

SIDEWALK EASEMENT

SELECTIVE – DELAWARE, L.L.C., a Delaware limited liability company, the address of which is 100 Galleria Officentre, Suite 200, Southfield, Michigan 48034 (“Grantor”), grants to the **CITY OF ROCHESTER HILLS**, a Michigan municipal corporation, of 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309 (“Grantee”), an easement for the construction, maintenance, repair and/or replacement of a sidewalk on land (the “Easement Area”) more particularly described as:

See **Exhibit A** attached hereto and made a part hereof.

Grantor shall not responsible for the repair or maintenance of such sidewalk.

All property disturbed or altered, now or in the future, by reason of the construction, maintenance, repair and/or replacement of the sidewalk shall be restored by the Grantee to its immediately prior condition, except to the extent permanent improvements or alterations necessary for 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 Grantee.

Grantee shall indemnify, defend and hold Grantor harmless from any and all loss, damage, expense (including reasonable attorneys fees) and liability resulting from any negligence or willful misconduct of Grantee, its employees, contractors and agents in the exercise of Grantee's rights and obligations hereunder.

Grantor expressly reserves to Grantor and Grantor's successors and assigns, so long as there is no interference with the construction, maintenance, repair and/or replacement of the sidewalk: (a) the right of ingress and egress over, through and across the Easement Area, and (b) the right to grant other non-exclusive easements and rights-of-way, across, over, under and through the Easement Area, with the condition that prior to such a grant written consent shall be obtained from the Grantee.

*OK per J. Staron
5-6-05*

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

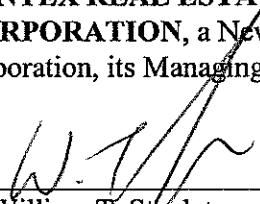
IN WITNESS WHEREOF, the undersigned have hereunto affixed their signatures on this 6TH day of May, 2005.

"GRANTOR"

SELECTIVE – DELAWARE, L.L.C.,
a Delaware limited liability company

By: **CENTEX HOMES**, a Nevada general partnership, its sole Member

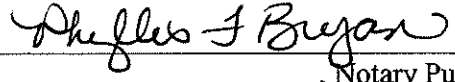
By: **CENTEX REAL ESTATE CORPORATION**, a Nevada corporation, its Managing Partner

By: 
William T. Stapleton,
Division President

STATE OF MICHIGAN)
) SS.
COUNTY OF oakland)

The foregoing instrument was acknowledged before me this 6TH day of May, 2005, by William T. Stapleton, Division President of Centex Real Estate Corporation, a Nevada corporation, the Managing Partner of Centex Homes, a Nevada general partnership, the sole Member of Selective – Delaware, L.L.C., a Delaware limited liability company, on behalf of the company.

PHYLLIS F. BRYAN
Notary Public, State of Michigan
County of Wayne
My Commission Expires Feb. 19, 2011
Acting in the County of oakland


_____, Notary Public
State of Michigan, County of Wayne
My commission expires: 2-19-11
Acting in oakland County, Michigan

(Signature on Following Page)

"GRANTEE"

CITY OF ROCHESTER HILLS, a Michigan
municipal corporation

By: _____

Its: _____

STATE OF MICHIGAN)
) SS.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____,
2005, by _____, the _____ of the City of Rochester
Hills, a Michigan municipal corporation, on behalf of said municipal corporation.

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

Drafted By:
Geaneen M. Arends, Atty.
Clark Hill PLC
500 Woodward Avenue, Ste. 3500
Detroit, Michigan 48226
(313) 965-8655

When Recorded Return To:
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, Michigan 48309

EXHIBIT A
LEGAL DESCRIPTION

LEGAL DESCRIPTION OF A 3 FOOT WIDE PRIVATE EASEMENT FOR SIDEWALK
LOCATED IN SECTION 35, T3N, R11E, CITY OF ROCHESTER HILLS, OAKLAND
COUNTY, MICHIGAN.

