

COPY

PEDESTRIAN-BICYCLE PATHWAY EASEMENT

Seth T. and Janet M. Seidell, his wife of 1008 Bloomer Rd., City of Rochester Hills, 48307
For and in consideration of \$1,000.00, Grants to the CITY OF ROCHESTER HILLS, a Michigan Municipal Corporation located at 1000, Rochester Hills Drive, Rochester Hills Michigan 48309, a Permanent and Temporary easement for the construction, operation, maintenance, repair and/or replacement, and public use of a pedestrian-bicycle pathway over, on, through and across land more particularly described as:

See attachment 'A' with construction details - Sidwell # 15-13-301-054

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the pedestrian-bicycle pathway, 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 pedestrian-bicycle pathway 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.

This 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. Temporary easement expires at completion of construction. The City shall hold the Grantor harmless from and against any claims, losses, and damages made and/or suffered by reason of, or in relation to, the construction and public use of the pathway on the above described property, unless caused by Grantor's own acts or omissions.

Grantor expressly reserves to Grantor's successors and assigns, so long as there is no interference with the construction, operation, maintenance, repair and/or replacement, and public use of the pedestrian-bicycle pathway: (a) the right of ingress and egress over, and through and across the easement and 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.

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 12 day of April 2010.

[Signature]
Seth T. Seidell

[Signature]
Janet M. Seidell, his wife

STATE OF MICHIGAN)
) ss
COUNTY OF OAKLAND,)

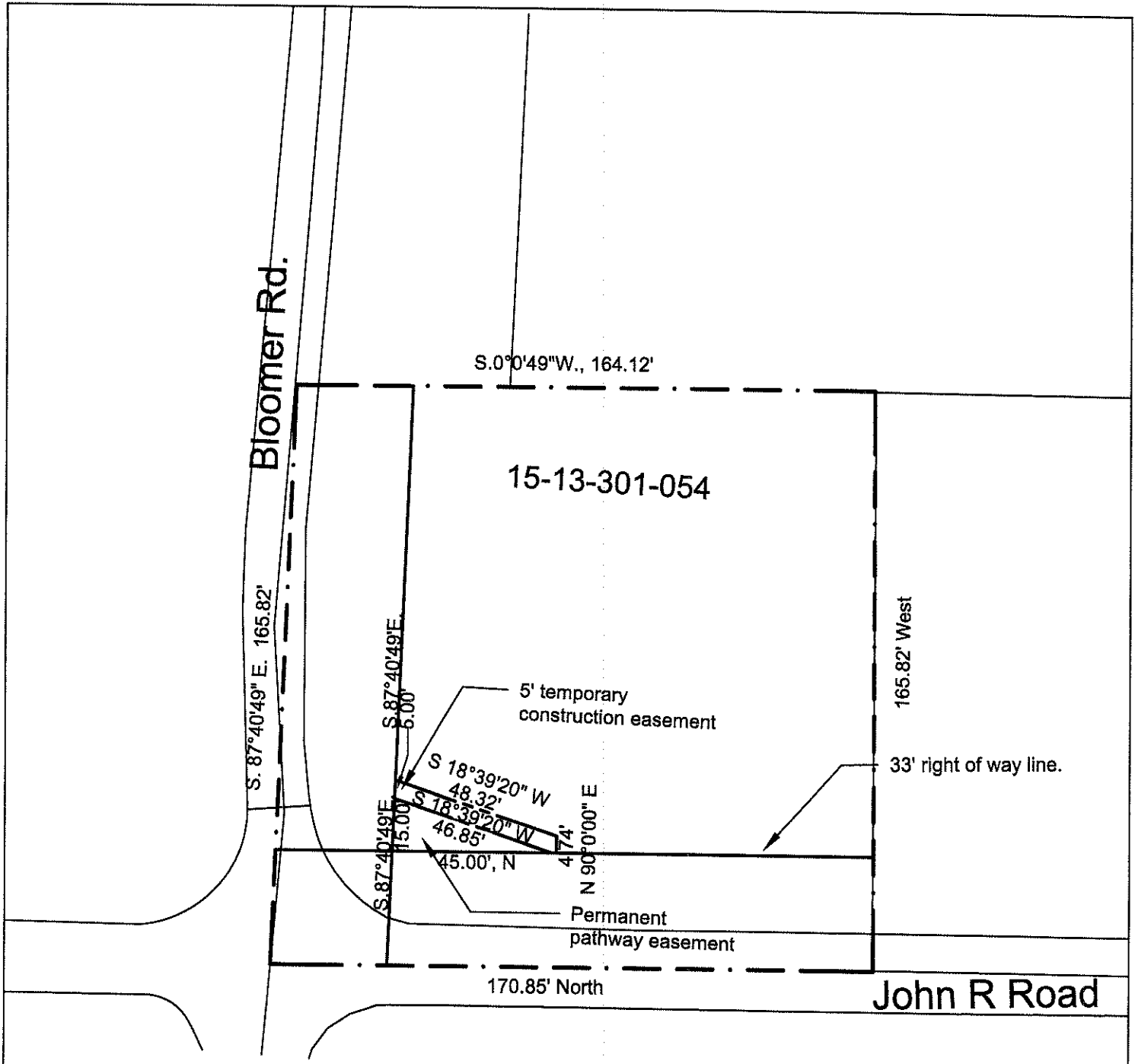
The foregoing instrument was acknowledged before me this 12 day of APRIL 2010.

