

SANITARY SEWER EASEMENT

CAVALIERE ROCHESTER RD., LLC, a Michigan limited liability company, of 30078 Schoenherr, Suite 300, Warren, Michigan 48088, 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 sanitary sewer on, under through and across land more particularly described as:

Grantor's Parcel: Sidwell #15-23-152-014 as described on Exhibit A
Easement Area: 0.008 Acres as shown on Exhibit B

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the sanitary sewer, 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 sanitary sewer 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 sanitary sewer: (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)

GRANTOR:

CAVALIERE ROCHESTER RD., L.L.C.

By: *[Signature]*
Lorenzo J. Cavaliere, Manager

STATE OF MICHIGAN)
) SS.
COUNTY OF MACOMB)

The foregoing instrument was acknowledged before me in Oakland County, Michigan on this 6th day of March, 2006, by Lorenzo J. Cavaliere, manager of Cavaliere Rochester Rd., L.L.C., a Michigan limited liability company, on behalf of the company.

Drafted By:
MCS Associates, Inc.
Mende Bezanovski
44444 Mound Rd., Ste. 100
Sterling Hts., MI 48314

[Signature]
Notary Public, Macomb County, Michigan
My commission expires: 09-13-2011
Acting in Macomb County, Michigan

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

JOZANNE LYNN PACZKOWSKI
Notary Public, State of Michigan
County of Macomb
My Commission Expires 09-13-2011
Acting in the county of Macomb

017 d
J. Staran
3-16-06

EXHIBIT B

OFFSITE SANITARY EASEMENT

LEGAL DESCRIPTION: (PROPOSED "CITY PLACE" PHASE 1)

Part of the Northwest 1/4 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 N88°51'09"E 286.15 ft. along the East-West 1/4 line of Section 23 and N01°08'51"W 1.84 ft.; and N01°14'19"E 58.82 feet from the West 1/4 corner of Section 23, T.3N., R.11E.; thence S88°57'39"W 30.00 feet; thence N01°14'34"E 60.00 ft.; thence N88°57'39"E 30.00 ft.; thence N01°14'21"E 213.52; thence N88°56'44"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°14'21"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 S88°57'39"W (S85°53'06"W Record) 615.66 ft.; thence S01°14'19"W 23.97 ft. to the point of beginning.
Containing 155,363 Square Feet --- 3.567 Acres, more or less.

Subject to the rights of the public and of any governmental unit in any part of land taken thereof, used or deeded for street, road or highway purposes.

LEGAL DESCRIPTION: OFFSITE SANITARY EASEMENT

Part of the NW 1/4 of Section 23, T.3N., R.11E., Rochester Hills, Oakland County, Michigan, being more particularly described as follows:

Beginning at a point which is N88°51'09"E 286.15 feet along the East-West 1/4 Line of Section 23 and N01°08'51"W 1.84 feet and N01°14'19"E 58.82 feet and S88°57'39"W 30.00 feet and N01°14'34"E 60.00 feet and N88°57'39"E 30.00 feet and N01°14'21"E 213.52 feet and N88°56'44"E 473.83 feet from the West 1/4 corner of Section 23; thence N46°27'22"E 29.61 feet; thence N88°56'44"E 6.48 feet to the South line of "Yorktown Commons Sub", recorded in Liber 206 of Plats, Page 13-19, Oakland County Records; thence S01°16'37"W 20.02 feet along said South line of "Yorktown Commons Sub"; thence S88°56'44"W 27.50 feet to the Point of Beginning.
Containing 340 square feet --- 0.008 acres, more or less.

APPROVED


ROCHESTER HILLS
ZONING DEPT.

JJ-06-158
SHEET 2 OF 2

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CLIENT: G & V PROPERTIES
DATE: 3-14-06 PJS

