

PEDESTRIAN BICYCLE PATHWAY EASEMENT

Mark Steven Ott and Barbara Ott, husband and wife,

3300 West South Boulevard, Rochester Hills, MI 48309

for and in consideration of the sum of: Ten Thousand, Seven Hundred, Seventy-Three and no/100 Dollar (\$10,773.00) 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, and public use of a pedestrian-bicycle pathway over, on through and across land more particularly described as:

SEE ATTACHED EXHIBIT "A"
Sidwell #15-31-400-017

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's successors and assigns, so long as there is no interference with the construction, operation, maintenance, repair and/or replacement, and public use 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 of written consent shall be obtained from the City.

Exempt from Transfer Tax under MCLA 207.526(a); MSA 7.456 (26) (1).

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 29TH day of MARCH, 2010.

Mark Steven Ott (L.S.)
*Mark Steven Ott
Barbara Ann Ott (L.S.)
*Barbara Ott

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 29TH day of MARCH, 2010, by Mark Steven Ott and Barbara Ott, husband and wife.

Patricia A. Petitto
* PATRICIA A. PETITTO
Notary Public, OAKLAND County, Michigan
Acting in OAKLAND County, Michigan
My Commission Expires 12-31-11

Drafted by:
Patricia A. Petitto
4840 N. Adams Road, Suite #183
Rochester Hills, MI 48306

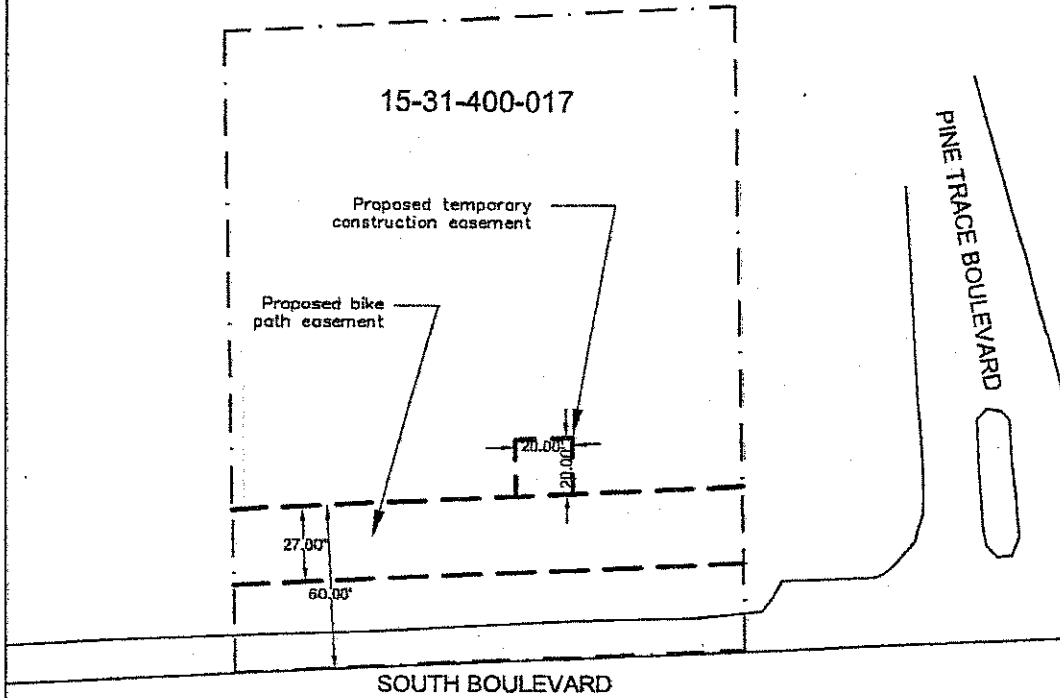
When recorded, return to:
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

EXHIBIT "A"

Parcel description per Liber 29545 Page 066 Oakland County Records:
 Part of the Southeast 1/4 of Section 31, T.3N., R.11E., City of Rochester Hills, (formerly Avon Township), Oakland County, Michigan, and being more particularly described as: Commencing at the South 1/4 corner of said Section 31; thence North 89 degrees 46 minutes 35 seconds East 157.92 feet along the South line of said Section 31 to the Point of Beginning; thence proceeding North 89 degrees 46 minutes 35 seconds East 180.00 feet along the South line of said Section 31 to a point; thence North 01 degrees 43 minutes 35 seconds East 230.00 feet to a point; thence South 89 degrees 46 minutes 35 seconds West 180.00 feet to a point; thence South 01 degrees 43 minutes 35 seconds West 230.00 feet to the Point of Beginning, Containing 0.85 acres of land more or less, subject to the rights of the public over the southerly 33 feet (proposed 60 feet) being known as South Boulevard and any other easements or restrictions of record, if any.

Pathway easement:
 The north 27 feet of the south 60 feet of the above described parcel.

Temporary construction easement:
 A 20 foot by 20 foot easement adjacent and parallel to the north line of the permanent pathway easement and beginning 60 feet west and parallel to the east property line.



APPROVED BY _____ DATE: _____	City of Rochester Hills 1000 Rochester Hills Drive Rochester Hills, Michigan 48309	PATHWAY EASEMENT EXHIBIT A 15-31-400-017	SCALE 1" = 50' DATE: 04/14/2008 CITY FILE: , E07-012
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MEEng\PUBLIC\07017 South Blvd Pathway Improvements (Adams to Crooks) Easement Exhibit B Dwg\15-31-400-017.dwg