

WATERMAIN EASEMENT

Bluewood Properties, LLC, a Michigan Limited Liability Company, of

1717 Stutz, Troy, MI 48084

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)

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 8th day of September, 2006.

IN THE PRESENCE OF:

Signature [Signature]
Print or type name: CHRISTOPHER DAMICO

Signature _____
Print or type name: _____

Signature _____
Print or type name: _____

Signature _____
Print or type name: _____

STATE OF MICHIGAN
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 8th day of September, 2006, by JOSEPH P. DAMICO who is the MANAGER, of Bluewood Properties, LLC, a Michigan Limited Liability Company, on behalf of the Limited Liability Company.

Drafted by:
Fazal Khan and Associates, Inc.
43345 Schoenherr Road
Sterling Heights, MI 48313
When recorded, return to:

City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

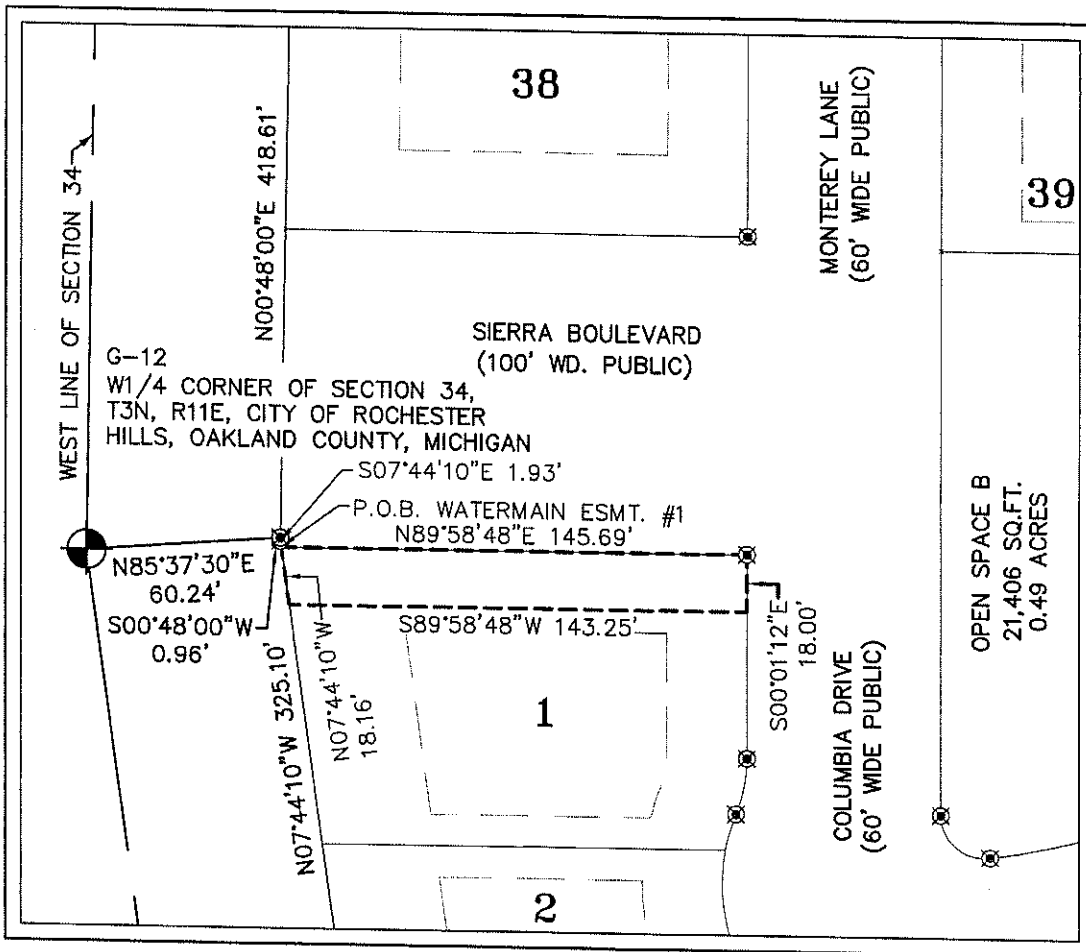
[Signature]
Signature
JOSEPH P. DAMICO
(Print Name)
MANAGER Bluewood Properties, LLC
Title

