

WATERMAIN EASEMENT

DPG-Rochester Hills LLC, a Michigan Limited liability company of 6024 West Maple, Suite 106, West Bloomfield, Michigan 48322, 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 Exhibit "A"
Sidwell #15-26-351-002

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.

119 898

Exempt from Transfer Tax under MCLA 207.526(a); MSA 7.456 (26)(a).

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 15th day of April, 2005.

IN THE PRESENCE OF:

Signature Stacy Long
Print or type name: Stacy Long
Signature _____
Print or type name: _____

Albert Ludwig
Signature Albert Ludwig
Print Name: ALbert Ludwig (Print Name)
Title Member of DPG-Rochester Hills LLC

APPROVED AS TO FORM

J. Staron 5/31/05

ROCHESTER HILLS COUNSEL

STATE OF MICHIGAN
COUNTY OF Oakland

The foregoing instrument was acknowledged before me this 15th day of April, 2005 by Albert Ludwig, who is a member of DPG Rochester Hills LLC, a Michigan limited liability company, on behalf of the company.

Drafted by:
DPG-Rochester Hills LLC
6024 West Maple, Suite 106
West Bloomfield, Michigan 48322

When recorded, return to:

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

Debra A. Jodway

, Notary Public
OAKLAND County, Michigan
My Commission Expires: 01/05/2011

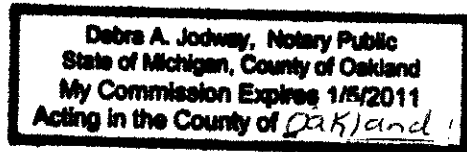


EXHIBIT 'A'

S00°10'16"E 243.07'

L=39.99'
R=103.64'
DELTA=22°06'22"
CH=N73°26'05"E
39.74'

L=31.43'
R=1813.00'
DELTA=0°59'36"
CH=N83°59'29"E
31.43'

L=44.67'
R=103.64'
DELTA=24°41'45"
CH=N74°43'46"E
44.32'

L=87.88'
R=1830.00'
DELTA=2°45'05"
CH=N88°27'11"E
87.87'

BARCLAY CIRCLE

SOUTH LINE OF
BARCLAY CIRCLE

N89°49'44"E 260.00'

75.00'

40.00'
S00°10'16"E

EXISTING 20' WIDE EASEMENT
FOR WATER MAIN (PER PLAT)

N89°49'44"E 140.69'

S00°02'42"E

POB 26.64'

POE

EASEMENT 'A'
CENTERLINE OF A 20' WIDE
WATER MAIN EASEMENT

LOT 1

EASEMENT 'B'
CENTERLINE OF A 20' WIDE
WATER MAIN EASEMENT

POE

N89°49'44"E
62.65'

POB

PROPOSED ROW LINE

N01°14'38"W
10.00'

EX ROW LINE

ROCHESTER ROAD (M-150)
(VARIABLE WIDTH)

215.00'

N00°10'16"W
WEST LINE OF SECTION 26

S89°49'44"W 460.00'

N89°49'44"E 104.03'

75.00'

N00°10'16"W
2075.00'

SOUTHWEST CORNER
SECTION 26
T.3N., R.11E.
AVON TOWNSHIP

APPROVED *D E S C*
M J P
ROCHESTER HILLS
ENGINEERING DEPT.
6-01-2005



Ginger Michalski-Wallace

EASEMENT 'A' - DESCRIPTION OF THE CENTERLINE OF A 20' WIDE PROPOSED WATER MAIN EASEMENT

Commencing at the Southwest corner of Section 26, T.3N., R.11E., City of Rochester Hills, Oakland County, Michigan; thence N00°10'16"W 2290.00 feet along the West line of said Section 26; thence N89°49'44"E 260.00 feet along the South line of Barclay Circle; thence S00°10'16"E 40.00 feet; thence N89°49'44"E 140.69 feet to a POINT OF BEGINNING; thence S00°02'42"E 26.64 feet to the Point of Ending, being part of the Southwest 1/4 of said Section 26.

EASEMENT 'B' - DESCRIPTION OF THE CENTERLINE OF A 20' WIDE PROPOSED WATER MAIN EASEMENT

Commencing at the Southwest corner of Section 26, T.3N., R.11E., City of Rochester Hills, Oakland County, Michigan; thence N00°10'16"W 2075.00 feet along the West line of said Section 26; thence N89°49'44"E 104.03 feet; thence N01°14'38"W 10.00 feet to a POINT OF BEGINNING; thence N89°49'44"E 62.65 feet to the Point of Ending, being part of the Southwest 1/4 of said Section 26.

REVISED 5-12-05

ALPINE
ENGINEERING, INC.
CIVIL ENGINEERS & LAND SURVEYORS

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

CLIENT: DIVERSIFIED PROPERTY GROUP, LLC	DATE: 4-8-05
	DRAWN BY: JPP
WATER MAIN ESMT. SKETCH	CHECKED BY: GLM
	0 30 60
LOT 1 HAMPTON BUSINESS PARK NO. 1 - PHASE 1	FBK: --
SECTION: 26 TOWNSHIP: 3 N RANGE: 11 E	1
CITY OF ROCHESTER HILLS	CHF: --
OAKLAND COUNTY	
MICHIGAN	
	SCALE HOR 1"=60 FT. VER 1"=-- FT.

04-117