

HIGHWAY EASEMENT

KNOW ALL PERSONS that Ronald and Donna Brewer, husband and wife ("Grantor(s)), whose address is 40030 Grand River Avenue, Novi, MI 48375, party of the first part, for and in consideration of the sum of \$7,700.00 paid to Grantor(s) by the City of Rochester Hills (A Michigan Municipal Corporation), party of the second part, whose address is 1000 Rochester Hills Drive, Rochester Hills, Michigan, 48309-3033, do hereby grant(s) to the **City of Rochester Hills ("City")**, a Michigan Municipal Corporation, located at 1000 Rochester Hills Drive, Rochester Hills, Michigan, 48309-3033 an easement for all public highway purposes ("Highway Easement") and to construct, operate, maintain, repair, and/or replace roadways, utilities, and other infrastructure improvements in, over, under, upon, and through the following described premises ("Property") situated in the City of Rochester Hills, County of Oakland, State of Michigan.

Commonly known as: 1050 W. Hamlin Rd. (Part of) Tax Parcel No.: 15-21-477-023


**SEE PARCEL DRAWING, ATTACHED AS EXHIBIT "A," AND
LEGAL DESCRIPTION, ATTACHED AS EXHIBIT "B,"
BOTH OF WHICH ARE INCORPORATED BY REFERENCE HEREIN**

This Highway Easement includes, but is not limited to, the consent of the Grantor(s) to the removal of any trees, shrubs, and/or vegetation, to grading, to the occupancy of the Property by public utilities, and to other matters which, in the sole discretion of the City, may be necessary in connection with all public highway purposes and the construction, operation, maintenance, repair, and/or replacement of roadways, utilities, and other infrastructure improvements in, over, under, upon, and through the Property. Grantor(s) waive(s) further notice of such actions.

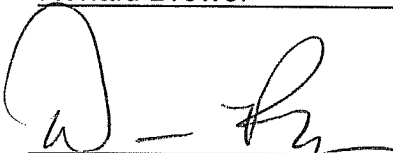
The premises so disturbed by reason of the exercise of any of the foregoing powers shall be restored to substantially the condition that existing prior to construction by the party of the second part.

This Highway Easement runs with the land and shall bind the Grantor(s) and the Grantor(s)'s heirs, representatives, successors, and assigns. This Highway Easement contains the entire understanding of the Grantor(s) and the City, and there are no other verbal promises between the Grantor(s) and the City except as shown herein.

IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures this 17th day of June, A.D. 2008.

By: 

Ronald Brewer

By: 

Donna Brewer

RIGHT OF WAY ACQUISITION DESCRIPTION

Exhibit "B"

PARCEL DESCRIPTION

Parent Parcel

A parcel of land being part of the SE 1/4 of Section 21, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, more particularly described as:
 Beginning at the SE corner of said Section 21; thence S 89°22'20" W 360.00 feet; thence North 324.30 feet; thence East 359.98 feet; thence South 320.36 feet to the Point of Beginning. Subject to 60 foot Highway easement in favor of Board County Road Commissioner of the County of Oakland, recorded in Liber 5910, Pages 249 and 254 and in Liber 5904, Page 785, Oakland County records.
 Contains 116,032 sq. ft. or 2.664 acres of land. Subject to all easements and restrictions of records, if any.

Right of Way Acquisition

A parcel of land being part of the SE 1/4 of Section 21, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, more particularly described as:
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 Contains 1,400 sq. ft. or 0.032 acres of land. Subject to all easements and restrictions of records, if any.

Remainder Parcel

A parcel of land being part of the SE 1/4 of Section 21, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, more particularly described as:
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 Contains 114,632 sq. ft. or 2.632 acres of land. Subject to all easements and restrictions of records, if any.

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An 8 foot wide easement for public utilities, being part of the SE 1/4 of Section 21, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, more particularly described as:
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 Contains 8,178 sq. ft. or 0.188 acres of land. Subject to all easements and restrictions of records, if any.

