

AMENDMENT TO WATERMAIN EASEMENT

On the 6th day of August, 2008, Crittenton Hospital Medical Center, a Michigan corporation, of 1101 W. University Dr., Rochester Hills, MI 48307, granted to the City of Rochester Hills, MI, whose address is 1000 Rochester Hills Drive, Rochester Hills, MI, 48309 (the "City") an easement for the construction, operation, maintenance, repair and/or replacement of a water main on, under through and across land more particularly in the **WATERMAIN EASEMENT** recorded by the Oakland County Register of Deeds on March 30, 2009 at Liber 41307, Page 201 (the "Easement Agreement").

Subsequent to the creation of that watermain easement Crittenton Hospital Medical Center has decided to commence construction of an expansion to the existing Karmanos-Crittenton Oncology Center such that it is now necessary to amend the legal description of the easement to describe its new location.

The revised description of the easement will include a portion of the adjacent real property owned by Steve Stolaruk, Trustee of the Steve Stolaruk Living Trust u/a/d 2/15/89, as amended and the same Steve Stolaruk, Trustee of the Vivian Stolaruk Living Trust u/a/d 5/9/89, as amended, as their interests may appear, (collectively hereafter referred to as "Stolaruk"), whose address is 1928 Star Batt Drive, Suite E, Rochester Hills, MI 48309 as identified on the attached **Exhibit A**. Stolaruk has agreed to grant the City an easement for watermain purposes in accordance with the Easement Agreement, as herein amended.

Based on these facts and circumstances, the parties agree to and by this document amend the existing easement so that the legal description set forth herein and attached hereto in **Exhibit A** and **Exhibit B** shall replace and supercede the legal description of the existing easement as originally recorded, the originally recorded legal description for the existing easement shall be of no further force or effect and the City of Rochester Hills, MI, shall have those same easement rights in the following described easement:

See Attached Exhibit "A" & "B"

In all other respects, the original easement is ratified, confirmed and re-declared. The recording of this document is exempt from Transfer Tax under MCLA 207.526(a).

[SIGNATURES ON FOLLOWING PAGES]

O.R.D. by
J. STARR
5/26/10

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 20th day of May, 2010.

CRITTENTON:

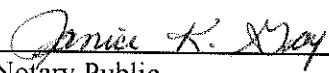
CRITTENTON HOSPITAL MEDICAL CENTER

By: 
Lynn C. Orfgen
Its: Chief Executive Officer

STATE OF MICHIGAN

COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 20th day of May 2010 by Lynn C. Orfgen, the Chief Executive Officer of Crittenton Hospital Medical Center, a non-profit corporation, on behalf of the corporation.


Notary Public
Oakland County, Michigan
My Commission Expires: 9-29-13
Acting in Oakland County



JANICE K. GAY
Notary Public, State of Michigan
County of Macomb
My Commission Expires Sep. 29, 2013
Acting in the County of Oakland

STOLARUK:

Steve Stolaruk Trust u/a/d 2/15/89, as amended

Dated: May 19, 2010

By: 
Steve Stolaruk, Trustee

Vivian Stolaruk Trust u/a/d 5/9/89, as amended

Dated: May 19, 2010

By: 
Steve Stolaruk, Trustee

STATE OF MICHIGAN

COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me on May 19, 2010, by Steve Stolaruk, Trustee of the Steve Stolaruk Living Trust u/a/d 2/15/89, as amended and the same Steve Stolaruk, Trustee of the Vivian Stolaruk Living Trust u/a/d 5/9/89, as amended.



Douglas A. Tull
Notary Public
Oakland County, Michigan
My Commission Expires: 1-4-2013
Acting in Oakland County

CITY:

CITY OF ROCHESTER HILLS

By: _____

Its: _____

STATE OF MICHIGAN

COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me on May ____, 2010, by _____, the _____ of the City of Rochester Hills., a Michigan municipal corporation on behalf of the corporation.

