

Evangelical

WATERMAIN EASEMENT

Abiding Presence Lutheran Church, a Michigan corporation, of 1550 Walton Boulevard, 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 watermain on, under through and across land more particularly described as:

See attached exhibit 'A'

Sidwell # 15-09-378-022

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the sanitary sewer, 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)

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 12 day of September, 2004.

Abiding Presence Evangelical Lutheran Church

Janet C. McBride  
Signature  
Janet McBride  
(Print Name)

President of the Congregation  
Abiding Presence Evangelical Lutheran Church

James C. Schock  
Signature  
Jim Schock  
(Print Name)

Chairman of the building committee  
Title

STATE OF MICHIGAN  
COUNTY OF Oakland

The foregoing instrument was acknowledged before me this 12 day of September, 2004, by Janet McBride/Jim Schock who is the President of Congregation, of Abiding Presence Lutheran Church MI corporation, on behalf of the corporation.  
Evangelical

Drafted by:  
Mickalich & Associates, Inc.  
2359 Avon Industrial Drive  
Rochester Hills, MI 48309

Cynthia K. Tiefert  
Cynthia K. Tiefert, Notary Public  
Wayne County, Michigan  
My Commission Expires: 10-Nov-10

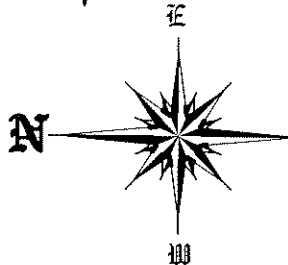
When recorded, return to: APPROVED AS TO FORM

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

J. Starn 2/1/05  
ROCHESTER HILLS COUNSEL

# EXHIBIT A

SOUTH 1/4 CORNER  
OF SECTION 9  
N 01°14'17" W



409.35'  
S 01°14'17" E 469.95' (TOTAL)

SIDWELL # 1-509-378-022

**LEGAL DESCRIPTION (SIDWELL # 1-509-378-022):**

Parcel of land in the East 1/2 of the Southwest 1/4 of Section 9, Town 3 North, Range 11 East City of Rochester Hills, Oakland County, Michigan, described as:

Beginning at the South 1/4 corner of Said Section 9, thence S. 87°49'00" W., 410.80 feet; thence N. 03°38'00" W., 449.96 feet; thence N. 69°12'30" E., 62.79 feet; thence N. 87°49'00" E., 370.45 feet; thence S. 01°14'17" E., 469.95 feet to the point of beginning, except the Southerly 60 feet taken for Walton Boulevard.

**LEGAL DESCRIPTION (WATER MAIN EASEMENT):**

A 20' wide water main easement in the East 1/2 of the Southwest 1/4 of Section 9, Town 3 North, Range 11 East City of Rochester Hills, Oakland County, Michigan, centerline being described as:

Beginning at the South 1/4 corner of Said Section 9, N. 01°14'17" W., 60.00 feet to the 60' 1/2 right-of-way line of Walton Boulevard and along said right-of-way line S. 87°49'00" W., 351.15 feet to the point of beginning; thence N. 02°11'00" W., 39.18' feet to a point "A"; thence N. 02°11'00" W., 5.31' feet; thence N. 46°07'20" W., 23.65 feet; thence N. 01°22'12" W., 107.25 feet; thence N. 21°22'40" E., 65.41 feet; thence N. 68°37'20" W., 17.98 feet; thence N. 01°07'20" W., 27.26 feet to a point of ending; thence from point "A" S. 87°49'00" W., 30.00 feet to a point of ending.

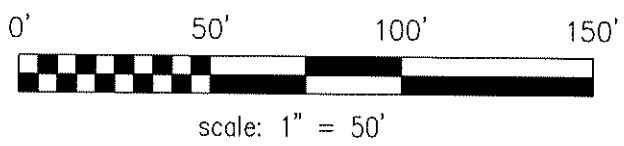
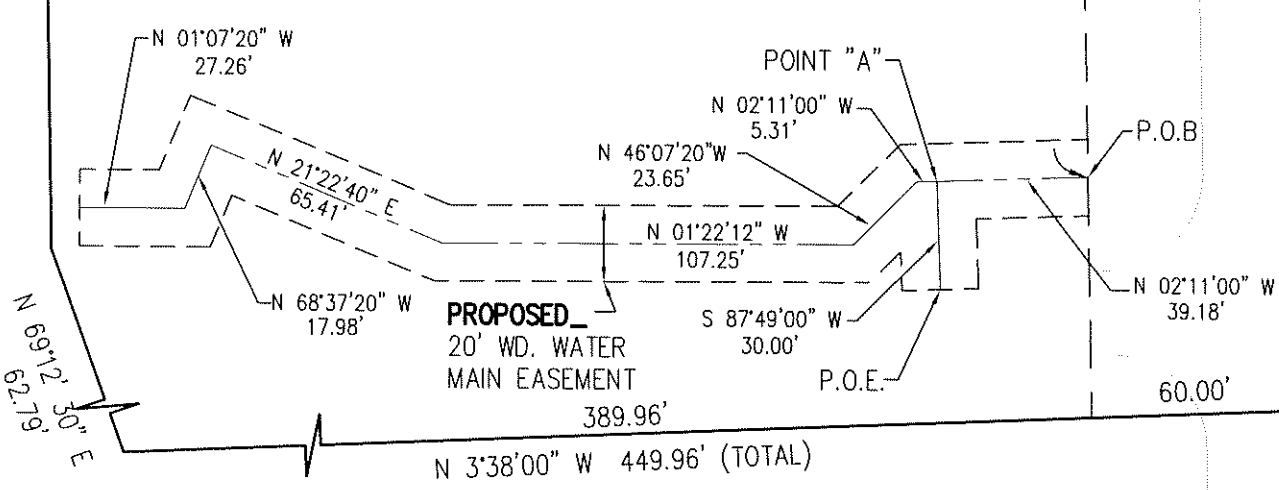
S 87°49'00" W 351.15'  
60' WD. 1/2 R.O.W.

S 87°49'00" W 410.80'

WALTON BLVD.  
120' WIDE  
C & SOUTH LINE OF SECTION 9

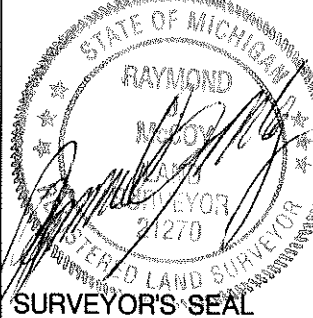
N 87°49'00" E 370.45'

N 69°12'30" E 62.79'



APPROVED DESC  
*M. Carr*  
ROCHESTER HILLS  
ENGINEERING DEPT.  
12-03-2004

ISSUED FOR:	REV'D BY:	ISSUED FOR:	REV'D BY:
ISSUED FOR:	REV'D BY:	ISSUED FOR:	REV'D BY:



**MICKALICH and ASSOCIATES, INC.**  
CIVIL ENGINEERING SURVEYING PLANNING

2359 AVON INDUSTRIAL DR, ROCHESTER HILLS, MI. 48309  
INTERNET: WWW.MICKALICH.COM PHONE: (248) 852-1900 FAX: (248) 852-1070

DRAWN BY HART	JOB No. 03317	DESCRIPTION WATER MAIN EASEMENT
DATE 8-27-04	SHEET No. 1	