

**CONSENT TO EASEMENT GRANT
AND SUBORDINATION OF LIEN**

Project: Devondale.

Parcel No: 1 & 2

For and in consideration of \$1.00 (One Dollar), receipt of which is hereby acknowledged, the undersigned Mortgage Electronic Registration Systems Inc., a Delaware Stock Corporation, Mortgagee, whose Mortgage is dated November 17, 2006 and recorded in Liber 38589 Page 013_, of Oakland County Records, does hereby subordinate its lien and consents to the granting of a Highway Easement and Drainage Easement, to the City of Rochester Hills, a Michigan Municipal Corporation, 1000 Rochester Hills Dr., Rochester Hills Michigan, 48309-3033, an easement for all public Highway purposes ("Highway Easement") and to construct, operate, maintain, repair, and or replace roadways, utilities, and other infrastructure improvements in, over, under, upon, and through the following described premises ("Property") situated in the City of Rochester Hills, County of Oakland, State of Michigan.

Commonly known as: 2570 Crooks Rd.

(Part of) Tax Parcel No.: 15-29-402-002
15-29-427-017

**SEE PARCEL DRAWING, ATTACHED AS EXHIBIT "A," AND
LEGAL DESCRIPTION, ATTACHED AS EXHIBIT "B,"
BOTH OF WHICH ARE INCORPORATED BY REFERENCE HEREIN**

If the said premises shall be disturbed by reason of the exercise of any of the foregoing powers, then said premises shall be restored to substantially the condition that existed prior to the contractors entering upon said premises.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures this 27 day of March, A. D. 2009.

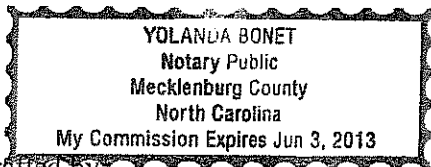
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

By: [Signature]
Name: Kurt Tuthill
Title: Principal

STATE OF NORTH CAROLINA)
) TO WIT:
CITY/COUNTY OF MECKLENBURG)

I HEREBY CERTIFY that on this 27 day of March, 2009, before me, the subscriber, a Notary Public of the State and City/County aforesaid, personally appeared Kurt Tuthill, who acknowledged himself/herself to be the Principal of Mortgage Electronic Registration Systems, Inc., and that he/she as such officer, being authorized so to do, executed the foregoing instrument by signing in my presence the name of the association acting in its capacity as authorized agent for the association by himself/herself as such officer for the purposes therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.



[Signature]
Notary Public

Drafted by:
Walter H. Alix, P.E., P.S.
Hubbell, Roth & Clark, Inc.
555 Hulet Dr.
P.O. Box 524
Bloomfield Hills, Michigan 48303-0824