Notary Public
Oakland County, Michigan
My Commission Expires: _____
Acting in Oakland County

Drafted by and after recording return to:
Brian H. Holt
Miller, Canfield, Paddock & Stone, PLC
840 W. Long Lake Road
Suite 200
Troy, MI 48098

EXHIBIT A

LEGAL DESCRIPTION OF REAL PROPERTIES

ONCOLOGY CENTER PROPERTY

LEGAL DESCRIPTION (Parcel ID #70-15-28-151-006):
Commonly known as: Vacant Land on Star-Batt Drive, Rochester Hills, MI

A parcel of land in the Northwest 1/4 of Section 28, T.9 N. - R.11 E., City of Rochester Hills, Oakland County, Michigan, described as:

Beginning at a point distant S.01°-41'-08" E., 1082.41 feet & N.88°-18'-52" E., 114.47 feet & S.69°-22'-14" E., 151.84 feet & S.37°-39'-27" E., 65.36 feet & S.28°-15'-45" E., 50.03 feet & S.50°-44'-40" E., 206.49 feet & 92.06 feet along a curve to the left, with a radius of 270.00 feet & a chord bearing of S.82°-59'-39" E., 91.62 feet, from the Northwest Corner of said Section 28; thence N.87°-14'-15" E., 662.52 feet; thence S.04°-52'-39" W., 290.75 feet; thence S.89°-47'-01" W., 327.25 feet; thence S.35°-19'-30" W., 271.96 feet; thence N.43°-44'-46" W., 258.77 feet; thence N.02°-43'-01" W., 130.84 feet; thence N.11°-17'-35" E., 166.48 feet to the point of beginning, containing 5.15 acres of land.

HOTEL PROPERTY

LEGAL DESCRIPTION (Parcel #70-15-28-151-007):
Commonly known as 1919 Star-Batt Drive, Rochester Hills, MI

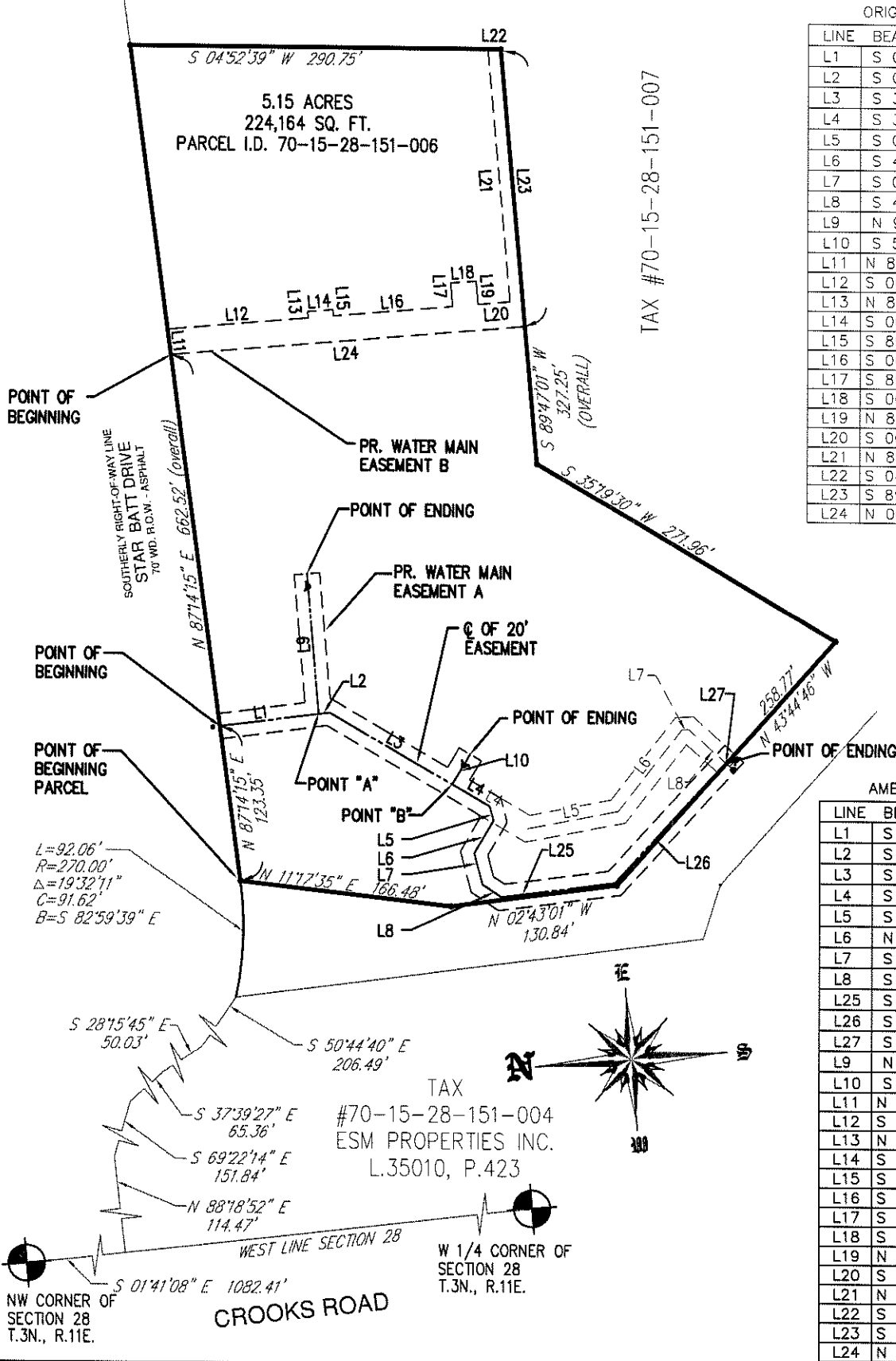
A parcel of land in the Northwest 1/4 of Section 28, T.9 N. - R.11 E., City of Rochester Hills, Oakland County, Michigan, described as: Beginning at a point distant S.01°-41'-08" E., 1082.41 feet & N.88°-18'-52" E., 114.47 feet & S.69°-22'-14" E., 151.84 feet & S.37°-39'-27" E., 65.36 feet & S.28°-15'-45" E., 50.03 feet & S.50°-44'-40" E., 206.49 feet from the Northwest Corner of said Section 28; thence 92.06 feet along a curve to the left, with a radius of 270.00 feet & a chord bearing of S.82°-59'-39" E., 91.62 feet; thence S.11°-17'-35" W., 166.48 feet; thence S.02°-43'-01" E., 130.84 feet; thence S.43°-44'-46" E., 258.77 feet; thence N.35°-19'-30" E., 271.96 feet; thence N.89°-47'-01" E., 327.25 feet; thence N.04°-52'-39" E., 290.75 feet; thence N.87°-14'-15" E., 50.45 feet; thence S.04°-52'-39" W., 879.91 feet; thence N.72°-58'-39" W., 181.99 feet; thence N.57°-30'-57" W., 300.00 feet; thence N.43°-44'-46" W., 350.58 feet; thence N.67°-34'-58" W., 44.64 feet; thence N.02°-43'-01" W., 369.27 feet to the point of beginning, containing 6.41 acres.

