

WATER MAIN EASEMENT

On the 17th day of May, 2011, Shelton Land LLC, a Michigan limited liability company, whose address is 855 S. Rochester Road, Rochester Hills, Michigan 48307, 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 water main on, under through and across land more particularly described as:

See Attached Exhibit "A" and "B"
Sidwell #70-15-14-351-065

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the water main, 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 water main 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 the Grantor's successors and assigns, so long as there is no interference with the construction, operation, maintenance, repair and/or replacement of the water main: (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)

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 8 day of July, 2011.

IN THE PRESENCE OF:
Signature [Signature]
Print or type name: REBECCA CROWELL

Shelton Land LLC
[Signature]
Signature
RUSSELL M. SHELTON
(Print Name)
SOLE MEMBER
Title

Signature _____
Print or type name: _____

Signature _____
Print or type name: _____

Signature _____
(Print Name) _____
Title _____

Signature _____
Print or type name: _____

STATE OF MICHIGAN
COUTNY OF OAKLAND

The foregoing instrument was acknowledged before me this 8 day of July, 2011, by Russell M. Shelton, who is a member of Shelton Land LLC, a Michigan limited liability company, on behalf of the company.

Drafted by:
Spalding DeDecker & Associates, Inc.
905 South Boulevard East
Rochester Hills, Michigan 48307

8/4/11
John Staran
approved

[Signature]
, Notary Public
Oakland County, Michigan
My Commission Expires: 8-3-14

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

NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES AUG 3, 2014
ACTING IN COUNTY OF Oakland

EXHIBIT A

LEGAL DESCRIPTION OF OVERALL PARCEL:

(PER SPALDING DEDECKER ASSOCIATES, INC. SITE PLAN, SHEET C1.1)
SIDWELL #70-15-14-351-065

A PARCEL OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 14, T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, SAID PARCEL ALSO BEING COMPRISED OF PARTS OF LOTS 19, 20, 21 AND 22 OF "HEATHERWOOD VILLAGE No. 1" (AS RECORDED IN LIBER 172 OF PLATS, PAGES 23 TO 26, OAKLAND COUNTY RECORDS); SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 14, THENCE ALONG THE WEST SECTION LINE, N00°14'16"E 643.39 FEET; THENCE S89°45'44"E 60.00 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF ROCHESTER ROAD (EAST 1/2 BEING 60 FEET WIDE), N00°14'16"E 400.00 FEET; THENCE S89°43'25"E 540.00 FEET TO THE WEST LINE OF "HEATHERWOOD VILLAGE No. 1" (AS RECORDED IN LIBER 172 OF PLATS, PAGES 23 TO 26, OAKLAND COUNTY RECORDS); THENCE CONTINUING S89°43'25"E 2.20 FEET; THENCE S00°51'33"E 400.08 FEET; THENCE N89°43'25"W 549.86 FEET TO THE POINT OF BEGINNING. CONTAINING 5.0141 ACRES SUBJECT TO AND TOGETHER WITH ALL EASEMENTS, EXCEPTIONS, CONDITIONS, RESERVATIONS AND RESTRICTIONS CONTAINED IN PRIOR CONVEYANCES OF RECORD OR OTHERWISE.

TAX PARCEL ID No. 15-14-351-065.

LEGAL DESCRIPTION OF WATER MAIN EASEMENT (20 FEET WIDE):

AN EASEMENT FOR THE INSTALLATION, OPERATION, AND MAINTENANCE OF WATER MAINS. 20 FEET IN WIDTH. LOCATED IN THE SOUTHWEST 1/4 OF SECTION 14, T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, THE CENTERLINE OF SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 14, THENCE N00°14'16"E 643.39 FEET, ALONG THE WEST LINE OF SAID SECTION 14, THENCE S89°45'44" E 60.00 FEET, THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF ROCHESTER ROAD (EAST 1/2 BEING 60 FEET WIDE), N00°14'16" E 191.37 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE DUE EAST 38.75 FEET; THENCE S45°00'00"E 13.26 FEET; THENCE DUE EAST 31.71 FEET TO REFERENCE POINT "A"; THENCE DUE EAST 217.88 FEET TO REFERENCE POINT "B"; THENCE DUE EAST 22.42 FEET; THENCE N45°00'00"E 122.09 FEET; THENCE DUE NORTH 91.13 FEET TO REFERENCE POINT "C"; THENCE DUE NORTH 9.49 FEET; THENCE N45°00'00"E 25.19 FEET; THENCE DUE NORTH 11.20 FEET TO THE POINT OF ENDING ON THE NORTH PROPERTY LINE.

ALSO: BEGINNING AT THE ABOVE MENTIONED POINT "A";
THENCE DUE NORTH 28.32 FEET TO THE POINT OF ENDING.

ALSO: BEGINNING AT THE ABOVE MENTIONED POINT "B";
THENCE DUE NORTH 32.89 FEET TO THE POINT OF ENDING.

ALSO: BEGINNING AT THE ABOVE MENTIONED POINT "C";
THENCE DUE WEST 15.00 FEET TO THE POINT OF ENDING.

Mike Taunt
Approved 8/8/11

Spalding DeDecker
Associates, Inc.



