

SANITARY SEWER EASEMENT

MEADOWBROOK ASSOCIATES, a Michigan co-partnership, the address of which is 2690 Crooks Road, Suite 400, Troy, Michigan 48084 (the "Grantor") grants to the **CITY OF ROCHESTER HILLS**, a Michigan municipal corporation, the address of which is 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309 (the "City"), an easement for the construction, operation, maintenance, repair and/or replacement of a sanitary sewer on, under, through and across land more particularly described on Exhibit A, attached hereto and made a part hereof.

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 sanitary sewer shall be restored by the City to its immediately prior condition. Grantor reserves the right to use the surface of the easement area for access to Grantor's property, including the right to construct thereon driveways and parking areas and to install landscaping. In the event the City disturbs any improvements installed by Grantor pursuant to the rights hereinabove reserved in connection with the construction, operation, maintenance, repair and/or replacement of the sanitary sewer easement by the City, the City shall be required to restore such improvements to its immediately prior condition, but shall not be required to restore any landscaping disturbed thereby.

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 sanitary sewer: (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, so long as the use of said parcel by others to whom Grantor grants such easements does not materially disturb the rights granted to the City hereunder.

Grantor reserves the right to relocate the easement area, provided that Grantor shall, at its sole expense, relocate the sanitary sewer and any affected facilities incidental thereto into the relocated easement area.

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 31st day of December, 2002.

IN THE PRESENCE OF:

Signature [Signature]
Print or type name: Jeffrey P. Thompson

MEADOWBROOK ASSOCIATES
a Michigan partnership

Signature [Signature]
Print or type name: Kathleen J. Plegge

By: Robert B. Aikens & Associates, L.L.C.,
a Michigan Limited Liability Company, Agent
By: MeadowBrook Properties, Inc.,
a Michigan Corporation,
Managing Member

APPROVED AS TO FORM
J. Staron 1/8/04
ROCHESTER HILLS COUNSEL

By: [Signature]
Patrick J. Finerty
Its: President

STATE OF MICHIGAN
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 31st day of December, 2002, by PATRICK J. FINERTY, the President of MeadowBrook Properties, Inc., on behalf of Meadowbrook Associates, a Michigan co-partnership.

Susan K Frank

, Notary Public
County, Michigan
My Commission Expires:

SUSAN K. FRANK
NOTARY PUBLIC MICHIGAN CO., MI
MY COMMISSION EXPIRES 12/31/2004
ACTING NOTARY PUBLIC

Drafted by:
Laurence E. Winokur, Esq.
38500 Woodward Avenue
Suite 100
Bloomfield Hills, MI 48304

