

WATERMAIN EASEMENT

Steve Stolaruk, Trustee of the Steve Stolaruk Living Trust, of
1928 Star-Batt Dr. Rochester Hills, MI 48309

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 more particularly described as:

See Attached Exhibit "A" & "B"
Sidwell # 15-28-151-007

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 Tax under MCLA 207.526(a)

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 6th day of August, 2008.



 Signature
 STEVE STOLARUK
 (Print Name)

 PRESIDENT
 Title

 Signature

 (Print Name)

 Title

STATE OF MICHIGAN
COUNTY OF Macomb

The foregoing instrument was acknowledged before me this 6th day of AUGUST, 2008, by STEVE STOLARUK who is the PRESIDENT, of STAR-BATT, INC., a MICHIGAN corporation, on behalf of the corporation.

Drafted by:

Teon C. Sujak, P.E.
2359 Avon Industrial Dr.
Rochester Hills, MI 48309

MARINA I. BELOUSOVA NOTARY PUBLIC - STATE OF MICHIGAN COUNTY OF MACOMB My Commission Expires May 5, 2014	<u>Marina I. Belousova</u> _____ Notary Public Macomb County, Michigan My Commission Expires: <u>5/5/2014</u>
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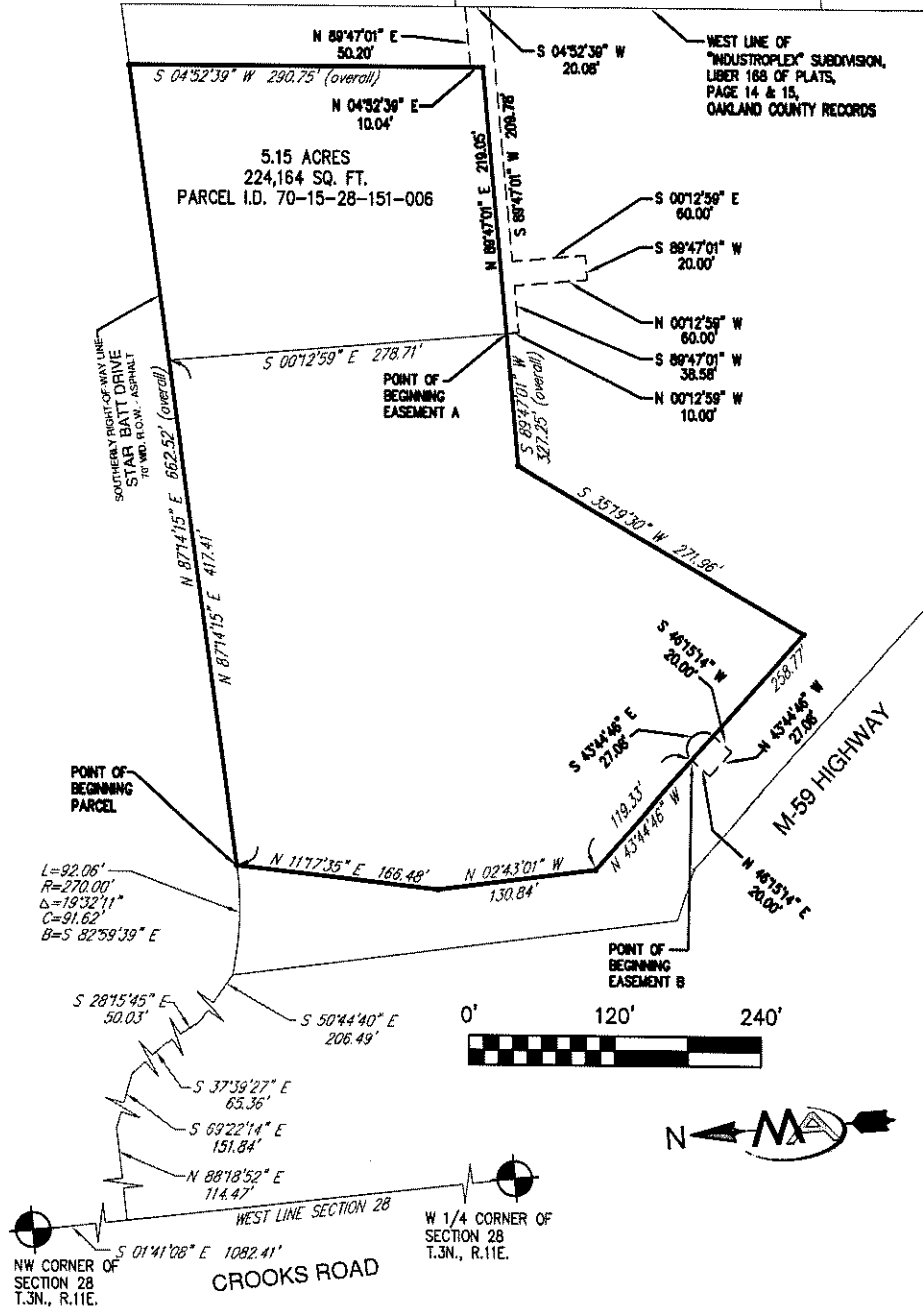
When recorded, return
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

OK PFC
J. S. Francom
8-13-08

EXHIBIT "A"

"INDUSTROPLEX" SUBDIVISION

SUBDIVISION



ISSUED FOR: _____ REV'D BY: _____ ISSUED FOR: _____ REV'D BY: _____

M&A	
Mickalich And Associates, Inc. Civil Engineering, Surveying & Planning 2359 Avon Industrial Dr. Rochester Hills, MI 48309 Phone: 248.852.1900 Fax: 248.852.1070	Mickalich And Associates, PLLC. Civil Engineering, Designing & Planning 1418 Underdown Ave. Sw, Lenoir, NC 28645 Phone: 828.759.7000 Fax: 828.759.7111

