

WATER MAIN EASEMENT

Steve Stolaruk, Trustee of the Steve Stolaruk Living Trust u/a/d 2/15/89, as amended and the same Steve Stolaruk, Trustee of the Vivian Stolaruk Living Trust u/a/d 5/9/89, as amended, whose address is 1928 Star Batt Drive, Suite E, Rochester Hills, MI 48309, the owner of land situated in the City of Rochester Hills, Oakland County, Michigan, and more particularly described on Exhibit A, attached hereto, hereby 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 water main on, under through and across land situated in the City of Rochester Hills, Oakland County, Michigan, more particularly described on Exhibit A, attached hereto

Sidwell No. 70-15-28-177-022

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the water main 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 water main: (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 207.505(a) and MCLA 207.526(a).

IN WITNESS HEREOF, the undersigned has hereunto affixed his signature this 25 day of April, 2007.

Steve Stolaruk Living Trust u/a/d 2/15/89 as amended

Vivian Stolaruk Living Trust u/a/d 5/9/89, as amended

By: [Signature]  
Steve Stolaruk, Trustee

By: [Signature]  
Steve Stolaruk, Trustee

State of Michigan )  
) ss  
County of Oakland )

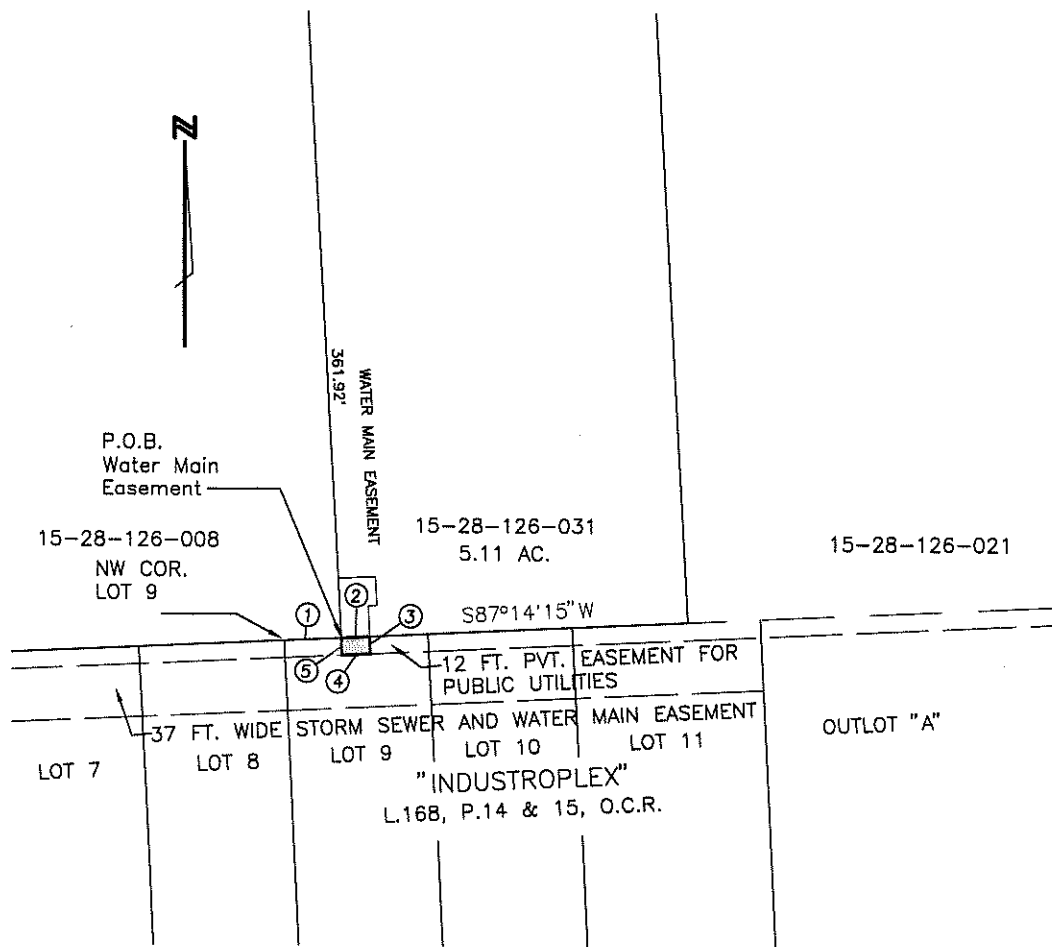
This agreement was acknowledged before me on April 25, 2007 by Steve Stolaruk, Trustee of the Steve Stolaruk Living Trust u/a/d 2/15/89, as amended, and the same Steve Stolaruk, Trustee of the Vivian Stolaruk Living Trust u/a/d 5/9/89, as amended, known to me, on behalf of each Trust.

[Signature]  
Rena M. Gravius, Notary Public  
Oakland County, Michigan  
My Commission Expires: 07/25/2013  
Acting in Oakland County, Michigan

Drafted by: Douglas A. Tull, Attorney at Law,  
44841 Van Dyke Avenue,  
P.O. Box 180912,  
Utica, Michigan 48318-0912

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

# EXHIBIT "A"



### LINE TABLE

1.	N.87°14'15"E.	39.36'
2.	N.87°14'15"E.	20.00'
3.	S.03°02'00"E.	12.00'
4.	S.87°14'15"W.	20.00'
5.	N.03°02'00"W.	12.00'

### PARCEL DESCRIPTION (AS PLATTED)

Lot 9, "Industroplex", a subdivision of part of the North-west quarter of Section 28, Town 3 North, Range 11 East, Avon Township, Oakland County, Michigan, as recorded in L. 168, P.14 & 15, of Oakland County Records

### WATER MAIN EASEMENT

An easement for the purpose of 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 Lot 9 of "Industroplex" as recorded in Liber 168, Pages 14 & 15, Oakland County Records; thence N.87°14'15"E. 39.36 feet along the North line of lot 9 to the Point of Beginning; thence continuing N.87°14'15"E. 20.00 feet along the North line of lot 9; thence S.03°02'00"E. 12.00 feet; thence S.87°14'15"W. 20.00 feet; thence N.03°02'00"W. 12.00 feet to the Point of Beginning, containing 240 sq. ft. of land, more or less.



SCALE: 1" = 200'



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.

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