REVISED 03-27-08

PROJECT PARCEL NO.: H-17 TAX ID NO. 15-21-477-023

HAMLIN ROAD RIGHT OF WAY ACQUISITION

PART OF SE 1/4 OF SECTION 21,
T 3 N, R 11 E, CITY OF ROCHESTER HILLS,
OAKLAND COUNTY, MICHIGAN



ORCHARD, HILTZ & McCLIMENT, INC.
34000 PLYMOUTH ROAD LIVONIA, MI 48150
P: 734.522.6711 F: 734.522.6427

DATE:	12-26-07	SHEET	OHM PROJECT NO.
DRAWN BY:	SH	2 OF 2	190-96-021
DWG:	H-17		

TAX ID NO.:	15-21-477-023
CLIENT:	CITY OF ROCHESTER HILLS, MI

**CONSENT TO EASEMENT GRANT
AND SUBORDINATION OF LIEN**

Project: Hamlin Rd.

Parcel No: H-17

For and in consideration of \$1.00 (One Dollar), receipt of which is hereby acknowledged, the undersigned Comerica Bank, Mortgagee, whose Mortgages are dated July 30, 1999 and recorded in Liber 20880, Page 710; and dated May 10, 2004 and recorded in Liber 33528 Page 543, of Oakland County Records, does hereby subordinate its liens and consents to the granting of a Highway Easement, to the City of Rochester Hills, a Michigan Municipal Corporation, 1000 Rochester Hills Dr., Rochester Hills Michigan, 48309-3033, an easement for all public Highway purposes ("Highway Easement") and to construct, operate, maintain, repair, and or replace roadways, utilities, and other infrastructure improvements in, over, under, upon, and through the following described premises ("Property") situated in the City of Rochester Hills, County of Oakland, State of Michigan.

Commonly known as: 1050 W. Hamlin Rd. (Part of) Tax Parcel No.: 15-21-477-023

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LEGAL DESCRIPTION, ATTACHED AS EXHIBIT "B,"
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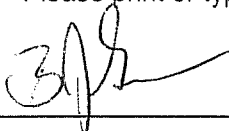
If the said premises shall be disturbed by reason of the exercise of any of the foregoing powers, then said premises shall be restored to substantially the condition that existed prior to the contractors entering upon said premises.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns.

IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures this
16 day of JUNE, A.D. 2008.

By: 

* RICHARD READ
* Please print or type name in Black Ink

By: 

* B.J. GRESS
* Please print or type name in Black Ink

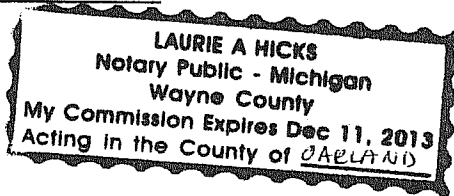
COUNTY OF OAKLAND)
STATE OF MICHIGAN) SS

On this 16th day of June, 2008, RICHARD M. READ executed the foregoing document before me and, being duly sworn, stated that he/she is the Vice President of Comerica Bank, a _____, and that he/she executed the foregoing document on behalf of _____ with its full authority and as its free act and deed.

Notary Public:

* Laurie A. Hicks

My commission expires: 12-11-2013
WAYNE County, Michigan
Acting in the County of Oakland



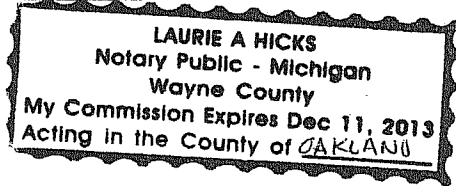
COUNTY OF OAKLAND)
STATE OF Michigan) SS

On this 16th day of June, 2008, BRUCE J. GRESS executed the foregoing document before me and, being duly sworn, stated that he/she is the Senior Vice President of Comerica Bank, a _____, and that he/she executed the foregoing document on behalf of _____ with its full authority and as its free act and deed.

Notary Public:

* Laurie A. Hicks

My commission expires: 12-11-2013
WAYNE County, Michigan
Acting in the County of Oakland



