°52'49"E., 520.47 feet to the point of beginning of easement; thence N.02°07'11"W., 62.50 feet; thence N.87°52'49"E., 18.00 feet to the point of ending of the easement.

Easement "C"

Commencing at the South 1/4 Corner of Section 36, Town 3 North, Range 11 East, thence along the following (2) courses; N.02°14'50"W., 55.00 feet and N.87°52'49"E., 180.26 feet to the point of beginning of easement; thence N.01°57'32"W., 55.50 feet to a point "x" thence N.01°57'32"W., 192.63 feet; thence N.88°02'28"E., 13.00 feet to the point of ending of that segment of the easement. Also, segment beginning at point "x", thence N.87°52'49"E., 40.55 feet; thence S.02°07'11"E., 37.50 feet to the point of ending of that segment of the easement.

During construction of the improvements to the property, a section of water main was built in a location outside of the existing easement, and Grantor and Grantee now desire to relocate Easement A and to amend the legal description of Easement A to correctly describe its new location.

Based on the foregoing facts and circumstances, the parties do hereby amend the Existing Easement to amend the description of Easement A, as set depicted and described on the attached Exhibits A and B, which amended description shall replace and supersede the description of Easement A

set forth in the Existing Easement. The original description of Easement A set forth in the Existing Easement shall be of no further force or effect. Easements B and C remain unchanged.

Except as amended hereby, the Existing Easement and all rights granted to Grantee therein are ratified and confirmed. This instrument is exempt from transfer tax pursuant to MCLA 207.505(a) and MCLA 207.526(a).

IN WITNESS WHEREOF, the undersigned have executed this instrument on this ____ day of April, 2011.

WILLIAM BEAUMONT HOSPITAL, a Michigan non-profit corporation

By: James R. Barrett
James Barrett, Director, Real Estate Services, Jones Lang Lasalle at Beaumont Hospitals, LLC
Its: Authorized Agent

STATE OF MICHIGAN)
) SS
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 11th day of APRIL 2011, by James Barrett, Director, Real Estate Services, Jones Lang Lasalle at Beaumont Hospitals, LLC, the Authorized Agent of William Beaumont Hospital, a Michigan non-profit corporation, on behalf of the corporation.

Janet Smith

Notary Public
Oakland County, Michigan
Acting in Oakland County
My Commission Expires: July 29, 2012

[signatures continued on next page]

JANET SMITH
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES JUL 29, 2012
ACTING IN COUNTY OF Oakland

CITY OF ROCHESTER HILLS, a Michigan municipal corporation

By: _____
Bryan K. Barnett
Its: Mayor

STATE OF MICHIGAN)
) SS
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this ____ day of _____, 2011, by Bryan K. Barnett, Mayor of the City of Rochester Hills, a Michigan municipal corporation, on behalf of the corporation.

Notary Public

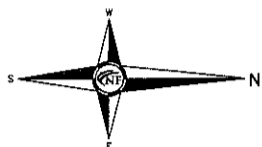
County, Michigan
Acting in _____ County
My Commission Expires: _____

Drafted by: Justin R. Wellman, P.E.
Nowak & Fraus Engineers
46777 Woodward Avenue
Pontiac, MI 48342

Return to: City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

Exhibit A

PUBLIC WATER MAIN EASEMENT



EASEMENT "A"

