

PEDESTRIAN-BICYCLE PATHWAY EASEMENT

THE MARKETPLACE OF ROCHESTER HILLS LLC, a Michigan limited liability company (formerly known as Rochester Hills Corporate Center LLC, the successor by merger with Grand/Sakwa Adams LLC) of 28470 Thirteen Mile Road, Suite 220, Farmington Hills, Michigan 48334 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 pedestrian-bicycle pathway on, under, through and across land more particularly described as:

See Attached Exhibit "A"

Sidwell # 15-30-176-001

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the physical improvements constructed by Grantor that comprise the pedestrian-bicycle pathway, 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 pedestrian-bicycle pathway 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.

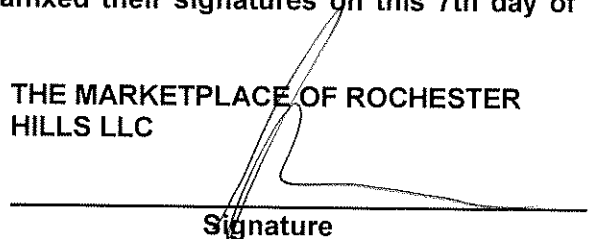
The easement shall be irrevocable and non-exclusive, and Grantor and Grantor's successors and assigns may use and enjoy the easement area in common with the City.

Grantor expressly reserves to Grantor and Grantor's affiliates, land grantees and lessees, and their respective successors and assigns, for the benefit of their respective parcels (whether or not contiguous with the property that is subject to the easement granted herein), so long as there is no material interference with the construction, operation, maintenance, repair and/or replacement of the pedestrian-bicycle pathway: (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, which consent shall not be unreasonably withheld or delayed.

Exempt from Transfer Tax under MCLA 207.526(a); MSA 7.456 (26)(a).

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 7th day of May, 2007.

THE MARKETPLACE OF ROCHESTER HILLS LLC



Signature

Gary Sakwa
(Print Name)

Authorized Representative
Title

STATE OF MICHIGAN
COUNTY OF Oakland

CARLY BUCKLEY
Notary Public, State of Michigan
County of Wayne
My Commission Expires 08-04-2012
Acting In the county of Oakland

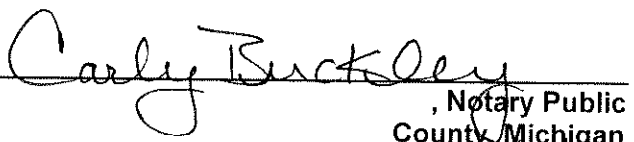
The foregoing instrument was acknowledged before me this 7th day of May, 2007, by Gary Sakwa, who is a member of The Marketplace of Rochester Hills a Michigan limited liability company, on behalf of the company.

Drafted by:
Grand Sakwa
Chris Gordon
28470 Thirteen Mile Rd.
SR 220
Farmington Hills, MI 48334

