

WATERMAIN EASEMENT

General Development Co. #8, LLC, a Michigan limited liability company of
28777 Northwestern Hwy., Ste. 150, Southfield, MI 48034

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 Exhibit "A"

Sidwell # 15-30-477-001

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 9 day of September, 2004.

IN THE PRESENCE OF:

General Development Company #8, LLC

Signature *Doniele Hooks*
Print or type name: Doniele Hooks

[Signature]
Signature

Signature *Donal Deuel*
Print or type name:

Bruce Brickman
(Print Name)
Manager
Title

STATE OF MICHIGAN
COUNTY OF Oakland

The foregoing instrument was acknowledged before me this 9 day of September, 2004 by Bruce Brickman, Manager, who is a member of General Development Co. #8, LLC, a Michigan limited liability company, on behalf of the company.

Drafted by:
Bruce Brickman
General Development Co. #8, LLC
28777 Northwestern Hwy., Ste. 150
Southfield, MI 48034 (248) 357-3777
When recorded, return to:

Doniele Hooks

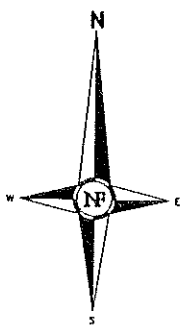
Notary Public
County, Michigan

My Commission Expires:
DONIELE HOOKS
Notary Public, Oakland County, MI
My Commission Expires 10-05-07

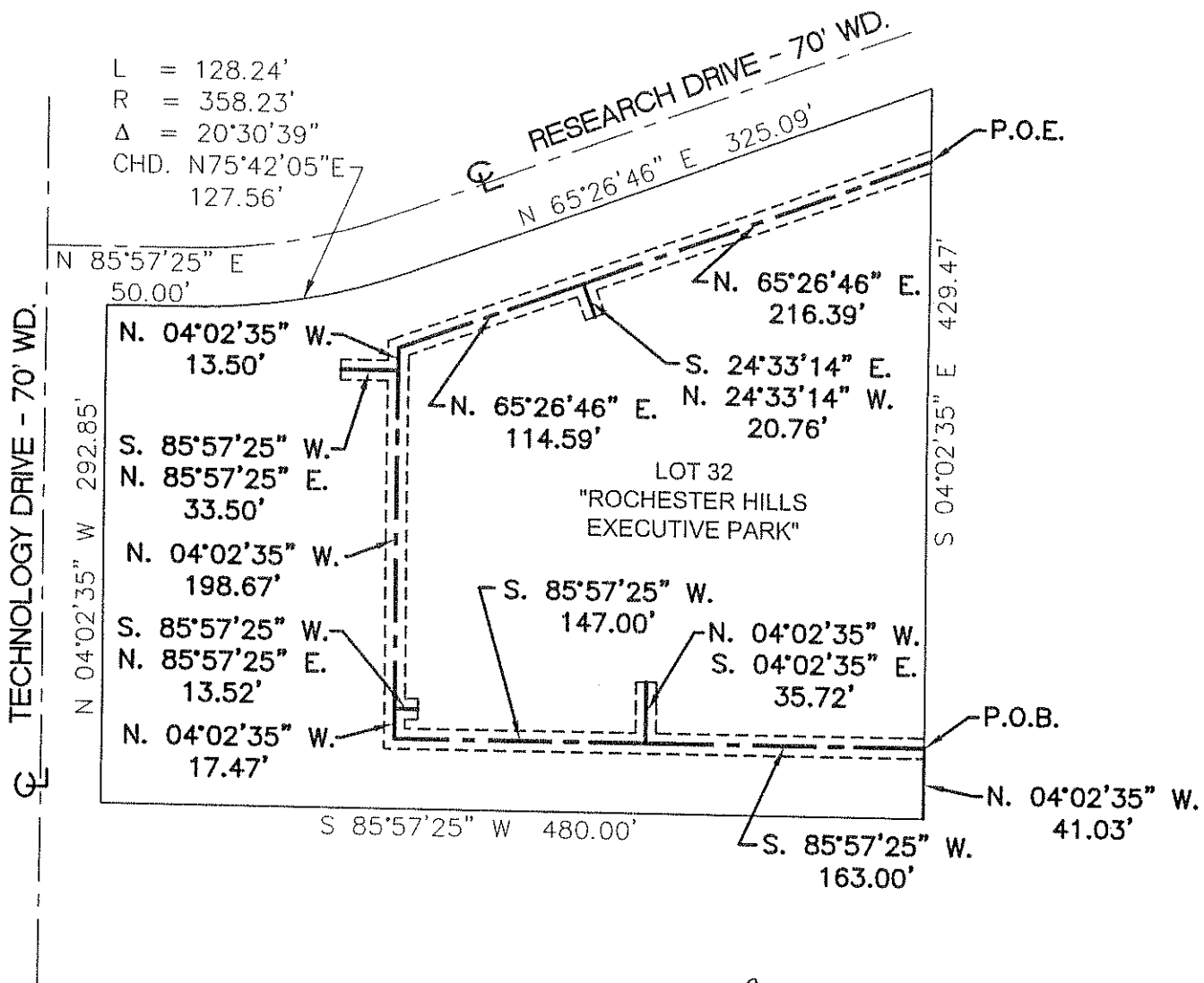
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