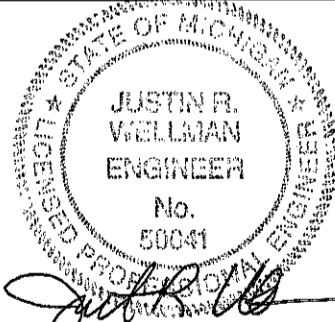
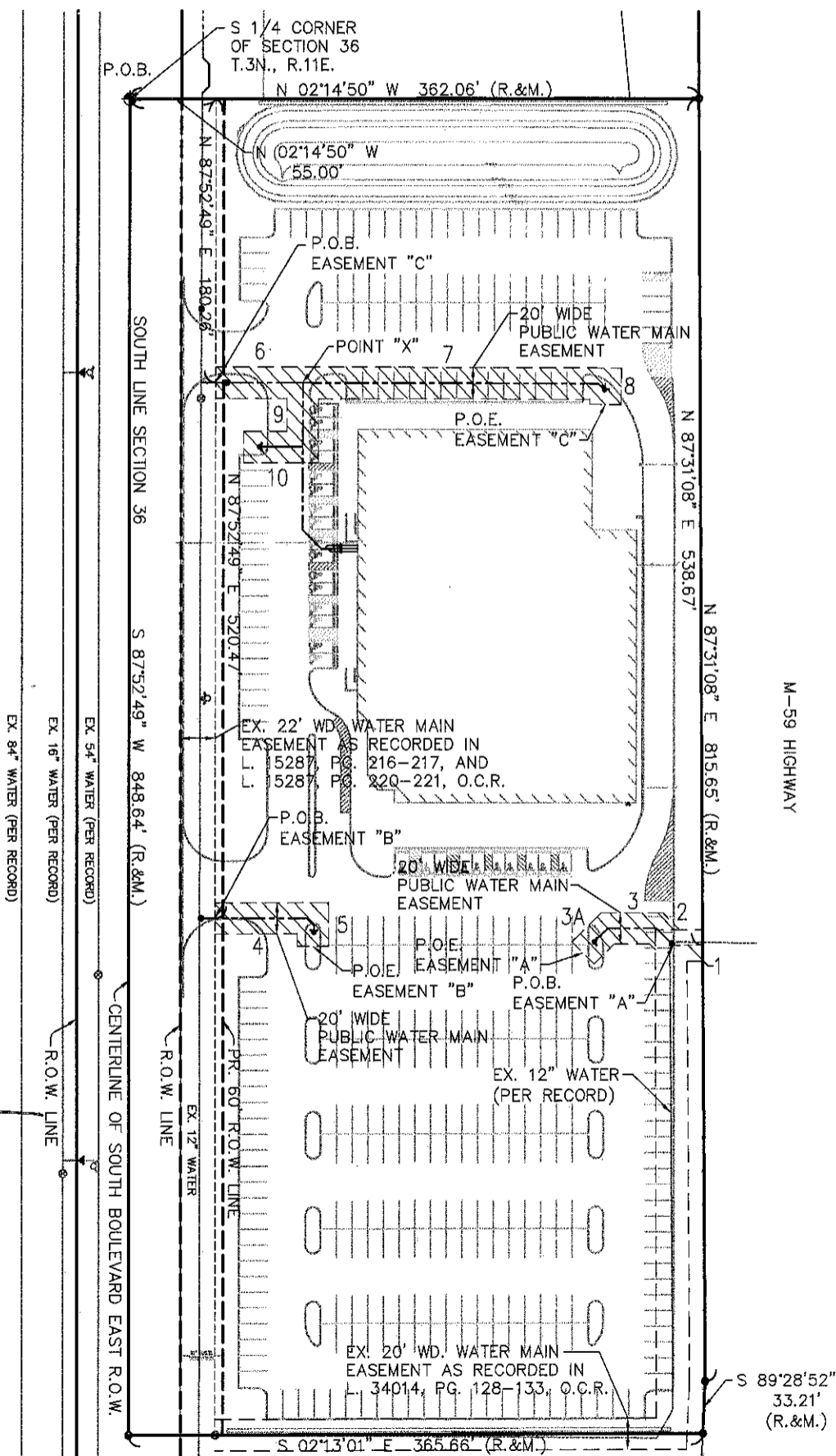
PT.	BEARING	DISTANCE
1	S 02°28'52" E	18.71'
2	S 42°56'11" W	15.18'
3	S 02°07'11" E	30.91'
3A	S 47°07'11" E	22.01'

EASEMENT "B"

PT.	BEARING	DISTANCE
4	N 02°07'11" W	62.50'
5	N 87°52'49" E	18.00'

EASEMENT "C"

PT.	BEARING	DISTANCE
6	N 01°57'32" W	55.50'
7	N 01°57'32" W	192.63'
8	N 88°02'28" E	13.00'
9	N 87°52'49" E	40.55'
10	S 02°07'11" E	37.50'



