

**PEDESTRIAN-BICYCLE PATHWAY EASEMENT**

NORTH TROY PROPERTIES, L.L.C., A Michigan limited liability company whose address is 29199 RYAN, WARREN, MICHIGAN 48092 grants to the CITY OF ROCHESTER HILLS, a Michigan municipal corporation, whose address is 1000 ROCHESTER HILLS DRIVE, ROCHESTER HILLS, MICHIGAN 48309, an easement for the construction, operations, maintenance, repair and/or replacement of a pedestrian-bicycle pathway on, under, through and across land more particularly described as:

Part of Lots 2, 3 and 4 of "Avondale Farms", a part of the Southeast Quarter of Section 29, Town 3 North, Range 11 East, Avon Township (now City of Rochester Hills), Oakland County, Michigan as recorded in liber 39 of plats, page 41, Oakland County records being described as:

Commencing at the Southeast corner of Section 29; thence N.00°21'00"E. 275.90 feet along the East line of Section 29, also being the centerline of Crooks Road (120.00 feet wide); thence S.89°49'56"W 60.00 feet; thence N.00°21'00"E. 125.00 feet along the West right of way line of Crooks Road to the point of beginning; thence N.89°39'00"W 5.00 feet; thence N.00°21'00"E. 50.00 feet; thence S.89°39'00"E. 5.00 feet to the West right of way line of Crooks Road; thence S.00°21'00"W. 50.00 feet along the West right of way line of Crooks Road to the point of beginning.

Sidewell # 15-29-477-030

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the pedestrian-bicycle pathway, 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 pedestrian-bicycle pathway 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.

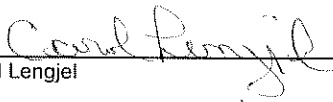
The easement shall be irrevocable and non-exclusive, and Grantor and Grantor's successors and assigns may use and enjoy the easement areas in common with the City.

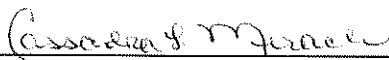
Grantor expressly reserves to Grantor and Grantor's successors and assigns, so long as there is no interference with the construction, operation, maintenance, repair and/or replacement of the pedestrian-bicycle pathway: (a) the right of ingress and egress over, through and across the easement, and (b) 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 (1): MSA 7.456 (26) (a).

Dated this 1<sup>st</sup> day of April, 2003

Signed in the presence of:

  
\_\_\_\_\_  
Carol Lengjel

  
\_\_\_\_\_  
Cassandra L. Miracle

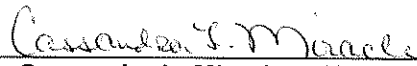
Signed by:

  
\_\_\_\_\_  
Christopher A.S. Pratt/Wake-Pratt Construction Co.  
Member NORTH TROY PROPERTIES, LLC.

STATE OF MICHIGAN            }  
COUNTY OF OAKLAND        } SS.

The foregoing instrument was acknowledged before me this 1<sup>st</sup> day of April, 2003, by Christopher A.S. Pratt/Wake-Pratt Construction Co. whose is a Member of North Troy Properties, a Michigan limited liability company.

