

TERMINATION AND RELEASE OF WATER MAIN EASEMENT

The City of Rochester Hills, whose address is 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309, was granted a Water Main Easement from Rochester Community Schools (hereinafter "Owner"), which Easement was recorded on March 22, 2004 at Liber 32550, Page 313, Oakland County Records, (copy attached hereto as Exhibit "A").

The City of Rochester Hills requires that this easement be vacated and a new easement provided to the City of Rochester. Therefore, the Owner desires to terminate the easement. The City has agreed and does hereby terminate and release the recorded Water Main Easement included in the attached Exhibit "A".

This instrument is exempt from the Michigan Real Estate Transfer Tax pursuant to the provisions of MCL 207.505(a) and 207.526(a), because the value of the consideration given is less than One Hundred Dollars (\$100.00).

IN WITNESS WHEREOF, the undersigned has hereunto set his hand, this \_\_\_\_ day of \_\_\_\_\_, 2019.

CITY OF ROCHESTER HILLS

\_\_\_\_\_  
By: Bryan K. Barnett, Mayor

ACKNOWLEDGMENT

STATE OF MICHIGAN            ) ss  
COUNTY OF OAKLAND        )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2019 by  
Bryan K. Barnett, the Mayor of Rochester Hills, on behalf of the City of Rochester Hills.

\_\_\_\_\_  
\_\_\_\_\_, Notary Public  
Oakland County, Michigan.  
My Commission Expires: \_\_\_\_\_  
Acting in the County of \_\_\_\_\_

WHEN RECORDED, RETURN TO:

CLERK'S DEPARTMENT  
CITY OF ROCHESTER HILLS  
1000 ROCHESTER HILLS DRIVE  
ROCHESTER HILLS, MI 48309

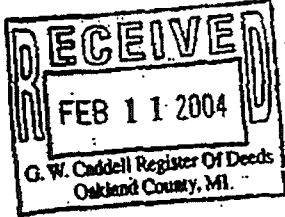
DRAFTED BY:

THOMAS SOVEL, P.E.  
SPALDING DEDECKER  
905 SOUTH BOULEVARD EAST  
ROCHESTER HILLS, MI 48307

*John Staran*  
*Approved 1/14/19*

EXHIBIT "A"

LIBER 32550 PG 313



144037  
LIBER 32550 PAGE 313  
\$16.00 MISC RECORDING  
\$4.00 REMONUMENTATION  
03/22/2004 10:14:02 A.M. RECEIPT# 35251-  
PAID RECORDED - OAKLAND COUNTY  
G. WILLIAM CADDELL, CLERK/REGISTER OF DEEDS

WATERMAIN EASEMENT

Rochester Community Schools, a Michigan Municipal corporation, of  
501 W. University Drive, Rochester, MI 48307

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:

~~XXXXXXXX~~ See Exhibit A & B

In connection with the grant of easement, Grantor waives and relinquishes any right,  
title or interest in the sanitary sewer, 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

Exempt MCLA 207.526 (a); MSA 7.456 (26) (a).

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this  
20th day of February, 2003.

ROCHESTER COMMUNITY SCHOOLS

IN THE PRESENCE OF:

Signature Kelly Cox  
Print or type name: Kelly Cox

Signature Deborah L. Walter  
Deborah L. Walter  
(Print Name)  
Director of Facility Operations  
Title

Signature Gary Dennis  
Print or type name: Gary Dennis

Signature \_\_\_\_\_  
Print or type name: \_\_\_\_\_

Signature \_\_\_\_\_  
(Print Name) \_\_\_\_\_

Signature \_\_\_\_\_  
Print or type name: \_\_\_\_\_

APPROVED AS TO FORM

Title

STATE OF MICHIGAN  
COUNTY OF Oakland

J. Starn 3/2/03  
ROCHESTER HILLS COUNSEL

O.K. - AW

The foregoing instrument was acknowledged before me this 20th day of February,  
2003, by Deborah L. Walter who is the Director, of  
Facility Operations of Rochester Community Schools, a Michigan Municipal Corporation.

