

HIGHWAY EASEMENT

Star-Batt Condominium Association, a Michigan corporation, mailing address of 1928 Star- Batt Drive Suite E, Rochester Hills, Michigan 48063 grant (s) to the City of Rochester Hills, a Michigan municipal corporation, of 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309, an easement for all public highway purposes, including public utilities, and the construction, operation, maintenance, repair, replacement and/or public use of water main, sanitary sewer, storm sewer, sidewalks and/or pathways in, over, under, upon, and through the following described premises situated in the City of Rochester Hills, Oakland County, Michigan:

Part of "Star Batt Condominiums" Oakland County Condominium Subdivision Plan No. 531, City of Rochester Hills, Oakland County, Michigan being part of the Northeast ¼ of Section 29, T.3N.,R.11E., Avon Township, Sidwell #15-29-276-005 and more particularly described in:

Exhibit "A" attached

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in such public utilities or improvements, or the facilities incidental thereto, which may be located in the easement.

All property disturbed or altered by the City by reason of construction, operation, etc., shall be restored as soon as possible 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. If sidewalk and/or pathways installation has not commenced within the easement within five (5) years, then the easement should lapse.

The granting of this easement shall not prevent Grantor from requesting a drive approach permit to Crooks Road.

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.

The City of Rochester Hills agrees to defend, indemnify and hold harmless Grantor and its successors and assigns from and against any and all claims, demands, judgments, losses, costs and expenses related to the City's use, improvement and maintenance of the easement except those resulting from negligence or wrongful actions by Grantor and its successors and assigns.

Grantor expressly reserves to itself and Grantor's successors and assigns, so long as there is no interference with the City's easement rights: (1) right of ingress and egress across the easement, and (b) right to grant other non-exclusive easements and rights-of-way across, over and under 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 THE PRESENCE OF:

BY: [Signature]  
Signature  
Star-Batt Condominium Association by:  
Steve Stolaruk, Chairperson  
Title

STATE OF MICHIGAN COUNTY OF Oakland  
The foregoing instrument was acknowledged before me this 24th day of August, 2010, by Steve Stolaruk, who is the Chairperson of the Star-Batt Condominium Association, a Michigan corporation, on behalf of the corporation.