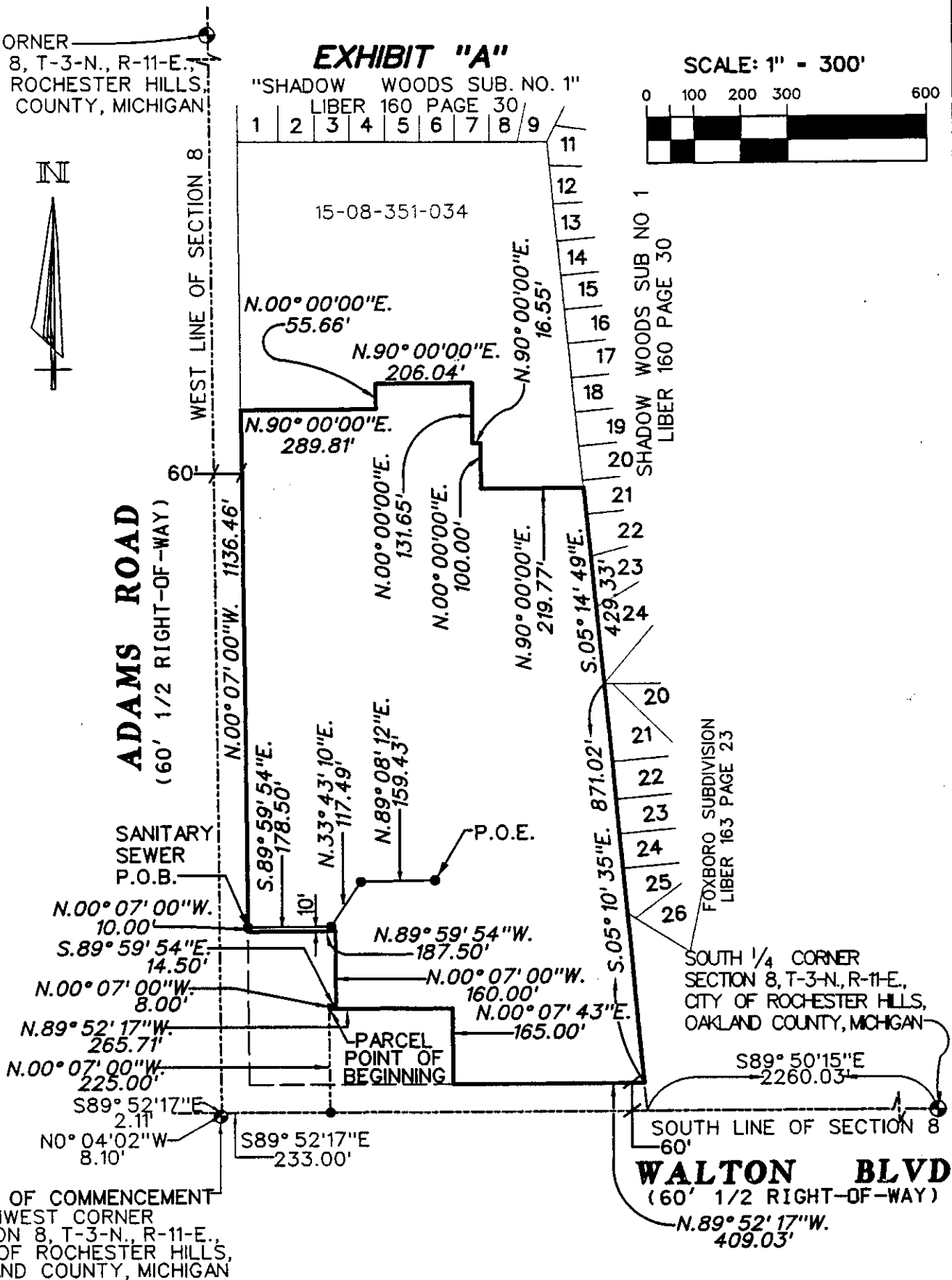
When recorded, return to:
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

WEST 1/4 CORNER
SECTION 8, T-3-N., R-11-E.,
CITY OF ROCHESTER HILLS,
OAKLAND COUNTY, MICHIGAN

EXHIBIT "A"

"SHADOW WOODS SUB. NO. 1"
LIBER 160 PAGE 30

SCALE: 1" = 300'



SANITARY SEWER EASEMENT DESCRIPTION

PART OF THE SOUTHWEST 1/4 OF SECTION 8,
T-3-N., R-11-E., CITY OF ROCHESTER HILLS,
OAKLAND COUNTY, MICHIGAN

Giffels-Webster Engineers Inc.
ENGINEERS-SURVEYORS-PLANNERS
2871 BOND STREET, ROCHESTER HILLS, MICHIGAN 48309
(248) 852-3100

DATE: 12/18/02	CKD. BY: JR	DATE: 8/01	SCALE 1" = 300'
DRAWN: T.S.			SHEET 1 OF 2
DESIGN: JC			
SECTION: 8	T-3-N., R-11-E.		GWE NO. 13213.25

EXHIBIT "A"
LEGAL DESCRIPTION

SITUATED IN THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN,
DESCRIBED AS:

A PART OF THE SOUTHWEST 1/4 OF SECTION 8, T-3-N., R-11-E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 8; THENCE N. 00° 04' 02" W., 8.10 FEET ALONG THE WEST LINE OF SAID SECTION 8; THENCE S. 89° 52' 17" E., 2.11 FEET TO A PROPERTY CONTROLLING CORNER AS ESTABLISHED IN LAND CORNER RECORDATION CERTIFICATE LIBER 6311, PAGE 700, OAKLAND COUNTY RECORDS; THENCE CONTINUING S. 89° 52' 17" E., 233.00 FEET; THENCE N. 00° 07' 00" W., 225.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N. 00° 07' 00" W., 8.00 FEET; THENCE S. 89° 59' 54" E., 14.50 FEET; THENCE N. 00° 07' 00" W., 160.00 FEET; THENCE N. 89° 59' 54" W., 187.50 FEET TO A POINT ON THE EASTERLY LINE OF ADAMS ROAD (VARIABLE WIDTH); THENCE N. 00° 07' 00" W., 1136.46 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE DUE EAST 289.81 FEET; THENCE DUE NORTH 55.66 FEET; THENCE DUE EAST 206.04 FEET; THENCE DUE SOUTH 131.65 FEET; THENCE DUE EAST 16.55 FEET; THENCE DUE SOUTH 100.00 FEET; THENCE DUE EAST 219.77 FEET TO A POINT ON A WESTERLY LINE OF "SHADOW WOODS SUB. NO. 1", AS RECORDED IN LIBER 160, PAGE 30 OF PLATS, OAKLAND COUNTY RECORDS; THENCE S. 05° 14' 49" E., 429.33 FEET ALONG THE PERIMETER OF SAID SUBDIVISION TO THE NORTHWEST CORNER OF "FOXBORO SUBDIVISION", AS RECORDED IN LIBER 163, PAGE 23 OF PLATS, OAKLAND COUNTY RECORDS; THENCE S. 05° 10' 35" E (RECORDED AS: S. 02° 48' 47" W., 871.02 FEET ALONG THE WESTERLY LINE OF SAID SUBDIVISION TO A POINT ON THE NORTHERLY LINE OF SAID WALTON BOULEVARD; THENCE N. 89° 52' 17" W., 409.03 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE N. 00° 07' 43" E., 165.00 FEET; THENCE N. 89° 52' 17" W., 265.71 FEET TO THE POINT OF BEGINNING.

**20 FOOT WIDE EASEMENT
FOR SANITARY SEWER**

A PART OF THE SOUTHWEST 1/4 OF SECTION 8, T-3-N., R-11-E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 8; THENCE THENCE N. 00° 04' 02" W., 8.10 FEET ALONG THE WEST LINE OF SAID SECTION 8; THENCE S. 89° 52' 17" E., 2.11 FEET TO A PROPERTY CONTROLLING CORNER AS ESTABLISHED IN LAND CORNER RECORDATION CERTIFICATE LIBER 6311, PAGE 700, OAKLAND COUNTY RECORDS; THENCE CONTINUING S. 89° 52' 17" E., 233.00 FEET; THENCE N. 00° 07' 00" W., 225.00 FEET THENCE CONTINUING N. 00° 07' 00" W., 8.00 FEET; THENCE S. 89° 59' 54" E., 14.50 FEET; THENCE N. 00° 07' 00" W., 160.00 FEET; THENCE N. 89° 59' 54" W., 187.50 FEET; THENCE N. 00° 07' 00" W., 10.00 FEET TO THE POINT OF BEGINNING; THE FOLLOWING 3 COURSES BEING ALONG THE CENTERLINE OF A 20 FOOT WIDE EASEMENT FOR SANITARY SEWER PURPOSES; THENCE S. 89° 59' 54" E., 178.50 FEET; THENCE N. 33° 43' 10" E., 117.49 FEET; THENCE N. 89° 08' 12" E., 159.43 FEET TO THE POINT OF ENDING.

APPROVED DESCRIPTION H-03
Mark Tolback
ROCHESTER HILLS
ENGINEERING DEPT.

SANITARY SEWER EASEMENT

PART OF THE SOUTHWEST 1/4 OF SECTION 8,
T-3-N., R-11-E., CITY OF ROCHESTER HILLS,
OAKLAND COUNTY, MICHIGAN

Giffels-Webster Engineers Inc. ENGINEERS-SURVEYORS-PLANNERS 2871 BOND STREET, ROCHESTER HILLS, MICHIGAN 48309 (248) 852-3100	DATE: 12/18/02	CKD. BY	DATE	SCALE N/A
	DRAWN: T.S.	JR	8/01	SHEET 2 OF 2
	DESIGN: JC			
	SECTION: 8	T-3-N., R-11-E.		GWE NO. 13213.25