Drafted by: Thomas J. Sovel  
Spalding DeDecker Assoc Inc  
905 South Blvd E  
Rochester Hills, MI 48307  
When recorded, return to:

Signature Thomas J. Sovel  
Notary Public  
County, Michigan  
My Commission Expires: 1-18-2005

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

EXHIBIT "A"

LIBER 32550 PG 314

# EXHIBIT "A"

FURNISHED LEGAL DESCRIPTION  
LAWYER'S TITLE INSURANCE CORP.  
COMMITMENT No. S25088-F  
DATED MAY 30, 1989  
(OBTAINED FROM TAX RECORDS)

THE TAX DESCRIPTION OF THE COMBINED PARCEL (INCLUDED IN THE TITLE COMMITMENT) IS DESCRIBED AS FOLLOWS:

TOWN 3 NORTH, RANGE 11 EAST, SECTION 11, PART OF THE NORTHWEST QUARTER, BEGINNING AT A POINT IN THE WEST SECTION LINE, DISTANT SOUTH 650 FEET FROM THE NORTHWEST SECTION CORNER; THENCE EAST, 865.55 FEET TO THE WEST LINE OF "JUNCTION LAND COMPANY'S SUBDIVISION"; THENCE SOUTH 00 DEGREES 05 MINUTES 00 SECONDS EAST, 133.24 FEET TO THE SOUTHWEST CORNER OF SAID SUBDIVISION; THENCE EAST, 224.92 FEET; THENCE SOUTH 60 FEET; THENCE EAST 60 FEET; THENCE SOUTH, 319.72 FEET TO THE 1/8 LINE; THENCE WEST, 1154.70 FEET TO THE WEST SECTION LINE; THENCE NORTH 00 DEGREES 27 MINUTES 00 SECONDS EAST, 513.50 FEET TO THE POINT OF BEGINNING.

15-11-101-018

LEGAL DESCRIPTION  
AS-FIELD SURVEYED BY  
SPALDING DeDECKER ASSOCIATES, INC.  
OCTOBER 2000 (REVISED APRIL 2002)

A PARCEL OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 11, T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 11; THENCE S01°28'06"E 650.09' (RECORDED AS SOUTH 650.00') TO THE POINT OF BEGINNING; THENCE N88°00'23"E 864.81' (RECORDED AS EAST 866.48'); THENCE ALONG THE BOUNDARY LINE OF "JUNCTION LAND CO.'S SUBDIVISION" (RECORDED IN L.22, P.28 OF PLATS, OAKLAND COUNTY RECORDS) THE FOLLOWING 2 COURSES: (1) THENCE S02°01'43"E (RECORDED AS SOUTH) 133.24'; AND (2) THENCE N88°05'01"E (RECORDED AS EAST) 224.92'; THENCE ALONG THE BOUNDARY LINE OF "NORTH HILL GARDENS" (RECORDED IN L.48, P.49 OF PLATS, OAKLAND COUNTY RECORDS) THE FOLLOWING 3 COURSES: (1) THENCE ALONG THE WESTERLY LINE OF COURTLAND BLVD. (60' WIDE); S01°54'59"E (RECORDED AS SOUTH) 60.00'; (2) THENCE ALONG THE SOUTH LINE OF RED OAK LANE (60' WIDE), N88°05'01"E (RECORDED AS EAST) 60.00' AND (3) THENCE S01°54'59"E 320.57' (RECORDED AS SOUTH 319.72'); THENCE ALONG THE NORTH LINE OF "HILL CREST NO. 2" (RECORDED IN L.57, P.12 OF PLATS, OAKLAND COUNTY RECORDS), S88°02'23"W (RECORDED AS WEST) 1154.01' (RECORDED AS 1154.07'); THENCE ALONG THE WEST LINE OF SAID SECTION 11, N01°28'06"W 513.55' (RECORDED AS N00°27'E 513.50') TO THE POINT OF BEGINNING. CONTAINING 12.6339 ACRES, SUBJECT TO MICHIGAN DEPARTMENT OF TRANSPORTATION EASEMENT FOR HIGHWAY PURPOSES, AND SUBJECT TO AND TOGETHER WITH ALL EASEMENTS, EXCEPTIONS, CONDITIONS, RESERVATIONS, AND RESTRICTIONS CONTAINED IN PRIOR CONVEYANCES OF RECORD OR OTHERWISE.