**SPALDING DeDECKER
ASSOCIATES, INC.**

ENGINEERS SURVEYORS

905 SOUTH BLVD. EAST
ROCHESTER HILLS, MI 48307

PH: (248) 844-5400 FAX: (248) 844-5404

www.spaldingdedecker.com

DRAWN: DMS

DATE: 07-06-11

CHECKED: JD

DATE: 07-06-11

MANAGER: JD

SCALE: NO SCALE

JOB No. NP10-083

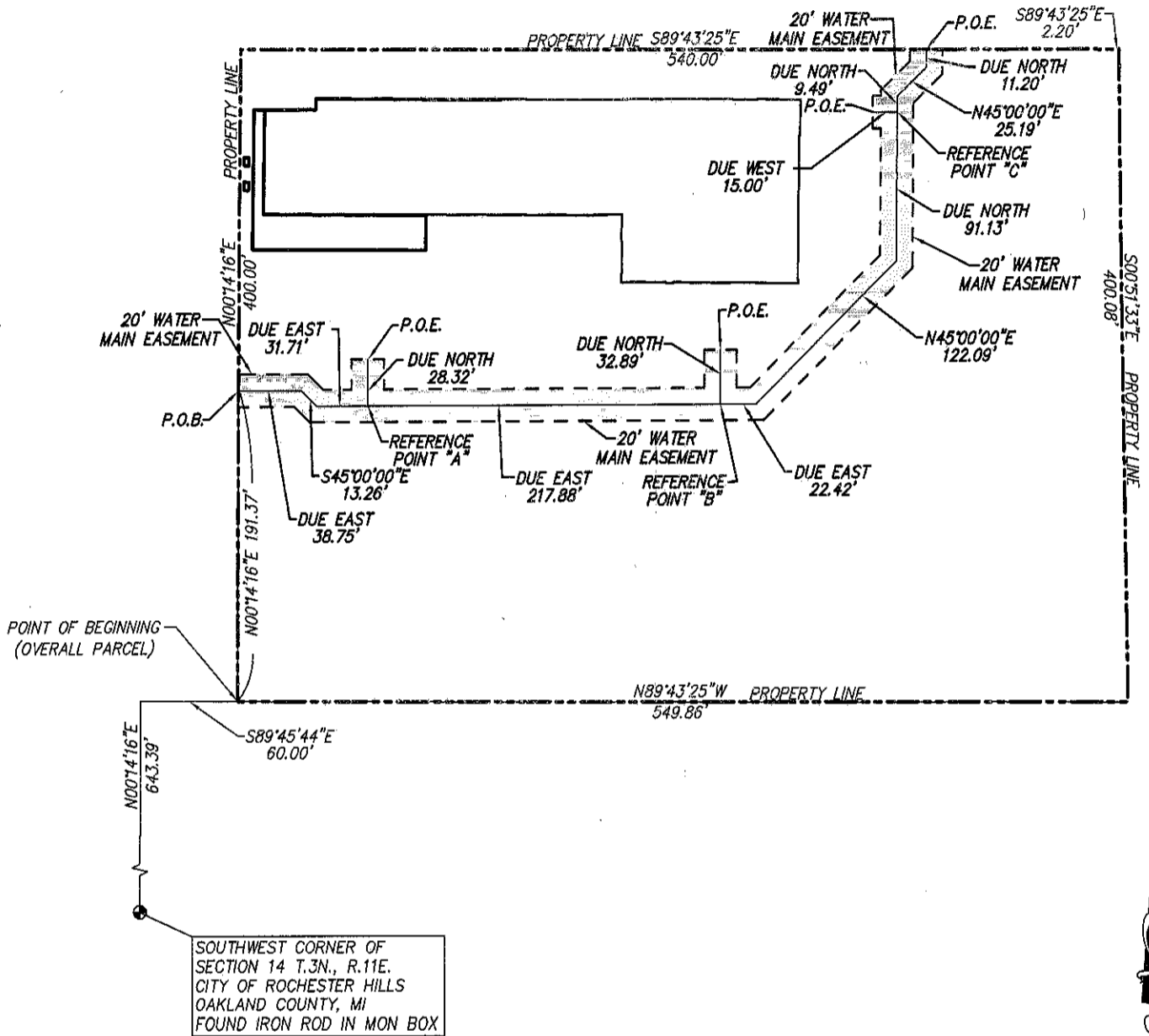
SHEET: 1 OF 1

SECTION 14 TOWN 3 NORTH RANGE 11 EAST

CITY OF ROCHESTER HILLS

OAKLAND COUNTY, MI

EXHIBIT B



Mike Taurt
Approved
8/8/11

LEGEND	
-----	PROPOSED 20' WATER MAIN EASEMENT
—————	CENTERLINE OF PROPOSED WATER MAIN



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DRAWN: DMS	DATE: 07-06-11
CHECKED: JD	DATE: 07-06-11
MANAGER: JD	SCALE: 1" = 100'
JOB No. NP10-083	SHEET: 1 OF 1
SECTION 14 TOWN 3 NORTH RANGE 11 EAST	
CITY OF ROCHESTER HILLS. OAKLAND COUNTY, MI	