

**SANITARY SEWER EASEMENT**

Legacy Rochester Hills Site Condominium Development, LLC. (the Developer), a Michigan limited liability company, whose address is 1683 West Hamlin Road, Rochester Hills, MI 48309 hereby grants to the CITY OF ROCHESTER HILLS (the City), 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 through and across land more particularly described as:

**See Attached Exhibit "A"**

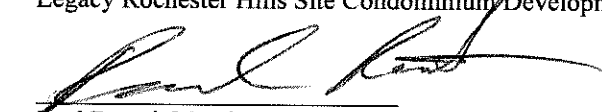
In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the sanitary sewer, or the facilities incidental thereto, which may be located in the easement.

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.

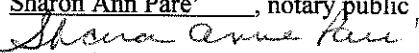
Grantor expressly reserves to Grantor and Grantor's successors and assigns, so long as there is no interference with the construction, operation, maintenance, repair and/or replacement of the sanitary sewer: (a) the right of ingress and egress over, through and across the easement, and (b) the right 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.

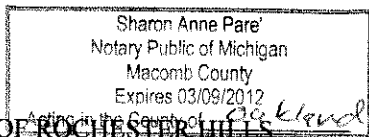
Exempt from Transfer Tax under MCLA 207.526(a), MSA 7.456 (26) (a).  
Legacy Rochester Hills Site Condominium Development, LLC.

  
Paul Rosati, Member

STATE OF MICHIGAN  
COUNTY OF OAKLAND

This agreement was acknowledged before me on April 16, 2007, by Paul Rosati, Member of Legacy Rochester Hills Site Condominium Development, LLC on behalf of the Developer.

Sharon Ann Pare', notary public  
  
Macomb County, Michigan



My commission expires: March 9, 2012

BY: \_\_\_\_\_  
Mayor

BY: \_\_\_\_\_  
Clerk

STATE OF MICHIGAN  
COUNTY OF \_\_\_\_\_

This agreement was acknowledged before me on \_\_\_\_\_, 2007, by \_\_\_\_\_ of the City of Rochester Hills on behalf of the City.

\_\_\_\_\_, notary public  
\_\_\_\_\_ County, Michigan

My commission expires: \_\_\_\_\_

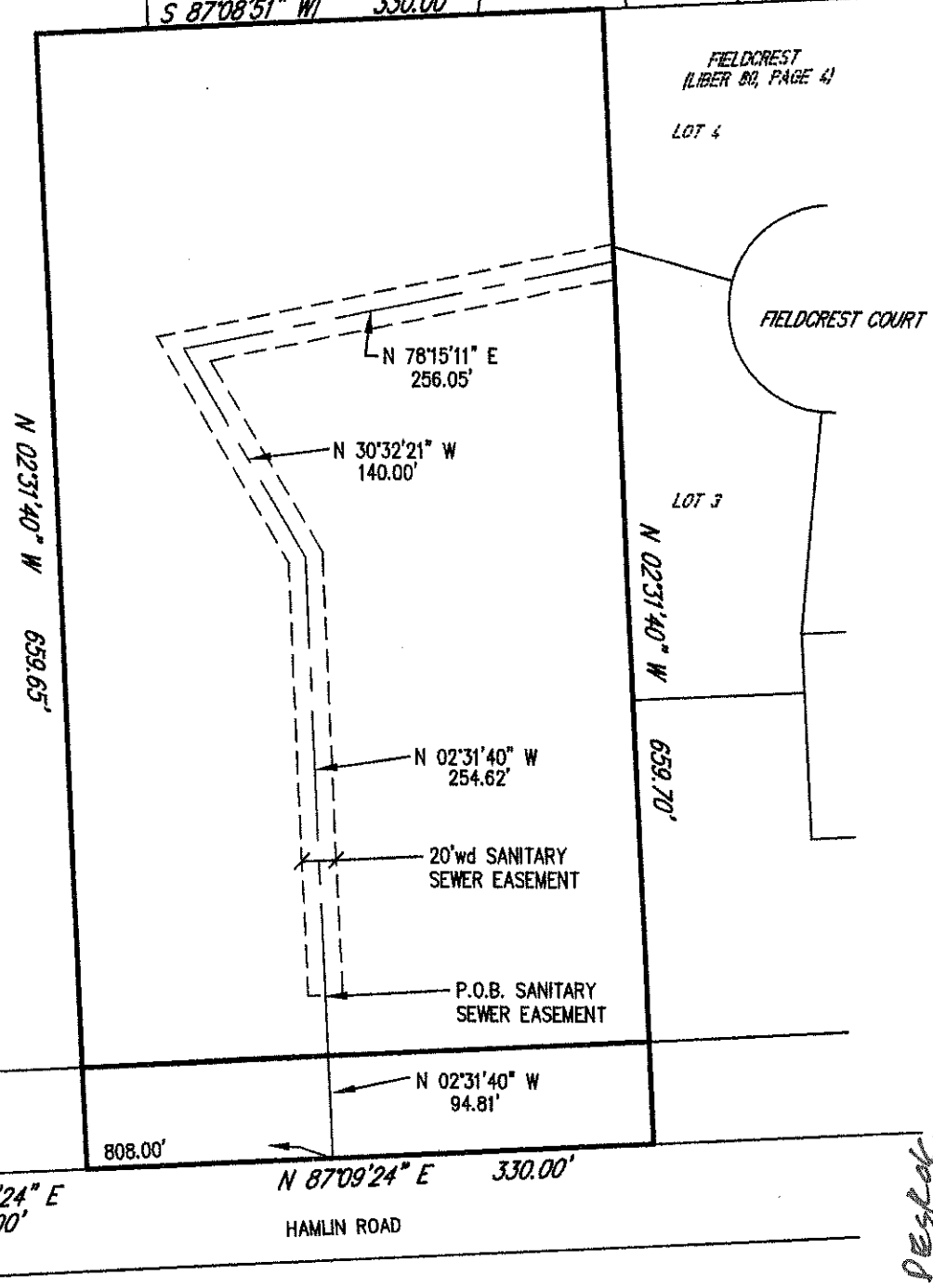
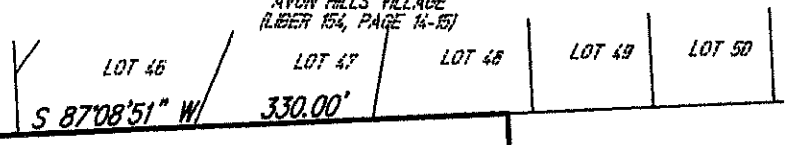
When recorded Return to:  
City of Rochester Hills  
1000 Rochester Hills Drive  
Rochester Hills, MI 48309