APPROVED AS TO FORM

J. Staran 5/14/07

ROCHESTER HILLS COUNSEL



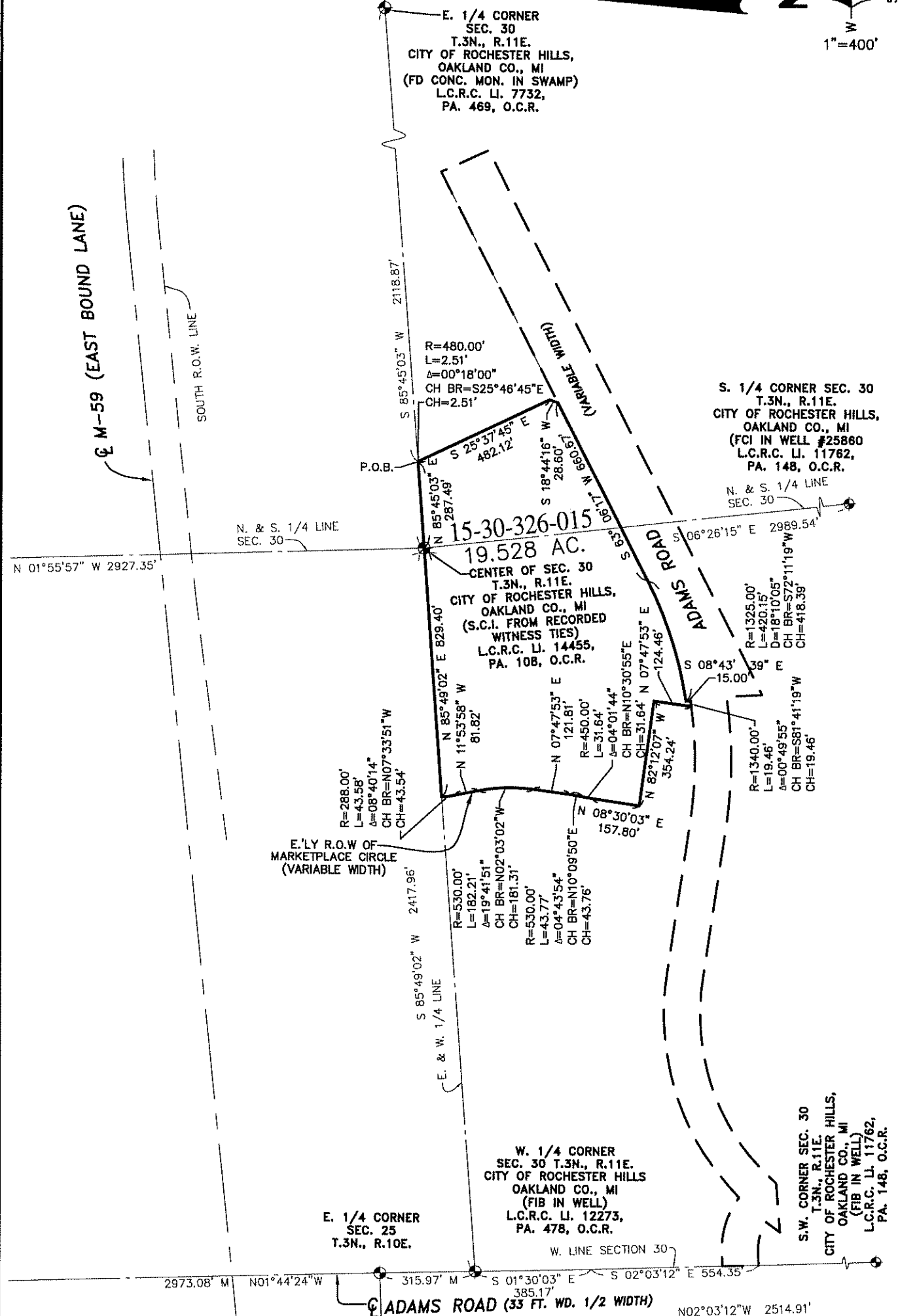
, Notary Public
County Michigan

My Commission Expires: 8/4/2012

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

CARLY BUCKLEY
Notary Public, State of Michigan
County of Wayne
My Commission Expires 08-04-2012
Acting In the county of _____

EXHIBIT "A"



H:\Projects\97144\dwg\97144 Splits 2.dwg, Inside Loop Rd (Avondale), 5/31/2007 11:25:46 AM, SBiaszczyk

REVISIONS		
ITEM	DATE	BY

INSIDE LOOP ROAD (LESS FLAGSTAR)
ADAMS RD. & M-59
 ROCHESTER HILLS, MICHIGAN

Z E I M E T W O Z N I A K
 & ASSOCIATES
 Civil Engineers & Land Surveyors
 40024 GRAND RIVER AVE, SUITE 100
 NOVI, MICHIGAN 48375
 P: (248) 442-1101 F: (248) 442-1241 www.zeimetwozniak.com

DATE	02/27/07	SCALE	HOR: 1" = 400'
DESIGNED BY	RAH	FIELD BOOK NO.	578, 1342
DRAWN BY	AJ	JOB NO.	97144
		SHEET NO.	1 OF 2

DESC OK
M Tams 07-04-07

DESCRIPTION

(AVONDALE SCHOOL DISTRICT)

