

OFFER TO PURCHASE
and
STATEMENT OF COMPENSATION

Project: Adams Road Improvement
Tax ID #15-30-351-009 & -029
Parcel #4 & 5

TO: The Revocable Living Trust of Patrick T. Schwartz, dated October 2, 1996 AND
Schwartz Associates, L.L.C., a Michigan Limited Liability Company
2951 S. Adams Road
Rochester Hills, MI 48309

The City of Rochester Hills, a Public Body Corporate hereby offers the owners and other parties who may have an interest in the real estate to be acquired, the sum of Thirteen Thousand Five Hundred (\$13,500.00) Dollars, which has been estimated to be just compensation for such property and rights based upon the fair market value of the property. A summary of the amount set out above as just compensation is as follows:

(a) Identification of the real property to be acquired:

SEE PAGE 3

(b) Type of interest being acquired:

Fee Simple Interest

(c) Identification of improvements including fixtures which are to be acquired:

None

(d) Identification of real property improvements including fixtures not owned by the owner of the land:

None

(e) Summary of fair market value and offer:

(1) Land & Improvements	<u>\$13,500.00</u>
(2) Damages	\$ _____
(3) Less Benefits	\$ _____
(4) Total	<u>\$13,500.00</u>

(PROPERTY OWNER IMPROVEMENT RETENTION OPTION)

If you wish to retain, for their salvage value, any of your buildings or improvements which are considered to be a part of real property, including fixtures, removable building equipment and any trade fixtures, you may do so providing any such buildings and/or improvements are removed from the above described real property 45 days after close on this parcel, unless a removal date extension is granted in writing by an authorized representative of the City of Rochester Hills.

Items considered property of the owner that may be retained and their salvage value are:

NONE

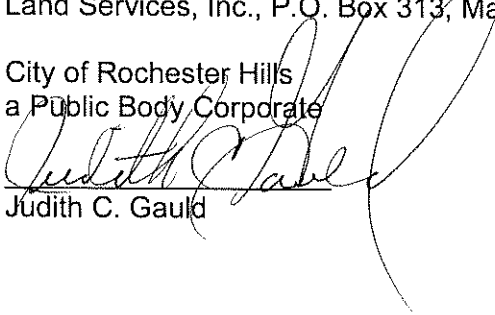
This offer is based on a review and analysis of an Appraisal of this property by Norman G. Thomas, ASA, SR/WA, a copy of which Appraisal has been provided to owners.

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Pursuant to 1980 PA 87, as amended, the City of Rochester Hills reserves its rights to bring federal or state recovery action against the present owner(s) of the property arising out of a release of hazardous substances at the property.

If you have any questions concerning this offer, kindly contact Paul Boyce (810) 364-7940 or by mail at Elexco Land Services, Inc., P.O. Box 313, Marysville, Michigan 48040-0313.

City of Rochester Hills
a Public Body Corporate

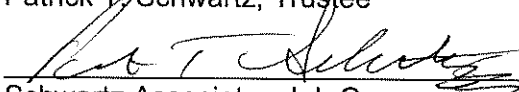

Judith C. Gauld

Acknowledgment of Receipt of Offer and Brochure

Your signature immediately below is to verify that this offer has been made to you, and does not prejudice your right to have the final amount determined through condemnation proceedings in the event you do not accept the offer. You also hereby acknowledge receipt of a brochure "Public Roads and Private Property" which explains the acquisition process and your rights, privileges and obligations.

Dated: 3/23/04


Patrick T. Schwartz, Trustee


Schwartz Associates, L.L.C.,
By: Patrick T. Schwartz


Acceptance of Offer:

Your signature immediately below is an acceptance of the terms hereof by owner, and results in a binding agreement of sale.

Witnesses:


Lynn P. Hall



Patrick T. Schwartz, Trustee

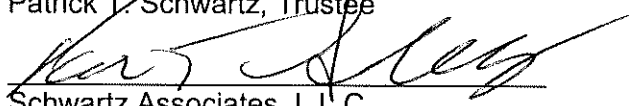

Schwartz Associates, L.L.C.,
By: Patrick T. Schwartz

Dated: 4/21/04

Granting of Possession

I/we, the undersigned owners, have no objections to the project and are freely granting to the City of Rochester Hills the right of possession and use of the property heretofore described for the planned Highway project as of the date hereof. Unless this offer is accepted above, it is understood that by granting possession, owners do not prejudice any rights to contest the amount of compensation to be paid and it is understood and agreed that if the parties do not agree upon the amount of compensation within 90 days after the date hereof, the City of Rochester Hills agrees to institute condemnation proceedings and to allow all interested parties to submit the issue of compensation to the Court and/or jury.


