

AMENDED SANITARY SEWER EASEMENT

The City of Rochester Hills ("City"), a municipal corporation, whose address is 1000 Rochester Hills Drive, Rochester Hills, MI 48309, was granted a Sanitary Sewer Easement (copy attached hereto as Exhibit A), dated May 2, 2006, recorded at Liber 38105, Page 263, Oakland County Records, by Lombardo Rochester LLC ("Lombardo").

Whereas, Lombardo subsequently quitclaimed its interest in the underlying property to S.E. Michigan Land Holding, LLC ("Owner"), a Michigan limited liability company, of 12955 23 Mile Road, Shelby Township, MI 38315; and

Whereas, Lombardo no longer intends to develop the property, and the City and Owner desire to relocate the sanitary sewer easement.

Therefore, Owner and the City agree to, and hereby do, amend the aforesaid Sanitary Sewer Easement by modifying the easement description as set forth in Exhibit B attached hereto, which shall supersede and replace the easement description set forth in Exhibit A to the aforesaid Sanitary Sewer Easement.

Except for the amended description, all other terms and conditions of the aforesaid Sanitary Sewer Easement, dated May 2, 2006, shall apply and are reaffirmed.

Dated: _____, 2011

S.E. MICHIGAN LAND HOLDING LLC
a Michigan limited liability company

By: _____
Anthony Lombardo, Manager

CITY OF ROCHESTER HILLS,
a Michigan municipal corporation

By: _____
Bryan K. Barnett, Mayor

By: _____
Jane Leslie, Clerk

STATE OF MICHIGAN

COUNTY OF MACOMB

The foregoing instrument was acknowledged before me this 18th day of February 2011, by Anthony Lombardo, Manager of S.E. Michigan Land Holding LLC, a Michigan limited liability company, on behalf of the company.

Mark Paul Roebuck
Notary Public, State of Michigan, County of Macomb
My Commission Expires: July 8, 2011
Acting in the County of Macomb

Mark Paul Roebuck
Notary Public
MACOMB County, Michigan
My commission expires: 7/8/2011
Acting in MACOMB County

STATE OF MICHIGAN

COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this _____ day of _____ 2011, by Bryan K. Barnett, Mayor, and Jane Leslie, Clerk, of the City of Rochester Hills, a Michigan municipal corporation, on behalf of the City.

Notary Public
_____ County, Michigan
My commission expires: _____
Acting in _____ County

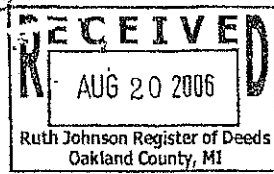
Drafted by:
Mark Roebuck
Lombardo Companies
51237 Danview Technology Ct
Shelby Township, MI 48315

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

*J.S. app'd.
2/25/11*

Exhibit 'A'

[See attached copy of previously recorded easement]



224815
LIBER 38105 PAGE 263
\$22.00 MISC RECORDING
\$4.00 REINUMENTATION
09/13/2006 11:33:49 A.M. RECEIPT# 102440
PAID RECORDED - OAKLAND COUNTY
RUTH JOHNSON, CLERK/REGISTER OF DEEDS

Sanitary Sewer Easement

Lombardo Rochester Hills LLC, a Michigan limited liability company of 6303 Twenty-Six Mile Road Washington, MI 48094 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 the land more particularly described as:

See Attached Exhibit 'A'

Sidwell #: 15-22-226-016

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.

This easement shall be irrevocable and non-exclusive, and Grantor and the Grantor's successors and assigns may use and enjoy the easement area in common with the City.

This easement will also supersede and replace sanitary sewer easement, liber 8554 pages 649-650 and ingress/egress easement, liber 8554 pages 647-648, Oakland County records.

Handwritten initials

#

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); MSA 7.456 (26) (a).

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 2nd day of May, 2006.

WITNESSES:
Jennifer Sobota
Name: Jennifer Sobota

Mark Rooback
Name: Mark Rooback

APPROVED AS TO FORM
J.STARAN 4/26/06

LOMBARDO ROCHESTER HILLS LLC
a Michigan limited liability company
By: Lombardo Management, Inc.
a Michigan corporation

Its: Manager
By: Anthony Lombardo
Its: President

O.K. KB

Name:

By: [Signature]
BRYAN K. BARNETT
Mayor

Name:

By: [Signature]
Jane Leslie, Clerk

STATE OF MICHIGAN
COUNTY OF MACOMB

This agreement was acknowledged before me on May 2,
2006, by Anthony Lombardo, President of Lombardo Management, Inc., a
Michigan corporation, Manager of Lombardo Rochester Hills LLC, a Michigan
limited liability company on behalf of the company.

