

WATER MAIN EASEMENT

WILLIAM BEAUMONT HOSPITAL, a Michigan non-profit corporation ("Grantor") of 3601 Thirteen Mile Road, Royal Oak, Michigan 48073, grants to the **CITY OF ROCHESTER HILLS**, a Michigan municipal corporation ("Grantee"), of 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309, an easement for a water main on, under through and across land more particularly described as:

See "Overall Parcel Description" on attached Exhibit A (the "Property")
Commonly known as: Vacant land, South Boulevard
Sidwell # 15-36-452-011

The easement shall be 20 feet wide, and is more fully described under the caption "Water Main Easement Description" and depicted on Exhibit A (the "Easement Area").

The easement shall be for the construction, operation, maintenance, repair and/or replacement of a water main within the Easement Area.

In connection with this grant of easement, Grantor waives and relinquishes any right, title or interest in the water main, or the facilities incidental thereto, which may be located in the Easement Area.

Any portion of the Property or any of the improvements located thereon disturbed or altered, now or in the future, by reason of the construction, operation, maintenance, repair and/or replacement of the water main 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 within the Easement Area. Grantee shall keep the Property free and clear of all liens and encumbrances that may arise as a result of any work performed by or for Grantee, and shall indemnify, defend and hold harmless Grantor and its successors and assigns with respect to the same.

Grantee shall indemnify, defend and hold the Grantor and all future owners of the Property harmless of and from any and all claims, demands, causes of action and liability for injuries to persons or property arising out of or related to Grantee's use of the Easement Area including, but not limited to, the installation, maintenance, repair, removal and/or replacement of the water main, the facilities incidental thereto and other improvements thereon and Grantee's failure to properly maintain and repair the same.

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 water main: (a) the right of ingress and egress over, through and across the Easement Area, and (b) the right to grant other non-exclusive easements and rights-of-way across, over, under and through the Easement Area, with the condition that prior to such a grant written consent shall be obtained from the City, which consent shall not be unreasonably withheld, conditioned or delayed.

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

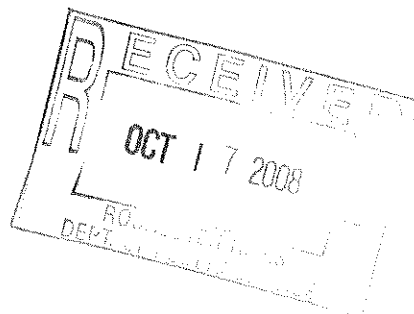
IN WITNESS WHEREOF, the undersigned has hereunto affixed his signature on this 17th day of October, 2008.

William Beaumont Hospital, a Michigan non-profit corporation

By: Eric R. Hunt
Eric R. Hunt

Its: Vice President, Operations,
Ambulatory Services Division

[acknowledgment on next page]



STATE OF MICHIGAN)

COUNTY OF OAKLAND)

This instrument was acknowledged before me on October 17th, 2008, by Eric R. Hunt, Vice President, Operations, Ambulatory Services Division, of William Beaumont Hospital, a Michigan non-profit corporation, on behalf of the corporation.

Gayle R. McClenahan
_____, notary public
Oakland County, Michigan
Acting in Oakland County County
My commission expires: June 26, 2012

Drafted by:

City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

GAYLE R. MCCLENAHAN
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Jun 26, 2012
ACTING IN COUNTY OF Oakland

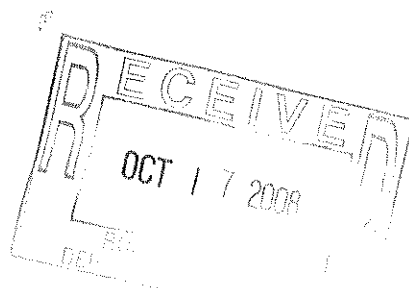
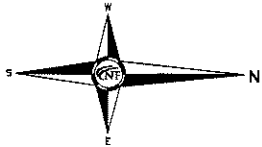