DESC  
M. Guss

02-20-03


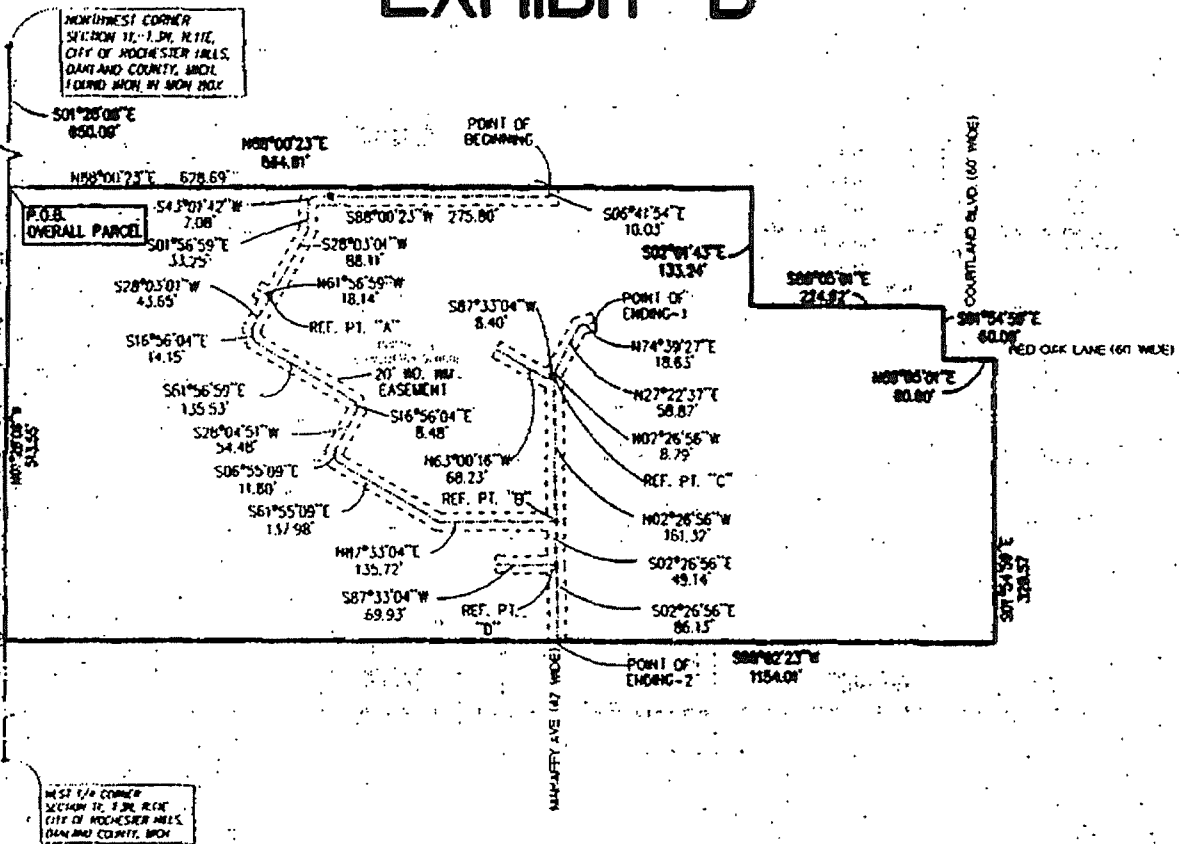
	<b>SPALDING DeDECKER ASSOCIATES, INC.</b> ENGINEERS SURVEYORS 905 SOUTH BLVD. EAST ROCHESTER HILLS, MI 48307 PH: (248) 844-5400 FAX: (248) 844-5404 www.spaldingdedecker.com	DRAWN: T. RUDARY	DATE: 07-26-02
		CHECKED: A. HANNA	DATE: 07-26-02
		MANAGER: T. SOVEL	SCALE: -
		JOB No. DVO2-015	SHEET: 1 of 1
		SECTION 11, TOWN 3 NORTH RANGE 11 EAST CITY OF ROCHESTER HILLS OAKLAND COUNTY, MI	