*OK'd by H. Tount
3-2-10*

EXHIBIT "B"

"INDUSTRIALPLEX"

SUBDIVISION



ORIGINAL DESCRIPTION

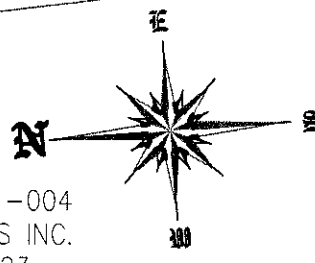
LINE	BEARING	DISTANCE
L1	S 02°45'45" E	78.23'
L2	S 02°45'45" E	8.74'
L3	S 35°12'03" W	111.50'
L4	S 35°12'03" W	68.38'
L5	S 06°20'37" E	72.18'
L6	S 47°53'17" E	82.17'
L7	S 02°04'08" W	5.47'
L8	S 47°04'08" W	40.04'
L9	N 90°00'00" E	110.21'
L10	S 54°53'12" E	27.93'
L11	N 87°14'15" E	20.02'
L12	S 00°12'59" E	110.77'
L13	N 89°47'01" E	4.91'
L14	S 00°12'59" E	20.00'
L15	S 89°47'01" W	4.91'
L16	S 00°12'59" E	93.78'
L17	S 89°55'47" E	18.26'
L18	S 00°04'13" W	20.00'
L19	N 89°55'47" W	18.16'
L20	S 00°12'59" E	25.05'
L21	N 89°47'01" E	199.94'
L22	S 04°52'39" W	10.04'
L23	S 89°47'01" W	219.05'
L24	N 00°12'59" W	278.71'

