

AMENDMENT TO PEDESTRIAN/BICYCLE PATHWAY EASEMENT

On the 13th day of August 1991, Leader Dogs for the Blind, Inc., whose address is 1039 S. Rochester Road, Rochester Hills, Michigan 48307 granted an easement for a pedestrian/bicycle pathway favoring the city of Rochester Hills, Michigan, whose address is 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309, as recorded on April 6, 1992 in Liber 12494, Pages 803 through 805, Oakland County Records (hereinafter referred to at the "Existing Easement"). The legal description of the original recorded easement is:

A 27-foot wide bike path easement across Lots 7, 8, 9, and 10 according to the plat of OAKLAND VIEW SUBDIVISION as recorded in Plat Liber 22, Page 2, Oakland County Records. The bike path pavement being described as being the north 27 feet of Lots 7, 8, 9, and 10.

Currently, Leader Dogs for the Blind is commencing construction of Phase 2 of a facility replacement project on the subject property. Portions of the existing pathway have been found to be outside the existing easement.

The city of Rochester Hills and Leader Dogs for the Blind wish to amend the legal description of the easement to describe its new location.

Based on the facts and circumstances, the parties agree to and by this document amend the existing easement so that the following legal description shall replace and supercede the legal description of the existing easement as originally recorded. The originally recorded legal description for the existing easement shall be of no further force or effect and the city of Rochester Hills, Michigan, shall have those same easement rights in the following described easement:

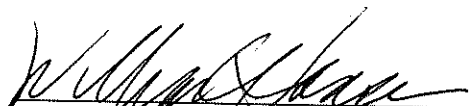
A 42-foot wide bike path easement across Lots 7, 8, 9, and 10 according to the plat of OAKLAND VIEW SUBDIVISION as recorded in Plat Liber 22, Page 2, Oakland County Records. The bike path pavement being described as being the north 42 feet of Lots 7, 8, 9, and 10.

In all other respects, the original easement is ratified confirmed, and redeclared. The recording of this document is exempt pursuant to MCLA 205.505 (a) and MCLA 207.526 9 (a).

In Witness Whereof, the undersigned have executed this document on the 10th day of MARCH 2004.

In the Presence of:

Leader Dogs for the Blind, Inc.


By: William C. Hansen
Its: President

City of Rochester Hills

By: Patricia Somerville
Its: Mayor

APPROVED AS TO FORM



ROCHESTER HILLS COUNSEL

APPROVED DEGC



ROCHESTER HILLS
ENGINEERING DEPT.

03-22-04

STATE OF MICHIGAN)
COUNTY OF OAKLAND) ss

On this 10th day of March, 2004 before me appeared William Hansen who made oath that he is the President of Leader Dogs for the Blind, to me personally know and who acknowledged that he executed the within instrument on behalf of Leader Dogs for the Blind.

Joanne M. Stange
Notary Public, Oakland County
My Commission Expires: _____

JOANNE M. STANGE
NOTARY PUBLIC OAKLAND CO., MI
MY COMMISSION EXPIRES Nov 17, 2007

STATE OF MICHIGAN)
COUNTY OF OAKLAND) ss

On this _____ day of _____, 2004 before me appeared Patricia Somerville, who made oath that she is the Mayor of the city of Rochester Hills, Michigan, to me personally know and who acknowledged said instrument to be her free act and deed.

Notary Public, Oakland County
My Commission Expires: _____

Drafted by:

Gene P. Ferrera
333 E. Second Street
Rochester, Michigan 48307

When recorded, return to:

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