

WATERMAIN EASEMENT

F & P Rochester, LLC a Michigan limited liability company of Michigan 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:

All of Lots 105 through 109 and the Northerly 80.00 feet of Lot 114 of "Sunnydale Gardens No. 2", as recorded in Liber 64, Page 19, of Plats, Oakland County Records, located in the Southwest corner of Section 33, T3N, R11E, City of Rochester Hills, Oakland County, Michigan, also described as: Commencing at the Southwest corner of Lot 112 of said "Sunnydale Gardens No. 2"; thence S89°45'00"E 15.00 feet along the North Right-of-Way line of South Boulevard (120.00 foot wide); thence N00°33'30"E 240.00 feet along the 75' East Right-of-Way line of Crooks Road (variable width) for a PLACE OF BEGINNING; thence continuing N00°33'30"E 390.00 feet along said East line; thence S89°45'00"E 385.00 feet along the North line of lot 105; thence S00°33'30"W 310.00 feet along the East line of lots 105, 106, 107, and 108; thence N89°45'00"W 90.00 feet along the North line of lots 115 and 116; thence S00°33'30"W 80.00 feet along the East line of lot 114; thence N89°45'00"W 295.00 feet to the Place of Beginning, containing 3.28 acres of land, more or less, subject to easements and restrictions of record, if any.

Sidwell #

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.

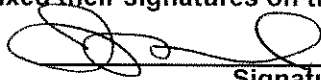
All property disturbed or altered, now or in the future, by reason of the construction, operation, maintenance, repair and/or replacement of the watermain shall be restored by the City to its immediately prior condition, except to the extent permanent improvements or alterations necessary to the use 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); MSA 7.456 (26) (a).

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 25th day of June, 2008.



Signature
Joseph Paluzzi

(Print Name)
Member

Title

Signature

(Print Name)

Title

STATE OF MICHIGAN
COUNTY OF Macomb

The foregoing instrument was acknowledged before me this 25th day of June, 2008, by Joseph Paluzzi who is a member of F & P Rochester, of _____, a Michigan limited liability company, on behalf of the company.

Drafted by:

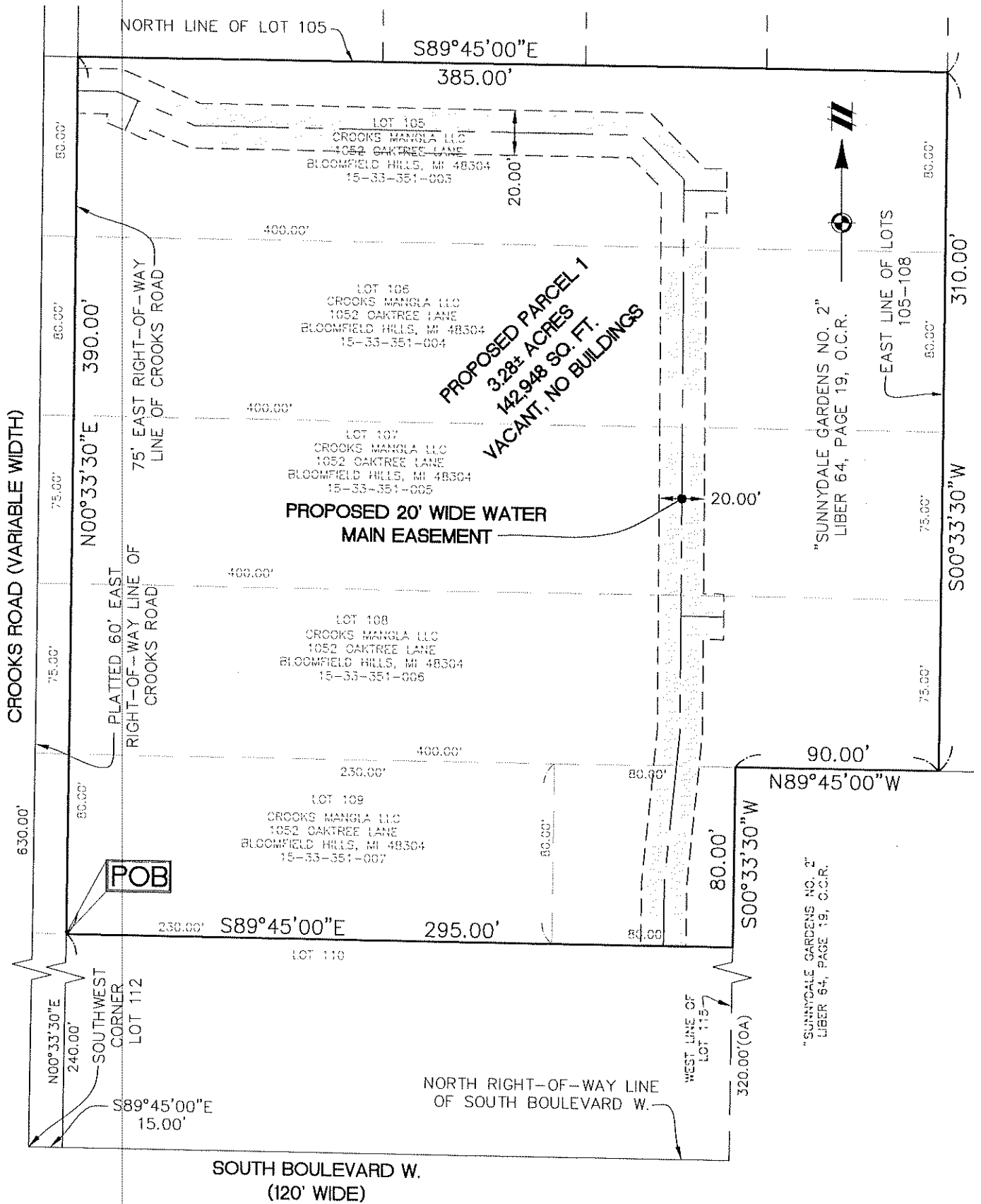
Fredd Ziobron, P.S.
Atwell-Hicks
50182 Schoenherr Road
Shebly Township, Michigan 48315