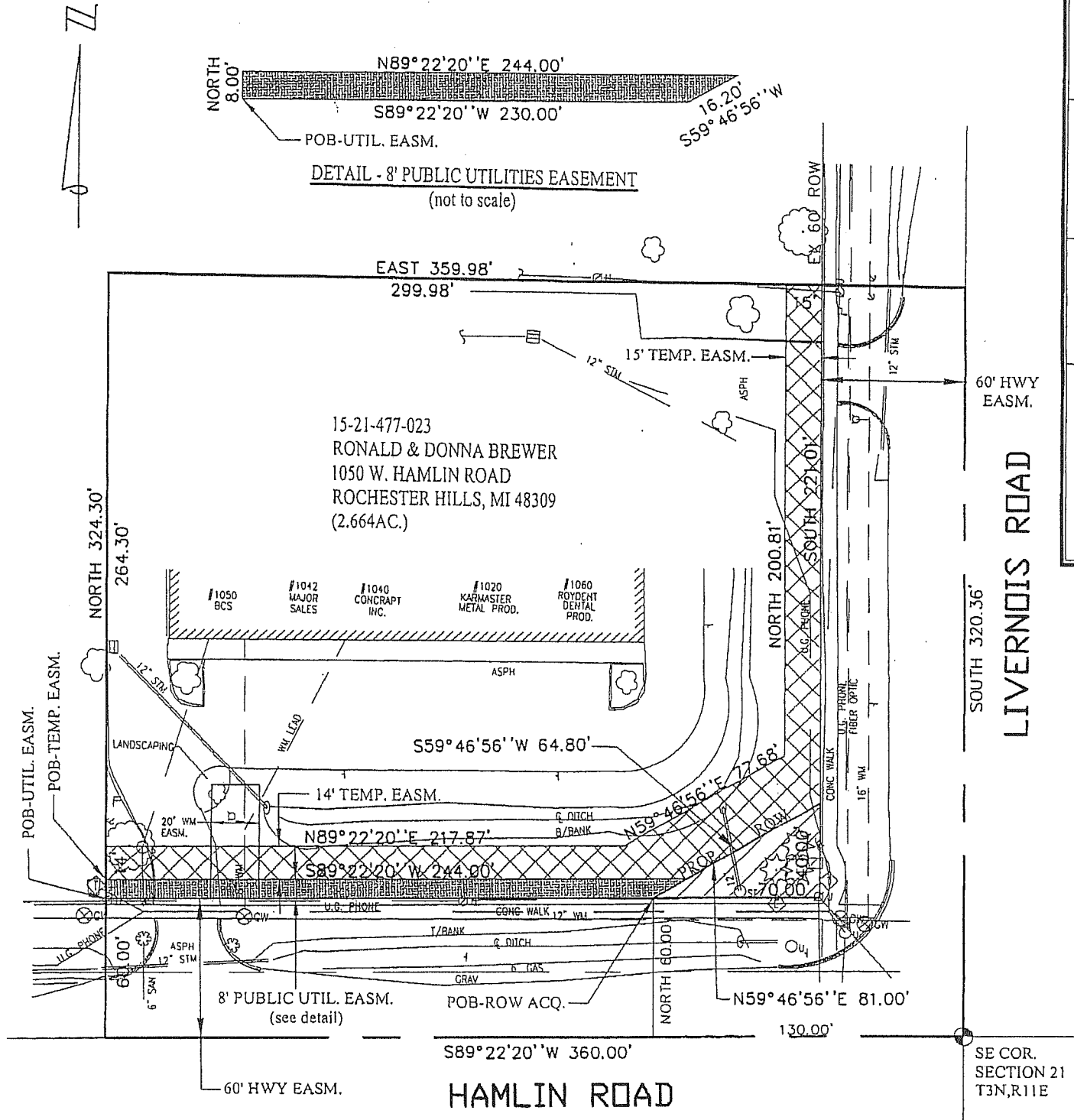
Drafted by:
Walter H. Alix, P.E., P.S.
Hubbell, Roth & Clark, Inc.
555 Hulet Dr.
P.O. Box 524
Bloomfield Hills, Michigan 48303-0824

When recorded return to:
City Clerk
City of Rochester Hills
1000 Rochester Hills Dr.
Rochester Hills, Michigan 48309-3033

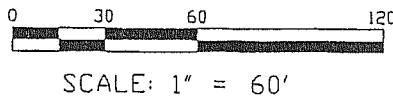
RIGHT OF WAY ACQUISITION SKETCH

Exhibit "A"

PROJECT PARCEL NO.: H-17 TAX ID NO. 15-21-477-023



PARCEL IS SUBJECT TO:
 -WATER MAIN EASEMENT, L.10018,P.327,OCR.
 -SANITARY SEWER EASEMENT, L.5547,P.864-865,OCR.
 -RIGHT OF WAY IN FAVOR OF DETROIT EDISON CO., L.7123,P.459,OCR.
 -HIGHWAY EASEMENT IN FAVOR OF OAKLAND COUNTY ROAD COMMISSIONER, L.5910,P.249,254,L.5904,P.785,OCR.