Drafted By:  
Erich J. D'Andrea, Esq.  
Erich J. D'Andrea, P.C.  
7290 Salem Road  
Plymouth, MI 48170

*OK'd by  
J. Sturmer  
4-17-07*

# EXHIBIT A SANITARY SEWER EASEMENT

AVON HILLS VILLAGE  
(LIBER 154, PAGE 14-15)



Reshak  
 M. Tamm  
 04-18-07

**LEGAL DESCRIPTION - PARCEL**

PART OF THE S.W. 1/4 OF SECTION 22, T.3N.,R.11 E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY MICHIGAN BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT A POINT DISTANT N.87°09'24"E., 665.00 FEET ALONG THE SOUTH LINE OF SAID SECTION 22 AND THE CENTERLINE OF HAMLIN ROAD (RIGHT OF WAY VARIES), FROM THE SOUTHWEST CORNER OF SAID SECTION 22; THENCE N.02°31'40"W., 659.65 FEET; THENCE N.87°08'51"E., 330.00 FEET IN PART ALONG THE SOUTH LINE OF "AVON HILLS VILLAGE", PART OF THE S.W. 1/4 OF SECTION 22, T.3 N., R. 11 E., AVON TOWNSHIP, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 154, PAGE 14-15, O.C.R.; THENCE S.02°31'40"E., 659.70 FEET IN PART ALONG THE WEST LINE OF "FIELDCREST", A SUBDIVISION OF PART OF THE S.W. 1/4 OF SECTION 22, T.3 N.,R.11 E., AVON TWP., OAKLAND CO., MICHIGAN AS RECORDED IN LIBER 80, PAGE 4, O.C.R., TO SAID CENTERLINE OF HAMLIN ROAD; THENCE S.87°09'24"W., 330.00 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING. CONTAINING 217,889 SQUARE FEET OR 4.998 ACRES AND SUBJECT TO THE RIGHTS OF THE PUBLIC ON HAMLIN ROAD AND ANY EASEMENTS OR RESTRICTIONS OF RECORD.

**LEGAL DESCRIPTION - SANITARY SEWER EASEMENT**

A TWENTY FOOT (20.00') WIDE SANITARY SEWER EASEMENT, THE CENTERLINE DESCRIBED AS BEING PART OF THE S.W. 1/4 OF SECTION 22, T.3N.,R.11 E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY MICHIGAN BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT A POINT DISTANT N.87°09'24"E., 808.00 FEET ALONG THE SOUTH LINE OF SAID SECTION 22 AND THE CENTERLINE OF HAMLIN ROAD (RIGHT OF WAY VARIES) AND N.02°31'40"W., 94.81 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 22; THENCE N.02°31'40"W., 254.62 FEET; THENCE N.30°32'21"W., 140.00 FEET; THENCE N.78°15'11"E., 256.05 FEET TO THE POINT OF ENDING.

TITLE  
 LEGACY CONDOMINIUMS  
 SANITARY SEWER EASE.

**RICHMOND ENGINEERING INC.**  
 ENGINEERING PLANNING SURVEYING  
 11371 FENTON RD. FENTON, MI 48430  
 PHONE: (810)714-9172 FAX: (248)332-9254

DRAWN BY: DAVE R.

SCALE: 1" = 100'

DATE: AUGUST 23, 2006

JOB No. 05-124

SHEET No. 1