Patrick T. Schwartz, Trustee


Schwartz Associates, L.L.C.,
By: Patrick T. Schwartz

Dated: 4/21/04

EXHIBIT "A"

Project: Adams Road Improvement
Tax ID #15-30-351-009 & -029
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DESCRIPTION OF RIGHT OF WAY ACQUISITION – Parcel 4

Situated in the City of Rochester Hills, Oakland County, Michigan; COMMENCING at a 5/8" iron rod in monument box at the southwest corner of Section 30, Township 3 North, Range 11 East as recorded in Liber 22386, Page 323, Oakland County records; thence along the true west line of said section, North 02°44'00" West 289.76 feet; thence parallel with the south line of said section, North 86°57'58" East 51.38 feet to the southwest corner of Lot 87 of "Wheaton & Worrall's Avon Hills Estates No. 1" as recorded in Liber 40 of Plats, Page 31, Oakland County records, being the POINT OF BEGINNING of this description; thence along the west line of Lots 87 and 86 of said plat, North 03°03'16" West 99.89 feet (recorded as North 00°46' East 100 feet) to the northwest corner of said Lot 86; thence along the north line of said Lot 86, North 86°57'58" East 8.43 feet; thence South 02°50'39" East 99.89 feet to the south line of said Lot 87; thence along the south line of said Lot 87, South 86°57'58" West 8.06 feet to the Point of Beginning; being a part of Lots 86 and 87 of "Wheaton & Worrall's Avon Hills Estates No. 1", Oakland County records, and containing 0.019 acres (824 square feet).

DESCRIPTION OF REMAINDER-Parcel 4

Situated in the City of Rochester Hills, Oakland County, Michigan; COMMENCING at a 5/8" iron rod in monument box at the southwest corner of Section 30, Township 3 North, Range 11 East as recorded in Liber 22386, Page 323, Oakland County records; thence along the true west line of said section, North 02°44'00" West 289.76 feet; thence parallel with the south line of said section, North 86°57'58" East 59.44 to a point on the south line of Lot 87 of "Wheaton & Worrall's Avon Hills Estates No. 1" as recorded in Liber 40 of Plats, Page 31, Oakland County records, being the POINT OF BEGINNING of this description; thence North 02°50'39" West 99.89 feet to the north line of Lot 86 of said plat; thence along the north line of said Lot 86, North 86°57'58" East 180.37 feet to the northeast corner of said Lot 86; thence along the east line of Lots 86 and 87 of said plat, South 03°03'16" East 99.89 feet (recorded as 100 feet) to the southeast corner of said Lot 87; thence along the south line of said Lot 87, South 86°57'58" West 180.73 feet to the Point of Beginning; being a part of Lots 86 and 87 of "Wheaton & Worrall's Avon Hills Estates No. 1", Oakland County records, and containing 0.414 acres (18,034 square feet).

DESCRIPTION OF RIGHT OF WAY ACQUISITION-Parcel 5

Situated in the City of Rochester Hills, Oakland County, Michigan; COMMENCING at a 5/8" iron rod in monument box at the southwest corner of Section 30, Township 3 North, Range 11 East as recorded in Liber 22386, Page 323, Oakland County records; thence along the true west line of said section, North 02°44'00" West 389.64 feet; thence parallel with the south line of said section, North 86°57'58" East 50.82 feet to the southwest corner of Lot 85 of "Wheaton & Worrall's Avon Hills Estates No. 1" as recorded in Liber 40 of Plats, Page 31, Oakland County records, being the POINT OF BEGINNING of this description; thence along the west line of Lots 85 and 84 of said plat, North 03°03'16" West 99.89 feet (recorded as North 00°46' East 100 feet) to the northwest corner of said Lot 84; thence along the north line of said Lot 84, North 86°57'58" East 8.80 feet; thence South 02°50'39" East 99.89 feet to the south line of said Lot 85; thence along the south line of said Lot 85, South 86°57'58" West 8.43 feet to the Point of Beginning; being a part of Lots 84 and 85 of "Wheaton & Worrall's Avon Hills Estates No. 1", Oakland County records, and containing 0.020 acres (860 square feet).