AMENDED DESCRIPTION

LINE	BEARING	DISTANCE
L1	S 02°45'45" E	78.23'
L2	S 02°45'45" E	8.74'
L3	S 35°12'03" W	111.50'
L4	S 35°12'03" W	34.04'
L5	S 80°12'03" W	11.50'
L6	N 55°00'00" W	29.89'
L7	S 80°12'03" W	25.39'
L8	S 38°44'31" W	18.17'
L25	S 02°43'01" E	89.09'
L26	S 42°55'52" E	129.47'
L27	S 47°04'08" W	0.79'
L9	N 90°00'00" E	110.21'
L10	S 54°53'12" E	27.93'
L11	N 87°14'15" E	20.02'
L12	S 00°12'59" E	110.77'
L13	N 89°47'01" E	4.91'
L14	S 00°12'59" E	20.00'
L15	S 89°47'01" W	4.91'
L16	S 00°12'59" E	93.78'
L17	S 89°55'47" E	18.26'
L18	S 00°04'13" W	20.00'
L19	N 89°55'47" W	18.16'
L20	S 00°12'59" E	25.05'
L21	N 89°47'01" E	199.94'
L22	S 04°52'39" W	10.04'
L23	S 89°47'01" W	219.05'
L24	N 00°12'59" W	278.71'

TAX #70-15-28-151-007

TAX #70-15-28-151-004
ESM PROPERTIES INC.
L.35010, P.423



$L=92.06'$
 $R=270.00'$
 $\Delta=19.32711'$
 $C=91.62'$
 $B=S 82.5939" E$

NW CORNER OF SECTION 28
T.3N., R.11E.

W 1/4 CORNER OF SECTION 28
T.3N., R.11E.

ISSUED FOR:

REV'D BY:

ISSUED FOR:

REV'D BY:

Sujak Engineering PLC.

CIVIL ENGINEERING - DESIGNING - PLANNING
4031 COOLIDGE HIGHWAY
TROY, MI 48098
PHONE: (248) 885-8431
FAX: (248) 885-8432
EMAIL: SUJAK ENGINEERING@COMCAST.NET

DRAWN BY TCS **JOB No.** 09-019
DATE 2-14-10 **SHEET No.** 1 OF 2 **SCALE** 1" = 120'

DESCRIPTION
WATER MAIN EASEMENT

SEAL

EXHIBIT "B"

LEGAL DESCRIPTION (PARCEL I.D. 70-15-28-151-006):

A parcel of land in the Northwest 1/4 of Section 28, T.3 N. R.11 E., City of Rochester Hills, Oakland County, Michigan, described as: Beginning at a point distant S.01'41'08"E. along the West line of said Section 28 a distance of 1082.41 feet & N.88°18'52"E., 114.47 feet & S.69°22'14"E., 151.84 feet & S.37°39'27"E., 65.36 feet & S.28°15'45"E., 50.03 feet & S.50°44'40"E., 206.49 feet to a point on the Southerly Right-of-Way line of Star-Batt Drive (70 feet wide) & 92.06 feet along Said Right-of-Way line along a curve to the left, with a radius of 270.00 feet & a chord bearing of S.82°59'39"E., 91.62 feet, from the Northwest Corner of said Section 28; thence N.87°14'15"E., 662.52 feet; thence S.04°52'39"W., 290.75 feet; thence S.89°47'01"W., 327.25 feet; thence S.35°19'30"W., 271.96 feet; thence N.43°44'46"W., 258.77 feet; thence N.02°43'01"W., 130.84 feet; thence N.11°17'35"E., 166.48 feet to the point of beginning, containing 5.15 acres of land.

LEGAL DESCRIPTION (20' WD. WATER MAIN EASEMENT A - ORIGINAL):

A 20 foot wide Water main Easement located in the Northwest 1/4 of Section 28, T.3 N. R.11 E., City of Rochester Hills, Oakland County, Michigan, the centerline of which being described as: Beginning at a point distant S.01'41'08"E., along the West line of said Section 28 a distance of 1082.41 feet & N.88°18'52"E., 114.47 feet & S.69°22'14"E., 151.84 feet & S.37°39'27"E., 65.36 feet & S.28°15'45"E., 50.03 feet & S.50°44'40"E., 206.49 to a point on the Southerly Right-of-Way line of Star-Batt Drive (70 feet wide) & 92.06 feet along Said Right-of-Way line along a curve to the left, with a radius of 270.00 feet & a chord bearing of S.82°59'39"E., 91.62 feet & along Said Right-of-Way line N.87°14'15"E., 123.35 feet from the Northwest Corner of said Section 28; thence S.02°45'45"E., 78.23 feet to point hereafter referred to as "Point A". thence S.02°45'45"E., 8.74 feet; thence S.35°12'03"W., 111.50 feet to point hereafter referred to as "Point B"; thence continuing S.35°12'03"W., 68.38 feet; S.06°20'37"E., 72.18 feet; thence S.47°53'17"E., 82.17 feet; S.02°04'08"W., 5.47 feet; thence S.47°04'08"W., 40.04 feet to a point of ending;

thence from Point "A" 110.21 feet due east to a point of ending;

thence from Point "B" S.54°53'12"E., 27.93 feet to a point of ending;