Mark Paul Roebuck
Notary Public, State of Michigan, County of Macomb
My Commission Expires: July 8, 2011
Acting in the County of Macomb

[Signature]
Notary Public
Acting in Macomb County, Michigan
My commission expires: 7-8-2011

STATE OF MICHIGAN
COUNTY OF OAKLAND

This agreement was acknowledged before me on August 17,
2006, by Bryan K. Barnett, Mayor, and Jane Leslie, Clerk, of the City
of Rochester Hills, on behalf of the City.

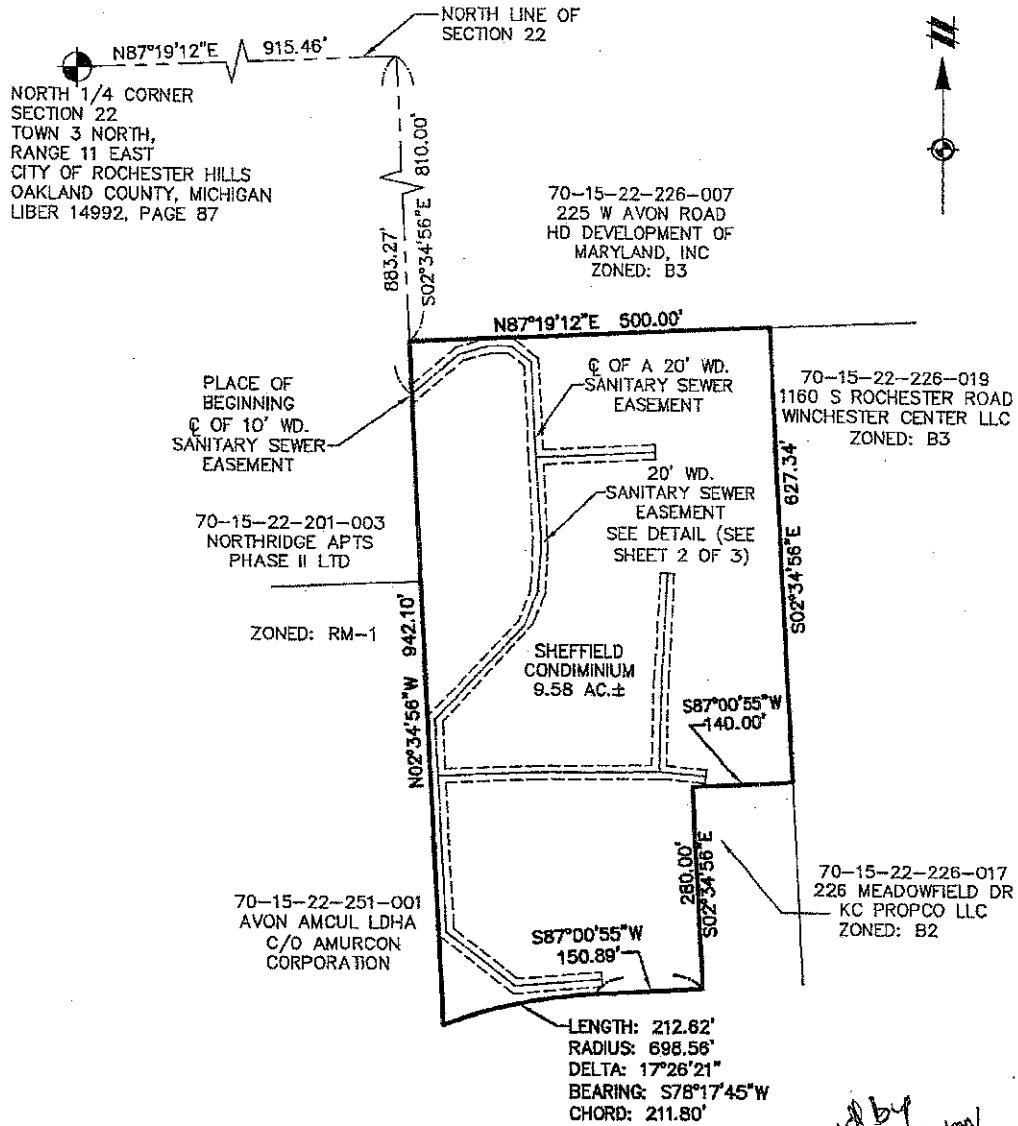
JEAN CLOSE
Notary Public, Oakland County, MI
My Commission Expires 08-30-2012
ACTING IN OAKLAND Co.