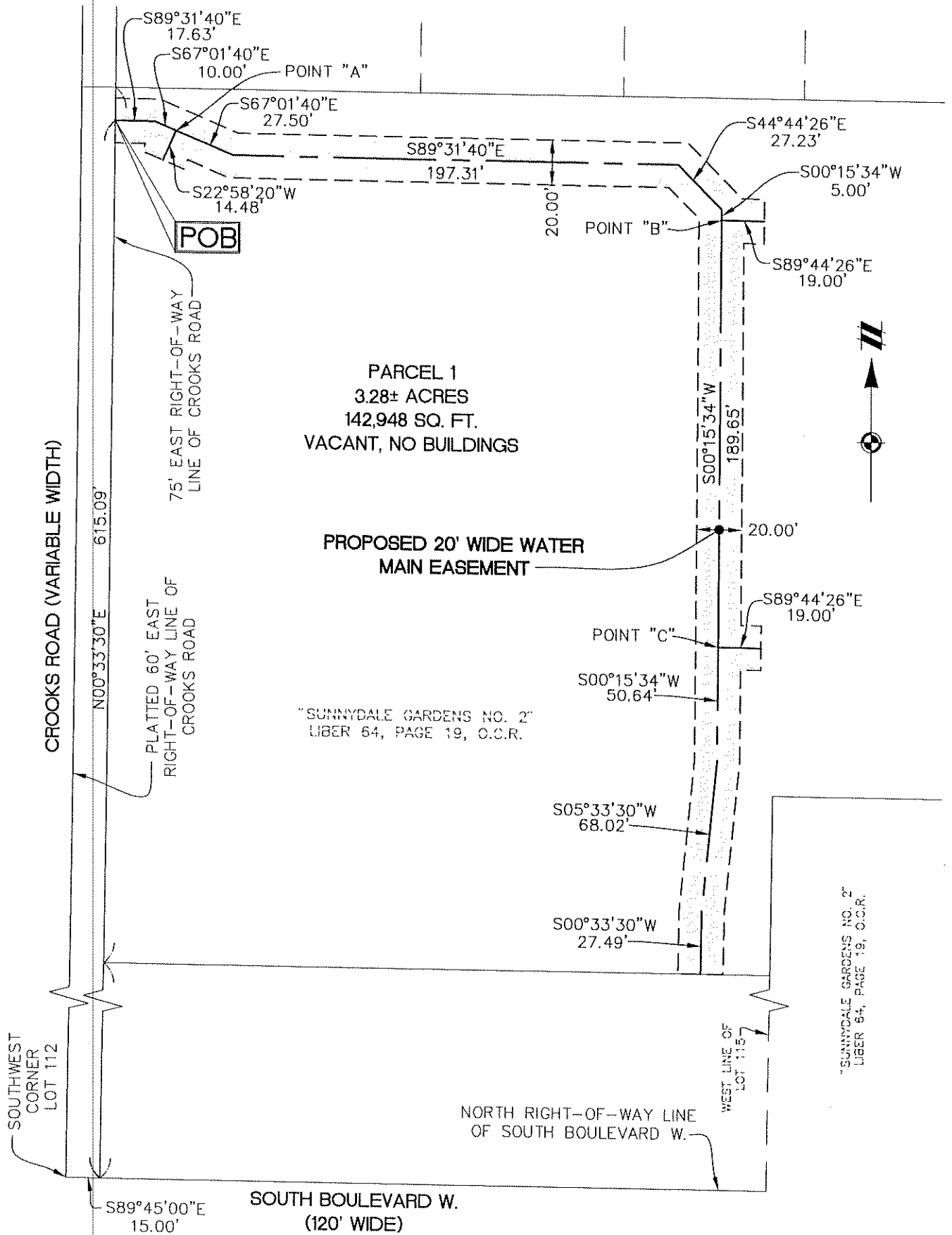
Kelleen Farrah, Notary Public
Macomb County, Michigan
My Commission Expires: 06/30/2010