Signature _____
(Print Name) _____
Title _____

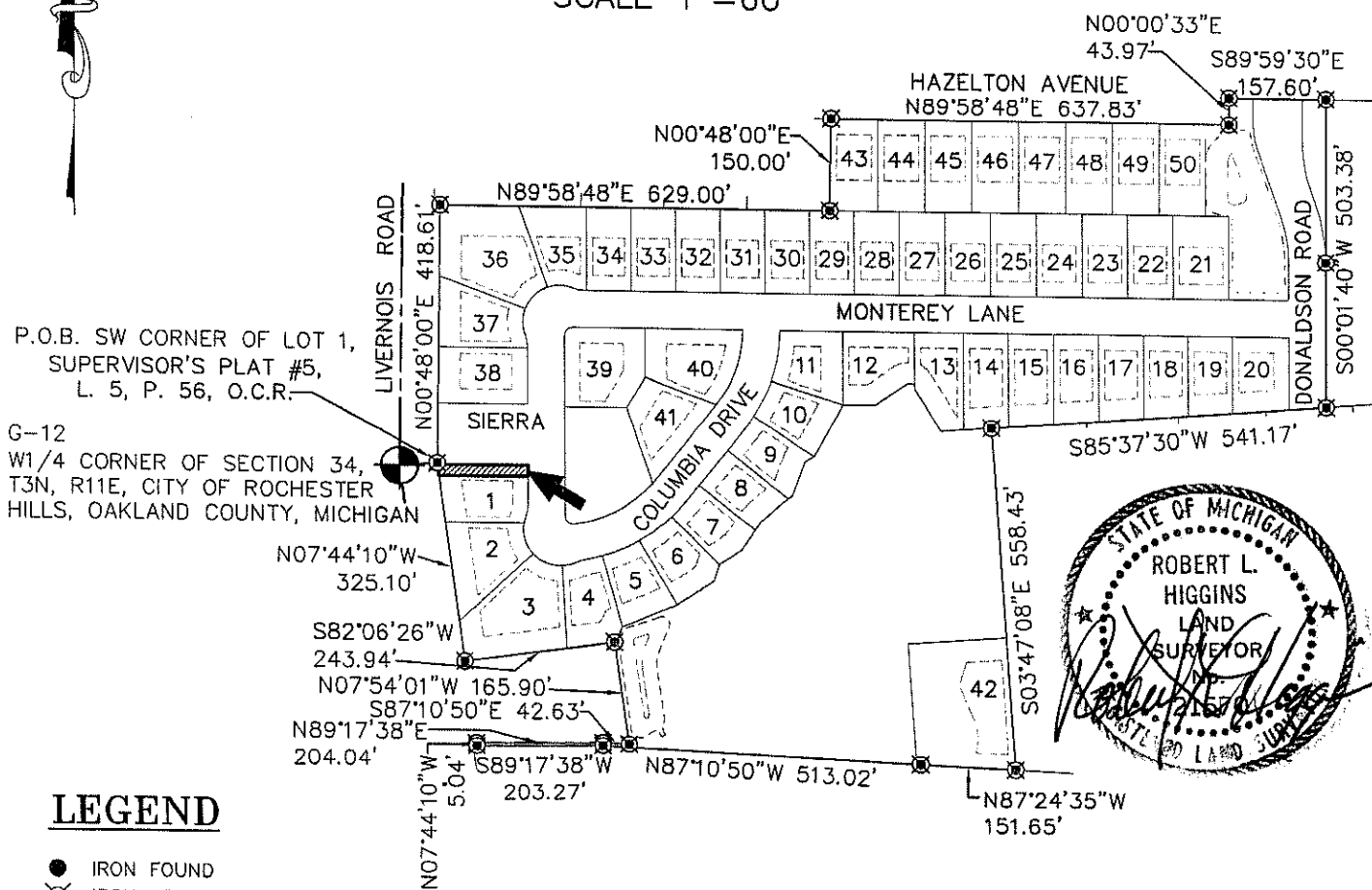
[Signature]
_____, Notary Public
OAKLAND County, Michigan
My Commission Expires: 8-4-2007
ACTING IN THE COUNTY OF OAKLAND

