

**WATERMAIN EASEMENT**

JBD Rochester, LLC, a Michigan limited liability company of 180 High Oak Road, Suite 100, Bloomfield Hills, Michigan 48304, 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 a portion of the land more particularly described as:

Sidwell #15-28-300-052

The easement shall be located in the area more particularly described and as shown on Exhibits A & B.

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.

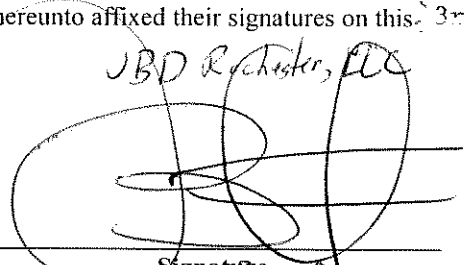
Grantor expressly reserves to Grantor and Grantor's successors and assigns, so long as there is no interference with the construction, operation, maintenance, repair and/or replacement of the watermain: (a) the right of ingress and egress over, through and across the easement, and (b) the right to grant 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 WHEREOF the undersigned have hereunto affixed their signatures on this 3<sup>rd</sup> day of October, 2004.

IN THE PRESENCE OF:

Signature Kathleen R. Wolverton  
Print or type name:  
Kathleen R. Wolverton

JBD Rochester, LLC  
  
Signature J.B. DAVIES  
J.B. Davies  
MANAGER  
Title

Signature \_\_\_\_\_  
Print or type name: \_\_\_\_\_

APPROVED AS TO FORM  
J. Staran 2/1/05  
ROCHESTER HILLS COUNCIL

STATE OF MICHIGAN  
COUNTY OF Oakland

The foregoing instrument was acknowledged before me this 3rd Day of November, 2004, by  
J.B. Davies, who is a member of JBD Rochester LLC A Michigan limited liability company, on behalf of the company.

Drafted by:

Alpine Engineering  
46892 West Road  
Ste 109  
Novi, MI 48377

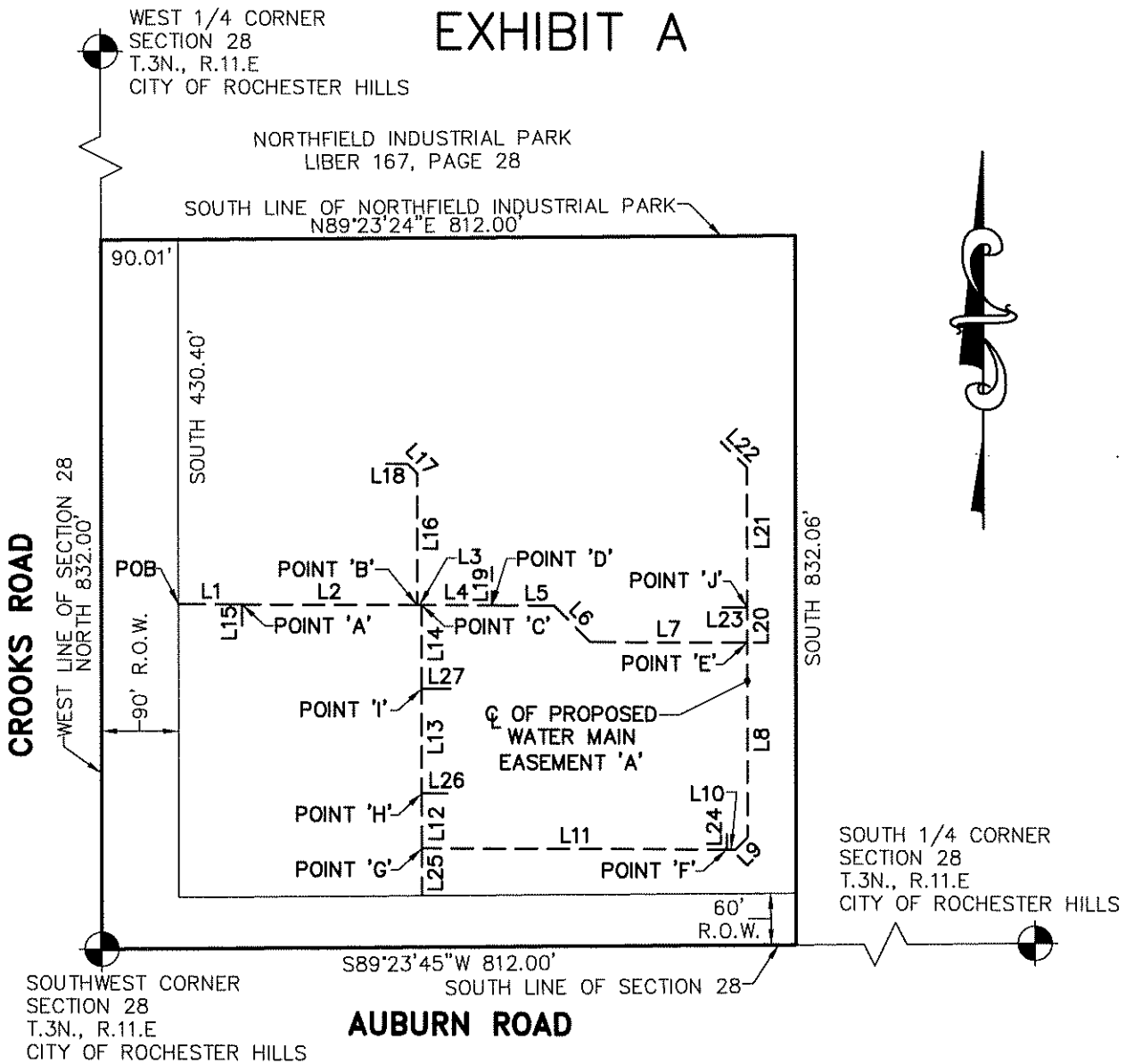
When recorded, return to:

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

*Jenny L. Rutherford*  
Jenny L. Rutherford, Notary Public  
Oakland County, Michigan  
My Commission Expires: 10/3/05

JENNY L. RUTHERFORD  
NOTARY PUBLIC OAKLAND CO MI  
MY COMMISSION EXPIRES Oct 3, 2005

# EXHIBIT A



## AUBURN ROAD

LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°59'39"E	74.03'
L2	N89°59'39"E	205.20'
L3	N89°59'39"E	5.00'
L4	N89°59'39"E	82.67'
L5	N89°59'39"E	72.25'
L6	S45°00'21"E	60.10'
L7	N89°59'39"E	183.77'
L8	S00°00'21"E	226.62'
L9	S44°59'39"W	20.33'
L10	S89°59'39"W	10.00'
L11	S89°59'39"W	356.81'
L12	N00°00'21"W	64.14'
L13	N00°00'21"W	121.85'
L14	N00°00'21"W	97.50'
L15	S00°00'21"E	24.70'
L16	N00°00'21"W	155.54'
L17	N45°00'21"W	15.20'
L18	S89°59'39"W	24.97'
L19	N00°00'21"W	45.00'
L20	N00°00'21"W	40.52'
L21	N00°00'21"W	165.40'
L22	N45°00'21"W	42.83'
L23	S89°59'39"W	28.97'
L24	N00°00'21"W	17.35'
L25	S00°00'21"E	55.11'
L26	N89°59'39"E	30.00'
L27	N89°59'39"E	33.46'

APPROVED DESC  
*M. Law*  
 ROCHESTER HILLS  
 ENGINEERING DEPT.  
 11-03-04

**ALPINE**  
 ENGINEERING, INC.  
 CIVIL ENGINEERS & LAND SURVEYORS

46892 WEST ROAD  
 SUITE 109  
 NOVI, MICHIGAN 48377  
 (248) 926-3701 (BUS)  
 (248) 926-3765 (FAX)

CLIENT: <b>J.B.D. ROCHESTER, LLC</b>	DATE: 10-29-04
<b>WATER MAIN EASEMENT</b>	DRAWN BY: JPP
	CHECKED BY: AGC
<b>MEDICAL/RETAIL COMPLEX</b>	SCALE: HOR 1"=200FT. VER 1"=--- FT.
	SECTION: 28 TOWNSHIP: 3 N RANGE: 11 E CITY OF ROCHESTER HILLS OAKLAND COUNTY MICHIGAN