EXHIBIT "A"

LIBER 32550 PG 315

EXHIBIT "B"



WATER MAIN EASEMENT DESCRIPTION

*A. 15-11-101-018*

A WATERMAIN EASEMENT LOCATED IN AND BEING A PART OF THE NORTHWEST 1/4 OF SECTION 11, T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: AN EASEMENT OF 20 FEET WIDTH, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 11, THENCE ALONG THE WEST SECTION LINE, S01°28'06"E 650.09' TO THE BEGINNING OF THE OVERALL PARCEL; THENCE N88°00'23"E 628.69' TO THE POINT OF BEGINNING; THENCE S06°41'54"E 10.03'; THENCE S88°00'23"W 275.80'; THENCE S43°01'42"W 7.08'; THENCE S01°56'59"E 32.25'; THENCE S28°03'01"W 88.11' TO REFERENCE POINT "A"; THENCE S28°03'01"W 43.65'; THENCE S16°56'04"E 14.15'; THENCE S61°56'59"E 135.53'; THENCE S16°56'04"E 8.48'; THENCE S28°04'51"W 54.48'; THENCE S06°55'09"E 11.80'; THENCE S61°55'09"E 137.98'; THENCE N87°33'04"E 135.72' TO REFERENCE POINT "B"; THENCE N02°26'56"W 161.32' TO REFERENCE POINT "C"; THENCE N02°26'56"W 8.79'; THENCE N27°22'37"E 58.87'; THENCE N74°39'27"E 18.63' TO THE POINT OF ENDING-1.

ALSO, COMMENCING AT REFERENCE POINT "A"; THENCE N61°56'59"W 18.14' TO THE POINT OF ENDING.

ALSO, COMMENCING AT REFERENCE POINT "B"; THENCE S02°26'56"E 49.14' TO REFERENCE POINT "D"; THENCE S02°26'56"E 86.13' TO THE POINT OF ENDING-2.

ALSO, COMMENCING AT REFERENCE POINT "C"; THENCE S87°33'04"W 8.40'; THENCE N63°00'16"W 88.23' TO THE POINT OF ENDING.

ALSO, COMMENCING AT REFERENCE POINT "D"; THENCE S87°33'04"W 69.93' TO THE POINT OF ENDING.



GRAPHIC SCALE



( IN FEET )  
1 inch = 200 ft.

*Decker*  
*M. Hanna*

02-20-03



**SPALDING DeDECKER ASSOCIATES, INC.**  
ENGINEERS SURVEYORS  
905 SOUTH BLVD. EAST  
ROCHESTER HILLS, MI 48307  
PH: (248) 844-5400 FAX: (248) 844-5404  
www.spaldingdedecker.com

DRAWN: T. RUDARY	DATE: 07-26-02
CHECKED: A. HANNA	DATE: 07-26-02
MANAGER: T. SOVEL	SCALE: 1" = 200'
JOB No. DV02-015	SHEET: 1 OF 1
SECTION 11 TOWN 3 NORTH RANGE 11 EAST	
CITY OF ROCHESTER HILLS OAKLAND COUNTY, MI	