LEGEND	
ROW	RIGHT-OF-WAY
	PUBLIC LAND CORNER
POB	POINT OF BEGINNING
	RIGHT OF WAY ACQUISITION
	TEMPORARY EASEMENT
	PUBLIC UTILITIES EASEMENT

REVISED 03-27-08

LAND AREAS

PARENT PARCEL	= 2.664 ACRES (116,032 SQ. FEET)
RIGHT OF WAY ACQUISITION	= 0.032 ACRES (1,400 SQ. FEET)
REMAINDER	= 2.632 ACRES (114,632 SQ. FEET)

HAMLIN ROAD RIGHT OF WAY ACQUISITION		 ORCHARD, HILTZ & McCLIMENT, INC. 34000 PLYMOUTH ROAD LIVONIA, MI 48150 P: 743.522.6711 F: 734.522.6427	
PART OF SE 1/4 OF SECTION 21, T 3 N, R 11 E, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN		DATE: 12-26-07	SHEET
TAX ID NO.: 15-21-477-023		DRAWN BY: SH	OHM PROJECT NO.
CLIENT: CITY OF ROCHESTER HILLS, MI		DWG: HM17	1 OF 2 190-96-021

RIGHT OF WAY ACQUISITION DESCRIPTION

Exhibit "B"

PARCEL DESCRIPTION

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REVISED 03-27-08

PROJECT PARCEL NO.: H-17 TAX ID NO. 15-21-477-023

HAMLIN ROAD RIGHT OF WAY ACQUISITION			
PART OF SE 1/4 OF SECTION 21, T 3 N, R 11 E, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN		<small>ORCHARD, HILTZ & McCLIMENT, INC. 34000 PLYMOUTH ROAD LIVONIA, MI 48150 P: 734.522.6711 F: 734.522.6427</small>	
TAX ID NO.:	15-21-477-023	DATE:	12-26-07
CLIENT:	CITY OF ROCHESTER HILLS, MI	DRAWN BY:	SH
		DWG:	H-17
		SHEET	2 OF 2
		OHM PROJECT NO.	190-96-021

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that Ronald and Donna Brewer, husband and wife, whose address is 40030 Grand River Avenue, Novi, MI 48375 party of the first part, for and in consideration of the sum of \$11,735.00 paid to party of the first part by the City of Rochester Hills (A Michigan Municipal Corporation) _____, party of the second part, whose address is 1000 Rochester Hills Drive, Rochester Hills, Michigan, 48309-3033 do hereby grant to the said party of the second part during the construction and restoration of project, the right to move men, equipment and materials on and through and the right to store equipment, material and excavated matter on the following described TEMPORARY CONSTRUCTION EASEMENT:

SEE EXHIBITS "A" AND "B" ATTACHED
SIDWELL NO. 15-21-477-023

The premises so disturbed by reason of the exercise of any of the foregoing powers shall be reasonably restored to its original condition by the party of the second part.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors, and assigns and the covenants contained herein shall run with the land.

Three Pine trees located within the Highway easement can be removed and not replaced. \$3,540.00 paid as part of the above compensation.

IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures this 28th day of _____, July _____, A.D. 2008.

By: _____
Ronald Brewer

Ronald Brewer

By: _____
Donna Brewer

Donna Brewer

Ronald and Donna Brewer will not be responsible for any drainage in the ditch area during construction. The City of Rochester Hills will remove the existing pump in the area of construction. The pump shall be returned to Ronald and Donna Brewer. The property owner is responsible for operation of the detention basin on the property. The City of Rochester Hills is responsible for drainage starting at the discharge point into the City storm sewer system. A 12" diameter storm sewer will pick up flow from the detention basin at an elevation equal to the bottom of the pond (el. 819.8). In addition, a 12" diameter overflow pipe will be installed beneath the elevation of the parking lot on the property.

