

WATERMAIN EASEMENT

Speedway SuperAmerica LLC, a Delaware limited liability company, of  
c/o 539 South Main Street, Findlay, OH 45840

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"

Sidwell # 70-15-03-477-033

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, 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 9th day of January, ~~2006~~ 2006.

IN THE PRESENCE OF:

Signature Ruth E Brown  
Print or type name: RUTH E BROWN  
Signature Julie Lucht  
Print or type name: Julie Lucht  
Signature \_\_\_\_\_  
Print or type name: \_\_\_\_\_  
Signature \_\_\_\_\_  
Print or type name: \_\_\_\_\_

SPEEDWAY SUPERAMERICA LLC

Signature J. T. Morgan  
Print Name: J. T. Morgan  
Title: Vice President, Operations  
Signature \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_



STATE OF ~~MICHIGAN~~ OHIO  
COUNTY OF CLARK

The foregoing instrument was acknowledged before me this 9th day of January, 2006, by J. T. Morgan, Vice President, Oper., on behalf of Speedway SuperAmerica LLC, a Delaware Limited Liability company.

Drafted by:  
P.C. Claypool, Esquire  
539 South Main Street  
Findlay, OH 45840  
When recorded, return to:  
City of Rochester Hills  
1000 Rochester Hills Drive  
Rochester Hills, MI 48309

Signature Ruth E Brown  
Notary Public  
Clark County, ~~MICHIGAN~~ Ohio  
My Commission Expires:

**RUTH E. BROWN**  
Notary Public, State of Ohio  
My Commission Expires, April 21, 2009

LEGAL DESCRIPTION FOR PROPOSED WATERLINE EASEMENT  
SSA UNIT #8830, ROCHESTER HILLS, MI.  
DRAFTED JANUARY 6, 2006

Being a 20 foot wide easement through and upon a portion of a 0.784 Acre tract of land on the northwest corner of Tienken Road and Rochester Road and being located in the part of the SE ¼ of Section 3, T3N, R11E, City of Rochester Hills, Oakland County, Michigan, more particularly described as follows:

Commencing at the southeast corner of Section 3; thence along the south line of the SE ¼ of Section 3, also being the centerline of Tienken Road, N 89°47'38" W, a distance of 60.00 feet; thence N 00°00'30" E, a distance of 60.00 feet to the intersection of the north right-of-way line of said Tienken Road with the west right-of-way line of Rochester Road, also being the southeast corner of said 0.784 Acre tract; thence along the west right-of-way line of Rochester Road, and the east line of said 0.784 Acre tract, N 00°00'30" E, a distance of 72.02 feet to the PRINCIPAL POINT OF BEGINNING of an easement to be herein described;

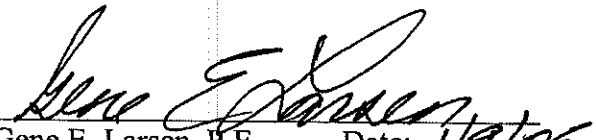
Thence from the above described principal point of beginning, N 30°42'30" W, a distance of 126.21 feet to the north line of the 0.784 Acre tract;

Thence along said north line of tract, S 89°45'22" E, a distance of 23.32 feet;


Thence S 30°42'30" E, a distance of 80.56 feet to the east line of said 0.784 Acre tract;

Thence along the east line of said tract, also being the west right-of-way line of Rochester Road, S 00°00'30" W, a distance of 39.15 feet to the PRINCIPAL POINT OF BEGINNING.