A PARCEL OF LAND LOCATED IN THE SOUTH 1/2 OF SECTION 30, T. 3 N., R. 11 E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 30 AND PROCEEDING ALONG THE EAST AND WEST 1/4 LINE OF SAID SECTION 30 S. 85°45'03" W. 2118.87 FEET TO THE POINT OF BEGINNING SAID POINT LOCATED ON THE WESTERLY RIGHT-OF-WAY LINE OF MARKETPLACE CIRCLE (VARIABLE WIDTH); THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES 1) 2.51 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS 480.00 FEET, CENTRAL ANGLE 00°18'00", AND A CHORD THAT BEARS S. 25°46'45" E. 2.51 FEET, 2) S. 25°37'45" E. 482.12 FEET AND 3) S. 18°44'16" W. 28.60 FEET; THENCE THE FOLLOWING FOUR (4) COURSES ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF ADAMS ROAD (VARIABLE WIDTH): 1) S. 63°06'17" W. 660.67 FEET, 2) 420.15 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS 1325.00 FEET, CENTRAL ANGLE 18°10'05", AND A CHORD THAT BEARS S. 72°11'19" W. 418.39 FEET, 3) S. 08°43'39" E. 15.00 FEET, 4) 19.46 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS 1340.00 FEET, CENTRAL ANGLE 00°49'55", AND A CHORD THAT BEARS S. 81°41'19" W. 19.46 FEET; THENCE N. 07°47'53" E. 124.46 FEET; THENCE N. 82°12'07" W. 354.24 FEET; THENCE N. 08°30'03" E. 157.80 FEET; THENCE 31.64 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS 450.00 FEET, CENTRAL ANGLE 04°01'44", AND A CHORD THAT BEARS N. 10°30'55" E. 31.64 FEET; THENCE 43.77 FEET ALONG A REVERSE CURVE TO THE LEFT, RADIUS 530.00 FEET, CENTRAL ANGLE 04°43'54", AND A CHORD THAT BEARS N. 10°09'50" E. 43.76 FEET; THENCE N. 07°47'53" E. 121.81 FEET; THENCE 182.21 FEET ALONG THE ARC OF A CURVE TO THE LEFT, RADIUS 530.00 FEET, CENTRAL ANGLE 19°41'51", AND A CHORD THAT BEARS N. 02°03'02" W. 181.31 FEET; THENCE N. 11°53'58" W. 81.82 FEET; THENCE 43.58 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS 288.00 FEET, CENTRAL ANGLE 08°40'14", AND A CHORD THAT BEARS N. 07°35'51" W. 43.54 FEET TO A POINT ON SAID EAST AND WEST 1/4 LINE OF SECTION 30; THENCE ALONG SAID LINE THE FOLLOWING TWO (2) COURSES: 1) N. 85°49'02" E. 829.40 FEET TO THE CENTER OF SECTION 30 AND 2) N. 85°45'03" E. 287.49 FEET TO A POINT ON SAID WESTERLY RIGHT-OF-WAY LINE OF MARKETPLACE CIRCLE AND POINT OF BEGINNING CONTAINING 19.528 ACRES MORE OR LESS, BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

H:\Projects\97144\dwg\97144 Splits 2.dwg, Inside Loop Rd Desc. (Avondale), 5/31/2007 11:26:41 AM, SBiaszczyk

REVISIONS			INSIDE LOOP ROAD (LESS FLAGSTAR) ADAMS RD. & M-59 ROCHESTER HILLS, MICHIGAN Z EIMET W OZNI AK & ASSOCIATES Civil Engineers & Land Surveyors 40024 GRAND RIVER AVE, SUITE 100 NOVI, MICHIGAN 48375 P: (248) 442-1101 F: (248) 442-1241 www.zeimetwozniak.com	DATE	SCALE
ITEM	DATE	BY		02/27/07	HOR: 1" = N/A FIELD BOOK NO. 578, 1342
			DESIGNED BY	JOB NO.	
			RAH	97144	
			DRAWN BY	SHEET NO.	
			AJ	2 OF 2	

DESC OK
M Jan 07-04-07

E. ¼ CORNER SECTION 30
 T. 3 N., R. 11 E.
 CITY OF ROCHESTER HILLS
 (FD, CNC. MON. IN SWAMP)
 L.C.R.C. LI. 7732, P. 469, O.C.R.