Exhibit A

20' WIDE WATER MAIN EASEMENT



L = 128.24'
 R = 358.23'
 Δ = 20°30'39"
 CHD. N75°42'05"E
 127.56'



*OK per John Staron
 10-6-04*

APPROVED DESC

M. Law
 ROCHESTER HILLS
 ENGINEERING DEPT.
 09-13-04

NF NOWAK & FRAUS

Consulting Engineers • Land Surveyors • Land Planners
 46777 Woodward Avenue
 Pontiac, Michigan 48342
 Tel. (248) 332-7931
 Fax. (248) 332-8257

SCALE: 1" = 100' DATE: 08/31/04 DRAWN: JMR JOB No.: 5-D311 SHEET: 1 of 2

Exhibit A

20' WIDE WATER MAIN EASEMENT

LEGAL DESCRIPTION - LOT 32

A parcel of land described as Lot 32 of Rochester Hills Executive Park of part of the Southwest 1/4 of Section 29 and the Southeast 1/4 of Southeast 1/4 of Section 30, T. 3 N., R. 11 E., City of Rochester Hills, Oakland County, Michigan, according to the plat thereof recorded in Liber 199 of Plats, pages 26, 27, 28, 29 and 30, Oakland County Records, being more particularly described as: Commencing at the East 1/4 corner of said Section 30, said point being also the West 1/4 corner of said Section 29; thence S. 01°33'06" E., 9.72 feet along the West line of said Section 29; thence along the South line of the Grand Trunk Western Railroad (also being the Northerly line of lots 14 through 18 inclusive of said Rochester Hills Executive Park) S. 65°26'46" W., 919.21 feet to a point on the Easterly line of Technology Drive (70 feet wide) said point also being the Northwest corner of said lot 14; thence continuing Southerly along the West line of said lot 14 and east line of said Technology Drive 142.79 feet along an arc of a curve to the right (radius 398.87 feet central angle 20° 30' 39" long chord bears S. 14°17'54" E., 142.03 feet); thence continuing Southerly along said West line of lot 14 and said East line of Technology Drive S. 04°02'35" E., 202.87 feet to a point on the South line of Research Drive (70 feet wide) said point being the Northwest corner of said lot 32 and the point of beginning; thence Easterly along the Southerly right-of-way of said Research Drive the following three (3) courses: (1) N. 85°57'25" E., 50.00 feet; and (2) 128.24 feet along the arc of a curve to the left (radius 358.23 feet, central angle 20°30'39", long chord bears N. 75°42'05" E., 127.56 feet); and (3) N. 65°26'46" E., 325.09 feet to the Northeast corner of said lot 32; thence Southerly along the Easterly line of said lot 32 S. 04°02'35" E., 429.47 feet to the Southeast corner of said lot 32 S. 85°57'25" W., 480.00 feet to a point on the Easterly line of said Technology Drive said point also being the Southwest corner of said lot 32; thence Northerly along the Easterly line of said Technology Drive N. 04°02'35" W., 292.85 feet to the point of beginning. Containing 165,764 square feet or 3.805 acres and subject to easements and restrictions of record.

LEGAL DESCRIPTION - WATER MAIN EASEMENT

Land for the purpose of a 20 foot wide easement for water main lying in the aforementioned Lot 32 of Rochester Hills Executive Park, the centerline of which being described as: Commencing at the southeast corner of said Lot 32, thence N. 04°02'35" W., 41.03 feet to the Point of Beginning; thence S. 85°57'25" W., 163.00 feet; thence N. 04°02'35" W., 35.72 feet; thence S. 04°02'35" E., 35.72 feet; thence S. 85°57'25" W., 147.00 feet; thence N. 04°02'35" W., 17.47 feet; thence N. 85°57'25" E., 13.52 feet; thence S. 85°57'25" W., 13.52 feet; thence N. 04°02'35" W., 198.67 feet; thence S. 85°57'25" W., 33.50 feet; thence N. 85°57'25" E., 33.50 feet; thence N. 04°02'35" W., 13.50 feet; thence N. 65°26'46" E., 114.59 feet; thence S. 24°33'14" E., 20.76 feet; thence N. 24°33'14" W., 20.76 feet; thence N. 65°26'46" E., 216.39 feet to the Point of Ending.

APPROVED *DESC*

M. Taus

ROCHESTER HILLS
ENGINEERING DEPT.

09-13-04



NOWAK & FRAUS

Consulting Engineers • Land Surveyors • Land Planners

46777 Woodward Avenue
Pontiac, Michigan 48342

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