DESCRIPTION OF REMAINDER-Parcel 5

Situated in the City of Rochester Hills, Oakland County, Michigan; COMMENCING at a 5/8" iron rod in monument box at the southwest corner of Section 30, Township 3 North, Range 11 East as recorded in Liber 22386, Page 323, Oakland County records; thence along the true west line of said section, North 02°44'00" West 389.64 feet; thence parallel with the south line of said section, North 86°57'58" East 59.25 to a point on the south line of Lot 85 of "Wheaton & Worrall's Avon Hills Estates No. 1" as recorded in Liber 40 of Plats, Page 31, Oakland County records, being the POINT OF BEGINNING of this description; thence North 02°50'39" West 99.89 feet to the north line of Lot 84 of said plat; thence along the north line of said Lot 84, North 86°57'58" East 180.00 feet to the northeast corner of said Lot 84; thence along the east line of Lots 84 and 85 of said plat, South 03°03'16" East 99.89 feet (recorded as 100 feet) to the southeast corner of said Lot 85; thence along the south line of said Lot 85, South 86°57'58" West 180.37 feet to the Point of Beginning; being a part of Lots 84 and 85 of "Wheaton & Worrall's Avon Hills Estates No. 1", Oakland County records, and containing 0.413 acres (17,998 square feet).

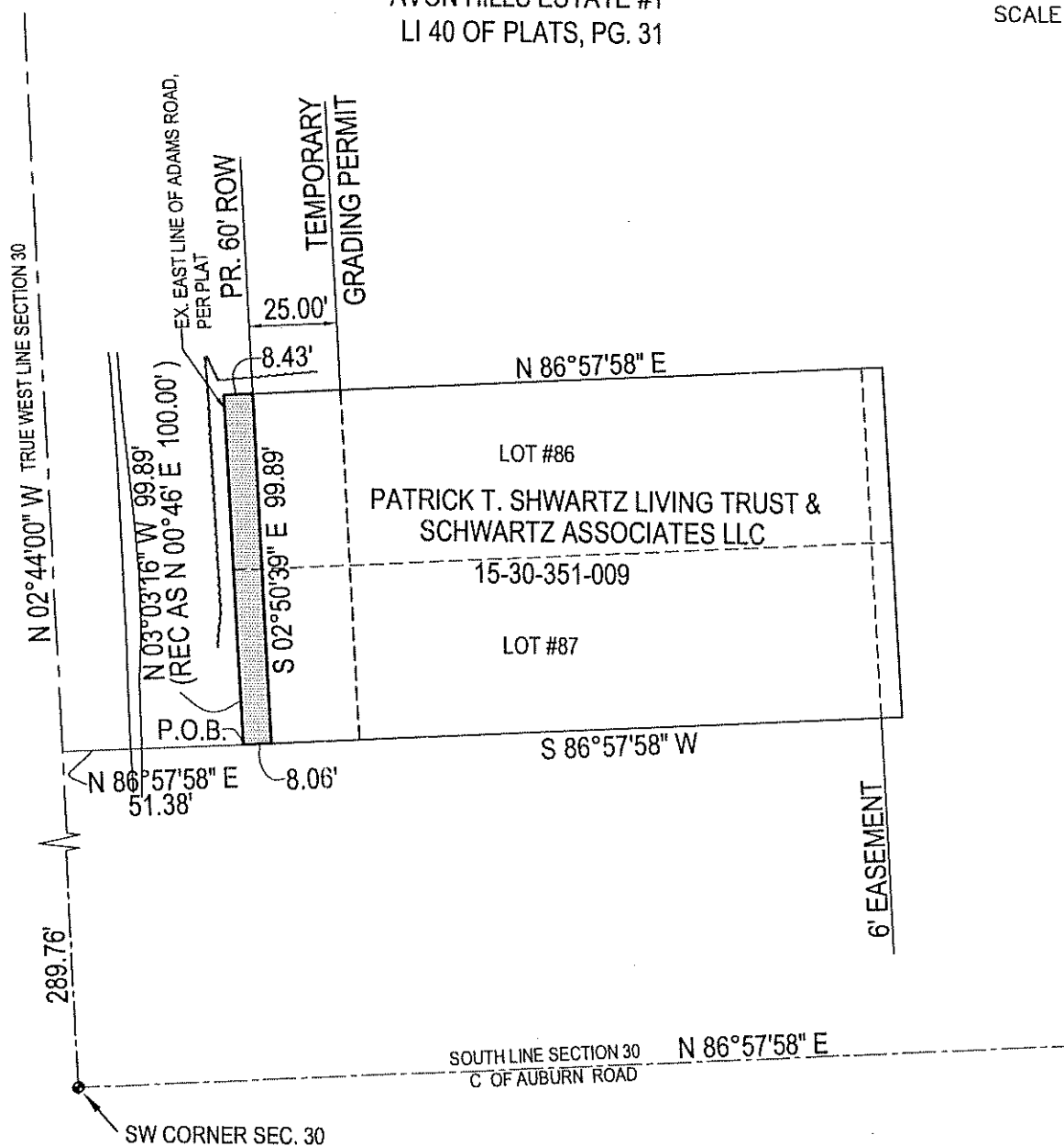
EXHIBIT 'A'

