

TERMINATION OF WATER MAIN EASEMENT

The City of Rochester Hills ("Grantee"), a municipal corporation, whose address is 1000 Rochester Hills Drive, Rochester Hills, MI 48309, was granted a Watermain Easement (copy attached hereto as Exhibit A), dated April 3, 2006, recorded at Liber 38105, Page 275, Oakland County Records, by Lombardo Rochester Hills LLC ("Grantor"), a Michigan limited liability company, whose address is 51237 Danview Technology Ct, Shelby, MI 48315.

WHEREAS, Grantor subsequently quitclaimed its interest in the underlying property to S.E. Michigan Land Holding LLC, a Michigan limited liability company, of 12955 23 Mile Road, Shelby Township, MI 48315; and

WHEREAS, Grantor no longer intends to develop the property or construct said water main and related facilities, and the aforesaid Watermain Easement is no longer needed or required by Grantee.

THEREFORE, Grantee agrees to, and does hereby, terminate and release the aforesaid Watermain Easement to S.E. Michigan Land Holding LLC, the successor-in-interest to the original Grantor

Dated: _____, 2011

CITY OF ROCHESTER HILLS,
a Michigan municipal corporation

By: _____
Bryan K. Barnett, Mayor

By: _____
Jane Leslie, Clerk

STATE OF MICHIGAN

COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this _____ day of _____, 2011, by Bryan K. Barnett, Mayor, and Jane Leslie, Clerk, of the City of Rochester Hills, a Michigan municipal corporation, on behalf of the City.

Notary Public
_____ County, Michigan
My commission expires: _____
Acting in _____ County

Drafted by:

Mark Roebuck

Lombardo Companies

51237 Danview Technology Ct

Shelby Township, MI 48315

When recorded, return to:

City of Rochester Hills

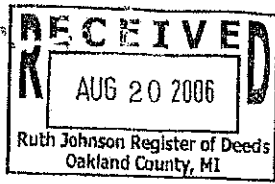
1000 Rochester Hills Drive

Rochester Hills, MI 48309

J.S. appd.
2/25/11

Exhibit 'A'

[See attached copy of previously recorded easement]



LIBER 38105 PG 275

224818
LIBER 38105 PAGE 275
\$19.00 MISC RECORDING
\$4.00 REMUNERATION
09/13/2006 11:34:05 A.M. RECEIPT# 102440

PAID RECORDED - OAKLAND COUNTY
RUTH JOHNSON, CLERK/REGISTER OF DEEDS

Watermain Easement

Lombardo Rochester Hills LLC, a Michigan limited liability company of 6303 Twenty-Six Mile Road Washington, MI 48094, 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 water main on, under, through and across the land more particularly described as:

See Attached Exhibit 'A'

Sidwell #: 15-22-226-016

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the water main, 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 water main 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 the 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 water main: (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 3rd day of April, 2006.

WITNESSES:

Jennifer Sobota
Name: Jennifer Sobota
Mark Paul Roebuck
Name: Mark Paul Roebuck

LOMBARDO ROCHESTER HILLS LLC

a Michigan limited liability company

By: Lombardo Management, Inc.

a Michigan corporation

Its: Manager

By: Anthony Lombardo

Anthony Lombardo

Its: President

APPROVED AS TO FORM

J. Staran 4/26/06

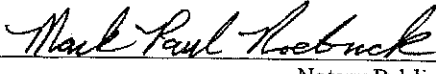
ROCHESTER HILLS COUNSEL

O.K. KB

STATE OF MICHIGAN
COUNTY OF MACOMB

This forgoing instrument was acknowledged before me on April 3rd,
2006, by Anthony Lombardo, President of Lombardo Management, Inc., a
Michigan corporation, Manager of Lombardo Rochester Hills LLC, a Michigan limited
liability company on behalf of the company.