OK per  
J. Sturman  
1-10-06

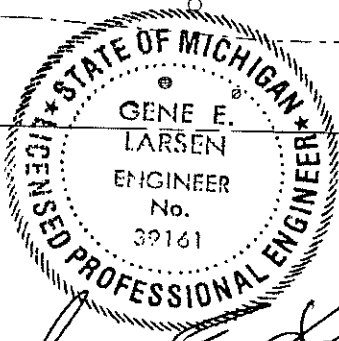
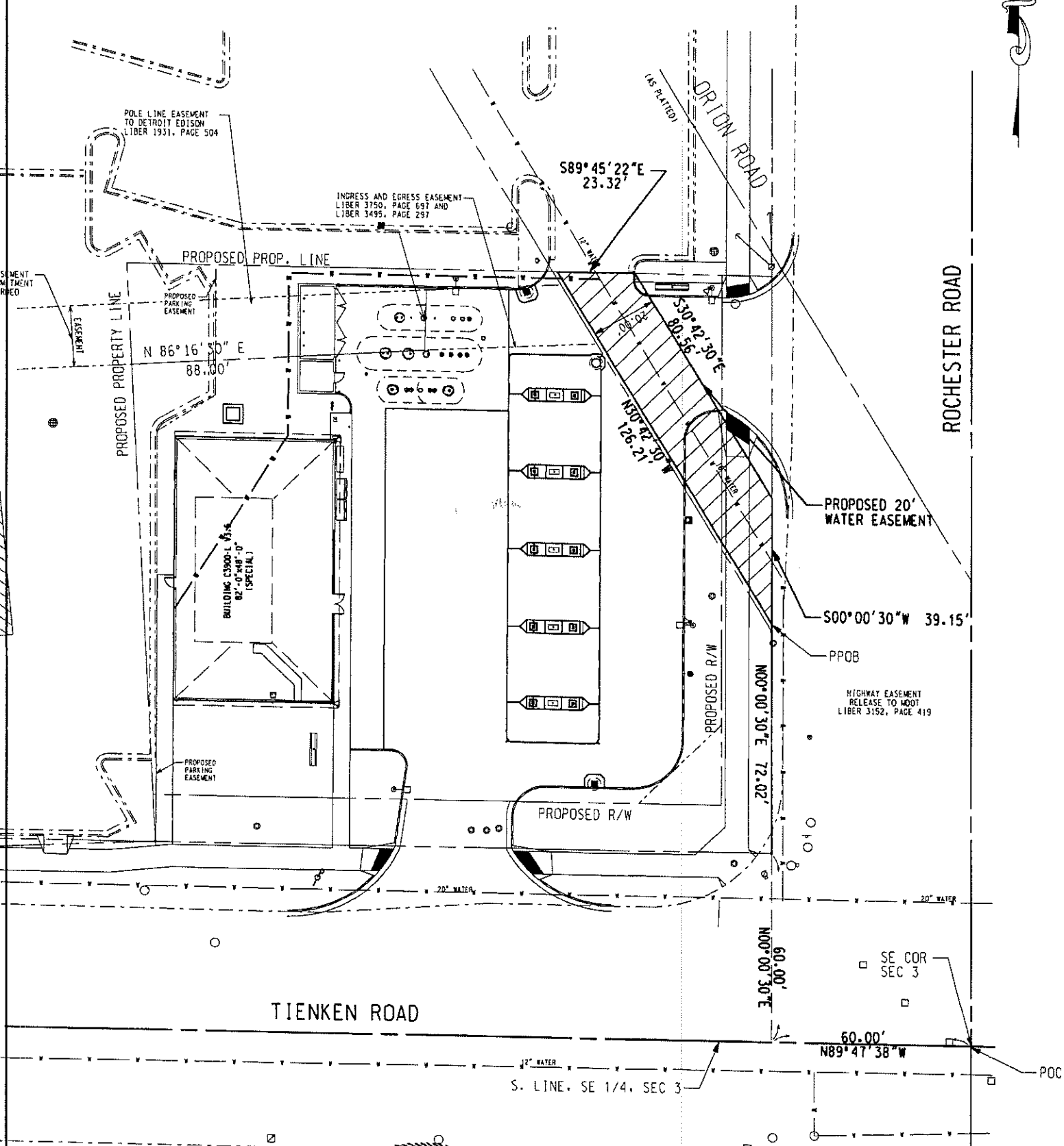
  
Gene E. Larsen, P.E. Date: 1/9/06  
Michigan License #39161



APPROVED DEGC  
  
ROCHESTER HILLS  
ENGINEERING DEPT.  
01-12-06

# EXHIBIT A

## EASEMENT



APPROVED DESG  
*M. [Signature]*  
 ROCHESTER HILLS  
 ENGINEERING DEPT.  
 01-12-06

*Gene E. Larsen*  
 1/9/06

EASEMENT AREA



### EXHIBIT A

#### EASEMENT

**ROCHESTER HILLS, MI**  
 6980 ROCHESTER ROAD  
 OAKLAND COUNTY  
**UNIT #0008830**

Established 1998

Presented By:  
 Speedway SuperAmerica LLC  
 Springfield, OH 45501  
 A subsidiary of Marathon Petroleum Company LLC

Prepared By:  
 Marathon Petroleum Company LLC  
 Marketing & Transportation Engineering Dept.  
 Findlay, OH 45840

DCNR, A. MASSIE	DATE	1-3-06
RVWR, D. ERFORD	DATE	1-3-06