WATERMAIN EASEMENT

GULF NORTHBROOKE, L.L.C., a Michigan limited liability company, of 210 Town Center Drive, Troy, Michigan 48084 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:

SEE ATTACHED EXHIBIT "A" AND EXHIBIT "B"

Sidwell #s (15-33-128-003; and 15-33-128-004)

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); and MSA 7.456 (26) (a). The undersigned has hereunto affixed its signature on this $\frac{28^{th}}{200}$ day of _____

Gulf Northbrooke, L.L.C., a Michigan limited liability company

By: SRJ Land Company, LLC a Michigan limited liability company, Its: Member

By: SRJ-Management, Inc ∕a Michigan corporation Its: Manage

Scott R. Jacobson, President

STATE OF MICHIGAN)

COUNTY OF OAKLAND

) ss

The foregoing instrument was acknowledged before me this 📆 day of Scott R. Jacobson, the President of SRJ-Management, Inc., a Michigan corporation, as the Manager of SRJ Land Company LLC, a Michigan limited liability company, as the Member of Gulf Northbrooke, L.L.C., a Michigan limited liability company, on behalf of said company.

YCENNEUN YOUR NOTARY PUBLIC CAKLAND CO., M MY COMMISSION EXPIRES Mar 23, 2006

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

Oakland County, Michigan

My Commission Expires:

LUN I

APPROVED AS TO FORM 0 1,5 taron 7/22/04

Notary Public

2004.

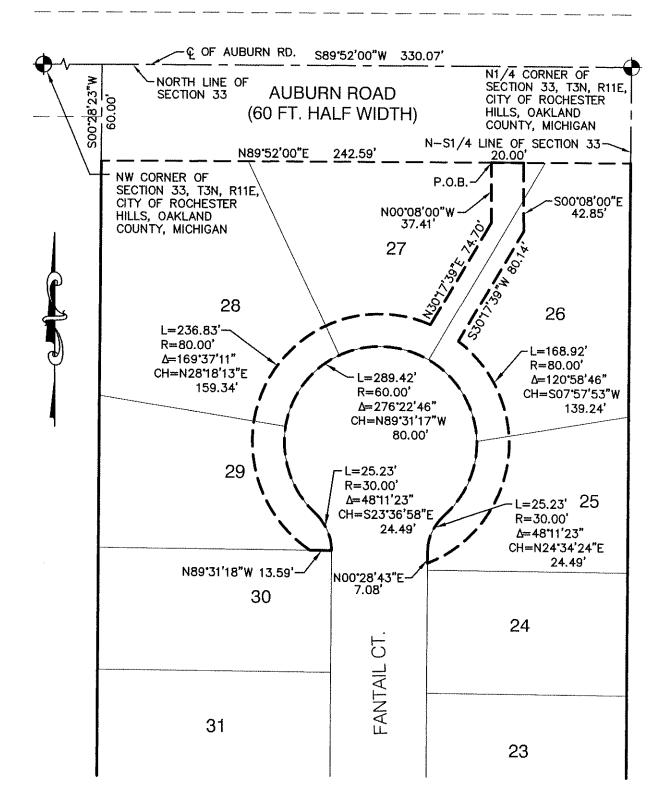
ROCHESTER HILLS COUNSEL

Drafted by: Judy Kennedy 2038 West Big Beaver Suite 100 Troy Michigan 48084

SKETCH OF WATER MAIN EASEMENT

16

Exhibit A



APPROVED RESC PACHESTER HILLS ENGINEERING DEPT. CE-17-04

SHEET 1 OF

EASEMENT WMO1

CLIENT ASPEN GROUP	PROJECT NO.	01-159
	DATE 5-21-04	
SCALE 1" = 60'	DRAWN BY B.J.S.	CHECKED BY R.L.H.



FAZAL KHAN AND ASSOCIATES, INC.

43345 SCHOENHERR ROAD STERLING HEIGHTS • MICHIGAN • 48313 PHONE (586) 739-8007

CIVIL ENGINEERS - LAND SURVEYORS

Exhibit A

12-03-03 BJS

01-159 NORTHBROOKE MEADOWS WATER MAIN EASEMENT-01

DESCRIPTION OF PROPERTY

PART OF THE E1/2 OF THE NW1/4 OF SECTION 33, T3N, R11E, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE N1/4 CORNER OF SECTION 33; THENCE S00°28'43"W 60.00 FEET ALONG THE N-S1/4 LINE OF SECTION 33 TO THE SOUTH RIGHT OF WAY OF AUBURN ROAD (60 FEET HALF WIDTH) AND FOR A POINT OF BEGINNING; THENCE S89°52'00"W 330.06 FEET ALONG THE SOUTH RIGHT OF WAY OF AUBURN ROAD (60 FEET HALF WIDTH); THENCE S00°28'23"W 863.99 FEET; THENCE S89°52'00"W 330.00 FEET TO THE EAST LINE OF "NORTHBROOKE - A SINGH DEVELOPMENT", PART OF NW1/4 OF SECTION 33, T3N, R11E, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, RECORDED IN LIBER 237 OF PLATS, PAGES 35, 36, 37, 38, 39 AND 40, OAKLAND COUNTY RECORDS; THENCE S00°28'23"W 949.34 FEET ALONG THE EAST LINE OF "NORTHBROOKE - A SINGH DEVELOPMENT", TO THE NORTH LINE OF "BELLE CONE GARDENS NO. 1", PART OF THE W1/2, SECTION 33, T3N, R11E, AVON TOWNSHIP (NOW CITY OF ROCHESTER HILLS), OAKLAND COUNTY, MICHIGAN, RECORDED IN LIBER 45 OF PLATS, PAGE 37, OAKLAND COUNTY RECORDS; THENCE N89°40'16"E 659.92 FEET ALONG THE NORTH LINE OF "BELLE CONE GARDENS NO. 1" AND TO THE N-S1/4 LINE OF SECTION 33, AS MONUMENTED BY "BELLE CONE GARDENS NO. 1"; THENCE N00°28'43"E 1811.09 FEET ALONG THE N-S1/4 LINE OF SECTION 33, TO THE SOUTH RIGHT OF WAY OF AUBURN ROAD (60 FEET HALF WIDTH) AND TO THE POINT OF BEGINNING. CONTAINING 910853 SQUARE FEET OR 20.9103 ACRES, MORE OR LESS.