My commission expires: August 17, 2003

  
\_\_\_\_\_  
Cassandra L. Miracle, Notary Public  
Oakland, County, Michigan

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

APPROVED AS TO FORM

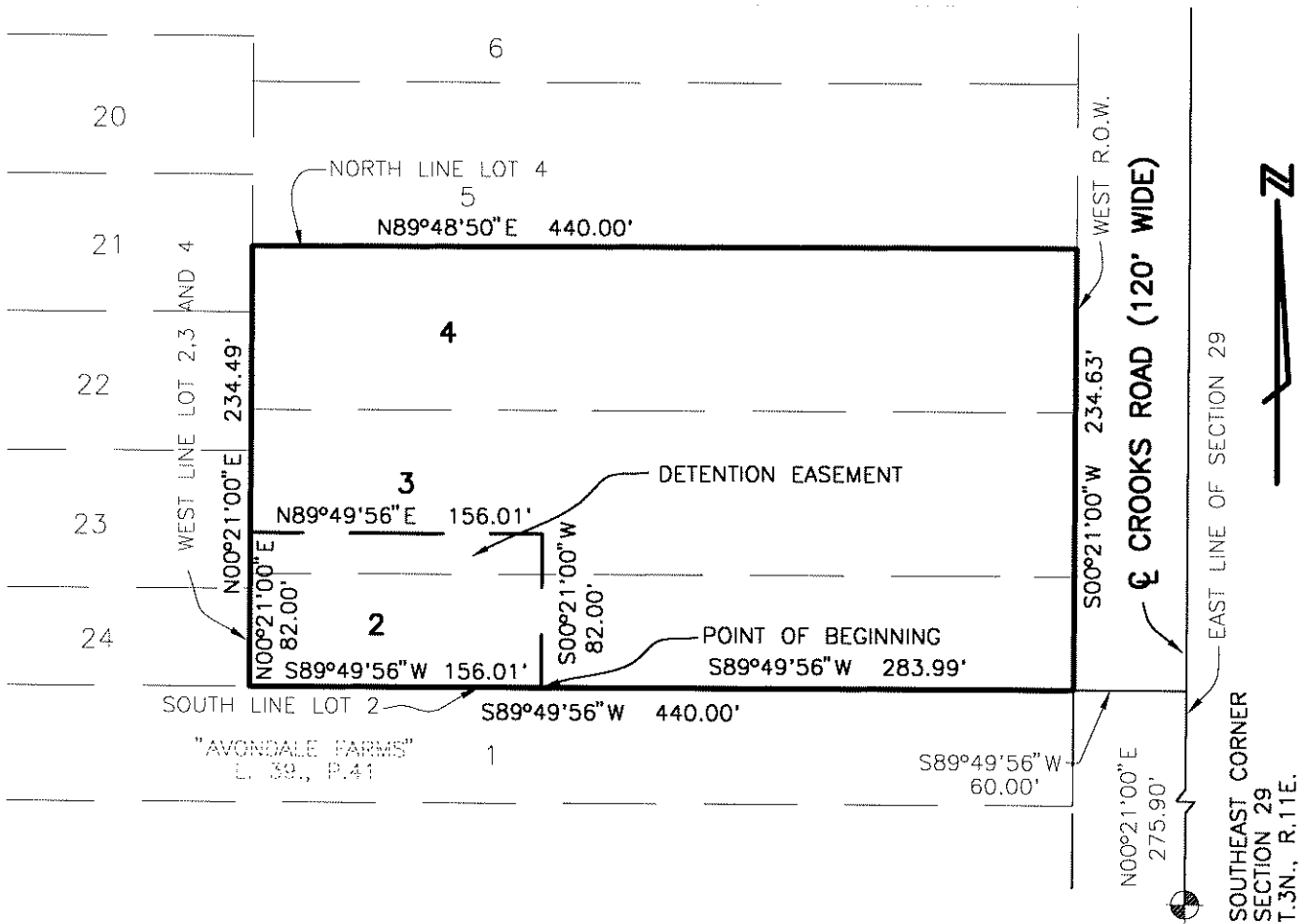
 2/6/03

ROCHESTER HILLS COUNSEL

Drafted By:

Cassandra Miracle  
1080 N. Opdyke, #200  
Auburn Hills, MI 48326

# EXHIBIT "A"



**Description**  
Crooks Road Office Complex

Part of Lots 2, 3 and 4 of "Avondale Farms", a part of the Southeast Quarter of Section 29, Town 3 North, Range 11 East, Avon Township (now City of Rochester Hills), Oakland County, Michigan as recorded in liber 39 of plats, page 41, Oakland County records being described as:

Commencing at the Southeast corner of Section 29; thence N.00°21'00"E. 275.90 feet along the East line of Section 29, also being the centerline of Crooks Road (120.00 feet wide); thence S.89°49'56"W 60.00 feet to the point of beginning, said point being on the South line of Lot 2 of said "Avondale Farms"; thence continuing S.89°49'56"W. 440.00 feet along the South line of said lot 2; thence N.00°21'00"E. 234.49 feet along the West line of Lots 2,3 and 4 of said "Avondale Farms"; thence N.89°48'50"E. 440.00 feet along the North line of said lot 4 to the West right of way line of Crooks Road; thence S.00°21'00"W. 234.63 feet along the West right of way line of Crooks Road to the point of beginning. Containing 2.37 acres, more or less.

Subject to any and all easements and rights of way of record or otherwise.

**Description**

Part of Lots 2 and 3 of "Avondale Farms", a part of the Southeast Quarter of Section 29, Town 3 North, Range 11 East, Avon Township (now City of Rochester Hills), Oakland County, Michigan as recorded in liber 39 of plats, page 41, Oakland County records being described as:

Commencing at the Southeast corner of Lot 2; thence S.89°49'56"W 283.99 feet along the South line of Lot 2 to the point of beginning; thence continuing S.89°49'56"W. 156.01 feet along the South line of said lot 2; thence N.00°21'00"E. 82.00 feet along the West line of Lots 2 and 3 of said "Avondale Farms"; thence N.89°49'56"E. 156.01 feet; thence S.00°21'00"W. 82.00 feet to the point of beginning.