0 100 200

FBK: ---  
CHF: ---

1/2

03-277

# EXHIBIT A

## PARCEL DESCRIPTION

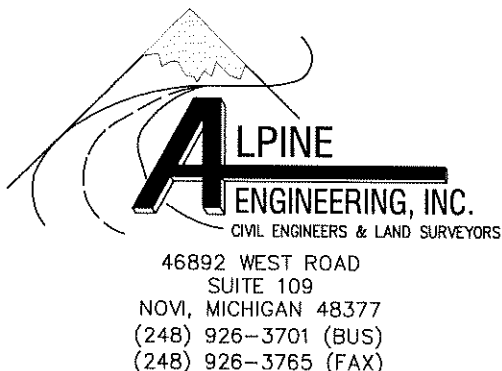
**BEGINNING** at the Southwest corner of Section 28, T.3N., R.11E., City of Rochester Hills, Oakland County, Michigan; thence North 832.00 feet along the West line of said Section 28; thence N89°23'24"E 812.00 feet along the South line of Northfield Industrial Park, as recorded in Liber 167, Page 28 of Oakland County Records; thence South 832.06 feet; thence S89°23'45"W 812.00 feet along the South line of said Section 28 to the POINT OF BEGINNING, being part of the Southwest 1/4 of said Section 28, containing 15.51 acres of land, more or less, being subject to the rights of the public to the Westerly and Southerly portion thereof, as occupied by Crooks Road and Auburn Road, and being subject to easements and restrictions of record, if any.

## CENTERLINE DESCRIPTION OF A 20' WIDE PROPOSED WATER MAIN EASEMENT 'A'

Commencing at the Southwest corner of Section 28, T.3N., R.11E., City of Rochester Hills, Oakland County, Michigan; thence North 832.00 feet along the West line of said Section 28; thence N89°23'24"E 90.01 feet along the South line of Northfield Industrial Park, as recorded in Liber 167, Page 28 of Oakland County Records; thence South 430.40 feet to the **POINT OF BEGINNING**; thence N89°59'39"E 74.03 feet to Point 'A'; thence N89°59'39"E 205.20 feet to Point 'B'; thence N89°59'39"E 5.00 feet to Point 'C'; thence N89°59'39"E 82.67 feet to Point 'D'; thence N89°59'39"E 72.25 feet; thence S45°00'21"E 60.10 feet; thence N89°59'39"E 183.77 feet to Point 'E'; thence S00°00'21"E 226.62 feet; thence S44°59'39"W 20.33 feet; thence S89°59'39"W 10.00 feet to Point 'F'; thence S89°59'39"W 356.81 feet to Point 'G'; thence N00°00'21"W 64.14 feet to Point 'H'; thence N00°00'21"W 121.85 feet to Point 'I'; thence N00°00'21"W 97.50 feet to Point 'C'; Also, **BEGINNING** at said Point 'A'; thence S00°00'21"E 24.70 feet to a Point of Ending; Also, **BEGINNING** at said Point 'B'; thence N00°00'21"W 155.54 feet; thence N45°00'21"W 15.20 feet; thence S89°59'39"W 24.97 feet to a Point of Ending; Also, **BEGINNING** at said Point 'D'; thence N00°00'21"W 45.00 feet to a Point of Ending; Also, **BEGINNING** at said Point 'E'; thence N00°00'21"W 40.52 feet to Point 'J'; thence N00°00'21"W 165.40 feet; thence N45°00'21"W 42.83 feet to a Point of Ending; Also, **BEGINNING** at said Point 'J'; thence S89°59'39"W 28.97 feet to a Point of Ending; Also, **BEGINNING** at said Point 'F'; thence N00°00'21"W 17.35 feet to a Point of Ending; Also, **BEGINNING** at said Point 'G'; thence S00°00'21"E 55.11 feet to a Point of Ending; Also, **BEGINNING** at said Point 'H'; thence N89°59'39"E 30.00 feet to a Point of Ending; Also, **BEGINNING** at said Point 'I'; thence N89°59'39"E 33.46 feet to a Point of Ending, being part of the Southwest 1/4 of said Section 28.

