

WATERMAIN EASEMENT

G & V INVESTMENTS L.L.C., a Michigan limited liability company, whose address is 2565 S. Rochester Rd., Suite 106, Rochester Hills, Michigan 48307, 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 Attached Exhibit "A" & "B"

Sidwell # *Pr 06 15-23-152-015*

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.

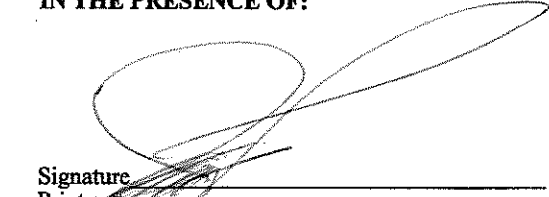
Grantor expressly reserves to Grantor and Grantor's successors and assigns, so long as there is no interference with the construction, operation, maintenance, repair and/or replacement of the watermain: (a) the right of ingress and egress over, through and across the easement, (b) the right to grant 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; and (c) the right to construct, maintain, repair and replace a parking lot, driveways and/or landscaping over the easement. Notwithstanding anything to the contrary contained herein, Grantor, at Grantor's sole cost and expense, shall be permitted to relocate the easement, the watermain and the facilities incidental thereto, provided Grantor obtains Grantee's prior written consent, which consent shall not be unreasonably withheld, delayed or conditioned. In the event Grantor grants a new easement to Grantee for the relocated watermain, Grantee shall cooperate with Grantor by executing and recording a written instrument that terminates this Watermain Easement.

Exempt from Transfer Tax under MCLA 207.526(a)


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

IN THE PRESENCE OF:

Signature
Print or type name:


Jeffrey Wagner

G & V INVESTMENTS L.L.C.
a Michigan banking corporation


Signature

Cornell G. Vennettilli
(Print Name)

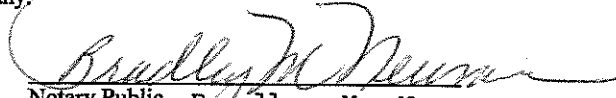
Member
Title

*on 11/15/05
Pr 06 15-23-152-015*

STATE OF MICHIGAN)
)ss
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 15 day of November, 2005, by Cornell G. Venetti ^{as} Member of G & V Investments L.L.C., a Michigan limited liability company, on behalf of the company.

BRADLEY M. NEWMAN
Notary Public, Oakland County, MI
My Commission Expires Apr. 27, 2007


Notary Public Bradley M. Newman
Oakland County, Michigan
My Commission Expires: 04/27/2007

Drafted by and when recorded return to:

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

Exhibit "A"

(Legal Description of G & V Parcel)

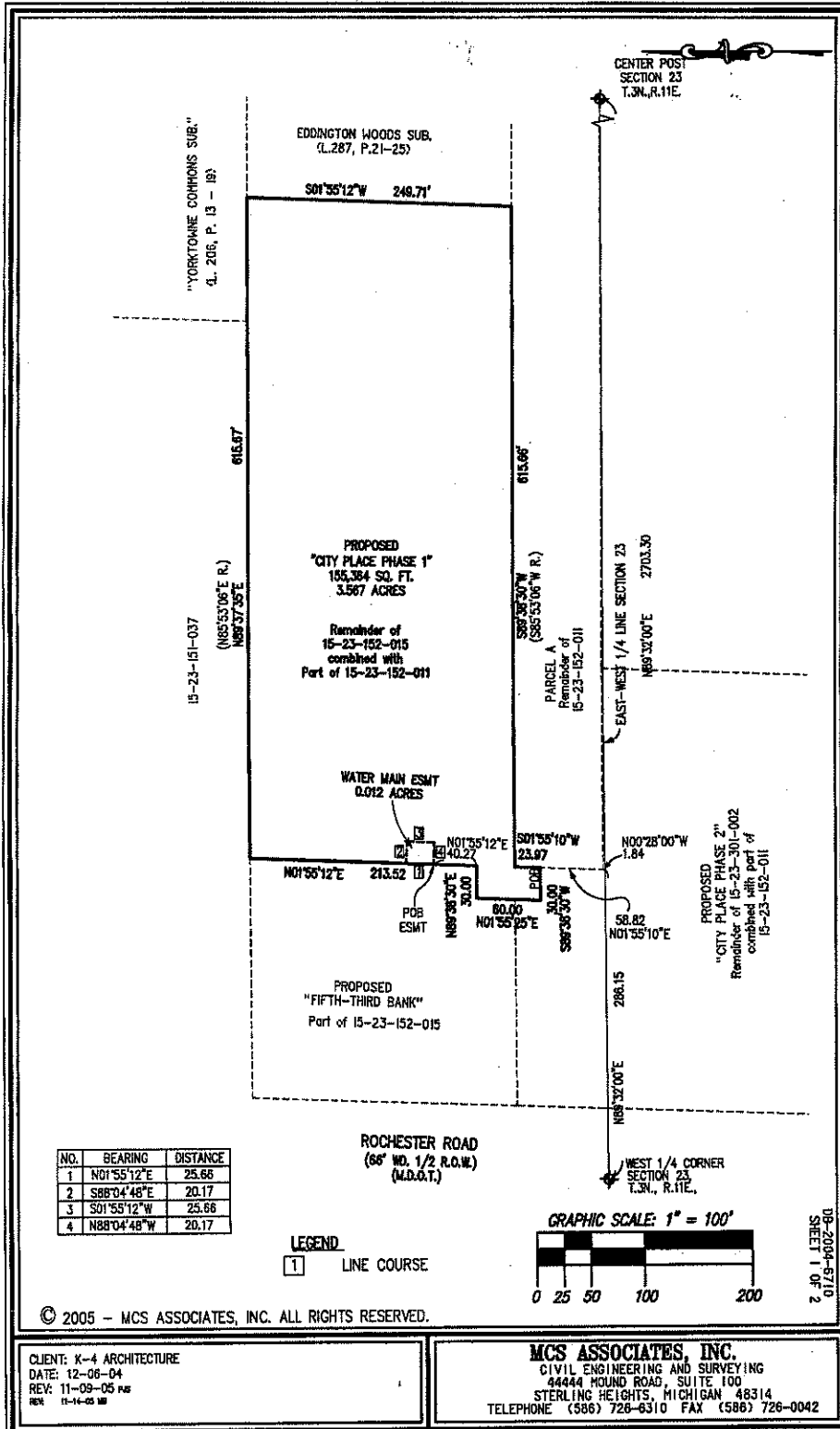
Part of the Northwest ¼ of Section 23, T.3N., R.11E., City of Rochester Hills, Oakland County, Michigan, being more particularly described as follows:

Beginning at a point which is N89°32'00"E 286.15 ft. along the East-West ¼ line of Section 23 and N00°28'00"E 1.84 ft.; and N01°55'10"E 58.82 feet from the West ¼ corner of Section 23, T.3N., R.11E.; thence S89°38'30"W 30.00 feet; thence N01°55'25"E 60.00 ft.; thence N89°38'30"E 30.00 ft.; thence N01°55'12"E 213.52; thence N89°37'35"E 615.67 feet along (in part) the South line of "Yorktowne Commons Sub." (Liber 206 of Plats, Pages 13 through 19, both inclusive, Oakland County Records); thence S01°55'12"W 249.71 ft. along the West line of "Eddington Woods Sub." (Liber 287 of Plats, Pages 21 through 25, both inclusive, Oakland County Records); thence S89°38'30"W (S85°53'06"W Record) 615.66 ft.; thence S01°55'10"W 23.97 ft. to the point of beginning.

Containing 155,363 Square Feet ---- 3.567 Acres, more or less.

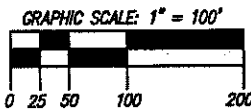
APPROVED *DESC*
CM
ROCHESTER HILLS
ENGINEERING DEPT.
12-07-2009

Exhibit "B"
(Watermain Easement Parcel)
(Page 1 of 2)



NO.	BEARING	DISTANCE
1	N01°55'12"E	25.66
2	S88°04'48"E	20.17
3	S01°55'12"W	25.66
4	N88°04'48"W	20.17

LEGEND
 1 LINE COURSE



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CLIENT: K-4 ARCHITECTURE
 DATE: 12-06-04
 REV: 11-09-05 PMS
 REV 11-14-05

MCS ASSOCIATES, INC.
 CIVIL ENGINEERING AND SURVEYING
 44444 MOUND ROAD, SUITE 100
 STERLING HEIGHTS, MICHIGAN 48314
 TELEPHONE (586) 726-6310 FAX (586) 726-0042

APPROVED
 ROCHESTER HILLS
 ENGINEERING DEPT.

DB-2094-6710
 SHEET 1 OF 2

Exhibit "B"

(Legal Description of Watermain Easement)

(Page 2 of 2)

Part of the NW ¼ of Section 23, T.3N., R.11E., Rochester Hills, Macomb County, Michigan, being more particularly described as follows:

Beginning at a point which is N89°32'00"E 286.15 feet along the East-West ¼ Line of Section 23 and N00°28'00"W 1.84 feet and N01°55'10"E 58.82 feet and S89°38'30"W 30.00 feet and N01°55'25"E 60.00 feet and N89°38'30"E 30.00 feet and N01°55'12"E 40.27 feet from the West ¼ corner of Section 23; thence N01°55'12"E 25.66 feet; thence S88°04'48"E 20.17 feet; thence S01°55'12"W 25.66 feet; thence N88°04'48"W 20.17 feet to the Point of Beginning.

Containing 518 square feet — 0.012 acres, more or less.

APPROVED

[Handwritten signature]

ROCHESTER HILLS
ENGINEERING DEPT.

12-07-2005