PREPARED FOR:
LANDMARK HEALTHCARE FACILITIES, L.L.C.
 839 N. JEFFERSON ST.
 MILWAUKEE, WI 53202



NOWAK & FRAUS ENGINEERS
 46777 WOODWARD AVE.
 PONTIAC, MI 48342-5032
 TEL. (248) 332-7931
 FAX. (248) 332-8257

*MT approved
 3/21/11*

SCALE	REVISION	DATE	DRAWN	JOB NO.	SHEET
1" = 100'	01-10-11	08-28-08	MK	C550-03	1 of 2

Exhibit B

PUBLIC WATER MAIN EASEMENT

OVERALL PARCEL DESCRIPTION

(PARCEL No. 15-36-452-011)
PART OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SECTION 36; THENCE N.02°14'50"W., 362.06 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF M-59 HIGHWAY; THENCE N.87°31'08"E., 815.65 FEET; THENCE S.89°28'52"E., 33.21 FEET; THENCE S.02°13'01"E., 365.66 FEET; THENCE S.87°52'49"W., 848.64 FEET TO THE POINT OF BEGINNING. CONTAINING 7.105 ACRES, INCLUDING EXISTING RIGHT-OF-WAY.

WATER MAIN EASEMENT DESCRIPTION

A 20 FOOT WIDE EASEMENT FOR WATER MAIN LOCATED WITHIN A PARCEL OF LAND BEING PART OF THE SOUTH 1/4 OF SECTION 36, TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN BEING MORE PARTICULARLY DESCRIBED ALONG ITS CENTERLINE AS FOLLOWS:

EASEMENT "A"

COMMENCING AT THE SOUTH 1/4 CORNER OF SECTION 36, TOWN 3 NORTH, RANGE 11 EAST, THENCE ALONG THE FOLLOWING (3) COURSES; N.02°14'50"W., 362.06 FEET; N.87°31'08"E., 538.67 FEET AND S.02°28'52"E., 18.71 FEET TO THE POINT OF BEGINNING OF EASEMENT; THENCE S.42°56'11"W., 15.18 FEET; THENCE S.02°07'11"E., 30.91 FEET; THENCE S.47°07'11"E., 22.01 FEET TO THE POINT OF ENDING OF THE EASEMENT.

EASEMENT "B"

COMMENCING AT THE SOUTH 1/4 CORNER OF SECTION 36, TOWN 3 NORTH, RANGE 11 EAST, THENCE ALONG THE FOLLOWING (2) COURSES; N.02°14'50"W., 55.00 FEET AND N.87°52'49"E., 520.47 FEET TO THE POINT OF BEGINNING OF EASEMENT; THENCE N.02°07'11"W., 62.50 FEET; THENCE N.87°52'49"E., 18.00 FEET TO THE POINT OF ENDING OF THE EASEMENT.

EASEMENT "C"

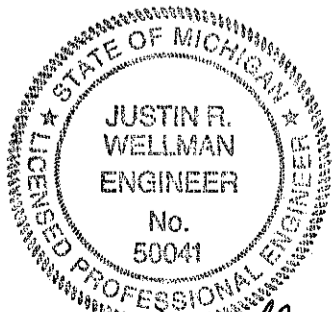
COMMENCING AT THE SOUTH 1/4 CORNER OF SECTION 36, TOWN 3 NORTH, RANGE 11 EAST, THENCE ALONG THE FOLLOWING (2) COURSES; N.02°14'50"W., 55.00 FEET AND N.87°52'49"E., 180.26 FEET TO THE POINT OF BEGINNING OF EASEMENT; THENCE N.01°57'32"W., 55.50 FEET TO A POINT "X" THENCE N.01°57'32"W., 192.63 FEET; THENCE N.88°02'28"E., 13.00 FEET TO THE POINT OF ENDING OF THAT SEGMENT OF THE EASEMENT.

ALSO, SEGMENT BEGINNING AT POINT "X", THENCE N.87°52'49"E., 40.55 FEET; THENCE S.02°07'11"E., 37.50 FEET TO THE POINT OF ENDING OF THAT SEGMENT OF THE EASEMENT.

PREPARED FOR:
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N/A	01-10-11	08-28-08	MK	C550-03	2 of 2