

AMENDMENT TO WATER MAIN EASEMENT

On the 9th day of April, 1996, Michigan Christian College, whose address is 800 West Avon Road, Rochester Hills, Michigan 48307, granted an easement for a water main favoring the city of Rochester Hills, Michigan, whose address is 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309, as recorded on November 4, 1996, in Liber 16736, Page 686, Oakland County Records (hereinafter referred to as the "Existing Easement"). The legal description of the original recorded easement is:

A 12-foot wide easement for water main centered on the water main as constructed across the following described line: commencing at the south ¼ corner of Section 15, T3N., R11E., the city of Rochester Hills, Oakland County, Michigan; thence due West 12.05 feet to the point of beginning; thence due North 147.84 feet; thence N.45°00'00"E 67.92 feet; thence due North 391.56 feet; thence N.10°31'59"W. 67.07 feet to a reference point "A"; thence continuing N.10°31'59"W. 148.66 feet to a reference point "B"; thence continuing N.10°31'59"W. 34.25 feet; thence N.57°17'33"W. 62.21 feet; thence S.81°32'49"W. 18.07 feet; thence S.40°23'11"W. 59.28 feet to a reference point "C"; thence continuing S.40°23'11"W. 230.02 feet; thence S.60°20'17"W. 65.58 feet to a reference point "D"; thence continuing S.60°20'17"W. 156.46 feet thence S.15°20'17"W. 20.05 feet; thence S.29°39'43"E. 117.74 feet to a reference point "E"; thence continuing S.29°39'43"E. 7.74 feet; thence S.15°20'14"W. 5.86 feet; thence S.60°20'17"W. 95.74 feet; thence S.15°16'03"W. 13.33 feet; thence S.29°48'12"E. 55.42 feet to a reference point "F"; thence continuing S.29°48'12"E. 44.36 feet; thence S.00°17'28"W. 253.07 feet to a point of ending at the south line of Section 15, said point of ending being distant 443.50' due West from the S.1/4 corner of Section 15.

And beginning at the reference point "A", thence S. 79°56'45"W. 39.95 feet to a point of ending.

And beginning at the reference point "B"; thence N.79°28'01"E. 37.88 feet to a point of ending.

And beginning at the reference point "C"; thence N.49°36'49"W. 111.49 feet to a point of ending.

And beginning at the reference point "D"; thence N.29°39'43"W. 77.51 feet to a point of ending.

And beginning at the reference point "E"; thence N.60°16'18"E. 187.26 feet; thence N.15°19'46"E. 16.99 feet; thence N.32°51'58"W. 9.12 feet to a point of ending.

And beginning at the reference point "F"; thence S.60°11'48"W. 10.67 feet to a point of ending. Pathway easement: the northerly 10 feet of the southerly 60' of the above described parcel of land.

Subsequent to the creation of that water main easement, Michigan Christian College changed its name to Rochester College as of June 30, 1997.

On the 16th day of November 2001, the city of Rochester Hills and Rochester College amended the easement, as recorded on April 16, 2002 in Liber 25379, Page 509, Oakland County records.

Currently, Rochester College is commencing construction of an addition to the library building on the subject property such that it is now necessary to relocate the water main.

The city of Rochester Hills and the Rochester College wish to amend the legal description of the easement to describe its new location.

Based on these facts and circumstances, the parties agreed to and by this document amend the existing easement so that the following legal description shall replace and supercede the legal description of the existing easement as originally recorded and amended, the originally recorded and amended legal description for the existing easement shall be of no further force or effect and the city of Rochester Hills, Michigan, shall have those same easement rights in the following described easement.

A 20-foot wide easement, which is part of Parcels 15-15-376-001 and 15-15-451-003, the centerline being more particularly described as follows:

(See Exhibit "A")

In all other respects, the original easement is ratified, confirmed, and redeclared. The recording of this document is exempt pursuant to MCLA 207.505 (a) and MCLA 207.526 (a).

In Witness Whereof, the undersigned have executed this document on the 6th day of OCTOBER 2003

In the Presence of:

GARY CARSON

Amy E. Lewis

Rochester College

By: [Signature]

Michael W. Westorf, Eld
Interim President

APPROVED AS TO FORM

J. Starn 10/10/03

ROCHESTER HILLS COUNSEL

City of Rochester Hills

By: Patricia Somerville
Mayor

STATE OF MICHIGAN }
COUNTY OF OAKLAND} ss

On this _____ day of _____, 200____, before me appeared Patricia Somerville who made oath that she is the Mayor of Rochester Hills, to me personally known and who acknowledged that she executed the within instrument on behalf of said City.

