

PEDESTRIAN-BICYCLE PATHWAY EASEMENT

SINGH IV LIMITED PARTNERSHIP

a MICHIGAN LIMITED PARTNERSHIP corporation, of

7125 ORCHARD LAKE RD., STE. 200, WEST BLOOMFIELD, MI 48322

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, and public use of a pedestrian-bicycle pathway over, on, through and across land more particularly described as:

SEE EXHIBIT A

Sidwell # 15-10-226-043

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the pedestrian-bicycle pathway, 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 pedestrian-bicycle pathway 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, and public use of the pedestrian-bicycle pathway: (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 18th day of AUGUST, 2004.

SINGH GENERAL CORP., A MICHIGAN CORPORATION, GENERAL PARTNER OF SINGH IV LIMITED PARTNERSHIP, A MICHIGAN LIMITED PARTNERSHIP

IN THE PRESENCE OF:

Signature David Zaitchik
Print or type name: DAVID ZAITCHIK

Signature Lushman S. Grewal
Print Name: LUSHMAN S. GREWAL
Title: VICE PRESIDENT

Signature Jane Dietrich
Print or type name: Jane Dietrich

Signature _____
Print or type name: _____

Signature _____
Print Name: _____
Title: _____

Signature _____
Print or type name: _____

STATE OF MICHIGAN
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 18th day of August, 2004, by LUSHMAN S. GREWAL, who is the VICE PRESIDENT of SINGH GENERAL CORP., a MICHIGAN corporation, on behalf of the corporation, GENERAL PARTNER OF SINGH IV LIMITED PARTNERSHIP, A MICHIGAN LIMITED PARTNERSHIP.

Drafted by:

LARRY KILGORE
7125 ORCHARD LAKE RD., STE. 200
WEST BLOOMFIELD, MI 48322

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

Signature Jane Dietrich
Print Name: Jane Dietrich, Notary Public
City: Oakland County, Michigan
My Commission Expires: 06/08/2005

EXHIBIT A

LEGAL DESCRIPTION

WALTONWOOD AT MAIN

Land situated in the City of Rochester Hills, Oakland County, Michigan described as:

A part of the Northeast 1/4 of Section 10, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan; more particularly described as commencing at the Northeast Corner of said Section 10; thence South 01°00'00" West, 825.23 feet, along the East Line of said Section 10 and the Centerline of Rochester Road, to the point of beginning; thence continuing South 01°00'00" West, 322.78 feet, along the East Line of said Section 10 and the centerline of said Rochester Road; thence North 89°10'00" West, 716.13 feet, to a point on the Easterly line of "North Hill Subdivision", as recorded in Liber 78 of Plats, on Pages 36 and 37, Oakland County Records; thence North 01°37'57" East, 323.20 feet, along the Easterly line of the platted right-of-way of Pine Street and the Easterly Line of Lot 61, of said "North Hill Subdivision" (recorded as South 01°30'40" West), to the Northeast corner of said Lot 61; thence South 89°08'07" East, 712.56 feet, along the Southerly Line of Lot 60 and Lot 1 of said "North Hill Subdivision" and an extension thereof (recorded as North 89°10' West), to the point of beginning. All of the above containing 5.296 Acres, all of the above being subject to the rights of the public in Rochester Road and Pine Street.

Property Tax I.D. Number: 15-10-226-043

APPROVED *DESC*
M. [Signature]
ROCHESTER HILLS
ENGINEERING DEPT.
10-13-04

*OK'd by
J. Johnson
10-27-04*

EXHIBIT A 1 OF 2

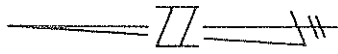
July 30, 2004
Job. No. 95-026
Waltonwood at Main