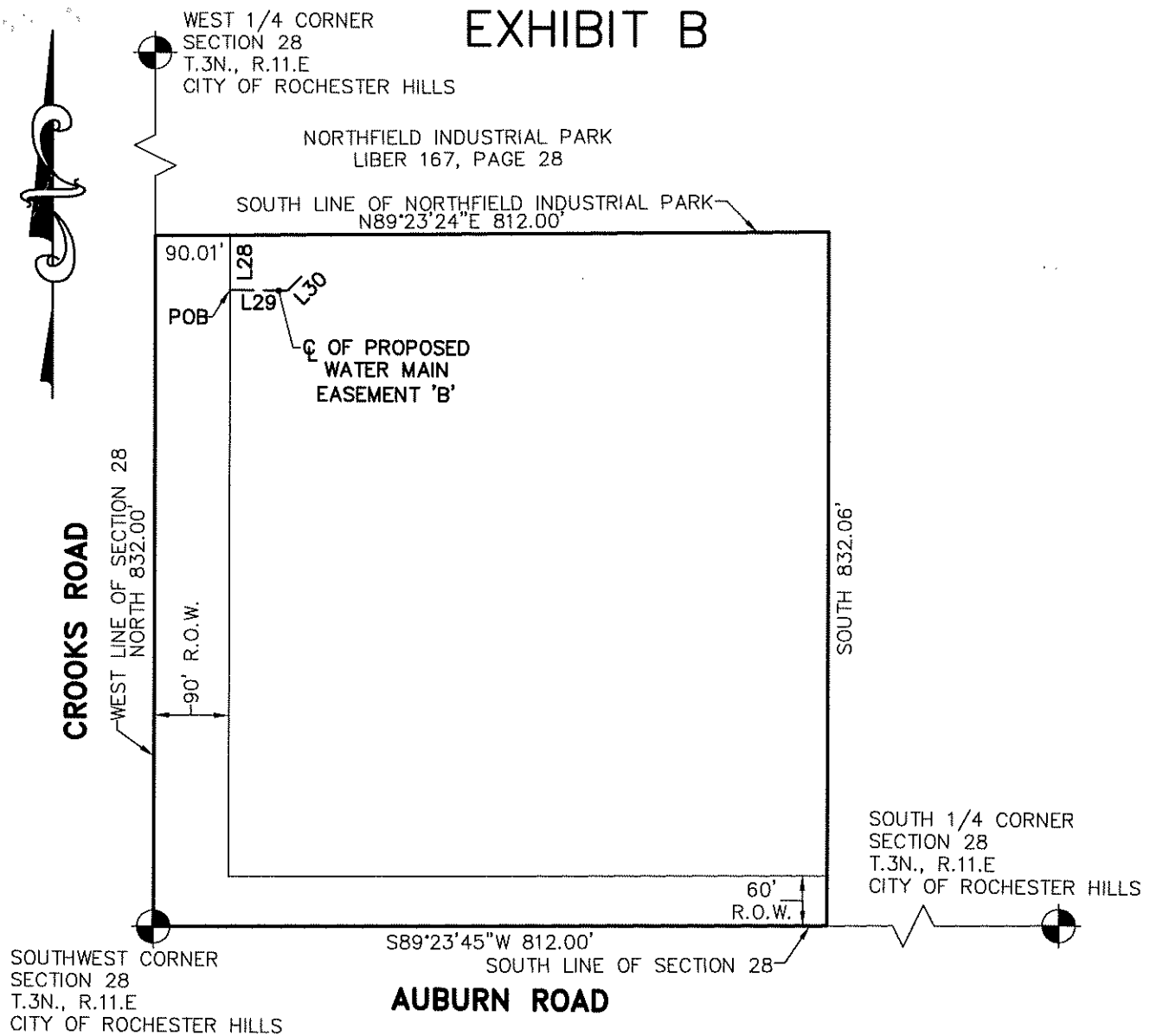
APPROVED

ROCHESTER HILLS  
ENGINEERING DEPT.



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SECTION: 28 TOWNSHIP: 3 N RANGE: 11 E CITY OF ROCHESTER HILLS OAKLAND COUNTY MICHIGAN		
FBK: --	CHF: --	2/2
SCALE HOR 1"= 200 FT. VER 1"= -- FT.		03-277

# EXHIBIT B



LINE TABLE		
LINE	BEARING	LENGTH
L28	SOUTH	65.54'
L29	S89°58'34"E	69.69'
L30	N45°01'26"E	23.06'

**CENTERLINE DESCRIPTION OF A 20' WIDE PROPOSED WATER MAIN EASEMENT 'B'**  
Commencing at the Southwest corner of Section 28, T.3N., R.11E., City of Rochester Hills, Oakland County, Michigan; thence North 832.00 feet along the West line of said Section 28; thence N89°23'24"E 90.01 feet along the South line of Northfield Industrial Park, as recorded in Liber 167, Page 28 of Oakland County Records; thence South 65.54 feet to the **POINT OF BEGINNING**; thence S89°58'34"E 69.69 feet; thence N45°01'26"E 23.06 feet to the Point of Ending, being part of the Southwest 1/4 of said Section 28.

APPROVED Desc

*Mr. Tamm*  
ROCHESTER HILLS  
ENGINEERING DEPT.  
11-3-07

**ALPINE**  
ENGINEERING, INC.  
CIVIL ENGINEERS & LAND SURVEYORS

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