LEGAL DESCRIPTION (20' WD. WATER MAIN EASEMENT A - AMENDED):

A 20 foot wide Water main Easement located in the Northwest 1/4 of Section 28, T.3 N. R.11 E., City of Rochester Hills, Oakland County, Michigan, the centerline of which being described as: Beginning at a point distant S.01'41'08"E., along the West line of said Section 28 a distance of 1082.41 feet & N.88°18'52"E., 114.47 feet & S.69°22'14"E., 151.84 feet & S.37°39'27"E., 65.36 feet & S.28°15'45"E., 50.03 feet & S.50°44'40"E., 206.49 to a point on the Southerly Right-of-Way line of Star-Batt Drive (70 feet wide) & 92.06 feet along Said Right-of-Way line along a curve to the left, with a radius of 270.00 feet & a chord bearing of S.82°59'39"E., 91.62 feet & along Said Right-of-Way line N.87°14'15"E., 123.35 feet from the Northwest Corner of said Section 28; thence S.02°45'45"E., 78.23 feet to point hereafter referred to as "Point A". thence S.02°45'45"E., 8.74 feet; thence S.35°12'03"W., 111.50 feet to point hereafter referred to as "Point B"; thence continuing S.35°12'03"W., 34.04 feet; thence S.80°12'03" W., 11.50 feet; thence N.55°00'00"W., 29.89 feet; thence S.80°12'03"W., 25.39 feet; thence S.38°44'31"W., 18.17 feet; thence S.02°43'01"E., 89.09 feet; thence S.42°55'52"E., 129.47; thence S.47°04'08"W., 0.79 feet to a point of ending;

thence from Point "A" 110.21 feet due east to a point of ending;

thence from Point "B" S.54°53'12"E., 27.93 feet to a point of ending;

LEGAL DESCRIPTION WATER MAIN EASEMENT B:

A Water main Easement of variable width located in the Northwest 1/4 of Section 28, T.3 N. R.11 E., City of Rochester Hills, Oakland County, Michigan, described as: Beginning at a point distant S.01'41'08"E., along the West line of said Section 28 a distance of 1082.41 feet & N.88°18'52"E., 114.47 feet & S.69°22'14"E., 151.84 feet & S.37°39'27"E., 65.36 feet & S.28°15'45"E., 50.03 feet & S.50°44'40"E., 206.49 to a point on the Southerly Right-of-Way line of Star-Batt Drive (70 feet wide) & 92.06 feet along Said Right-of-Way line along a curve to the left, with a radius of 270.00 feet & a chord bearing of S.82°59'39"E., 91.62 feet & along Said Right-of-Way line N.87°14'15"E., 417.41 feet from the Northwest Corner of said Section 28; thence continuing along Said Right-of-Way line N.87°14'15"E., 20.02 feet; thence S.00°12'59"E., 110.77 feet; thence N.89°47'01"E., 4.91 feet; thence S.00°12'59"E., 20.00 feet; thence S.89°47'01"W., 4.91 feet; thence S.00°12'59"E., 93.78 feet; thence S.89°55'47"E., 18.26 feet; S.00°04'13"W., 20.00 feet; thence N.89°55'47"W., 18.16 feet; thence S.00°12'59"E., 25.05 feet; thence N.89°47'01"E., 199.94 feet; thence S.04°52'39"W., 10.04 feet; thence S.89°47'01"W., 219.05 feet; thence N.00°12'59" W., 278.71 feet to the point of beginning.

O.K.D. by M. TAVANT 3-2-10

ISSUED FOR:	REV'D BY:	ISSUED FOR:	REV'D BY:
Sujak Engineering PLC.			
CIVIL ENGINEERING - DESIGNING - PLANNING 4031 COOLIDGE HIGHWAY TROY, MI 48098 PHONE: (248) 885-8431 FAX: (248) 885-8432 EMAIL: SUJAK_ENGINEERING@COMCAST.NET			
DRAWN BY	TCS	JOB No.	09-019
DATE	2-14-10	SHEET No.	2 OF 2
SCALE	1" = 120'		
		DESCRIPTION	
		WATER MAIN EASEMENT	