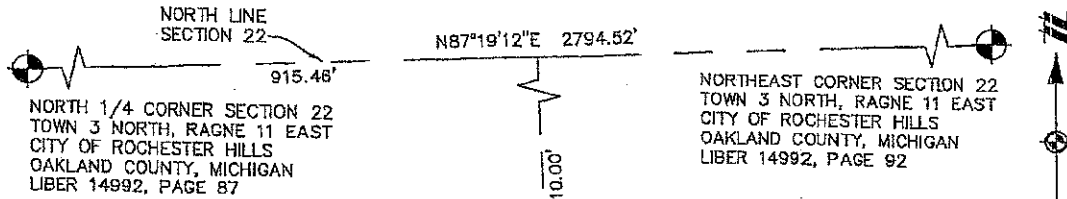
Mark Paul Roebuck
Notary Public, State of Michigan, County of Macomb
My Commission Expires: July 8, 2011
Acting in the County of Macomb


Notary Public
My commission expires: 7-8-2011
Acting in Macomb County, Michigan

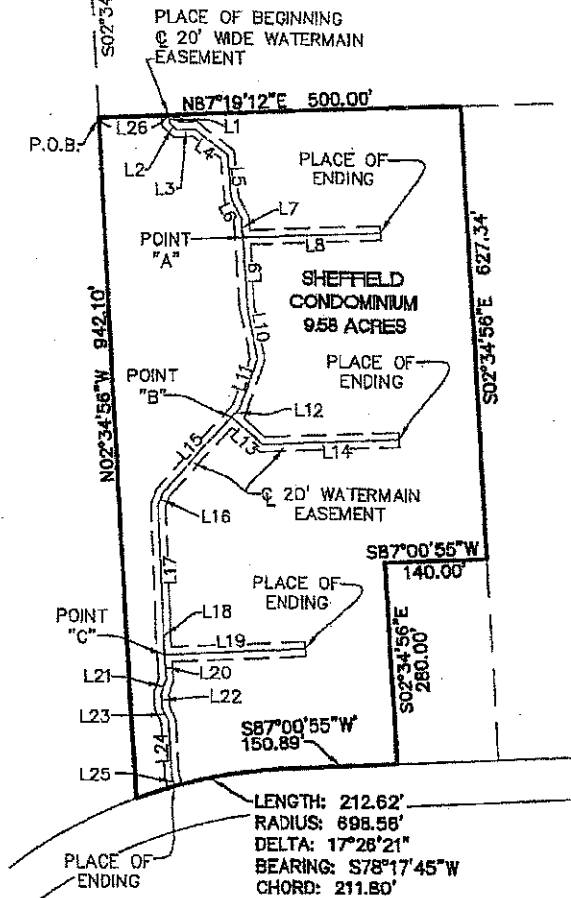
Drafted By: Anthony Lombardo
Lombardo Companies
6303 26 Mile Rd.
Washington, MI 48094

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

Exhibit 'A'



LINE TABLE		
LINE	LENGTH	BEARING
L1	10.00	S02°40'48\"E
L2	14.14	S47°40'48\"E
L3	25.81	N87°19'12\"E
L4	56.48	S52°04'54\"E
L5	62.62	S05°11'17\"E
L6	31.09	S25°06'56\"E
L7	25.45	S02°40'48\"E
L8	189.74	N87°18'57\"E
L9	94.14	S02°40'48\"E
L10	72.82	S10°42'18\"E
L11	72.54	S19°55'04\"W
L12	16.37	S42°25'04\"W
L13	55.86	S47°40'48\"E
L14	187.65	N87°25'04\"E
L15	142.17	S42°25'04\"W
L16	19.04	S21°05'18\"W
L17	156.14	S01°24'42\"E
L18	51.01	S02°41'44\"E
L19	193.30	N87°19'12\"E
L20	35.19	S02°41'44\"E
L21	20.00	S19°48'16\"W
L22	20.00	S02°41'44\"E
L23	20.00	S25°11'44\"E
L24	78.68	S02°41'44\"E
L25	13.58	S15°50'23\"E
L26	96.92	N87°19'12\"E



CLIENT LOMBARDO ROCHESTER HILLS, L.L.C. SHEFFIELD CONDOMINIUM PROPOSED WATERMAIN EASEMENT	JOB: 201406.30	DAD 201406EA4
	DR. WSB	CH. JIF
	BOOK	PG.
	SHEET 01 OF 02	DATE: 03-29-08
	FILE NO: 5102-155-1	
ATWELL-HICKS Engineering • Surveying • Planning Environmental • Water/Wastewater		
SECTION 22 TOWN 03 NORTH, RANGE 11 EAST CITY OF ROCHESTER HILLS OAKLAND COUNTY		
SCALE: 1 INCH = 200 FEET		
866 850 4200 www.atwell-hicks.com MICHIGAN ILLINOIS OHIO FLORIDA		

APPROVED
[Signature] 4-20-08
 ROCHESTER HILLS
 ENGINEERING DEPT.