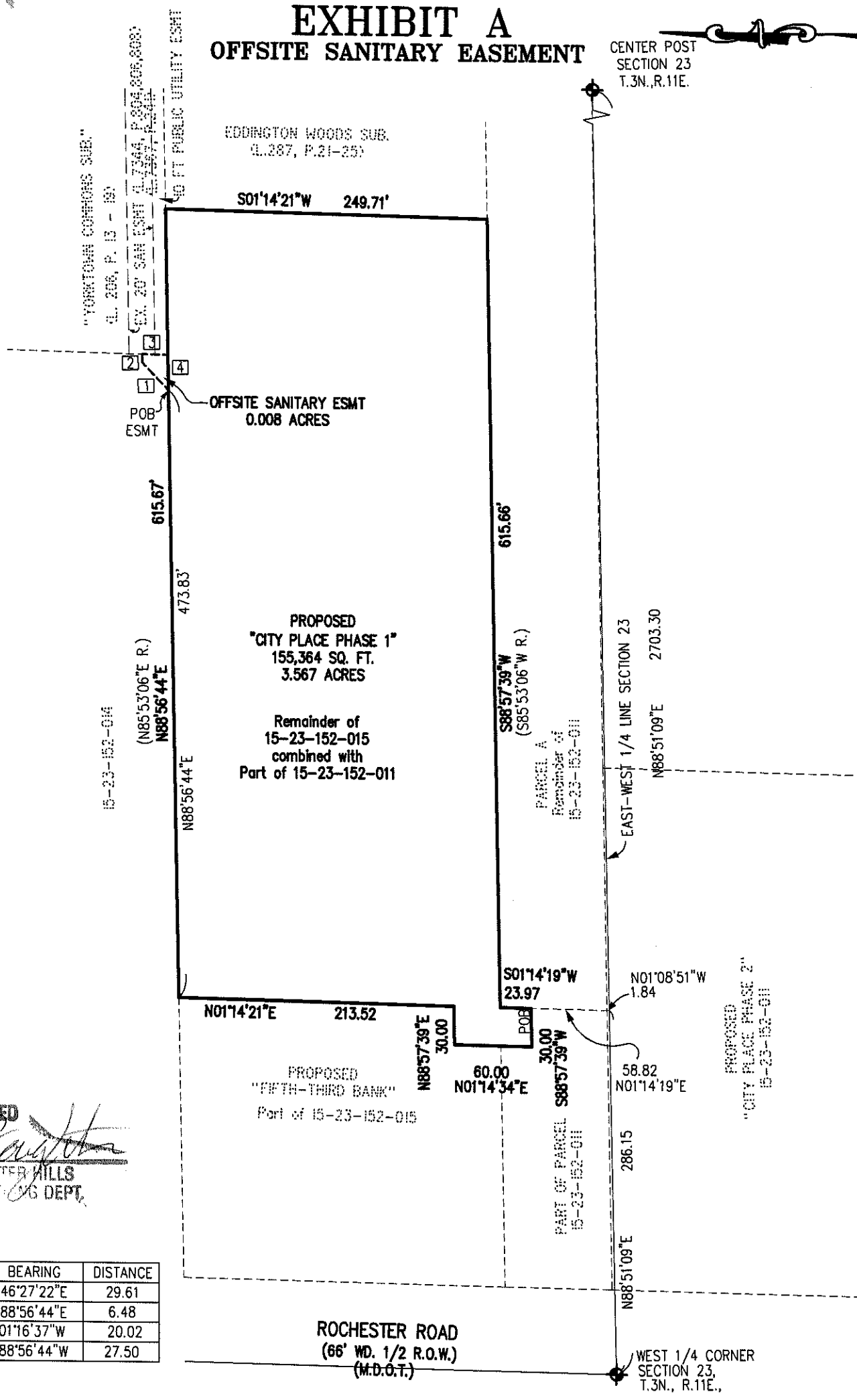
 **ASSOCIATES, INC.**
Civil Engineering and Surveying

FORMERLY
MCS ASSOCIATES, INC.
4444 MOUND ROAD, SUITE 100
STERLING HEIGHTS, MICHIGAN 48314
TELEPHONE (586) 726-6310 FAX (586) 726-0042

EXHIBIT A

OFFSITE SANITARY EASEMENT

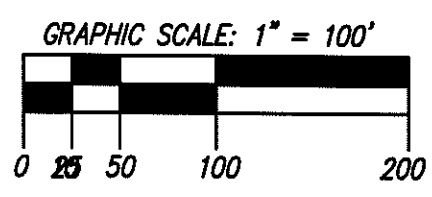
CENTER POST
SECTION 23
T.3N., R.11E.



APPROVED
J. Kauffman
CITY ENGINEER
CITY DEPT.

| NO. | BEARING | DISTANCE |
|-----|-------------|----------|
| 1 | N46°27'22"E | 29.61 |
| 2 | N88°56'44"E | 6.48 |
| 3 | S01°16'37"W | 20.02 |
| 4 | S88°56'44"W | 27.50 |

LEGEND
1 LINE COURSE



JJ-06-158
SHEET 1 OF 2

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