SIDEWALK EASEMENT NO. 1

Commencing at the NW corner of Lot 58 "Brooklands" Subdivision as recorded in Liber
25 of Plats, Page 10, Oakland County Records thence southerly 2487.38 feet along
the west line of said Lot 58 in the arc of a circular curve to the right, radius 3066.82
feet, central angle 46°28'14", chord S 00°37'19" W 2419.77 feet; thence S 66°08'35" E
127.00 feet to the POINT OF BEGINNING,

thence continuing S 66°08'35" E 3.00 feet;

thence southwesterly 151.18 feet in the arc of a non-tangential curve to the right,
radius 3196.82 feet, central angle 02°42'35", and chord S 25°12'43" W 151.17
feet;

thence N 63°26'00" W 3.00 feet;

thence northeasterly 151.04 feet in the arc of a non-tangential curve to the left,
radius 3193.82 feet, central angle 02°42'35", and chord N 25°12'43" E 151.03
feet to the POINT OF BEGINNING. Being subject to easements and restrictions
of record, if any.

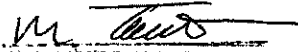
APPROVED DESC

ROCHESTER HILLS
ENGINEERING DEPT.
10-24-03

EXHIBIT A
LEGAL DESCRIPTION

LEGAL DESCRIPTION OF A 3 FOOT WIDE PRIVATE EASEMENT FOR SIDEWALK
LOCATED IN SECTION 35, T3N, R11E, CITY OF ROCHESTER HILLS, OAKLAND
COUNTY, MICHIGAN.

SIDEWALK EASEMENT NO. 2

Commencing at the NW corner of Lot 58 "Brooklands" Subdivision as recorded in Liber
25 of Plats, Page 10, Oakland County Records thence southerly 2467.15 feet along
the west line of said Lot 58 in the arc of a circular curve to the right, radius 3066.82
feet, central angle 46°05'33", chord S 00°25'59" W 2401.16 feet; thence S 66°31'15" E
190.00 feet to the POINT OF BEGINNING,

thence continuing S 66°31'15" E 3.00 feet;

thence southwesterly 218.29 feet in the arc of a non-tangential curve to the right,
radius 3259.82 feet, central angle 03°50'12", and chord S 25°23'51" W 218.24
feet;

thence N 62°09'25" W 3.00 feet;

thence northeasterly 218.05 feet in the arc of a non-tangential curve to the left,
radius 3256.82 feet, central angle 03°50'10", and chord N 25°23'50" E 218.01
feet to the POINT OF BEGINNING. Being subject to easements and restrictions
of record, if any.

APPROVED DESC
M. [Signature]
10-24-03

Country Club Village
City of Rochester Hills
Section 35, T3N, R11E
MCLLC Job No. 02325

March 3, 2004

LEGAL DESCRIPTION OF A 3 FOOT WIDE PRIVATE EASEMENT FOR SIDEWALK
LOCATED IN SECTION 35, T3N, R11E, CITY OF ROCHESTER HILLS, OAKLAND
COUNTY, MICHIGAN

SIDEWALK EASEMENT NO. 3

Commencing at the NW corner of Lot 58 "Brooklands" Subdivision as recorded in Liber 25 of Plats, Page 10, Oakland County Records thence southerly 916.88 feet along the west line of said Lot 58 in the arc of a circular curve to the right, radius 3066.82 feet, central angle 17°07'46", and chord S 14°02'55" E 913.47 feet; thence S 71°35'40" E 705.69 feet to the POINT OF BEGINNING,

thence continuing S 71°35'40" E 3.00 feet;
thence S 18°24'20" W 168.53 feet;
thence N 71°35'40" W 3.00 feet;
thence N 18°24'20" E 168.53 feet to the POINT OF BEGINNING. Being
subject to easements and restrictions of record, if any.