10' WIDE EASEMENT FOR BICYCLE-PEDESTRIAN PATHWAY LEGAL DESCRIPTION

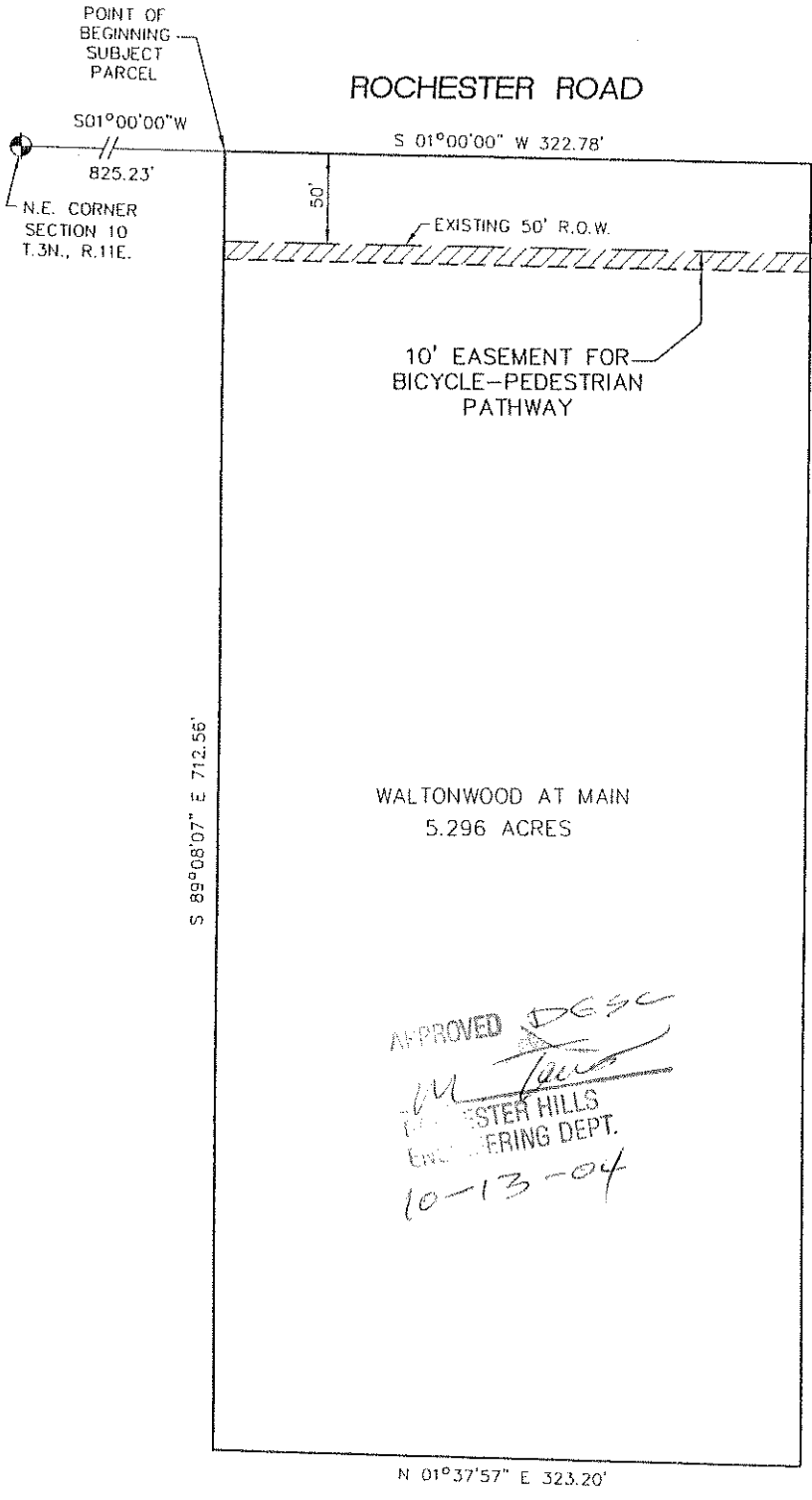
A 10 foot wide easement for bicycle-pedestrian pathway described as the Westerly 10 feet of the Easterly 60 feet of the following described parcel; a part of the Northeast 1/4 of Section 10, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan; more particularly described as commencing at the Northeast Corner of said Section 10; thence South 01°00'00" West, 825.23 feet, along the East line of said Section 10 and the centerline of Rochester Road, to the POINT OF BEGINNING; thence continuing South 01°00'00" West, 322.78 feet, along the East line of said Section 10 and the centerline of said Rochester Road; thence North 89°10'00" West, 716.13 feet, to a point on the Easterly line of "North Hill Subdivision", as recorded in Liber 78 of Plats, on Pages 36 and 37, Oakland County Records; thence North 01°37'57" East, 323.20 feet, along the Easterly line of the platted right-of-way of Pine Street and the Easterly line of Lot 61, of said "North Hill Subdivision" (recorded as South 01°30'40" West), to the Northeast corner of said Lot 61; thence South 89°08'07" East, 712.56 feet, along the Southerly line of Lot 60 and Lot 1 of said "North Hill Subdivision" and an extension thereof (recorded as North 89°10' West), to the POINT OF BEGINNING. All of the above containing 5.296 Acres. All of the above being subject to easements, restrictions, and right-of-ways of record. All of the above being subject to the rights of the public in Rochester Road and Pine Street.

APPROVED *DES*
M. Carr
ROCHESTER HILLS
ENGINEER
10-13-04

EXHIBIT A 20FL



ROCHESTER ROAD



APPROVED Desc
M. Jones
 ROCHESTER HILLS
 ENGINEERING DEPT.
 10-13-04

10' EASEMENT FOR BICYCLE-PEDESTRIAN PATHWAY



SEIBER, KEAST &
 ASSOCIATES, INC.
 CONSULTING ENGINEERS



MILLETICS AND
 ASSOCIATES, L.L.C.
 LAND SURVEYORS

40395 GRAND RIVER AVENUE SUITE 110 NOV, MI 48375-2123
 (248) 473-7880

WALTONWOOD AT MAIN
 SECTION 10, T.3N., R.11E.,
 CITY OF ROCHESTER HILLS
 OAKLAND COUNTY, MICHIGAN

SCALE:	1" = 80'
DATE:	7-29-2004
JOB NO.:	95-026
DWG FILE:	95-026EE
DRAWN BY:	KAL
CHECK:	P.K.
SHEET:	1 OF 1