RIGHT OF WAY ACQUISITION SKETCH

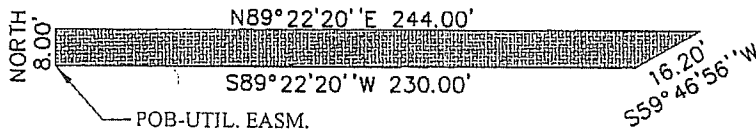
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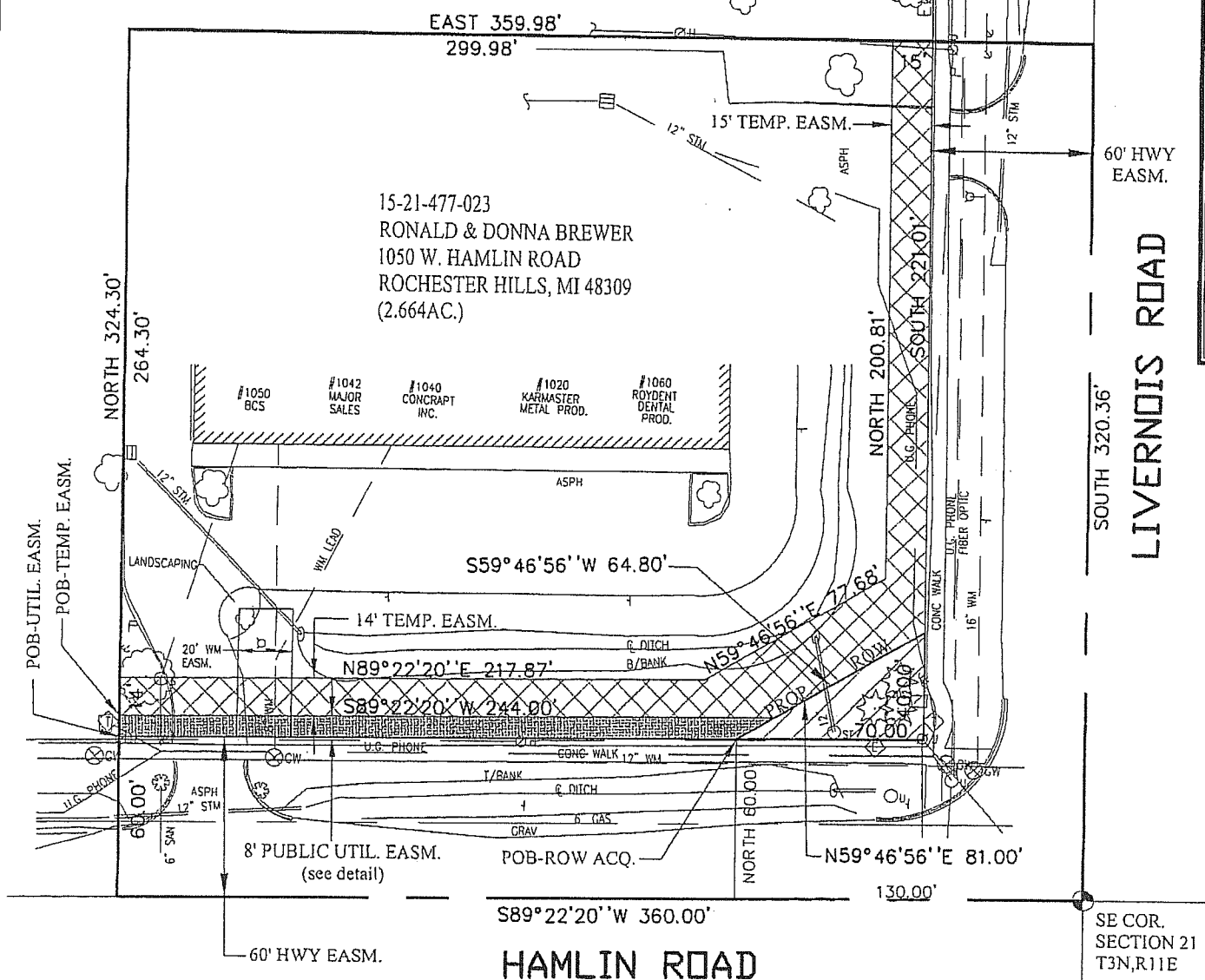
H-17

TAX ID NO.