[Signature]
Notary Public
Acting in OAKLAND County, Michigan
My commission expires: 8/30/2012

Drafted By: Anthony Lombardo
Lombardo Companies
6303 26 Mile Rd.
Washington, MI 48094

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

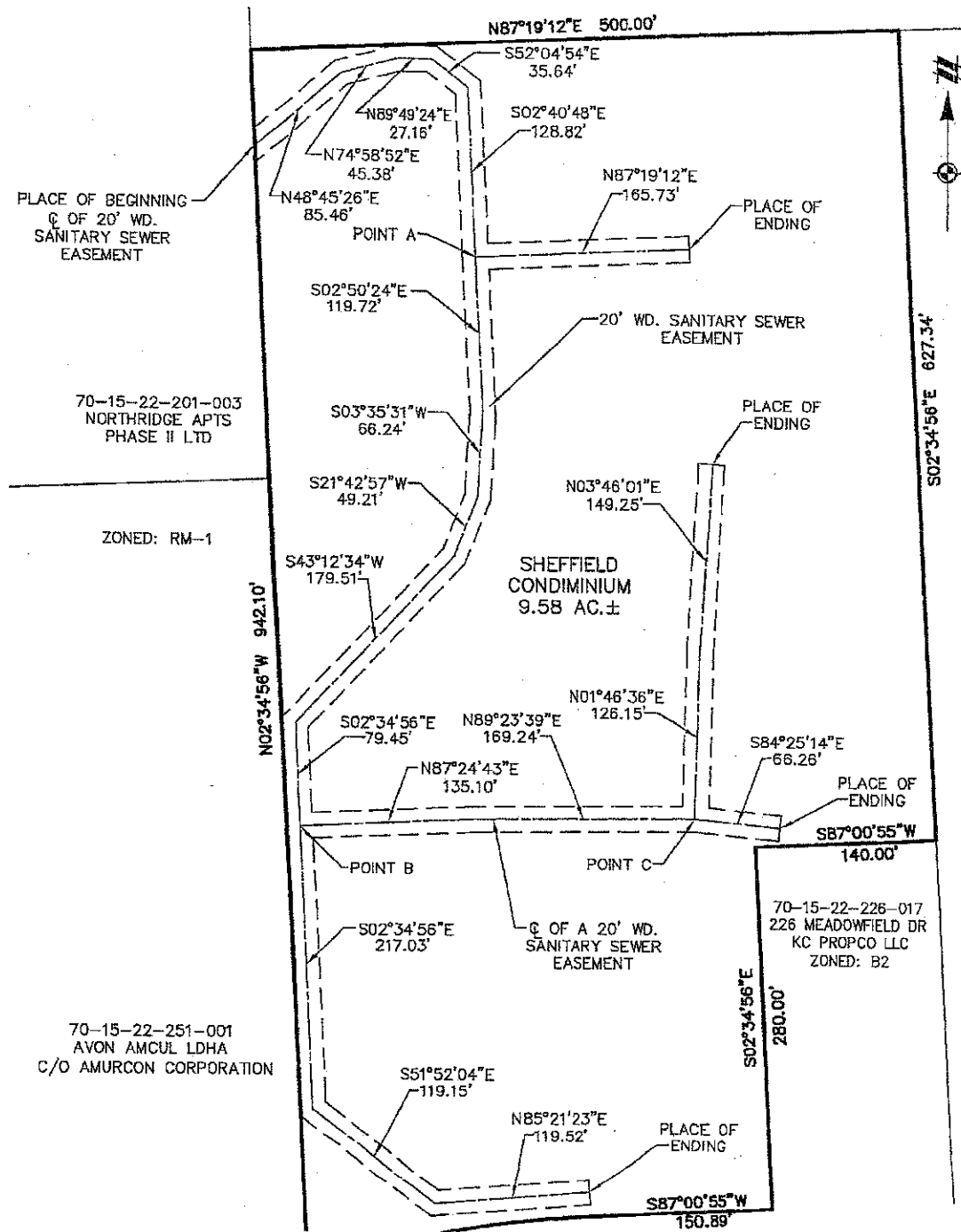
Exhibit 'A'



*OK'd by
Jason Slaughter
4-20-06*

CLIENT LOMBARDO ROCHESTER HILLS LLC.	JOB: 201406.30	CAD 201406EA5
	DR. TJB	CH. JIF
SHEFFIELD CONDOMINIUM PROPOSED SANITARY SEWER EASEMENT	BOOK -	PG. -
	SHEET 01 OF 03	DATE: 03-29-06
SECTION 22, TOWN 3 NORTH, RANGE 11 EAST CITY OF ROCHESTER HILLS OAKLAND COUNTY, MICHIGAN	FILE NO. 5102-156-1	
SCALE: 1 INCH = 200 FEET		
ATWELL-HICKS Engineering • Surveying • Planning Environmental • Water/Wastewater 868 850 4200 www.atwell-hicks.com MICHIGAN ILLINOIS OHIO FLORIDA		