Exhibit 'A'

LEGAL DESCRIPTION

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

Part of the Northeast 1/4 of Section 22, Town 3 North, Range 11 East, Avon Township, now City of Rochester Hills, Oakland County, Michigan, described as follows: Beginning at a point, said point being N87°19'12"E 915.46 feet along the North line of said Section 22 and S2°34'56"E 810.00 feet from the North 1/4 corner of said Section 22; thence from said point of beginning N87°19'12"E 500.00 feet; thence S2°34'56"E 627.34 feet; thence S87°00'55"W 140.00 feet; thence S2°34'56"E 280.00 feet; thence S87°00'55"W 150.89 feet; thence 212.62 feet along the arc of a curve to the left, radius 698.56 feet, central angle 17°26'21", chord length 211.80 feet and a chord bearing of S78°17'45"W; thence N2°34'56"W 942.10 feet to the point of beginning.


LEGAL DESCRIPTION FOR CENTERLINE OF WATERMAIN EASEMENT

A 20 foot wide strip of land for the installation and maintenance of watermain located in the N.E. 1/4 of Section 22, T3N, R11E, City of Rochester Hills, Oakland County Michigan, the centerline of which is described as follows: Commencing at the North 1/4 corner of said Section 22; thence N87°19'12"E 915.46 feet along the North line of said Section 22; thence S02°34'56"E 810.00 feet; thence N87°19'12"E 96.92 feet for a PLACE OF BEGINNING; thence S02°40'48"E 10.00 feet; thence S47°40'48"E 14.14 feet; thence N87°19'12"E 25.81 feet; thence S52°04'54"E 56.48 feet; thence S05°11'17"E 62.62 feet; thence S25°06'56"E 31.09 feet; thence S02°40'48"E 25.45 feet to a point "A"; thence S02°40'48"E 94.14 feet; thence S10°42'18"E 72.82 feet; thence S19°55'04"W 72.54 feet; thence S42°25'04"W 16.37 feet to a point "B"; thence S42°25'04"W 142.17 feet; thence S21°05'18"W 19.04 feet; thence S01°24'42"E 156.14 feet; thence S02°41'44"E 51.01 feet to a point "C"; thence S02°41'44"E 35.19 feet; thence S19°48'16"W 20.00 feet; thence S02°41'44"E 20.00 feet; thence S25°11'44"E 20.00 feet; thence S02°41'44"E 78.68 feet; thence S15°50'23"E 13.58 feet for a PLACE OF ENDING.

And returning to said point 'A'; thence N87°18'57"E 172.27 feet for a PLACE OF ENDING.

And returning to said point 'B'; thence S47°40'48"E 55.86 feet; thence N87°25'04"E 177.85 feet for a PLACE OF ENDING.

And returning to said point 'C'; thence N87°19'12"E 183.30 feet for a PLACE OF ENDING.

CLIENT LOMBARDO ROCHESTER HILLS, L.L.C. SHEFFIELD CONDOMINIUM PROPOSED WATERMAIN EASEMENT LEGAL DESCRIPTIONS	JOB: 201406.30	CAD 201408EA4
	DR. WSB	CH. JIF
	BOOK	PG.
	SHEET 02 OF 02	DATE: 03-29-08
	FILE NO. 5102-155-2	
SECTION 22 TOWN 03 NORTH, RANGE 11 EAST CITY OF ROCHESTER HILLS OAKLAND COUNTY	ATWELL-HICKS Engineering • Surveying • Planning Environmental • Water/Wastewater 888 850 4200 www.atwell-hicks.com  MICHIGAN ILLINOIS OHIO FLORIDA	