

PUBLIC UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that Hamlin Development Associates Limited Partnership, a Michigan Limited Partnership ("Grantor(s)") a Michigan Corporation whose address is 39400 Woodward Ave., Ste. 250, Bloomfield Hills, MI 48304-5155 party of the first part, for and in consideration of the sum of Nine Hundred Forty Four Dollars (\$944.00) paid to party of the first part by the City of Rochester Hills (A Michigan Municipal Corporation), party of the second part, whose address is 1000 Rochester Hills Drive, Rochester Hills, Michigan, 48309-3033 do hereby grant to the said party of the second part the right to construct, operate, maintain, repair and/or replace all Public Utilities, above and or below ground, within a Permanent easement across and through the following described land situated in:

SEE EXHIBITS "A" AND "B" ATTACHED
SIDWELL NO. 15-21-476-054

The premises so disturbed by reason of the exercise of any of the foregoing powers shall be reasonably restored to its original condition by the party of the second part.

This instrument shall be binding upon and inure to the benefit of the parties hereto; their heirs, representatives, successors, and assigns and the covenants contained herein shall run with the land.

This Utility Easement includes, but is not limited to, the consent of the Grantor(s) to the removal of any trees, shrubs, and/or vegetation, to grading, to the occupancy of the Property by public utilities, and to other matters which, in the sole discretion of the City, may be necessary in connection with all public Utility purposes and the construction, operation, maintenance, repair, and/or replacement of all utilities, and other infrastructure improvements in, over, under, upon, and through the Property. Grantor(s) waive(s) further notice of such actions.

All trees located within this easement can be removed and not replaced.

IN WITNESS WHEREOF, the undersigned hereunto affixed its signature this 2nd day of June, A.D. 2008.

HAMLIN DEVELOPMENT ASSOCIATES LIMITED
PARTNERSHIP, a Michigan limited partnership

By: HAMLIN INVESTMENT CORPORATION, a
Michigan corporation, General Partner

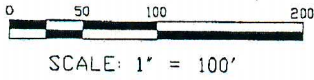
By: 

C. Michael Kojanian, Vice President

(Acknowledgment contained
on following page)

RIGHT OF WAY ACQUISITION SKETCH

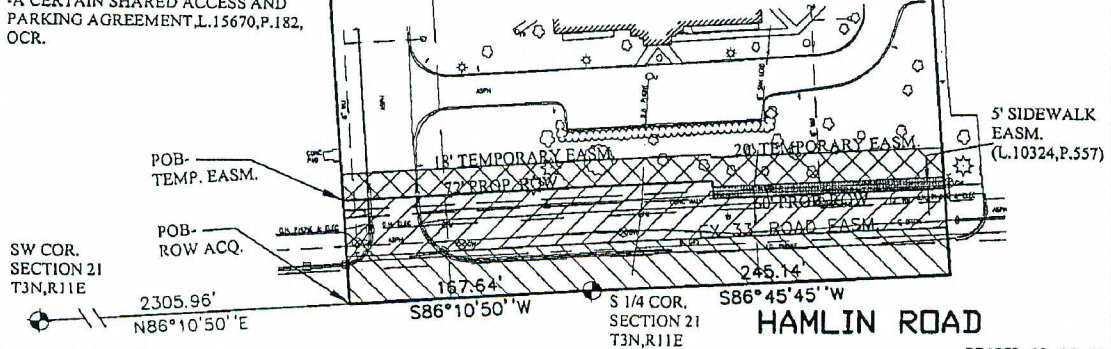
Exhibit "A"



PROJECT PARCEL NO.: H-09 TAX ID NO. 15-21-476-054

- LEGEND**
- ROW RIGHT-OF-WAY
 - ⊙ PUBLIC LAND CORNER
 - POB POINT OF BEGINNING
 - TEMPORARY EASEMENT
 - RIGHT OF WAY ACQUISITION
 - EXISTING RIGHT OF WAY
 - PUBLIC UTILITIES EASEMENT

PARCEL IS SUBJECT TO:
 -WATER MAIN EASEMENT,
 L.10287,P.578, OCR.
 -A CERTAIN SHARED ACCESS AND
 PARKING AGREEMENT L.15670,P.182,
 OCR.