SEAL	DRAWN BY SRG	JOB No. 07032	DESCRIPTION OFF-SITE WATERMAIN EASEMENT
	DATE 7.11.07	SHEET No. 1 OF 2	

EXHIBIT "B"

LEGAL DESCRIPTION (PARCEL I.D. 70-15-28-151-006):

A parcel of land in the Northwest 1/4 of Section 28, T.3 N. - R.11 E., City of Rochester Hills, Oakland County, Michigan, described as:

Beginning at a point distant S.01'-41'-08"E. along the West line of said Section 28 a distance of 1082.41 feet & N.88'-18'-52"E., 114.47 feet & S.69'-22'-14"E., 151.84 feet & S.37'-39'-27"E., 65.36 feet & S.28'-15'-45"E., 50.03 feet & S.50'-44'-40"E., 206.49 feet to a point on the Southerly Right-of-Way line of Star-Batt Drive (70 feet wide) & 92.06 feet along Said Right-of-Way line along a curve to the left, with a radius of 270.00 feet & a chord bearing of S.82'-59'-39"E., 91.62 feet, from the Northwest Corner of said Section 28; thence N.87'-14'-15"E., 662.52 feet; thence S.04'-52'-39"W., 290.75 feet; thence S.89'-47'-01"W., 327.25 feet; thence S.35'-19'-30"W., 271.96 feet; thence N.43'-44'-46"W., 258.77 feet; thence N.02'-43'-01"W., 130.84 feet; thence N.11'-17'-35"E., 166.48 feet to the point of beginning, containing 5.15 acres of land.

LEGAL DESCRIPTION WATERMAIN EASEMENT A:


A Watermain Easement of variable width located in the Northwest 1/4 of Section 28, T.3 N. - R.11 E., City of Rochester Hills, Oakland County, Michigan, described as:

Beginning at a point distant S.01'-41'-08"E. along the West line of said Section 28 a distance of 1082.41 feet & N.88'-18'-52"E., 114.47 feet & S.69'-22'-14"E., 151.84 feet & S.37'-39'-27"E., 65.36 feet & S.28'-15'-45"E., 50.03 feet & S.50'-44'-40"E., 206.49 to a point on the Southerly Right-of-Way line of Star-Batt Drive (70 feet wide) & 92.06 feet along Said Right-of-Way line along a curve to the left, with a radius of 270.00 feet & a chord bearing of S.82'-59'-39"E., 91.62 feet & along Said Right-of-Way line N.87'-14'-15"E., 417.41 feet & S.00'-12'-59"E., 278.71 feet from the Northwest Corner of said Section 28; thence N 89'47'01" E., 219.05 feet; thence N 04'52'39" E., 10.04 feet; thence N 89'47'01" E., 50.20 feet to a point on the West Line of "Industroplex" Subdivision, Oakland County, Michigan, recorded in Liber 168 of Plats, Page 14 and 15, Oakland County Records; thence S 04'52'39" W along the said West Line a distance of 20.08 feet; thence S 89'47'01" W., 209.78 feet; thence S 00'12'59" E., 60.00 feet; thence S 89'47'01" W., 20.00 feet; thence N 00'12'59" W., 60.00 feet; thence S 89'47'01" W., 38.58 feet; thence N 00'12'59" W., 10.00 feet to the point of beginning.

LEGAL DESCRIPTION WATERMAIN EASEMENT B:

A Watermain Easement of variable width located in the Northwest 1/4 of Section 28, T.3 N. - R.11 E., City of Rochester Hills, Oakland County, Michigan, described as:

Beginning at a point distant S.01'-41'-08"E. along the West line of said Section 28 a distance of 1082.41 feet & N.88'-18'-52"E., 114.47 feet & S.69'-22'-14"E., 151.84 feet & S.37'-39'-27"E., 65.36 feet & S.28'-15'-45"E., 50.03 feet & S.50'-44'-40"E., 206.49 to a point on the Southerly Right-of-Way line of Star-Batt Drive (70 feet wide) & 92.06 feet along Said Right-of-Way line along a curve to the left, with a radius of 270.00 feet & a chord bearing of S.82'-59'-39"E., 91.62 feet & S.11'-17'-35"W., 166.48 feet & S.02'-43'-01"W., 130.84 feet & S.43'-44'-46"E., 199.33 feet from the Northwest Corner of said Section 28; thence S.43'-44'-46"E., 27.08 feet; thence S.46'-15'-14"W., 20.00 feet; thence N.43'-44'-46"W., 27.08 feet; thence N.46'-15'-14"E., 20.00 feet to the point of beginning.

ISSUED FOR:	REV'D BY:	ISSUED FOR:	REV'D BY:
			
Mickalich And Associates, Inc. Civil Engineering, Surveying & Planning 2359 Avon Industrial Dr. Rochester Hills, MI 48309 Phone: 248.852.1900 Fax: 248.852.1070		Mickalich And Associates, PLLC. Civil Engineering, Designing & Planning 1418 Underdown Ave. Sw, Lenoir, NC 28645 Phone: 828.759.7000 Fax: 828.759.7111	
DRAWN BY SRG JOB No. 07032		DESCRIPTION OFF-SITE WATERMAIN EASEMENT	
DATE 07/11/08 SHEET No. 2 of 2 SCALE			
SEAL			