

**WATERMAIN EASEMENT**

C&D Building, LLC, a Michigan Limited Liability Company, of 12955 23 Mile Road, Shelby Twp., MI 48315 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"  
Sidwell #70-15-28-126-031

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 WHEREOF, the undersigned have hereunto affixed their signatures on this 10th day of October, 2009.

C&D Bldg Co., LLC

  
\_\_\_\_\_  
Signature  
**Brett Baker**  
\_\_\_\_\_  
(Print Name)  
**Member**  
\_\_\_\_\_  
Title


STATE OF MICHIGAN  
COUNTY OF Macomb

The foregoing instrument was acknowledged before me this 10 day of October, 2009, by Brett Baker who is a member, of C&D Building, LLC, a Michigan corporation, on behalf of the Company.  
Limited Liability Company

Drafted by: JEFF RIZZO  
FEAR & ASSOC INC.  
13399 WEST JACO DRIVE  
SHELBY TWP, MI 48315

When recorded, return to:

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

  
\_\_\_\_\_  
, Notary Public  
County, Michigan  
My Commission Expires:

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*015.0 by  
John Staron  
11-9-09*

JEAN MICHELE PERI  
Notary Public, State of Michigan  
County of Macomb  
My Commission Expires Nov. 20, 2010  
Acting in the County of Macomb

# EXHIBIT "A"

## WATER MAIN EASEMENT

### PARCEL DESCRIPTION - 15-28-126-031

Part of the Northwest quarter of Section 28, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, described as: Commencing at the Northwest corner of said Section 28; thence N.87°00'00"E. 1371.18 feet along the North line of said Section 28 and the centerline of Hamlin Road (120 feet wide); thence S.03°02'00"E. 60.00 feet to the Southerly right-of-way line of Hamlin Road and to the Point of Beginning; thence N.87°00'00"E. 240.00 feet along the Southerly right-of-way line of Hamlin Road; thence S.03°02'00"E. 928.55 feet to the Northerly line of "Industroplex", as recorded in Liber 168 of Plats, Pages 14 and 15, Oakland County Records; thence S.87°13'30"W. (platted as S.87°14'15"W.) 240.00 feet along the Northerly line of "Industroplex"; thence N.03°02'00"W. 927.61 feet to the Southerly right-of-way line of Hamlin Road and to the Point of Beginning, containing 5.11 acres of land, more or less, subject to any easements or encumbrances, recorded or otherwise.

### WATER MAIN EASEMENT #1

An easement for the installation and maintenance of a water main in the Northwest quarter of Section 28, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, described as: Commencing at the Northwest corner of said Section 28; thence N.87°00'00"E. 1371.18 feet along the North line of said Section 28 and the centerline of Hamlin Road (120 feet wide); thence S.03°02'00"E. 337.34 feet to the Point of Beginning; thence N.86°58'00"E. 15.24 feet; thence S.03°02'00"E. 5.00 feet; thence N.86°58'00"E. 224.76 feet; thence S.03°02'00"E. 20.00 feet; thence S.86°58'00"W. 240.00 feet; thence N.03°02'00"W. 25.00 feet to the Point of Beginning, containing 4,876 sq. ft. of land, more or less.

### WATER MAIN EASEMENT #2

An easement for the installation and maintenance of a water main in the Northwest quarter of Section 28, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, described as: Commencing at the Northwest corner of said Section 28; thence N.87°00'00"E. 1611.18 feet along the North line of said Section 28 and the centerline of Hamlin Road (120 feet wide); thence S.03°02'00"E. 620.83 feet to the Point of Beginning; thence S.03°02'00"E. 20.00 feet; thence S.86°58'00"W. 75.00 feet; thence N.03°02'00"W. 30.00 feet; thence N. 86°58'00"E. 20.00 feet; thence S.03°02'00"E. 10.00 feet; thence N.86°58'00"E. 55.00 feet to the Point of Beginning, containing 1,700 sq. ft. of land, more or less.