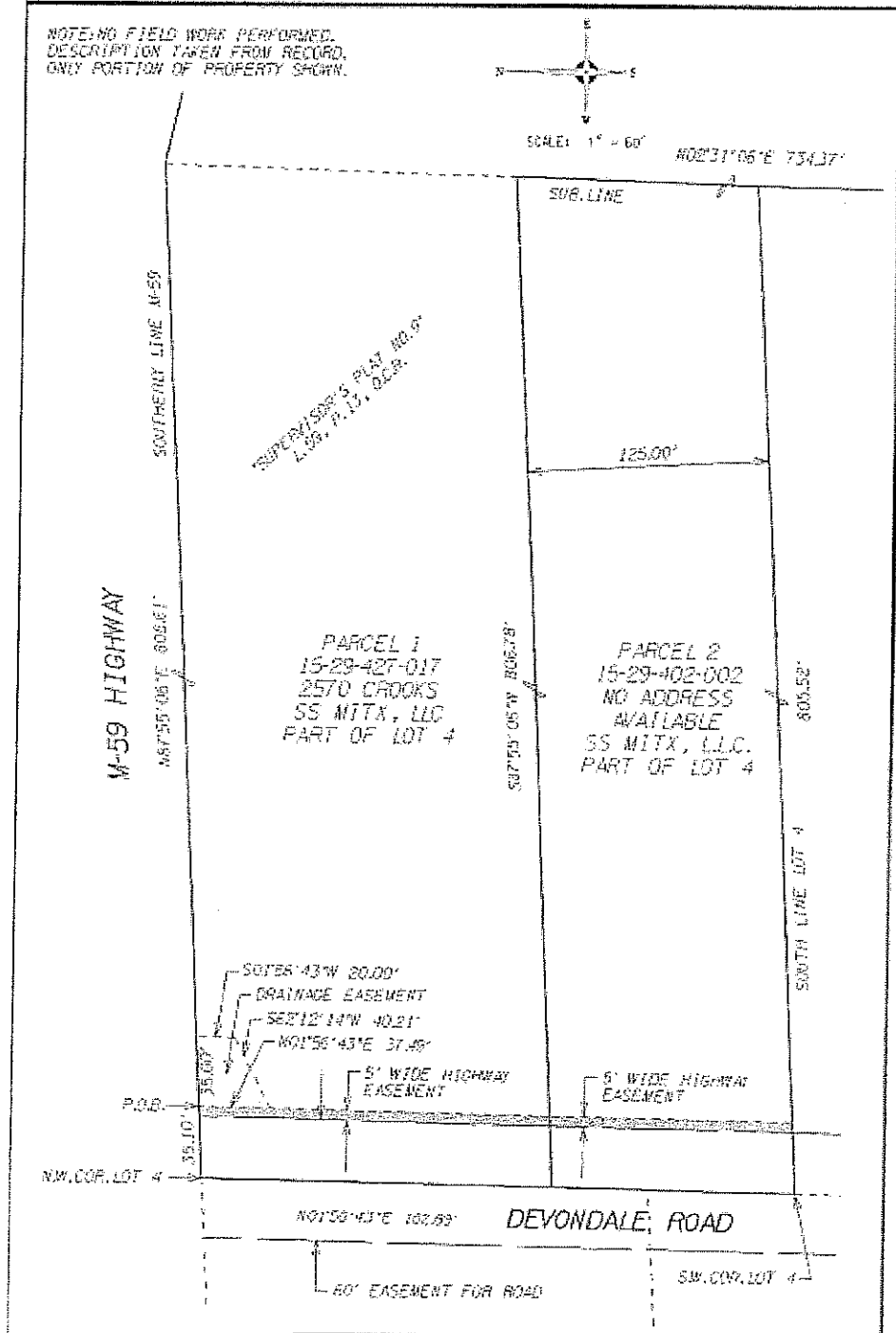
When recorded return to:
City Clerk
City of Rochester Hills
1000 Rochester Hills Dr.
Rochester Hills, Michigan 48309-3033

SKETCH OF EASEMENT

NOTE: NO FIELD WORK PERFORMED.
DESCRIPTION TAKEN FROM RECORD.
ONLY PORTION OF PROPERTY SHOWN.



SCALE: 1" = 60'



JOB NO. 20080251	HUBBELL, ROTH & CLARK, INC.	SHEET NO. 1
DATE 11-18-08	CONSULTING ENGINEER	
	388 HUBLET DRIVE BLOOMFIELD HILLS, MI 48304	30' 2"

11-18-08
20080251
15-29-427-017
15-29-402-002

Highway

DESCRIPTION OF PROPERTY (TAKEN FROM RECORD 15-29-427-017)

A part of the Southeast $\frac{1}{4}$ of Section 29 and part of Lot 4 of "Supervisor's Plat No. 9" a subdivision of part of the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 29, T3N, R11E, Avon Township (now City of Rochester Hills) Oakland County, Michigan, as recorded in Liber 59 of Plats, Page 13, Oakland County Records, more particularly described as: Commencing at the East $\frac{1}{4}$ corner of Section 29; thence Due South 915.65 feet along the East line of said Section 29 and following Crooks Road and S87°56'57"W 750.48 feet to the Point of Beginning; thence continuing S87°56'57"W 732.14 feet to the point on the East line of said "Supervisor's Plat No. 9"; thence along the East line of said "Supervisor's Plat No. 9"; N02°31'06"E 734.37 feet; thence S87°55'06"W 806.78 feet; thence N01°56'43"E 182.69 feet to a point on the East-West $\frac{1}{4}$ line of said Section 29, said point also being the Southerly line of M-59; thence the following four courses being along said Southerly line of M-59 and the Eastbound M-59 Exit Ramp to Crooks Road; (1) N87°55'06"E 808.61 feet and (2) S80°57'53"E 360.07 feet, and (3) S63°24'41"E 300.00 feet, and (4) S49°36'20"E 388.62 feet; thence Due South 641.86 feet to the Point Of Beginning.