SUBJECT TO RESTRICTIONS, RESERVATIONS AND EASEMENTS, IF ANY.

DESCRIPTION OF WATER MAIN EASEMENT

COMMENCING AT THE N1/4 CORNER OF SECTION 33; THENCE S89°52'00"W 330.07 FEET ALONG THE NORTH LINE OF SECTION 33 AND THE CENTERLINE OF AUBURN ROAD; THENCE S00°28'23"W 60.00 FEET; THENCE N89°52'00"E 242.59 FEET FOR A POINT OF BEGINNING; THENCE CONTINUING N89°52'00"E 20.00 FEET: THENCE S00°08'00"E 42.85 FEET; THENCE S30°17'39"W 80.14 FEET; THENCE 168.92 FEET ALONG THE ARC OF A 80.00 FOOT RADIUS CURVE TO THE RIGHT, A CENTRAL ANGLE OF 120°58'46" AND A CHORD BEARING S07°57'53"W 139.24 FEET; THENCE N00°28'43"E 7.08 FEET; THENCE 25.23 FEET ALONG THE ARC OF A 30.00 FOOT RADIUS CURVE TO THE RIGHT, A CENTRAL ANGLE OF 48°11'23" AND A CHORD BEARING N24°34'24"E 24.49 FEET; THENCE 289.42 FEET ALONG THE ARC OF A 60.00 FOOT RADIUS CURVE TO THE LEFT, A CENTRAL ANGLE OF 276°22'46" AND A CHORD BEARING N89°31'17"W 80.00 FEET; THENCE 25.23 FEET ALONG THE ARC OF A 30.00 FOOT RADIUS CURVE TO THE RIGHT, A CENTRAL ANGLE OF 48°11'23" AND A CHORD BEARING \$23°36'58"E 24.49 FEET; THENCE N89°31'18"W 13.59 FEET; THENCE 236.83 FEET ALONG THE ARC OF A 80.00 FOOT RADIUS CURVE TO THE RIGHT, A CENTRAL ANGLE OF 169°37'11" AND A CHORD BEARING N28°18'13"E 159.34 FEET; THENCE N30°17'39"E 74.70 FEET; THENCE N00°08'00"W 37.41 FEET TO THE POINT OF BEGINNING.

APPROVED PESC

ROCHESTER HILLS ENGINEERING DEPT

06-17-04

SHEET 2 OF 2

CLIENT ASPEN GROUP	PROJECT NO.	01-159
	DATE 05-21-04	
SCALE NONE	DRAWN BY B.J.S.	CHECKED BY R.L.H.



FAZAL KHAN AND ASSOCIATES, INC.

43345 SCHOENHERR ROAD STERLING HEIGHTS - MICHIGAN - 48313 PHONE (586) 739-8007

CIVIL ENGINEERS · LAND SURVEYORS

SKETCH OF WATER MAIN EASEMENT Exhibit B N1/4 CORNER OF SECTION 33, T3N, R11E, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN N-S1/4 LINE OF SECTION 33 9 45 8 46 S00"28"43"W 1871.09 L=10.03'7 R=280.00' Δ=02*03'06" GILSAM AVE. CH=S86"14'31"E 10.03 MILDRED AVE. 6 4 5 S89'40'16"W 289.96' P.O.B. S89'40'16"W 10.00' APPROVED DESC lours ROCHESTER HILLS ENGINEERING DEPT. 06-17-04

CLIENT ASPEN GROUP	PROJECT NO.	01-159
	DATE 5-21-04	
SCALE 1" = 60'	DRAWN BY B.J.S.	CHECKED BY R.L.H.



FAZAL KHAN
AND ASSOCIATES, INC.

SHEET 1 OF

2

43345 SCHOENHERR ROAD STERLING HEIGHTS - MICHIGAN - 48313 PHONE (588) 739-8007

CIVIL ENGINEERS · LAND SURVEYORS

EASEMENT WMOZ

Exhibit B

12-08-03 BJS CONTROLL TO THE TOTAL OF THE TO

DESCRIPTION OF PROPERTY

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APPHOVED DESC

Maco

ROCHESTER HILLS

ENGINEERING DEPT.

06-97-04

SHEET 2 OF 2

CLIENT ASPEN GROUP	PROJECT NO.	01-159
	DATE 05-21-04	
SCALE NONE	DRAWN BY B.J.S.	CHECKED BY R.L.H.

 F_{K_A}

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