### WATER MAIN EASEMENT #3

An easement for the installation and maintenance of a water main in the Northwest quarter of Section 28, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, described as: Commencing at the Northwest corner of said Section 28; thence N.87°00'00"E. 1611.18 feet along the North line of said Section 28 and the centerline of Hamlin Road (120 feet wide); thence S.03°02'00"E. 968.55 feet to the Point of Beginning; thence S.03°02'00"E. 20.00 feet; thence S.87°13'30"W. 24.56 feet; thence N.47°24'22"W. 13.49 feet; thence N. 03°02'00"W. 29.08 feet; thence N.86°58'00"E. 20.00 feet; thence S.03°02'00"E. 18.77 feet; thence N.88°13'17"E. 14.00 feet to the Point of Beginning, containing 987 sq. ft. of land, more or less.

### WATER MAIN EASEMENT #4

An easement for the installation and maintenance of a water main in the Northwest quarter of Section 28, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, described as: Commencing at the Northwest corner of said Section 28; thence N.87°00'00"E. 1371.18 feet along the North line of said Section 28 and the centerline of Hamlin Road (120 feet wide); thence S.03°02'00"E. 946.69 feet to the Point of Beginning; thence N.86°58'00"E. 26.00 feet; thence S.03°02'00"E. 20.00 feet; thence S.86°58'00"W. 6.00 feet; thence S.03°02'00"E. 21.01 feet; thence S.87°13'30"W. 20.00 feet; thence N.03°02'00"W. 40.92 feet to the Point of Beginning, containing 939 sq. ft. of land, more or less.

*DATE OK  
11/14/06*



13399 West Star Drive  
Shelby Township,  
Michigan 48315  
LAND SURVEYORS AND CIVIL ENGINEERS  
PH: 586.254.9577 FX: 586.254.9020  
www.fennsurveying.com e-mail: surveying@fennsurveying.com

**CLIENT:** C & D BUILDING, L.L.C.

<b>DATE</b>	<u>9-22-06</u>	<b>SCALE</b>	<u>1"=100'</u>
<b>DRAWN</b>	<u>DCK</u>	<b>CHECK</b>	<u>RH</u>
<b>JOB NO.</b>	<u>05-041</u>	<b>SHEET</b>	<u>2 OF 2</u>