Exhibit 'A'



CLIENT LOMBARDO ROCHESTER HILLS LLC. SHEFFIELD CONDOMINIUM PROPOSED SANITARY SEWER EASEMENT DETAIL SECTION 22, TOWN 3 NORTH, RANGE 11 EAST CITY OF ROCHESTER HILLS OAKLAND COUNTY, MICHIGAN SCALE: 1 INCH = 100 FEET	JOB: 201406.3D	CAD 201406EA5
	DR. TJB	CH. JIF
	BOOK -	PG. -
	SHEET 02 OF 03	DATE: 03-29-06
	FILE NO. 5102-156-1	
ATWELL-HICKS Engineering • Surveying • Planning Environmental • Water/Wastewater 866 850 4200 www.atwell-hicks.com MICHIGAN ILLINOIS OHIO FLORIDA		

Exhibit 'A'

Legal Description:

Situated in the City of Rochester Hills, Oakland County, Michigan, described as:

Part of the Northeast 1/4 of Section 22, Town 3 North, Range 11 East, Avon Township, now City of Rochester Hills, Oakland County, Michigan, described as follows: Beginning at a point, said point being N87°19'12"E 915.46 feet along the North line of said Section 22 and S2°34'56"E 810.00 feet from the North 1/4 corner of said Section 22; thence from said point of beginning N87°19'12"E 500.00 feet; thence S2°34'56"E 627.34 feet; thence S87°00'55"W 140.00 feet; thence S2°34'56"E 280.00 feet; thence S87°00'55"W 150.89 feet; thence 212.62 feet along the arc of a curve to the left, radius 698.56 feet, central angle 17°26'21", chord length 211.80 feet and a chord bearing of S78°17'45"W; thence N2°34'56"W 942.10 feet to the point of beginning.

Legal Description for a 20' Wide Sanitary Sewer Easement:

A 20 foot wide strip of land for the installation and maintenance of a sanitary sewer, located in the Northeast 1/4 of Section 22, T3N, R11E, City of Rochester Hills, Oakland County, Michigan, whose centerline is described as follows: commencing at the North 1/4 corner of said Section 22; thence N87°19'12"E 915.46 feet along the North line of said Section 22; thence S02°34'56"E 883.27 feet for a PLACE OF BEGINNING; thence N48°45'26"E 85.46 feet; thence N74°58'52"E 45.38 feet; thence N89°49'24"E 27.16 feet; thence S52°04'54"E 35.64 feet; thence S02°40'48"E 128.82 feet to a Point A; thence S02°50'24"E 119.72 feet; thence S03°35'31"W 66.24 feet; thence S21°42'57"W 49.21 feet; thence S43°12'34"W 179.51 feet; thence S02°34'56"E 79.45 feet to a Point B; thence N87°24'43"E 135.10 feet; thence N89°23'39"E 169.24 feet to a Point C; thence N01°46'36"E 126.15 feet; thence N03°46'01"E 149.25 feet to a Place of Ending.

Thence returning to said Point A; thence N87°19'12"E 165.73 feet to a Place of Ending.

Thence returning to said Point B; thence S02°34'56"E 217.03 feet; thence S51°52'04"E 119.15 feet; thence N85°21'23"E 119.52 feet to a Place of Ending.

Thence returning to said Point C; thence S84°25'14"E 66.26 feet to a Place of Ending.


CLIENT LOMBARDO ROCHESTER HILLS LLC. SHEFFIELD CONDOMINIUM PROPOSED SANITARY SEWER EASEMENT LEGAL DESCRIPTIONS SECTION 22, TOWN 3 NORTH, RANGE 11 EAST CITY OF ROCHESTER HILLS OAKLAND COUNTY, MICHIGAN	JOB: 201406.30	CAD 201406EA5
	DR. TJB	CH. JIF
	BOOK --	PG. --
	SHEET 03 OF 03	DATE: 03-29-06
	FILE NO. 5102-156-1	
ATWELL-HICKS Engineering - Surveying - Planning Environmental - Water/Wastewater 888 850 4200 www.atwell-hicks.com  MICHIGAN ILLINOIS OHIO FLORIDA		

Exhibit 'B'

A 20' wide easement to construct, maintain and repair a sanitary sewer, located in the NE ¼ of Section 22, T3N, R11E, City of Rochester Hills, Oakland County, Michigan, whose centerline is described as follows: commencing at the North ¼ corner of said Section 22, thence S89°05'58"E, 915.46 feet along the North line of said Section 22; thence leaving said Section line, S0°59'54"W, 1379 feet to the **Point of Beginning**; thence S88°58'52"E, 370 feet; thence S0°59'54"W, 75 feet to the **Point of Ending**.

M.T. app'd
2/28/11