Notary Public, Oakland Count
My Commission Expires: _____

STATE OF MICHIGAN }
COUNTY OF OAKLAND} ss

On this 6th day of October, 2003, before me appeared Michael Westerfield who made oath that he is the interim president of the Rochester College, to me personally known and who acknowledged that he executed the within instrument on behalf of said College.

ELTON WILLARD ALBRIGHT
NOTARY PUBLIC STATE OF MICHIGAN
OAKLAND COUNTY
MY COMMISSION EXP. AUG. 8, 2008

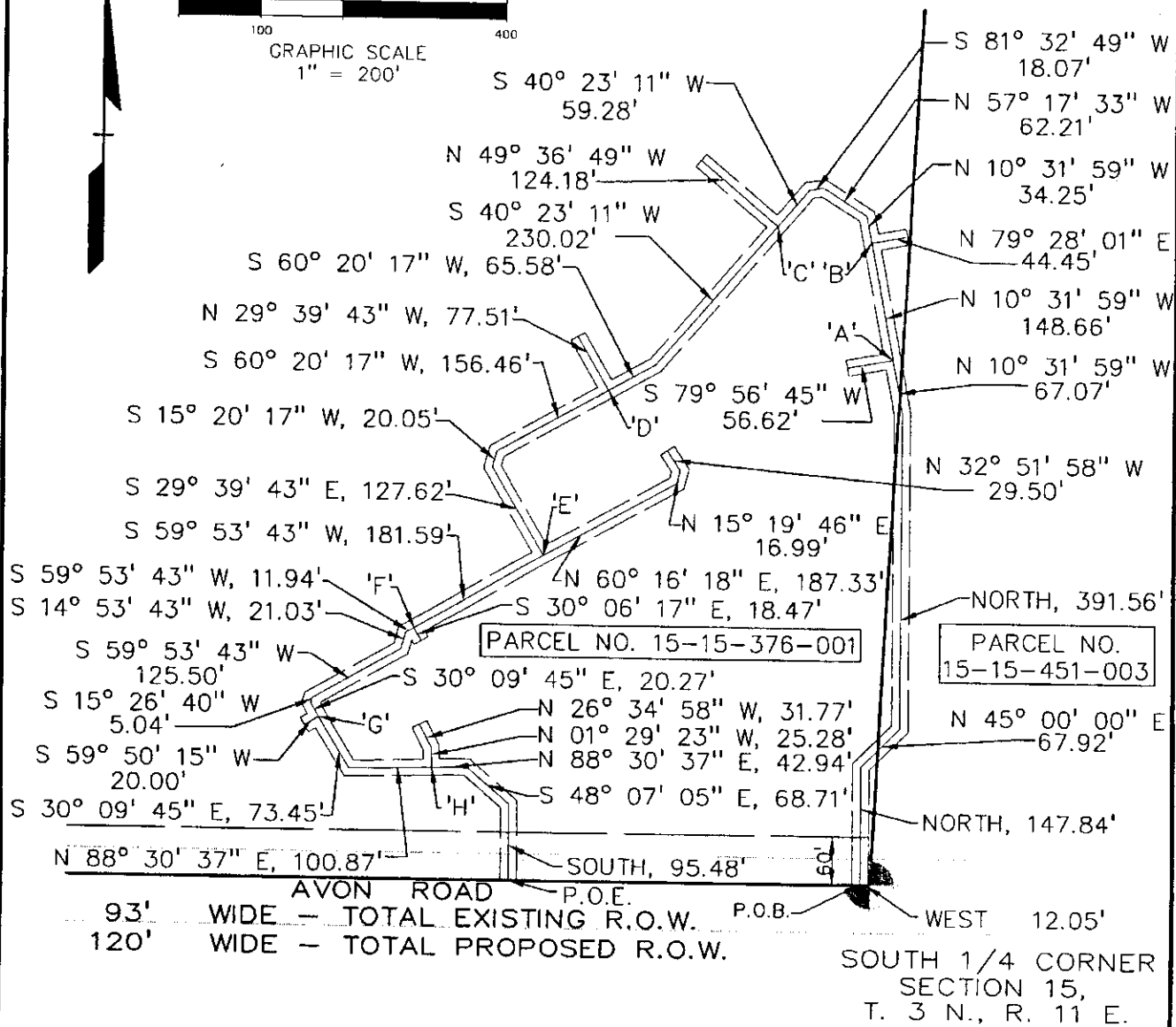
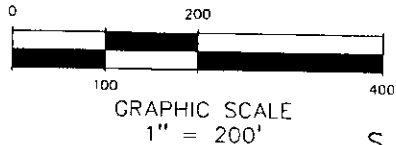
Elton Willard Albright
Notary Public, Oakland Count
My Commission Expires: 08/03/08