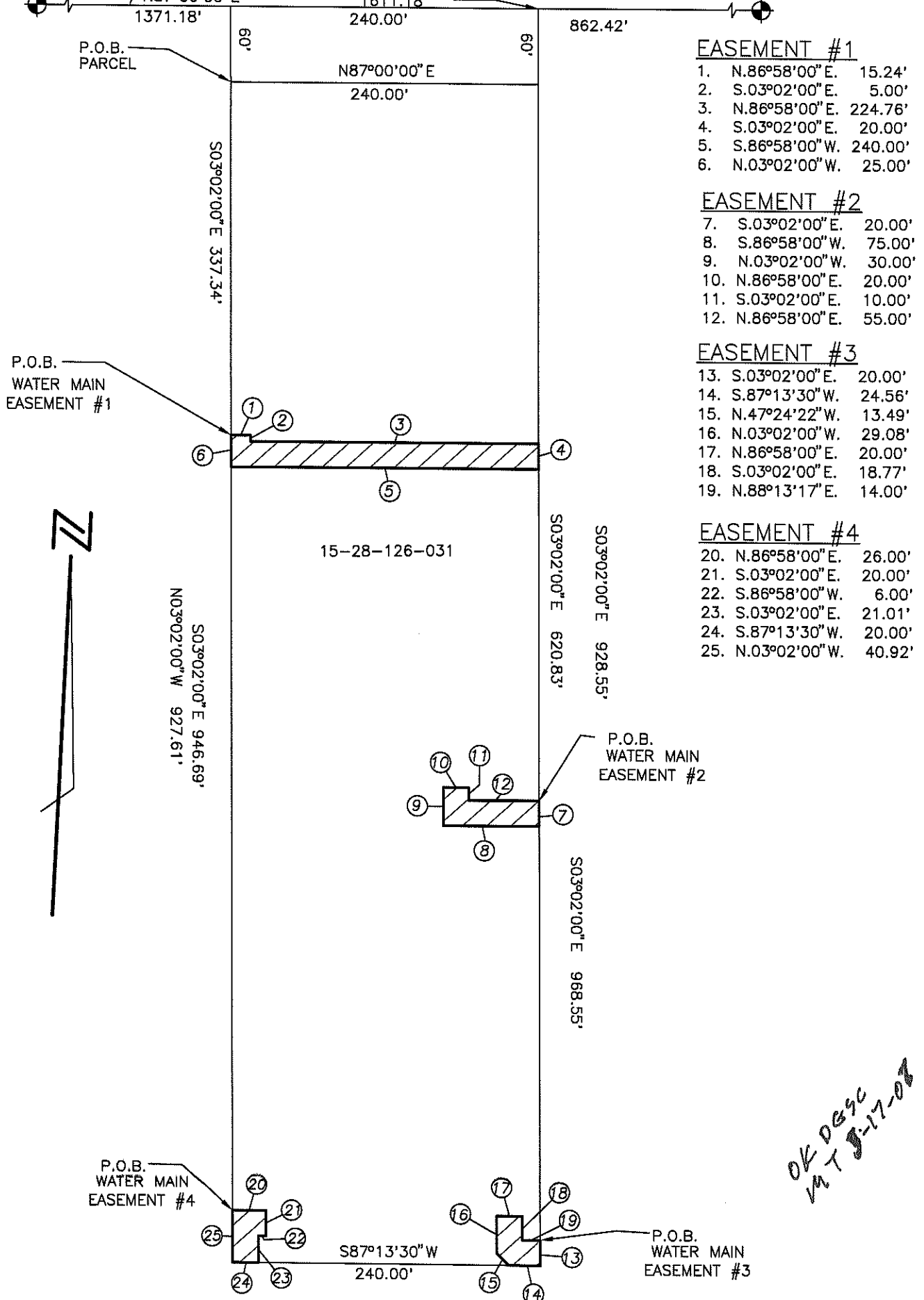
REV. 11-14-06 PER CITY

# EXHIBIT "A" WATER MAIN EASEMENT

NW CORNER  
SECTION 28,  
T3N, R11E

W. HAMLIN ROAD (120' WD.)  
& NORTH LINE SEC 28

N 1/4 CORNER  
SECTION 28,  
T3N, R11E



### EASEMENT #1

1. N.86°58'00" E. 15.24'
2. S.03°02'00" E. 5.00'
3. N.86°58'00" E. 224.76'
4. S.03°02'00" E. 20.00'
5. S.86°58'00" W. 240.00'
6. N.03°02'00" W. 25.00'

### EASEMENT #2

7. S.03°02'00" E. 20.00'
8. S.86°58'00" W. 75.00'
9. N.03°02'00" W. 30.00'
10. N.86°58'00" E. 20.00'
11. S.03°02'00" E. 10.00'
12. N.86°58'00" E. 55.00'

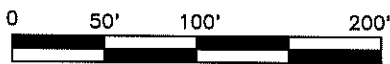
### EASEMENT #3

13. S.03°02'00" E. 20.00'
14. S.87°13'30" W. 24.56'
15. N.47°24'22" W. 13.49'
16. N.03°02'00" W. 29.08'
17. N.86°58'00" E. 20.00'
18. S.03°02'00" E. 18.77'
19. N.88°13'17" E. 14.00'

### EASEMENT #4

20. N.86°58'00" E. 26.00'
21. S.03°02'00" E. 20.00'
22. S.86°58'00" W. 6.00'
23. S.03°02'00" E. 21.01'
24. S.87°13'30" W. 20.00'
25. N.03°02'00" W. 40.92'

OK DGR  
MT 5-17-08



SCALE: 1" = 100'



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Shelby Township,  
Michigan 48315

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CLIENT: C & D BUILDING, L.L.C.

DATE	9-22-06	SCALE	1"=100'
DRAWN	DCK	CHECK	RH
JOB NO.	05-041	SHEET	1 OF 2

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