Exhibit A

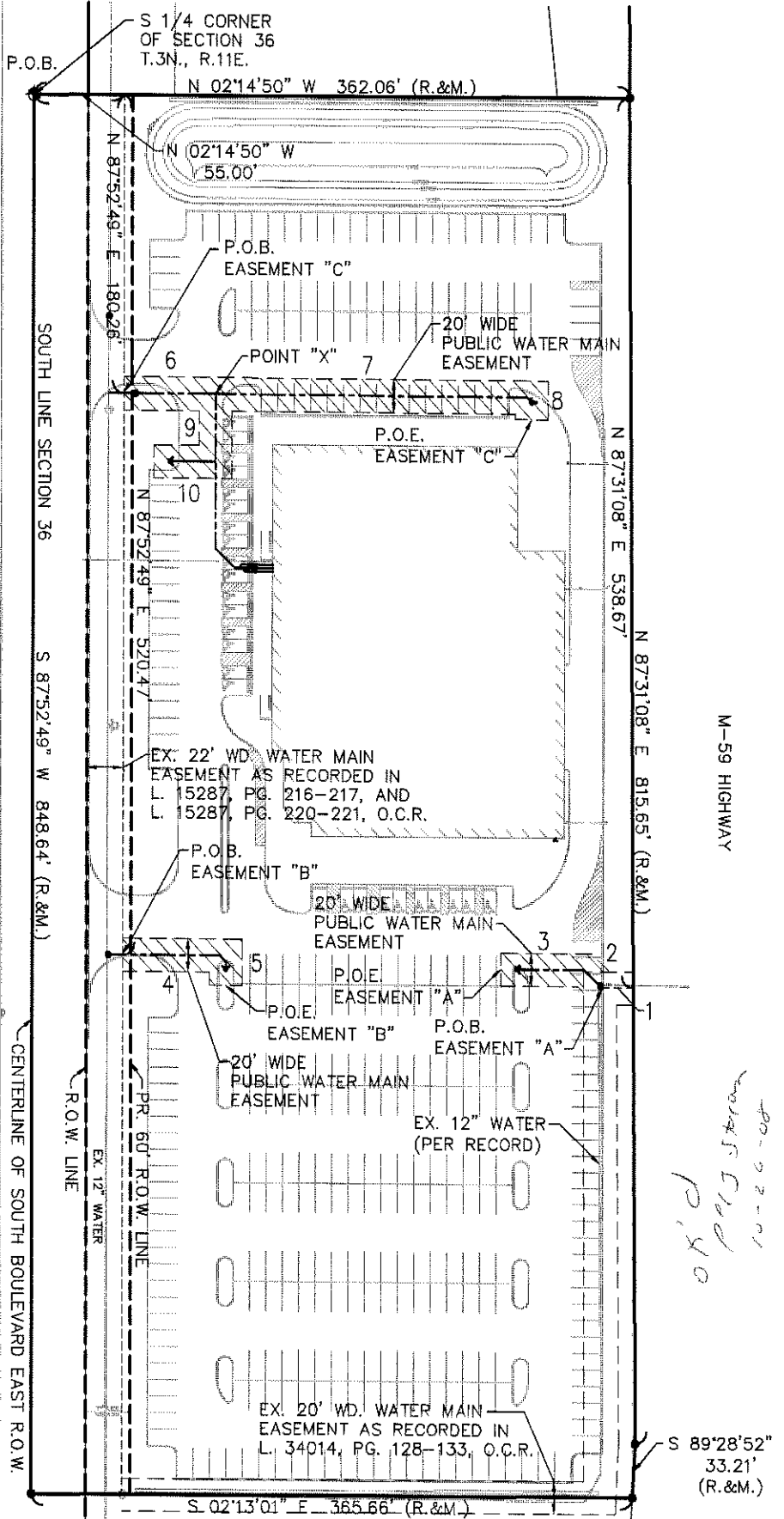
PUBLIC WATER MAIN EASEMENT



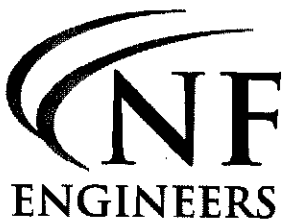
EASEMENT "A"		
PT.	BEARING	DISTANCE
1	S 02°28'52" E	18.71'
2	S 42°56'11" W	15.18'
3	S 02°07'11" E	51.02'

EASEMENT "B"		
PT.	BEARING	DISTANCE
4	N 02°07'11" W	62.50'
5	N 87°52'49" E	18.00'

EASEMENT "C"		
PT.	BEARING	DISTANCE
6	N 01°57'32" W	55.50'
7	N 01°57'32" W	192.63'
8	N 88°02'28" E	13.00'
9	N 87°52'49" E	40.55'
10	S 02°07'11" E	37.50'