JAMES W. ISAACS, JR.
Notary Public, State of Michigan
County of Oakland
My Commission Expires Dec. 17, 2012
Acting in the County of _____

[Signature]
Notary Public, Oakland County, Michigan
My Commission Expires _____
Acting in Oakland County.

Prepared by:
City of Rochester Hills
Assistance by
Hubbell, Roth & Clark, Inc.
555 Hulet Dr. P.O. Box 824
Bloomfield Hills, Michigan 48303-0824

Return to:
City of Rochester Hills
1000 Rochester Hills, Dr.
Rochester Hills, Michigan 48309



Parcel description:

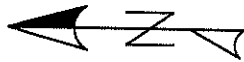
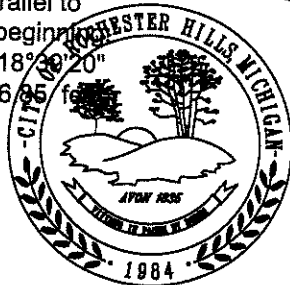
As recorded in Liber 41132 Page 571 of Oakland County records:
 Land situated in the City of Rochester Hills, County of Oakland, State of Michigan described as: Section 13, T.-3-N., R.-11-E., part of the Southwest 1/4 beginning at the West 1/4 corner; thence S.87°40'49"E.165.82 feet; thence S.00°00'49"W., 164.12 feet; thence West 165.65 feet; thence N. 170.85 feet to the point of beginning. Containing 0.64 acres more or less.

Permanent pathway easement:

Starting at a point easterly along the North parcel line 33 feet and South parallel to the West parcel line of the above described parcel 33 feet to the point of beginning: Thence continuing along said parcel line S. 87°40'49" E., 15 feet; thence S. 18°39'20" W., 46.85 feet; thence North 45.00 feet to the point of beginning.

Temporary construction easement:

Starting at a point Easterly along the North parcel line 48 feet and south parallel to the west property line of the above described parcel 33 feet to the point of beginning: Thence continuing along said parcel line S. 87°40'49" E., 5 feet; thence S. 18°39'20" W., 48.32 feet; thence N 89°17'23" W., 4.74 feet; thence N. 18°39'20" E., 46.85 feet to the point of beginning.



APPROVED BY _____
 DATE: _____

PREPARED BY ENGINEERING SERVICES
 DEPARTMENT OF PUBLIC SERVICE

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

PATHWAY EASEMENT
 EXHIBIT A
 15-13-301-054

SCALE
 1" = 40'

DATE:
 12/8/2009

CITY FILE:
 E08-011

Attachment 'A' -- sheet 2

The project will enclose to a depth of at least 30 inches, the existing sump pump discharge line located in the middle of the yard. It will be located along the new pathway, to the catch basin located at the Southwest corner of the property.

The project will lower and replace any sprinkler lines encountered. The project will replace all sprinkler heads disturbed in the existing locations. The owner will mark all head and show the system is functional prior to construction, when notified. Any sprinkler heads located in the pathway itself, will be reinstalled at a location determined by the owner.

Any lawn disturbed will be replaced with sod. Property owner agrees to water sod with his sprinklers.