013 PERM-TRANS
10-24-03

Country Club Village
City of Rochester Hills
Section 35, T3N, R11E
MCLLC Job No. 02325

March 3, 2004

**LEGAL DESCRIPTION OF A 3 FOOT WIDE PRIVATE EASEMENT FOR SIDEWALK
LOCATED IN SECTION 35, T3N, R11E, CITY OF ROCHESTER HILLS, OAKLAND
COUNTY, MICHIGAN**

SIDEWALK EASEMENT NO. 4

Commencing at the NW corner of Lot 58 "Brooklands" Subdivision as recorded in Liber 25 of Plats, Page 10, Oakland County Records thence southerly 913.52 feet along the west line of said Lot 58 in the arc of a circular curve to the right, radius 3066.82 feet, central angle 17°04'00", and chord S 14°04'48" E 910.15 feet; thence S 71°35'40" E 770.05 feet to the POINT OF BEGINNING,

thence continuing S 71°35'40" E 3.00 feet;
thence S 18°24'20" W 182.55 feet;
thence N 71°35'40" W 3.00 feet;
thence N 18°24'20" E 182.55 feet to the POINT OF BEGINNING. Being
subject to easements and restrictions of record, if any.

015 PER M-52075
10-24-05

Country Club Village
City of Rochester Hills
Section 35, T3N, R11E
MCLLC Job No. 02325

March 3, 2004

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LOCATED IN SECTION 35, T3N, R11E, CITY OF ROCHESTER HILLS, OAKLAND
COUNTY, MICHIGAN

SIDEWALK EASEMENT NO. 5

Commencing at the NW corner of Lot 58 "Brooklands" Subdivision as recorded in Liber 25 of Plats, Page 10, Oakland County Records thence southerly 2972.43 feet along the west line of said Lot 58 in the arc of a circular curve to the right, radius 3066.82 feet, central angle 55°31'56", and chord S 05°09'10" W 2857.44 feet; thence N 76°03'01" E 1000.08 feet to the POINT OF BEGINNING,

thence continuing N 76°03'01" E 3.00 feet;

thence southerly 74.07 feet in the arc of a non-tangential curve to the left, radius 1903.50 feet, central angle 02°13'46", and chord S 15°03'52" E 74.07 feet;

thence S 73°49'14" W 3.00 feet;

thence northerly 74.19 feet in the arc of a non-tangential curve to the right, radius 1906.50 feet, central angle 02°13'46", and chord N 15°03'53" W 74.18 feet to the POINT OF BEGINNING. Being subject to easements and restrictions of record, if any.

OK per M-TAVAT
7-24-05

Country Club Village
City of Rochester Hills
Section 35, T3N, R11E
MCLLC Job No. 02325

March 3, 2004

LEGAL DESCRIPTION OF A 3 FOOT WIDE PRIVATE EASEMENT FOR SIDEWALK
LOCATED IN SECTION 35, T3N, R11E, CITY OF ROCHESTER HILLS, OAKLAND
COUNTY, MICHIGAN

SIDEWALK EASEMENT NO. 6

Commencing at the NW corner of Lot 58 "Brooklands" Subdivision as recorded in Liber 25 of Plats, Page 10, Oakland County Records thence southerly 2730.83 feet along the west line of said Lot 58 in the arc of a circular curve to the right, radius 3066.82 feet, central angle 51°01'07", and chord S 02°53'45" W 2641.50 feet; thence N 79°38'42" E 898.84 feet to the POINT OF BEGINNING,

thence continuing N 79°38'42" E 3.00 feet;

thence southerly 176.42 feet in the arc of a non-tangential curve to the left, radius 1840.50 feet, central angle 05°29'31", and chord S 13°06'04" E 176.35 feet;

thence S 74°09'11" W 3.00 feet;

thence northerly 176.71 feet in the arc of a non-tangential curve to the right, radius 1843.50 feet, central angle 05°29'31", and chord N 13°06'03" W 176.64 feet to the POINT OF BEGINNING. Being subject to easements and restrictions of record, if any.

*OK per M. Taurer
10-24-03*