BARBARA BRAYSON ST. ONGE
NOTARY PUBLIC OAKLAND CO., MI
MY COMMISSION EXPIRES AUG 4, 2007
07-54007
9-26-06

SKETCH OF WATERMAIN EASEMENT



DETAIL WATERMAIN EASEMENT
SCALE 1"=60'

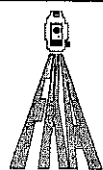


LEGEND

- IRON FOUND
- ⊗ IRON SET
- ⊙ MONUMENT FOUND
- ⊗ MONUMENT SET
- ⊙ SEC. CORNER FOUND

BOUNDARY
SCALE 1"=300'

CLIENT BLUEWOOD PROPERTIES, L.L.C.	PROJECT NO. 03-349C	
	DATE 06-13-06	
SCALE VARIES	DRAWN BY J.A.E.	CHECKED BY R.L.H.



FAZAL KHAN & ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
 43345 SCHOENHERR STERLING HEIGHTS, MI 48313
 PHONE (586) 739-8007 FAX (586) 739-6994

OK in tract 11-02-06

DESCRIPTION OF PROPERTY

PART OF THE SW1/4 AND PART OF THE NW1/4 OF SECTION 34, T3N, R11E, AVON TOWNSHIP (NOW CITY OF ROCHESTER HILLS), OAKLAND COUNTY, MICHIGAN, PART OF "SUPERVISOR'S PLAT NO. 6", RECORDED IN LIBER 5 OF PLATS, PAGE 56, OAKLAND COUNTY RECORDS, PART OF "SUPERVISOR'S PLAT NO. 5", RECORDED IN LIBER 6 OF PLATS, PAGE 55, OAKLAND COUNTY RECORDS AND PART OF "SUPERVISOR'S PLAT OF AVONCROFT'S SUBDIVISION NO. 1", RECORDED IN LIBER 48 OF PLATS, PAGE 55, OAKLAND COUNTY RECORDS, DESCRIBED AS: BEGINNING AT THE SW CORNER OF LOT 1, "SUPERVISOR'S PLAT NO. 5" ON THE E-W1/4 LINE AND INTERSECTION OF THE EAST RIGHT OF WAY OF LIVERNOIS ROAD (60 FEET HALF WIDTH); THENCE N00°48'00"E 418.61 FEET ALONG THE EAST RIGHT OF WAY OF LIVERNOIS ROAD (60 FEET HALF WIDTH); THENCE N89°58'48"E 629.00 FEET; THENCE N00°48'00"E 150.00 FEET TO THE NORTH LINE OF LOT 3, "SUPERVISOR'S PLAT NO. 5" AND THE SOUTH RIGHT OF WAY OF HAZELTON AVENUE (WIDTH VARIES); THENCE N89°58'48"E 637.83 FEET ALONG THE NORTH LINE OF LOT 3, "SUPERVISOR'S PLAT NO. 5" AND THE SOUTH RIGHT OF WAY OF HAZELTON AVENUE (WIDTH VARIES) TO THE EAST LINE OF LOT 3, "SUPERVISOR'S PLAT NO. 5" AND THE WEST LINE OF LOT 118, "SUPERVISOR'S PLAT OF AVONCROFT'S SUBDIVISION NO. 1"; THENCE N00°00'33"E 43.97 FEET ALONG THE WEST LINE OF LOT 118, "SUPERVISOR'S PLAT OF AVONCROFT'S SUBDIVISION NO. 1" TO THE SOUTH RIGHT OF WAY OF HAZELTON ROAD (WIDTH VARIES); THENCE S89°59'30"E 157.60 FEET ALONG THE NORTH LINE OF LOT 118, "SUPERVISOR'S PLAT OF AVONCROFT'S SUBDIVISION NO. 1", SOUTH RIGHT OF WAY OF HAZELTON ROAD (WIDTH VARIES) TO THE EAST LINE OF LOT 118, "SUPERVISOR'S PLAT OF AVONCROFT'S SUBDIVISION NO. 1"; THENCE S00°01'40"W 503.38 FEET ALONG THE EAST LINE OF LOT 118, "SUPERVISOR'S PLAT OF AVONCROFT'S SUBDIVISION", TO "SUPERVISOR'S PLAT NO. 6", AND TO THE E-W1/4 LINE OF SECTION 34; THENCE S85°37'30"W 541.17 FEET ALONG THE E-W1/4 LINE OF SECTION 34 TO THE NE CORNER OF LOT 14, "SUPERVISOR'S PLAT NO. 6"; THENCE S03°47'08"E 558.43 FEET ALONG THE EAST LINE OF LOT 14, "SUPERVISOR'S PLAT NO. 6" TO THE NORTH RIGHT OF WAY OF SHORTRIDGE DRIVE (WIDTH VARIES); THENCE ALONG THE NORTH RIGHT OF WAY OF SHORTRIDGE DRIVE (WIDTH VARIES) THE FOLLOWING THREE (3) COURSES: (1) N87°24'35"W 151.65 FEET, (2) N87°10'50"W 513.02 FEET AND (3) S89°17'38"W 203.27 FEET TO THE EAST RIGHT OF WAY OF LIVERNOIS ROAD (60 FEET HALF WIDTH); THENCE N07°44'10"W 5.04 FEET ALONG THE EAST RIGHT OF WAY OF LIVERNOIS ROAD (60 FEET HALF WIDTH); THENCE N89°17'38"E 204.04 FEET; THENCE S87°10'50"E 42.63 FEET; THENCE N07°54'01"W 165.90 FEET; THENCE S82°06'26"W 243.94 FEET TO THE EAST RIGHT OF WAY OF LIVERNOIS ROAD (60 FEET HALF WIDTH); THENCE ALONG THE EAST RIGHT OF WAY OF LIVERNOIS ROAD (60 FEET HALF WIDTH) THE FOLLOWING TWO (2) COURSES: (1) N07°44'10"W 325.10 FEET AND (2) N00°48'00"E 0.96 FEET TO THE POINT OF BEGINNING. CONTAINING 1054632 SQUARE FEET OR 24.2110 ACRES, MORE OR LESS.