CENTER OF SECTION 30
 T. 3 N., R. 11 E.
 CITY OF ROCHESTER HILLS
 (S.C.I. FROM RECORDED
 WITNESS TIES)
 L.C.R.C. LI. 14455, P. 108, O.C.R.

EAST & WEST ¼ LINE
 S 85°45'03" W 942.80'

EAST & WEST ¼ LINE OF SECTION 30
 S 32°42'01" E 26.68'

S 65°18'11" W
 258.97'

S 24°35'28" E
 35.10'

ADAMS ROAD N. ROW
 S 63°06'17" W
 859.04'

N 18°44'16" E
 28.60'

N 25°37'45" W
 18.65'

S 64°22'15" W 10.18'

S 14°46'37" W 38.65'

S 63°06'17" W
 645.54'

ADAMS ROAD
 (VARIABLE WIDTH)



R=1320.00'
 L=419.65'
 Δ=18°12'55"
 CH BR=S72°12'44"W
 CH=417.88'

P.O.E.
 S 50°50'28" W 17.53'

PATHWAY EASEMENT

A CENTERLINE OF A 10 FT. WIDE PATHWAY EASEMENT LOCATED IN PARTS OF THE NORTH 1/2 AND THE SOUTH-EAST 1/4 OF SECTION 30, T. 3 N., R. 11 E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE EAST 1/4 CORNER OF SECTION 30 AND PROCEEDING ALONG THE EAST AND WEST 1/4 LINE OF SECTION 30 S. 85°45'03" W. 942.80 FEET AND S. 32°42'01" E. 26.68 FEET AND S. 65°18'11" W. 258.97 FEET AND S. 24°35'28" E. 35.10 FEET TO A POINT ALONG THE NORTHERLY RIGHT-OF-WAY OF ADAMS ROAD (VARIABLE WIDTH) AND ALONG SAID RIGHT-OF-WAY S. 63°06'17" W. 859.04 FEET AND THE FOLLOWING TWO (2) COURSES ALONG A PROPOSED WESTERLY VARIABLE WIDTH RIGHT-OF-WAY N. 18°44'16" E. 28.60 FEET AND N. 25°37'45" W. 18.65 FEET TO THE POINT OF BEGINNING OF A CENTERLINE FOR A 10 FOOT WIDE PATHWAY EASEMENT; THENCE S. 64°22'15" W. 10.18 FEET; THENCE S. 14°46'37" W. 38.65 FEET; THENCE S. 63°06'17" W. 645.54 FEET; THENCE 419.65 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS 1320.00 FEET, CENTRAL ANGLE 18°12'55", AND A CHORD THAT BEARS S. 72°12'44" W. 417.88 FEET; THENCE S. 50°50'28" W. 17.53 FEET TO THE POINT OF ENDING.

REVISIONS		
ITEM	DATE	BY
MATCH SIDWELL	05/30/07	AJ

**PATHWAY EASEMENT
 ADAMS MARKETPLACE
 ROCHESTER HILLS, MICHIGAN**

Z EIMET W OZNI AK
 & ASSOCIATES
 Civil Engineers & Land Surveyors
 40024 GRAND RIVER AVE, SUITE 100
 NOVI, MICHIGAN 48375
 P: (248) 442-1101 F: (248) 442-1241 www.zeimetwozniak.com

DATE	01/26/07	SCALE	HOR: 1" = 100'
DESIGNED BY	SRB	FIELD BOOK NO.	
DRAWN BY	DAB	JOB NO.	97144
		SHEET NO.	1

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DAB ok
 m tan 08-04-2007