

PEDESTRIAN-BICYCLE PATHWAY EASEMENT

Singh Cider Mill Village, L.L.C., a Michigan limited liability company of
7125 Orchard Lake Road, Suite 200, West Bloomfield, MI 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 pedestrian-bicycle pathway on, under, through and across land more particularly described as:

SEE EXHIBIT "A"

Sidwell # 15-13-401-001

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.

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 pedestrian-bicycle pathway: (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 HEREOF, the undersigned have hereunto affixed their signatures on this 29th day of September, 2005.

IN THE PRESENCE OF:

Signature David Zaitchik
Print or type name: David Zaitchik

Lushman S. Grewal
Signature

Lushman S. Grewal
Vice President
Singh General Corp., a Michigan Corporation
Manager of Singh Cider Mill Village L.L.C.

Signature Jane Dietrich
Print or type name: Jane Dietrich

STATE OF MICHIGAN
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 29th day of September, 2005, by Lushman S. Grewal, vice President of Singh General Corp., manager or Singh Cider Mill Village, L.L.C., on behalf of the company.

Drafted by:
DAVE ZAITCHIK
SINGH DEVELOPMENT LLC
7125 ORCHARD LAKE RD, STE. 200
WEST BLOOMFIELD, MI 48322

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

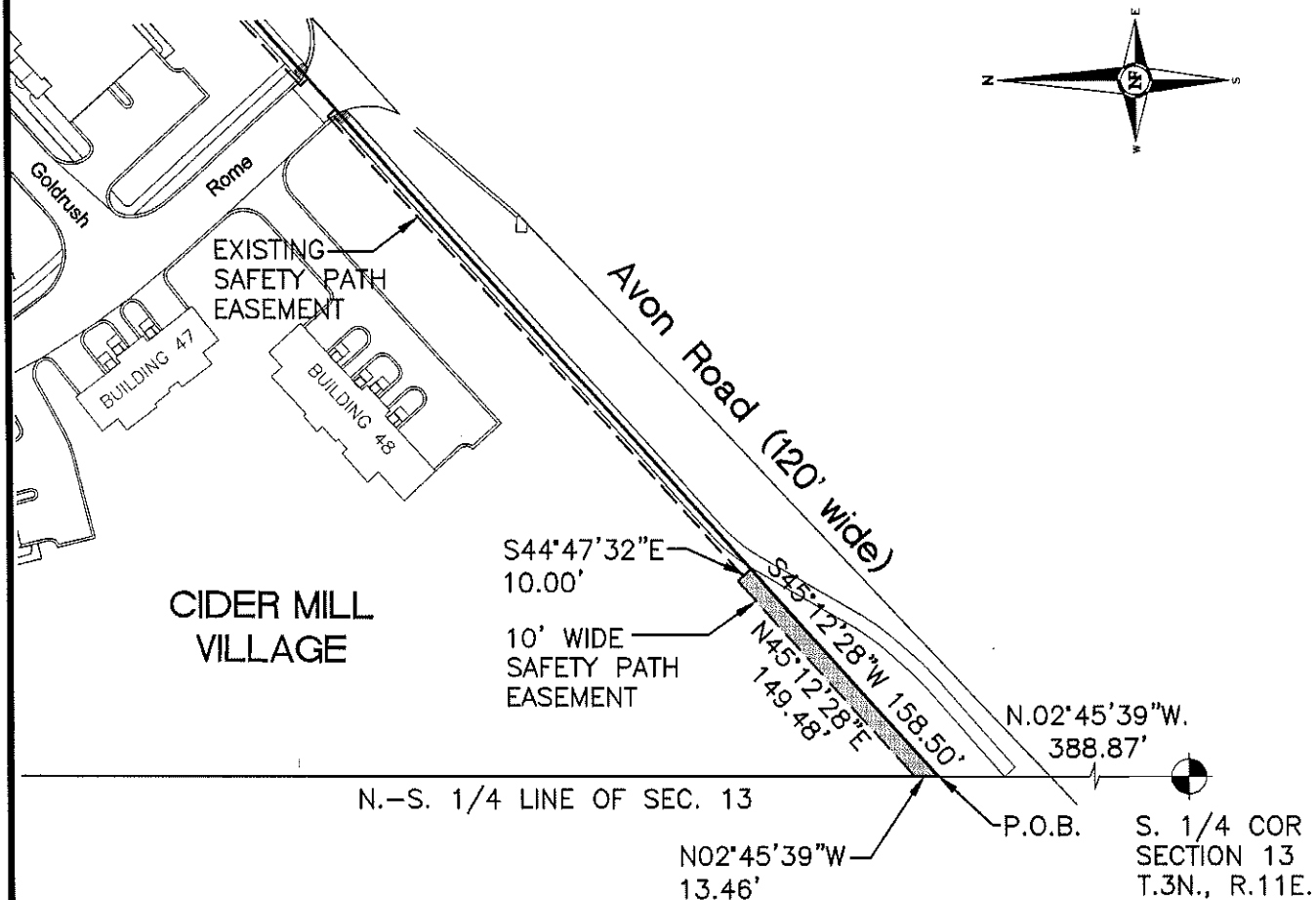
APPROVED AS TO FORM

J. Staron 11/15/05

ROCHESTER HILLS COUNSEL I:\Eng\EASEMENT\Forms ars\PATHWAY LLC.doc

Jane E. Dietrich
Jane E. Dietrich, Notary Public
Oakland County, Michigan
My Commission Expires: 06-08-2012
Acting in Oakland

Exhibit A
SAFETY PATH EASEMENT



LEGAL DESCRIPTION

A TEN (10.00) FOOT WIDE EASEMENT FOR SAFETY PATH WHICH IS DESCRIBED AS BEING LOCATED IN PART OF THE W. 1/2 OF THE S.E. 1/4 OF SECTION 13, T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE S. 1/4 CORNER OF SAID SECTION 13; THENCE ALONG THE NORTH-SOUTH 1/4 LINE OF SAID SECTION 13, N.02° 45' 39"W., 388.87 FEET TO THE POINT OF BEGINNING; THENCE N.02° 45' 39"W., 13.46 FEET; THENCE N.45° 12' 28"E., 149.48 FEET; THENCE S.44° 47' 32"E., 10.00; THENCE S.45° 12' 28"W., 158.50 FEET TO THE POINT OF BEGINNING.

NF NOWAK & FRAUS

Consulting Engineers • Land Surveyors • Land Planners

1310 N. Stephenson Highway
Royal Oak, Michigan 48067-1508

Tel. (248) 399-0886
Fax. (248) 399-0805

APPROVED *Dese*
W. Fraus
ROCHESTER HILLS
ENGINEERING DEPT.
11-10-2005

SCALE	DATE	DRAWN	JOB No.	SHEET
1" = 100'	09-28-05	A.P.W.	B160	1 of 1