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

KELLEEN FARRAH
NOTARY PUBLIC, STATE OF MI
COUNTY OF MACOMB
MY COMMISSION EXPIRES Aug 31, 2010
ACRES IN COUNTY OF Macomb



CLIENT F & P ROCHESTER, LLC SKETCH AND DESCRIPTION OF 20 FOOT WIDE WATER MAIN EASEMENT LOCATED IN SECTION 33 TOWN 3 NORTH, RANGE 11 EAST CITY OF ROCHESTER HILLS OAKLAND COUNTY SCALE: 1 INCH = 60 FEET	JOB: 06001462.20	CAD 06001462EA-01
	DR. NLW	CH. MDE
	BOOK	PG.
	SHEET 1 OF 3	DATE: 05-07-08
	FILE CODE: EA-01	ATWELL-HICKS www.atwell-hicks.com 866 850 4200 ARIZONA FLORIDA ILLINOIS MICHIGAN OHIO PENNSYLVANIA TENNESSEE Engineering Surveying Planning Environmental Ecological Water Resources



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LEGEND	
POB	PLACE OF BEGINNING

PARCEL 1:
 DESCRIPTION OF A 3.28 ACRE PARCEL OF LAND LOCATED IN THE SOUTHWEST CORNER OF SECTION 33, T3N, R11E, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN.

All of Lots 105 through 109 and the Northerly 80.00 feet of Lot 114 of "Sunnydale Gardens No. 2", as recorded in Liber 64, Page 19, of Plats, Oakland County Records, located in the Southwest corner of Section 33, T3N, R11E, City of Rochester Hills, Oakland County, Michigan, also described as: Commencing at the Southwest corner of Lot 112 of said "Sunnydale Gardens No. 2"; thence S89°45'00"E 15.00 feet along the North Right-of-Way line of South Boulevard (120.00 foot wide); thence N00°33'30"E 240.00 feet along the 75' East Right-of-Way line of Crooks Road (variable width) for a PLACE OF BEGINNING; thence continuing N00°33'30"E 390.00 feet along said East line; thence S89°45'00"E 385.00 feet along the North line of lot 105; thence S00°33'30"W 310.00 feet along the East line of lots 105, 106, 107, and 108; thence N89°45'00"W 90.00 feet along the North line of lots 115 and 116; thence S00°33'30"W 80.00 feet along the East line of lot 114; thence N89°45'00"W 295.00 feet to the Place of Beginning, containing 3.28 acres of land, more or less, subject to easements and restrictions of record, if any.

DESCRIPTION OF A 20 FOOT WIDE WATER MAIN EASEMENT LOCATED IN THE SOUTHWEST CORNER OF SECTION 33, T3N, R11E, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN.

A 20 foot wide Water Main Easement being 10 feet on both sides of the following described centerline located in the Southwest corner of Section 33, T3N, R11E, City of Rochester Hills, Oakland County, Michigan: Commencing at the Southwest corner of Lot 112 of "Sunnydale Gardens No. 2" as recorded in Liber 64, Page 19, of Plats, Oakland County Records; thence S89°45'00"E 15.00 feet along the North Right-of-Way line of South Boulevard (120.00 foot wide); thence N00°33'30"E 615.09 feet along the 75' East Right-of-Way line of Crooks Road (variable width) for a PLACE OF BEGINNING; thence S89°31'40"E 17.63 feet; thence S67°01'40"E 10.00 feet to Reference Point "A"; thence continuing S67°01'40"E 27.50 feet; thence S89°31'40"E 197.31 feet; thence S44°44'26"E 27.23 feet; thence S00°15'34"W 5.00 feet to Reference Point "B"; thence continuing S00°15'34"W 189.65 feet to Reference Point "C"; thence continuing S00°15'34"W 50.64 feet; thence S05°33'30"W 68.02 feet; thence S00°33'30"W 27.49 feet extending to and not past the Southerly boundary of Parcel 1. Also, BEGINNING at said Reference Point "A"; thence S22°58'20"W 14.48 feet to the Place of Ending. Also, BEGINNING at said Reference Point "B"; thence S89°44'26"E 19.00 feet to the Place of Ending. Also, BEGINNING at said Reference Point "C"; thence S89°44'26"E 19.00 feet to the Place of Ending.

CLIENT F & P ROCHESTER, LLC	JOB: 06001462.20	CAD 06001462EA-01
	DR. NLW	CH. MDE
	BOOK	PG.
	SHEET 3 OF 3	DATE: 05-07-08
SKETCH AND DESCRIPTION OF 20 FOOT WIDE WATER MAIN EASEMENT LOCATED IN	FILE CODE: EA-01	
	 ATWELL-HICKS www.atwell-hicks.com 866 850 4200	
SECTION 33 TOWN 3 NORTH, RANGE 11 EAST CITY OF ROCHESTER HILLS OAKLAND COUNTY	ARIZONA FLORIDA ILLINOIS MICHIGAN OHIO PENNSYLVANIA TENNESSEE	
	Engineering Surveying Planning	Environmental Ecological Water Resources