HAMLIN ROAD RIGHT OF WAY ACQUISITION			
PART OF S 1/2 OF SECTION 21, T 3 N, R 11 E, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN		<small>ORCHARD, HILTZ & MCCLIMENT, INC. 34000 PLYMOUTH ROAD LIVONIA, MI 48150 P: 734.522.6711 F: 734.522.6427</small>	
TAX ID NO.:	15-21-476-054	DATE:	10-31-07
CLIENT:	CITY OF ROCHESTER HILLS, MI	DRAWN BY:	SH
		DWG:	HM09
		SHEET	1 OF 3
		OHM PROJECT NO.	190-96-021

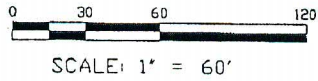
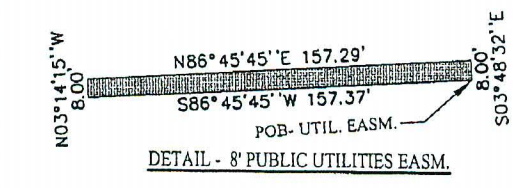
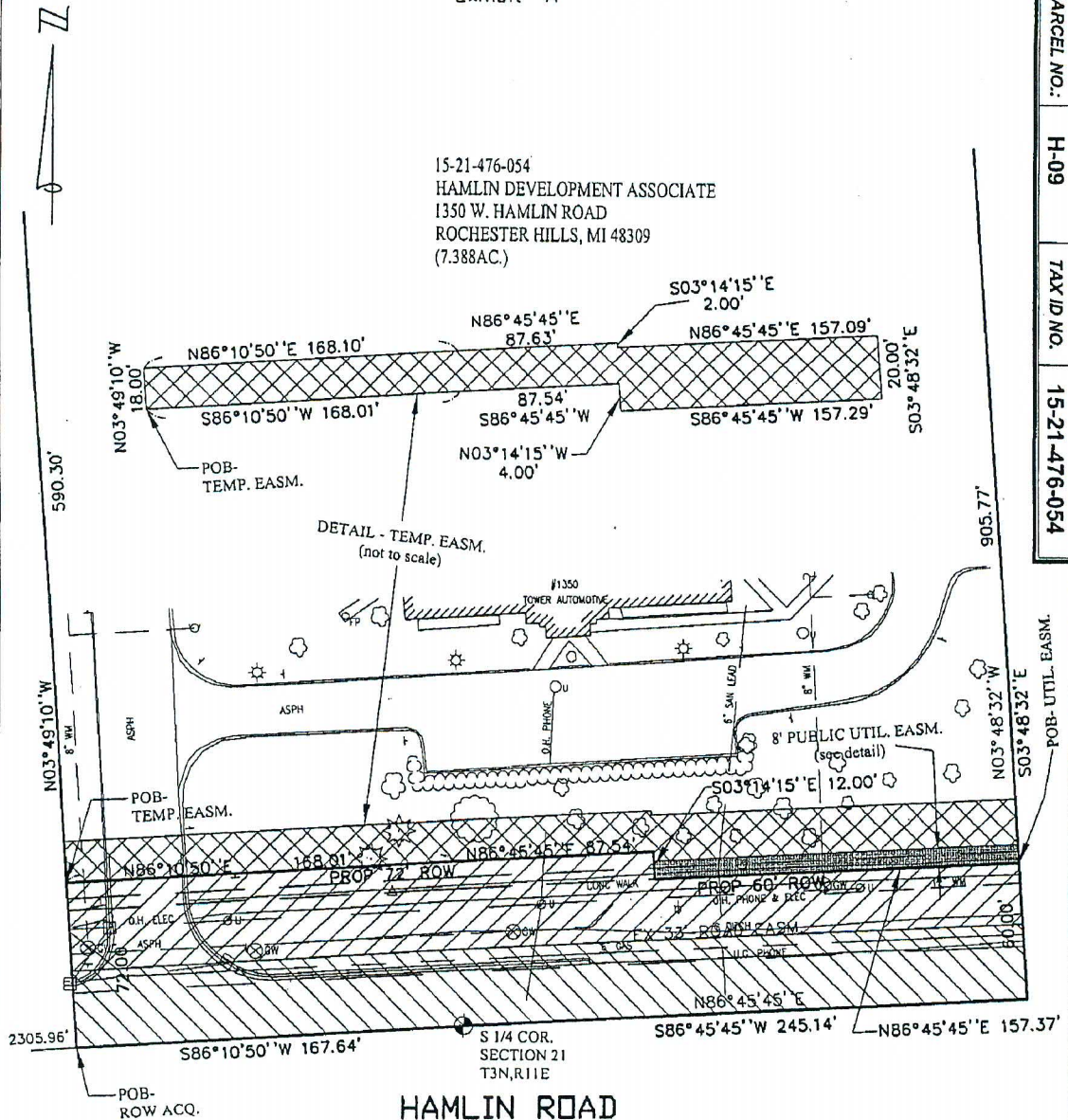
REVISED 03-27-08