APPROVED DESC  
*M. [Signature]*  
ROCHESTER HILLS  
ENGINEERING DEPT.  
85-14-03



**Penn & Associates Inc.**

42802 Mound Road  
Sterling Heights, Michigan 48314  
PHONE: (586) 254-9577

DETENTION EASEMENT  
CROOKS ROAD OFFICE

CLIENT: WAKE PRATT

DATE 09/17/02

JOB NO. 02-00040

SCALE 1" = 100'

FIELD BY NONE

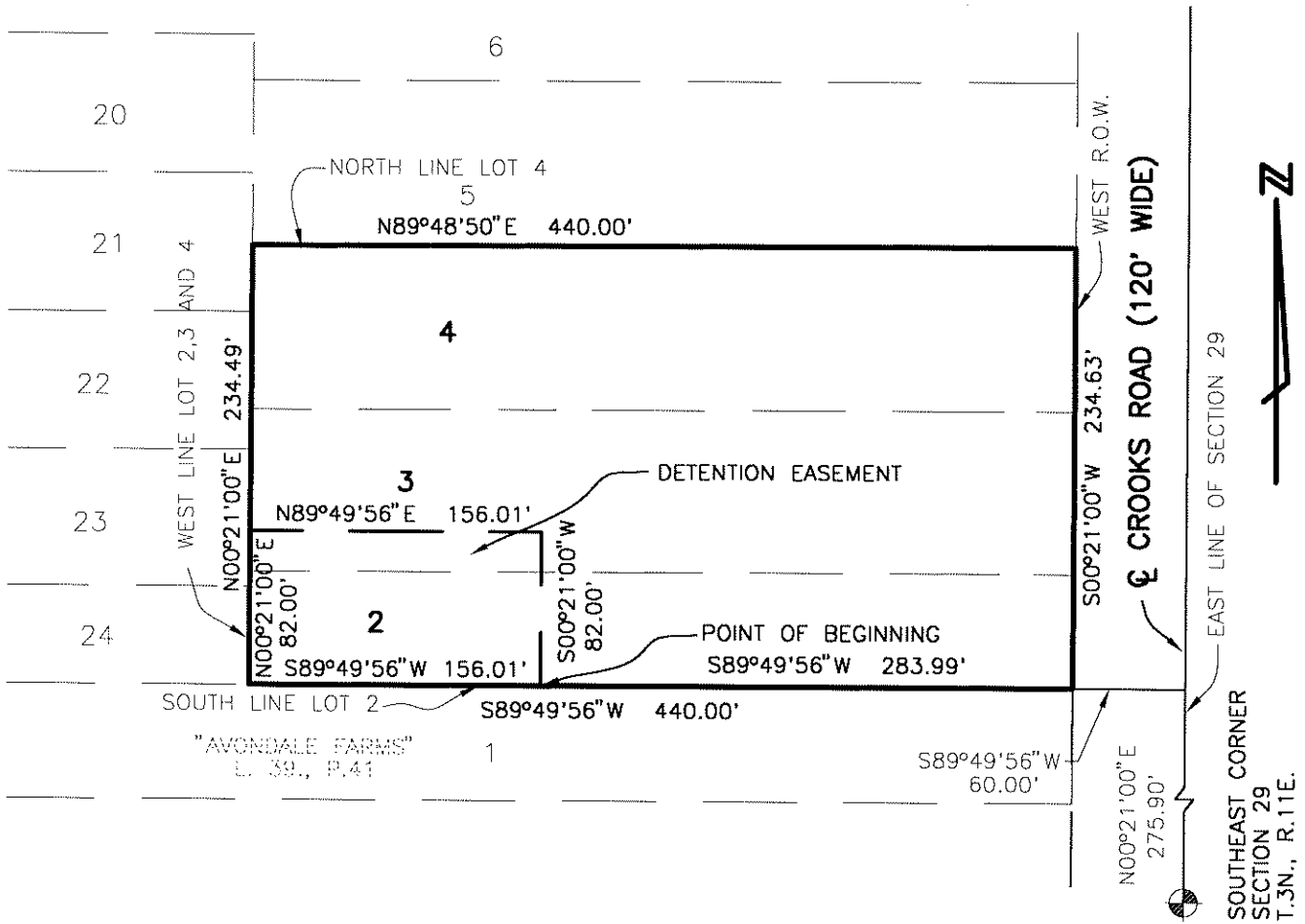
CHECKED D.K., P.S.

DRAWN Randy Grimes

SHEET 1 OF 1

PART OF THE SOUTHEAST QUARTER OF SECTION 29, T.3N., R.11E.,  
CITY OF TROY, OAKLAND COUNTY, MICHIGAN

# EXHIBIT "A"



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CITY OF TROY, OAKLAND COUNTY, MICHIGAN