PART OF THE W 1/2 OF THE SW 1/4 SECTION 30, T.3 N., R.11 E.
CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN


LOTS # 86 & 87 " WHEATON & WORRALL'S
AVON HILLS ESTATE #1"
LI 40 OF PLATS, PG. 31



SCALE 1" = 50'



LEGEND:

 - ROW ACQUISITION

FINKBEINER PETTIS & STROUT CONSULTING ENGINEERS 41441 ELEVEN MILE ROAD NOVI, MI. 48375 (248) 305-7320 (248) 305-7324 FAX	
SURVEYED BY NOT A BOUNDARY SURVEY	DATE 10/08/03
DRAWN BY LIS	REVISED 10/20/03

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TEMPORARY GRADING PERMIT

Parcel #4 & 5

The Revocable Living Trust of Patrick T. Schwartz, dated October 2, 1996 AND Schwartz Associates, L.L.C., a Michigan Limited Liability Company 2951 S. Adams Road Rochester Hills, MI 48309

DATE: 4-21, 2004

In consideration of the improvement of Adams Road, City of Rochester Hills, according to the plans and specifications on file at the City of Rochester Hills, County of Oakland, State of Michigan, a public body corporate, with offices at 1000 Rochester Hills Road, Rochester Hills, Michigan 48309, and in receipt of the sum of Four Thousand (\$4,000.00) Dollars, the undersigned hereby give permission to the City of Rochester Hills for grading this property being in Section 30, City of Rochester Hills, Oakland County, Michigan, as indicated in the plans.

The purpose of this grading permit is to allow the construction of a driveway approach, adjoining roadway and grading according to the plans. This grading permit requires restoring any disturbed property during construction and does not cause a change in the property lines.

Tax ID No. 15-30-351-009 & 15-30-351-029

IN ACCORDANCE WITH THE PLANS:

A. A Temporary Grading Permit that is:

SEE ATTACHED EXHIBIT "A"

B. Regrading and restoration of disturbed areas, *TO THE ORIGINAL OR SUPERIOR CONDITION*

II. Additional Conditions:

- (1) The permissive rights set forth herein shall start as of the date the contractor commences work on the above project and shall terminate on the date that the contractor completes the above project (not to exceed one year), *AND ALSO BEING NO LATER THAN DECEMBER 15, 2005*
- (2) The work described above shall be constructed in a first class, workmanlike manner, and in accordance with applicable State and County standards, and upon completion, the City of Rochester Hills shall have no further responsibilities, therefore.

This instrument contains the entire permit agreement. No further promises have been made except as shown herein.

WITNESSES:

Lynn P. Hall
Lynn P. Hall

GRANTOR:

Patrick T. Schwartz
Patrick T. Schwartz, Trustee
Patrick T. Schwartz
Schwartz and Associates, L.L.C.,
By: Patrick T. Schwartz