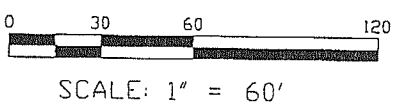
15-21-477-023



DETAIL - 8' PUBLIC UTILITIES EASEMENT
(not to scale)



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 -RIGHT OF WAY IN FAVOR OF DETROIT EDISON CO., L.7123,P.459,OCR.
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	PUBLIC LAND CORNER
	POB POINT OF BEGINNING
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REVISED 03-27-08

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TAX ID NO.:	15-21-477-023	DATE:	12-26-07
CLIENT:	CITY OF ROCHESTER HILLS, MI	DRAWN BY:	SH
		DWG:	HM17
		SHEET	1 OF 2
		OHM PROJECT NO.	190-96-021

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REVISED 03-27-08

HAMLIN ROAD RIGHT OF WAY ACQUISITION

PART OF SE 1/4 OF SECTION 21,
T 3 N, R 11 E, CITY OF ROCHESTER HILLS,
OAKLAND COUNTY, MICHIGAN

TAX ID NO.: 15-21-477-023
CLIENT: CITY OF ROCHESTER HILLS, MI



ORCHARD, HILTZ & McCLIMENT, INC.
34000 PLYMOUTH ROAD, LIVONIA, MI 48150
P: 734.522.6711 F: 734.522.6427

DATE:	12-26-07	SHEET	OHM PROJECT NO.
DRAWN BY:	SH	2 OF 2	190-96-021
DWG:	H-17		

PROJECT PARCEL NO.:

H-17

TAX ID NO.

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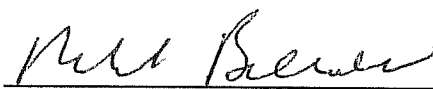
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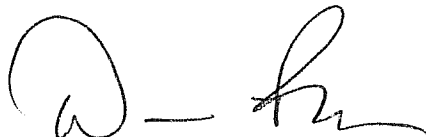
The premises so disturbed by reason of the exercise of any of the foregoing powers shall be reasonably restored to its original condition by the party of the second part.

This instrument shall be binding upon and inure to the benefit of the parties hereto; their heirs, representatives, successors, and assigns and the covenants contained herein shall run with the land.

This Utility Easement includes, but is not limited to, the consent of the Grantor(s) to the removal of any trees, shrubs, and/or vegetation, to grading, to the occupancy of the Property by public utilities, and to other matters which, in the sole discretion of the City, may be necessary in connection with all public Utility purposes and the construction, operation, maintenance, repair, and/or replacement of all utilities, and other infrastructure improvements in, over, under, upon, and through the Property. Grantor(s) waive(s) further notice of such actions.

IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures this 17th day of June, A.D. 2008.