Drafted by:
Gene P. Ferrera, Frank Rewold & SON
333 E. Second Street
Rochester, Michigan 48307

Return to:
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, Michigan 48309

Exhibit "A"

SKETCH OF WATER MAIN EASEMENT



PROFESSIONAL
 ENGINEERING
 ASSOCIATES
 2430 Rochester Ct. Suite 100
 Troy, MI 48083-1872
 (248) 689-9090

CLIENT: TMP ASSOCIATES, INC. 1191 WEST SQUARE LAKE ROAD BLOOMFIELD HILLS, MI 48303	SCALE: 1"= 200'	JOB No: 2003061.C
	DATE: 10-1-03	DWG. No: 1 of 2

LEGAL DESCRIPTION OF WATERMAIN EASEMENT (20 FEET WIDE)

A 20 FOOT WIDE EASEMENT WHICH IS PART OF PARCEL NUMBER 15-15-451-003 AND 15-15-376-001, THE CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SECTION 15; THENCE DUE WEST 12.05 FEET TO THE POINT OF BEGINNING OF WATER MAIN EASEMENT; THENCE DUE NORTH 147.84 FEET; THENCE N 45°00'00" E 67.92 FEET; THENCE DUE NORTH 391.56 FEET; THENCE N 10°31'59" W 67.07 FEET TO REFERENCE POINT "A"; THENCE N 10°31'59" W 148.66 FEET TO REFERENCE POINT "B"; THENCE N 10°31'59" W 34.25 FEET; THENCE N 57°17'33" W 62.21 FEET; THENCE S 81°32'49" W 18.07 FEET; THENCE S 40°23'11" W 59.28 FEET TO REFERENCE POINT "C"; THENCE S 40°23'11" W 230.02 FEET; THENCE S 60°20'17" W 65.58 FEET TO REFERENCE POINT "D"; THENCE S 60°20'17" W 156.46 FEET; THENCE S 15°20'17" W 20.05 FEET; THENCE S 29°39'43" E 127.62 FEET TO REFERENCE POINT "E"; THENCE S 59°53'43" W 181.59 FEET TO REFERENCE POINT "F"; THENCE S 59°53'43" W 11.94 FEET; THENCE S 14°53'43" W 21.03 FEET; THENCE S 59°53'43" W 125.50 FEET; THENCE S 15°26'40" W 5.04 FEET; THENCE S 30°09'45" E 20.27 FEET TO REFERENCE POINT "G"; THENCE S 30°09'45" E 73.45 FEET; THENCE N 88°30'37" E 100.87 FEET TO REFERENCE POINT "H"; THENCE N 88°30'37" E 42.94 FEET; THENCE S 48°07'05" E 68.71 FEET; THENCE DUE SOUTH 95.48 FEET TO THE POINT OF ENDING.

ALSO BEGINNING AT REFERENCE POINT "A"; S 79°56'45" W 56.62 FEET TO THE POINT OF ENDING.

ALSO BEGINNING AT REFERENCE POINT "B"; THENCE N 79°28'01" E 44.45 FEET TO THE POINT OF ENDING.

ALSO BEGINNING AT REFERENCE POINT "C"; THENCE N 49°36'49" W 124.18 FEET TO THE POINT OF ENDING.

ALSO BEGINNING AT REFERENCE POINT "D"; THENCE N 29°39'43" W 77.51 FEET TO THE POINT OF ENDING.

ALSO BEGINNING AT REFERENCE POINT "E"; THENCE N 60°16'18" E 187.33 ; THENCE N 15°19'46" E 16.99 FEET; THENCE N 32°51'58" W 29.50 FEET TO THE POINT OF ENDING.

ALSO BEGINNING AT REFERENCE POINT "F"; THENCE S 30°06'17" E 18.47 FEET TO THE POINT OF ENDING.

ALSO BEGINNING AT REFERENCE POINT "G"; THENCE S 59°50'15" 20.00 FEET TO THE POINT OF ENDING.

ALSO BEGINNING AT REFERENCE POINT "H"; THENCE N 01°29'23" W 25.28 FEET; THENCE N 26°34'58" W 31.77 FEET TO THE POINT OF ENDING.

W. P. ESC
W. P. ESC
PROFESSIONAL ENGINEER - MICHIGAN
10-08-03

PROFESSIONAL
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ASSOCIATES
2430 Rochester Ct. Suite 100
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