Subject to reservations, restrictions, and easements of record, if any.

Also known as Sidwell No. 15-29-427-017.

DESCRIPTION OF HIGHWAY EASEMENT

The East 5.00 feet of the West 35.00 feet of the Lot 4, Except the South 125.00 feet of Lot 4 of "Supervisor's Plat No. 9" a subdivision of part of the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 29, T3N, R11E, Avon Township (now City of Rochester Hills), Oakland County, Michigan, as recorded in Liber 59 of Plats, Page 13, Oakland County Records.

Said easement contains 914 square feet, or 0.021 acres, more or less.

DESCRIPTION OF PROPERTY (TAKEN FROM RECORD 15-29-402-002)

The South 125.00 feet of Lot 4 of "Supervisor's Plat No. 9" a subdivision of part of the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 29, T3N, R11E, Avon Township (now City of Rochester Hills), Oakland County Michigan, as recorded in Liber 59 of Plats, Page 13, Oakland County Records.

Subject to reservations, restrictions, and easements of record, if any.

Also known as Sidwell No. 15-29-402-002.

DESCRIPTION OF HIGHWAY EASEMENT

The East 5.00 feet of the West 35.00 feet of the South 125.00 feet of Lot 4 of "Supervisor's Plat No. 9" a subdivision of part of the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 29, T3N, R11E, Avon Township (now City of Rochester Hills), Oakland County, Michigan, as recorded in Liber 59 of Plats, Page 13, Oakland County Records.

Said easement contains 626 square feet, or 0.014 acres, more or less.

11-18-08
20080251
15-29-427-017
15-29-402-002

Drainage

DESCRIPTION OF PROPERTY (TAKEN FROM RECORD 15-29-427-017)

A part of the Southeast ¼ of Section 29 and part of Lot 4 of "Supervisor's Plat No. 9" a subdivision of part of the West ½ of the Southeast ¼ of Section 29, T3N, R11E, Avon Township (now City of Rochester Hills), Oakland County, Michigan, as recorded in Liber 59 of Plats, Page 13, Oakland County Records, more particularly described as: Commencing at the East ¼ corner of Section 29; thence Due South 915.65 feet along the East line of said Section 29 and following Crooks Road and S87°56'57"W 750.48 feet to the Point Of Beginning; thence continuing S87°56'57"W 732.14 feet to the point on the East line of said "Supervisor's Plat No. 9"; thence along the East line of said "Supervisor's Plat No. 9"; N02°31'06"E 734.37 feet; thence S87°55'06"W 806.78 feet; thence N01°56'43"E 182.69 feet to a point on the East-West ¼ line of said Section 29, said point also being the Southerly line of M-59; thence the following four courses being along said Southerly line of M-59 and the Eastbound M-59 Exit Ramp to Crooks Road; (1) N87°55'06"E 808.61 feet and (2) S89°57'53"E 360.07 feet, and (3) S63°24'41"E 300.00 feet, and (4) S49°36'20"E 88.62 feet, thence Due South 641.86 feet to the Point Of Beginning.

Subject to reservations, restrictions, and easements of record, if any.

Also known as Sidwell No. 15-29-427-017.

DESCRIPTION OF DRAINAGE EASEMENT

Part of Lot 4 of "Supervisor's Plat No. 9" a subdivision of part of the West ½ of the Southeast ¼ of Section 29, T3N, R11E, Avon Township (now City of Rochester Hills), Oakland County, Michigan, as recorded in Liber 59 of Plats, Page 13, Oakland County Records, described as follows: Commencing at the Northwest corner of said Lot 4; thence N87°55'06"E 35.10 feet to the Point Of Beginning; thence continuing N87°55'06"E 35.00 feet; thence S01°56'43"W 20.00 feet; thence S62°12'14"W 40.31 feet; thence N01°56'43"E 37.49 feet to the Point Of Beginning.

Said easement 1,004 square feet, or 0.023 acres, more or less.