

WATERMAIN EASEMENT

KTW, LLC, a Michigan Limited Liability Company of 32085 Waltham Drive, Beverly Hills, MI 48025 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 #70-15-28-126-021

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 20 day of Sept., 2006.

MEMBER, KTW LLC  
Todd Wilms  
Signature  
Todd Wilms  
(Print Name)  
Managing Member  
Title  
\_\_\_\_\_  
Signature  
\_\_\_\_\_  
(Print Name)  
\_\_\_\_\_  
Title

STATE OF MICHIGAN  
COUNTY OF Oakland

The foregoing instrument was acknowledged before me this 20 day of Sept, 2006, by Todd Wilms who is the Managing Member, of KTW LLC, a Michigan on behalf of the

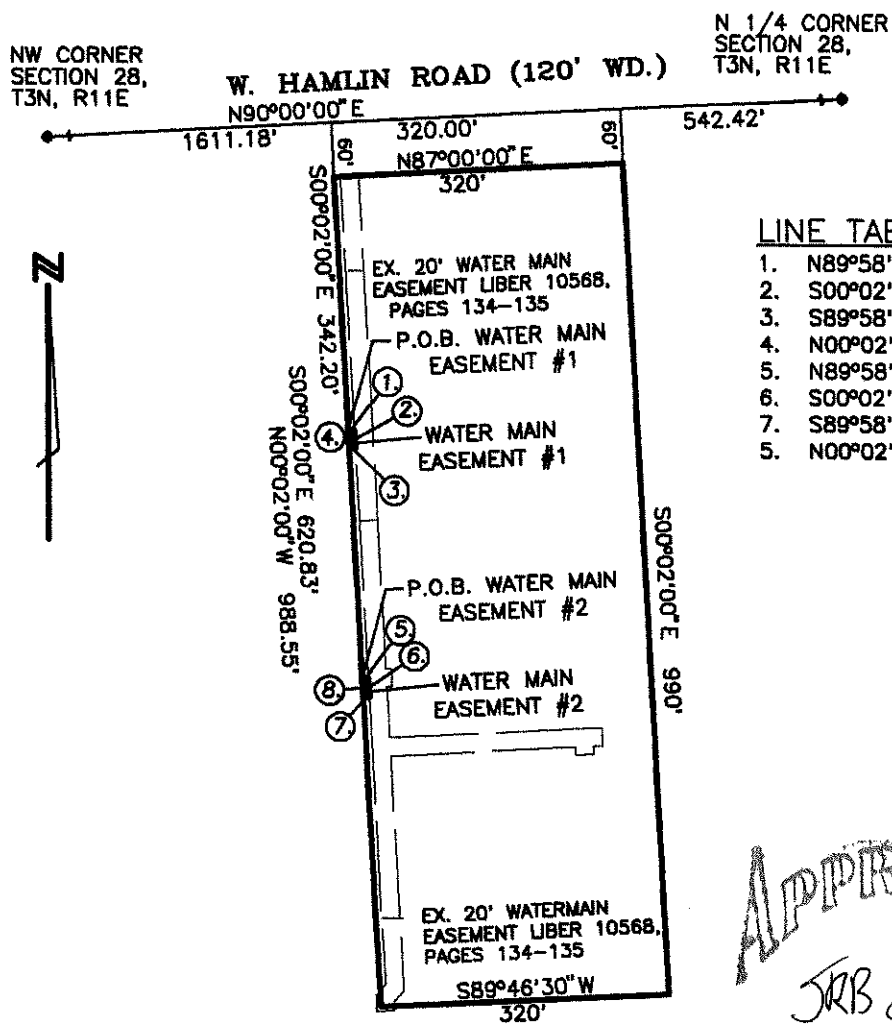
Drafted by: Jeff Rizzo  
Fenns Assoc  
13399 WEST STAR DR.  
Shelby Twp, MI 48315

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

OK'd by  
John Staran  
11-2-06

Deanna L. Pollard  
Notary Public  
County, Michigan  
My Commission Expires:  
DEANNA L. POLLARD  
Notary Public, Macomb County, MI  
My Commission Expires July 13, 2008

# EXHIBIT A



**PROPERTY DESCRIPTION**

A parcel of land 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.90°00'00"E. 1611.18 feet along the North line of said Section 28 and the centerline of Hamlin Road (120 feet wide) to the Point of Beginning; thence N.90°00'00"E. 320 feet along the north line of said Section 28; thence S.00°02'00"E. 990 feet thence N.86°46'30"W. 320 feet; thence N.00°02'00"W. 988.55 feet to the Point of Beginning, containing 7.27 acres of land, more or less.



**LAND SURVEYORS AND CIVIL ENGINEERS**  
13399 West Star Drive, Shelby Township, Michigan 48315

Phone: 586.254.9577  
Fax: 586.254.9020  
www.fennsurveying.com  
engineering@fennsurveying.com

**OFFSITE WATER MAIN EASEMENTS**  
BEING PART OF  
SECTION 28, TOWN 3 NORTH, RANGE 11 EAST  
CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN

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

**DATE** 09/11/06      **JOB NO.** 05-041

**SCALE** 1" = 200'

**FIELD BY**      **CHECKED** R.H.

**DRAWN** D. KLEIN      **SHEET** 1 OF 2

# EXHIBIT A

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Commencing at the Northwest corner of said Section 28; thence N.90°00'00"E. 1611.18 feet along the North line of said Section 28 and the centerline of Hamlin Road (120 feet wide) to the Point of Beginning; thence N.90°00'00"E. 320 feet along the north line of said Section 28; thence S.00°02'00"E. 990 feet thence N.86°46'30"W. 320 feet; thence N.00°02'00"W. 988.55 feet to the Point of Beginning, containing 7.27 acres of land, more or less.

## WATERMAIN 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.90°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.00°02'00"E. 342.20 feet to the Point of Beginning; thence N.89°58'00"E. 7.00 feet; thence S.00°02'00"E. 20.00 feet; thence S.89°58'00"W. 7.00 feet; thence N.00°02'00"W. 20.00 feet to the Point of Beginning, containing 140 sq. ft. of land, more or less.

## WATERMAIN 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.90°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.00°02'00"E. 620.83 feet to the Point of Beginning; thence N.89°58'00"E. 6.92 feet; thence S.00°02'00"E. 20.00 feet; thence S.89°58'00"W. 6.92 feet; thence N.00°02'00"W. 20.00 feet to the Point of Beginning, containing 138 sq. ft. of land, more or less.

APPROVED  
JRB 9-21-06



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