RIGHT OF WAY ACQUISITION SKETCH

Exhibit "A"

15-21-476-054
 HAMLIN DEVELOPMENT ASSOCIATE
 1350 W. HAMLIN ROAD
 ROCHESTER HILLS, MI 48309
 (7.388AC.)

PROJECT PARCEL NO.: H-09 TAX ID NO. 15-21-476-054



- LEGEND**
- ROW RIGHT-OF-WAY
 - ⊙ PUBLIC LAND CORNER
 - POB POINT OF BEGINNING
 - ▨ TEMPORARY EASEMENT
 - ▧ RIGHT OF WAY ACQUISITION
 - ▩ EXISTING RIGHT OF WAY
 - ▦ PUBLIC UTILITIES EASEMENT

LAND AREAS

PARENT PARCEL	= 7.388 ACRES (321,831 SQ. FEET)
RIGHT OF WAY ACQUISITION(GROSS)	= 0.639 ACRES (27,833 SQ. FEET)
RIGHT OF WAY ACQUISITION(NET)	= 0.326 ACRES (14,211 SQ. FEET)
REMAINDER	= 6.749 ACRES (293,998 SQ. FEET)

REVISED 03-27-08

HAMLIN ROAD RIGHT OF WAY ACQUISITION		OHM CONSULTING ENGINEERS <small>ORCHARD, HILTZ & MOCLIMONT, INC. 34000 PLYMOUTH ROAD LIVONIA, MI 48150 P: 734.522.8711 F: 734.522.6427</small>			
PART OF S 1/2 OF SECTION 21, T 3 N, R 11 E, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN					
TAX ID NO.:	15-21-476-054	DATE:	10-31-07	SHEET	OHM PROJECT NO.
CLIENT:	CITY OF ROCHESTER HILLS, MI	DRAWN BY:	SH	2 OF 3	190-96-021
		DWG:	HM09		

RIGHT OF WAY ACQUISITION DESCRIPTION

Exhibit "B"

PARCEL DESCRIPTION

Parent Parcel

A parcel of land being part of the S 1/2 of Section 21, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, more particularly described as:
 Beginning at a point distant N 86°10'50" E 2305.96 feet from the SW corner of said Section 21; thence N 03°49'10" W 662.30 feet; thence N 86°10'50" E 99.46 feet; thence along a curve to the left, radius 24.25 feet, delta 88°33'24", chord bears N 41°54'25" E 33.86 feet, distant of 37.48 feet; thence N 02°22'00" W 36.13 feet; thence N 88°18'43" E 1.29 feet; thence N 03°48'58" W 35.16 feet; thence N 86°02'13" E 187.00 feet; thence N 03°48'32" W 205.40 feet; thence N 86°02'13" E 100.00 feet; thence S 03°48'32" E 965.77 feet; thence S 86°45'45" W 245.14 feet; thence S 86°10'50" W 167.64 feet to the Point of Beginning.
 Contains 321,831 sq. ft. or 7.388 acres of land. Subject to all easements and restrictions of record, if any.