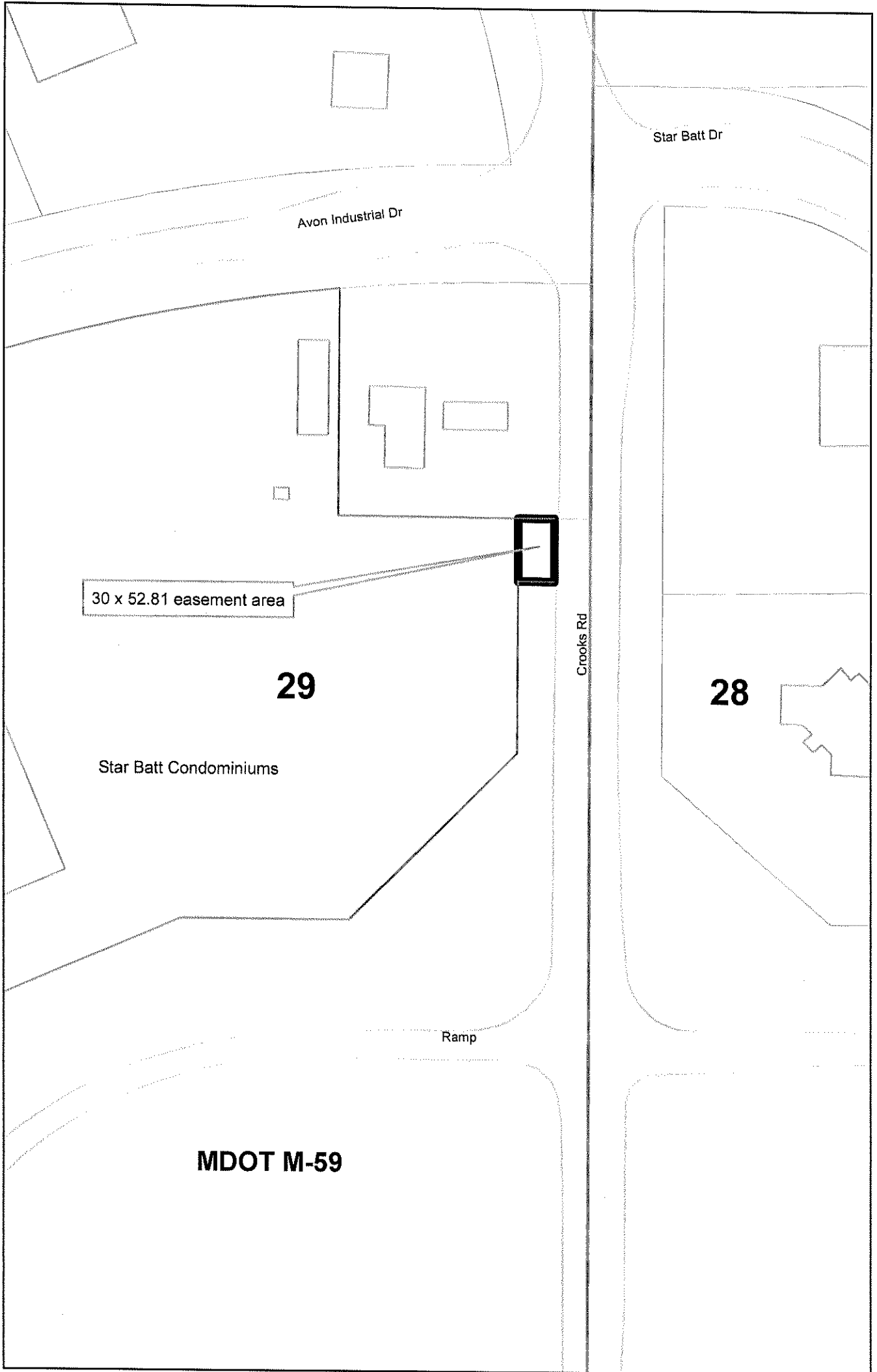
This instrument drafted by:  
Roger P. Moore  
City of Rochester Hills  
1000 Rochester Hills Drive  
Rochester Hills MI 48309

Notary Public  
Oakland County, Michigan  
My Commission expires: [Signature]  
JOSY A FOISY  
Notary Public, State of Michigan  
County of Oakland  
My commission expires 09/23/2012  
Acting in the county of Oakland

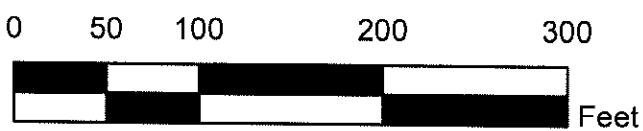
WHEN RECORDED RETURN TO:  
Clerks Office  
City of Rochester Hills  
1000 Rochester Hills Drive  
Rochester Hills MI 48309

## Exhibit "A"

Part of "Star Batt Condominiums" Oakland County Condominium Subdivision Plan No. 531, City of Rochester Hills, Oakland County, Michigan being part of the Northeast  $\frac{1}{4}$  of Section 29, T.3N.,R.11E., Avon Township and *more particularly described as*; Commencing at the East  $\frac{1}{4}$  corner of said Section 29 thence N.01<sup>0</sup>41'08"W., 1263.76 feet along the East line of Section 29; thence S.88<sup>0</sup>18'52"W., 30.00 feet to the Point of Beginning also being the Point of Beginning of said "Star Batt Condominiums; Thence continuing S.88<sup>0</sup>18'52"W.,30.00 feet; Thence N.01<sup>0</sup>41'08"W.,52.81 feet; thence N.88<sup>0</sup>18'52"E., 30.00; Thence S.01<sup>0</sup>41'08"E., 52.81 feet to the point of beginning and contains 1584 square feet or 0.036 acres more or less. Sidwell #15-29-276-005



NOT TO SCALE



M-59 Crooks interchange  
E03-007C  
June 1 2010  
Highway Easement Stolaruk Corporation