SUBJECT TO RESTRICTIONS, RESERVATIONS AND EASEMENTS, IF ANY.

DESCRIPTION OF WATERMAIN EASEMENT NO. 1

COMMENCING AT THE SW CORNER OF LOT 1, "SUPERVISOR'S PLAT NO. 5" ON THE E-W1/4 LINE AND INTERSECTION OF THE EAST RIGHT OF WAY OF LIVERNOIS ROAD (60 FEET HALF WIDTH); THENCE ALONG THE EAST RIGHT OF WAY OF LIVERNOIS ROAD (60 FEET HALF WIDTH) THE FOLLOWING TWO (2) COURSES: (1) S00°48'00"W 0.96 FEET AND (2) S07°44'10"E 1.93 FEET FOR A POINT OF BEGINNING; THENCE N89°58'48"E 145.69 FEET; THENCE S00°01'12"E 18.00 FEET; THENCE S89°58'48"W 143.25 FEET TO THE EAST RIGHT OF WAY OF LIVERNOIS ROAD (60 FEET HALF WIDTH); THENCE N07°44'10"W 18.16 FEET ALONG THE EAST RIGHT OF WAY OF LIVERNOIS ROAD (60 FEET HALF WIDTH) AND TO THE POINT OF BEGINNING. CONTAINING 2600 SQUARE FEET OR 0.0597 ACRES, MORE OR LESS.

CLIENT BLUEWOOD PROPERTIES, L.L.C.	PROJECT NO.	03-349C
	DATE	06-13-06
SCALE	DRAWN BY	CHECKED BY
	J.A.E.	R.L.H.



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DRG OK m/caw 11-02-06