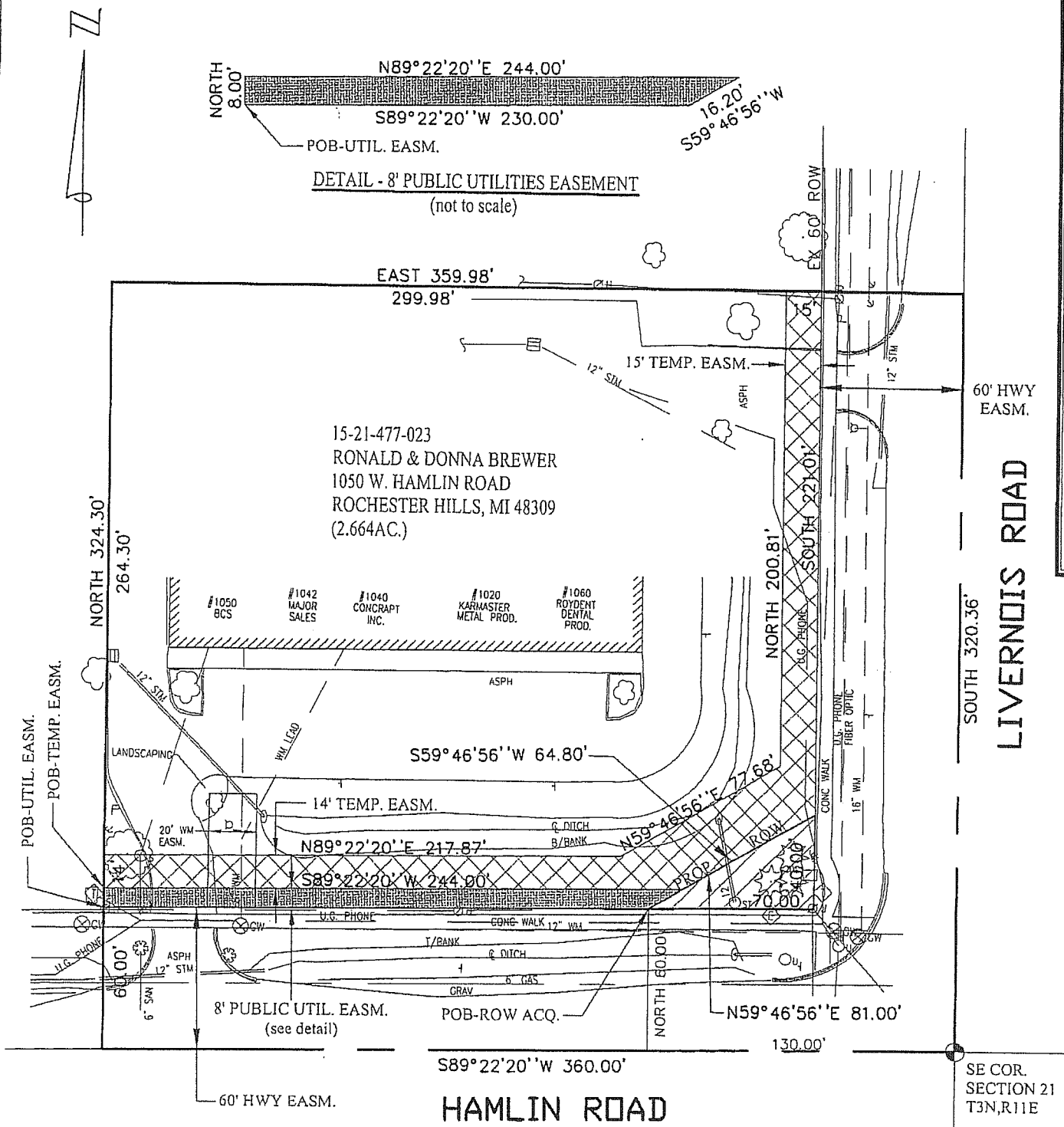
By: 
Ronald Brewer

By: 
Donna Brewer

RIGHT OF WAY ACQUISITION SKETCH

Exhibit "A"

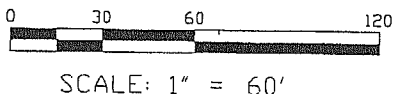
PROJECT PARCEL NO.: H-17 TAX ID NO. 15-21-477-023



PARCEL IS SUBJECT TO:
 -WATER MAIN EASEMENT, L.10018,P.327,OCR.
 -SANITARY SEWER EASEMENT, L.5547,P.864-865,OCR.
 -RIGHT OF WAY IN FAVOR OF DETROIT EDISON CO., L.7123,P.459,OCR.
 -HIGHWAY EASEMENT IN FAVOR OF OAKLAND COUNTY ROAD COMMISSIONER, L.5910,P.249,254,L.5904,P.785,OCR.

LEGEND

- ROW RIGHT-OF-WAY
- PUBLIC LAND CORNER
- POB POINT OF BEGINNING
- RIGHT OF WAY ACQUISITION
- TEMPORARY EASEMENT
- PUBLIC UTILITIES EASEMENT



LAND AREAS

PARENT PARCEL = 2.664 ACRES (116,032 SQ. FEET)
 RIGHT OF WAY ACQUISITION = 0.032 ACRES (1,400 SQ. FEET)
 REMAINDER = 2.632 ACRES (114,632 SQ. FEET)

REVISED 03-27-08

HAMLIN ROAD RIGHT OF WAY ACQUISITION

PART OF SE 1/4 OF SECTION 21,
T 3 N, R 11 E, CITY OF ROCHESTER HILLS,
OAKLAND COUNTY, MICHIGAN



ORCHARD, HILTZ & McCLIMENT, INC.
 34000 PLYMOUTH ROAD, LIVONIA, MI 48150
 P: 743.522.6711 F: 734.522.6427

TAX ID NO.: **15-21-477-023**
 CLIENT: **CITY OF ROCHESTER HILLS, MI**

DATE: 12-26-07	SHEET	O.H.M. PROJECT NO.
DRAWN BY: SH	1 OF 2	190-96-021
DWG: HM17		

RIGHT OF WAY ACQUISITION DESCRIPTION

Exhibit "B"