Right of Way Acquisition

A parcel of land being part of the S 1/2 of Section 21, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, more particularly described as:
 Beginning at a point distant N 86°10'50" E 2305.96 feet from the SW corner of said Section 21; thence N 03°49'10" W 72.00 feet; thence N 86°10'50" E 168.01 feet; thence N 86°45'45" E 87.54 feet; thence S 03°14'15" E 12.00 feet; thence N 86°45'45" E 157.37 feet; thence S 03°48'32" E 60.00 feet; thence S 86°45'45" W 245.14 feet; thence S 86°10'50" W 167.64 feet to the Point of Beginning.
 Contains 27,833 sq. ft. or 0.639 acres(GROSS), 14,211 sq. ft. or 0.326 acres(NET) of land. Subject to all easements and restrictions of record, if any.

Remainder Parcel

A parcel of land being part of S 1/2 of Section 21, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, more particularly described as:
 Beginning at a point distant N 86°10'50" E 2305.96 feet from the SW corner of said Section 21; thence N 03°49'10" W 662.30 feet; thence N 86°10'50" E 99.46 feet; thence along a curve to the left, radius 24.25 feet, delta 88°33'24", chord bears N 41°54'25" E 33.86 feet, distant of 37.48 feet; thence N 02°22'00" W 36.13 feet; thence N 88°18'43" E 1.29 feet; thence N 03°48'58" W 35.16 feet; thence N 86°02'13" E 187.00 feet; thence N 03°48'32" W 205.40 feet; thence N 86°02'13" E 100.00 feet; thence S 03°48'32" E 965.77 feet; thence S 86°45'45" W 245.14 feet; thence S 86°10'50" W 167.64 feet to the Point of Beginning, EXCEPT that part:
 Beginning at a point distant N 86°10'50" E 2305.96 feet from the SW corner of said Section 21; thence N 03°49'10" W 72.00 feet; thence N 86°10'50" E 168.01 feet; thence N 86°45'45" E 87.54 feet; thence S 03°14'15" E 12.00 feet; thence N 86°45'45" E 157.37 feet; thence S 03°48'32" E 60.00 feet; thence S 86°45'45" W 245.14 feet; thence S 86°10'50" W 167.64 feet to the Point of Beginning.
 Contains 293,998 sq. ft. or 6.749 acres of land. Subject to all easements and restrictions of record, if any.

Temporary Easement


A parcel of land being part of the S 1/2 of Section 21, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, more particularly described as:
 Beginning at a point distant N 86°10'50" E 2305.96 feet; thence N 03°49'10" W 72.00 feet from the SW corner of said Section 21; thence continuing N 03°49'10" W 18.00 feet; thence N 86°10'50" E 168.10 feet; thence N 86°45'45" E 87.63 feet; thence S 03°14'15" E 2.00 feet; thence N 86°45'45" E 157.09 feet; thence S 03°48'32" E 20.00 feet; thence S 86°45'45" W 157.29 feet; thence N 03°14'15" W 4.00 feet; thence S 86°45'45" W 87.54 feet; thence S 86°10'50" W 168.01 feet to the Point of Beginning.
 Contains 7,745 sq. ft. or 0.178 acres of land. Subject to all easements and restrictions of record, if any.

Public Utilities Easement

An 8 foot wide easement for public utilities, being part of the S 1/2 of Section 21, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, more particularly described as:
 Commencing at the S ¼ corner of said Section 21; thence N 86°45'45" E 245.14 feet; thence N 03°48'32" W 60.00 feet to the Point of Beginning; thence S 86°45'45" W 157.37 feet; thence N 03°14'15" W 8.00 feet; thence N 86°45'45" E 157.29 feet; thence S 03°48'32" E 8.00 feet to the Point of Beginning.
 Contains 1,259 sq. ft. or 0.029 acres of land. Subject to all easements and restrictions of record, if any.

REVISED 03-27-08

PROJECT PARCEL NO.: H-09 TAX ID NO. 15-21-476-054

HAMLIN ROAD RIGHT OF WAY ACQUISITION		 OHM CONSULTING ENGINEERS	
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