OCT 17 2008



NOWAK & FRAUS ENGINEERS
 46777 WOODWARD AVE.
 PONTIAC, MI 48342-5032
 TEL. (248) 332-7931
 FAX. (248) 332-8257

PREPARED FOR:
LANDMARK HEALTHCARE FACILITIES, L.L.C.
 839 N. JEFFERSON ST.
 MILWAUKEE, WI 53202

SCALE 1" = 100'
 DATE 08-28-08
 DRAWN MK
 JOB NO. C550-03
 SHEET 1 of 2

*OK'd
 P. J. J. Strawn
 10-26-08*

OK M. TRUNT 10-26-08

Exhibit A

PUBLIC WATER MAIN EASEMENT

OVERALL PARCEL DESCRIPTION

(PARCEL No. 15-36-452-011)

PART OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SECTION 36; THENCE N.02°14'50"W., 362.06 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF M-59 HIGHWAY; THENCE N.87°31'08"E., 815.65 FEET; THENCE S.89°28'52"E., 33.21 FEET; THENCE S.02°13'01"E., 365.66 FEET; THENCE S.87°52'49"W., 848.64 FEET TO THE POINT OF BEGINNING. CONTAINING 7.105 ACRES, INCLUDING EXISTING RIGHT-OF-WAY.

WATER MAIN EASEMENT DESCRIPTION

A 20 FOOT WIDE EASEMENT FOR WATER MAIN LOCATED WITHIN A PARCEL OF LAND BEING PART OF THE SOUTH 1/4 OF SECTION 36, TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN BEING MORE PARTICULARLY DESCRIBED ALONG ITS CENTERLINE AS FOLLOWS:

EASEMENT "A"

COMMENCING AT THE SOUTH 1/4 CORNER OF SECTION 36, TOWN 3 NORTH, RANGE 11 EAST, THENCE ALONG THE FOLLOWING (3) COURSES; N.02°14'50"W., 362.06 FEET; N.87°31'08"E., 538.67 FEET AND S.02°28'52"E., 18.71 FEET TO THE POINT OF BEGINNING OF EASEMENT; THENCE S.42°56'11"W., 15.18 FEET; THENCE S.02°07'11"E., 51.02 FEET TO THE POINT OF ENDING OF THE EASEMENT.

EASEMENT "B"

COMMENCING AT THE SOUTH 1/4 CORNER OF SECTION 36, TOWN 3 NORTH, RANGE 11 EAST, THENCE ALONG THE FOLLOWING (2) COURSES; N.02°14'50"W., 55.00 FEET AND N.87°52'49"E., 520.47 FEET TO THE POINT OF BEGINNING OF EASEMENT; THENCE N.02°07'11"W., 62.50 FEET; THENCE N.87°52'49"E., 18.00 FEET TO THE POINT OF ENDING OF THE EASEMENT.

EASEMENT "C"

COMMENCING AT THE SOUTH 1/4 CORNER OF SECTION 36, TOWN 3 NORTH, RANGE 11 EAST, THENCE ALONG THE FOLLOWING (2) COURSES; N.02°14'50"W., 55.00 FEET AND N.87°52'49"E., 180.26 FEET TO THE POINT OF BEGINNING OF EASEMENT; THENCE N.01°57'32"W., 55.50 FEET TO A POINT "X" THENCE N.01°57'32"W., 192.63 FEET; THENCE N.88°02'28"E., 13.00 FEET TO THE POINT OF ENDING OF THAT SEGMENT OF THE EASEMENT.

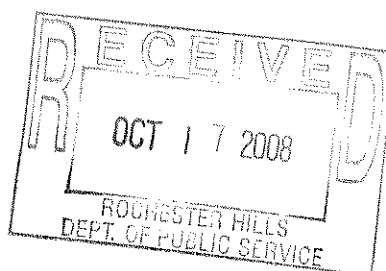
ALSO, SEGMENT BEGINNING AT POINT "X", THENCE N.87°52'49"E., 40.55 FEET; THENCE S.02°07'11"E., 37.50 FEET TO THE POINT OF ENDING OF THAT SEGMENT OF THE EASEMENT.



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SCALE	DATE	DRAWN	JOB NO.	SHEET
N/A	08-28-08	MK	C550-03	2 of 2



OK MTAJST 10-21-2008