PARCEL DESCRIPTION

Parent Parcel

A parcel of land being part of the SE 1/4 of Section 21, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, more particularly described as:
 Beginning at the SE corner of said Section 21; thence S 89°22'20" W 360.00 feet; thence North 324.30 feet; thence East 359.98 feet; thence South 320.36 feet to the Point of Beginning. Subject to 60 foot Highway easement in favor of Board County Road Commissioner of the County of Oakland, recorded in Liber 5910, Pages 249 and 254 and in Liber 5904, Page 785, Oakland County records.
 Contains 116,032 sq. ft. or 2.664 acres of land. Subject to all easements and restrictions of records, if any.

Right of Way Acquisition

A parcel of land being part of the SE 1/4 of Section 21, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, more particularly described as:
 Commencing at the SE corner of said Section 21; thence S 89°22'20" W 130.00 feet; thence North 60.00 feet to the Point of Beginning; thence N 59°46'56" E 81.00 feet; thence South 40.00 feet; thence S 89°22'20" W 70.00 feet to the Point of Beginning.
 Contains 1,400 sq. ft. or 0.032 acres of land. Subject to all easements and restrictions of records, if any.

Remainder Parcel

A parcel of land being part of the SE 1/4 of Section 21, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, more particularly described as:
 Beginning at the SE corner of said Section 21; thence S 89°22'20" W 360.00 feet; thence North 324.30 feet; thence East 359.98 feet; thence South 320.36 feet to the Point of Beginning. Subject to 60 foot Highway easement in favor of Board County Road Commissioner of the County of Oakland, recorded in Liber 5910, Pages 249 and 254 and in Liber 5904, Page 785, Oakland County records, EXCEPT that part: Commencing at the SE corner of said Section 21; thence S 89°22'20" W 130.00 feet; thence North 60.00 feet to the Point of Beginning; thence N 59°46'56" E 81.00 feet; thence South 40.00 feet; thence S 89°22'20" W 70.00 feet to the Point of Beginning.
 Contains 114,632 sq. ft. or 2.632 acres of land. Subject to all easements and restrictions of records, if any.

Public Utilities Easement


An 8 foot wide easement for public utilities, being part of the SE 1/4 of Section 21, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, more particularly described as:
 Commencing at the SE corner of said Section 21; thence S 89°22'20" W 360.00 feet; thence North 60.00 feet to the Point of Beginning; thence North 8.00 feet; thence N 89°22'20" E 244.00 feet; thence S 59°46'56" W 16.20 feet; thence S 89°22'20" W 230.00 feet to the Point of Beginning.
 Contains 1,896 sq. ft. or 0.044 acres of land. Subject to all easements and restrictions of records, if any.

Temporary Easement

A parcel of land being part of the SE 1/4 of Section 21, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, more particularly described as:
 Commencing at the SE corner of said Section 21; thence S 89°22'20" W 360.00 feet; thence North 68.00 feet to the Point of Beginning; thence North 14.00 feet; thence N 89°22'20" E 217.87 feet; thence N 59°46'56" E 77.68 feet; thence North 200.81 feet; thence East 15.00 feet; thence South 221.01 feet; thence S 59°46'56" W 64.80 feet; thence S 89°22'20" W 244.00 feet to the Point of Beginning.
 Contains 8,178 sq. ft. or 0.188 acres of land. Subject to all easements and restrictions of records, if any.

REVISED 03-27-08

PROJECT PARCEL NO.: H-17 TAX ID NO. 15-21-477-023

HAMLIN ROAD RIGHT OF WAY ACQUISITION		 ORCHARD, HILTZ & McCLIMENT, INC. 34000 PLYMOUTH ROAD LIVONIA, MI 48150 P: 734.522.6711 F: 734.522.6427	
PART OF SE 1/4 OF SECTION 21, T 3 N, R 11 E, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN		DATE: 12-26-07	SHEET
TAX ID NO.: 15-21-477-023		DRAWN BY: SH	OHM PROJECT NO.
CLIENT: CITY OF ROCHESTER HILLS, MI		DWG: H-17	2 OF 2 190-96-021