

WATERMAIN EASEMENT

AVONDALE SCHOOL DISTRICT, a Michigan School District, of 2940 Waukegan Street, Auburn Hills, MI 48326, 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 watermain on, under, through and across land more particularly described as:

Sidwell # 15-33-200-019

Refer to attached Exhibit "A" for property and easement descriptions

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the watermain, 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 watermain 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 and Grantor's successors and assigns, so long as there is no interference with the construction, operation, maintenance, repair and/or replacement of the watermain: (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 MCL 207.505(a) and 207.526(a).

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 20th day of January, 2011.

IN THE PRESENCE OF:

WITNESSES:

Signature: Mary E. Zuehlh
Print or type name: MARY E. ZUEHLK

Signature: Beth Collyer
Print or type name: Beth Collyer

OWNER: Avondale School District
Signature: George C Heitsch
(Print Name) GEORGE C. HEITSCH
Title SUPERINTENDENT

STATE OF MICHIGAN
COUNTY OF MACOMB

The foregoing instrument was acknowledged before me this 20th day of January, 2011, by GEORGE C. HEITSCH, who is the SUPERINTENDENT of AVONDALE SCHOOL DISTRICT, a MICHIGAN SCHOOL DISTRICT corporation, on behalf of the corporation. School District
acting in Oakland County

Julie M. Kelly
Julie M. Kelly, Notary Public
Macomb County, Michigan
My Commission Expires: Nov. 7, 2011

Drafted by:
Thomas J. Sovel, P.E.
Spalding DeDecker Associates, Inc.
905 South Boulevard East
Rochester Hills, MI 48307

JULIE M. KELLY
Notary Public, Macomb County, MI
My Commission Expires Nov. 7, 2011

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

JS approved
3/7/11

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY:

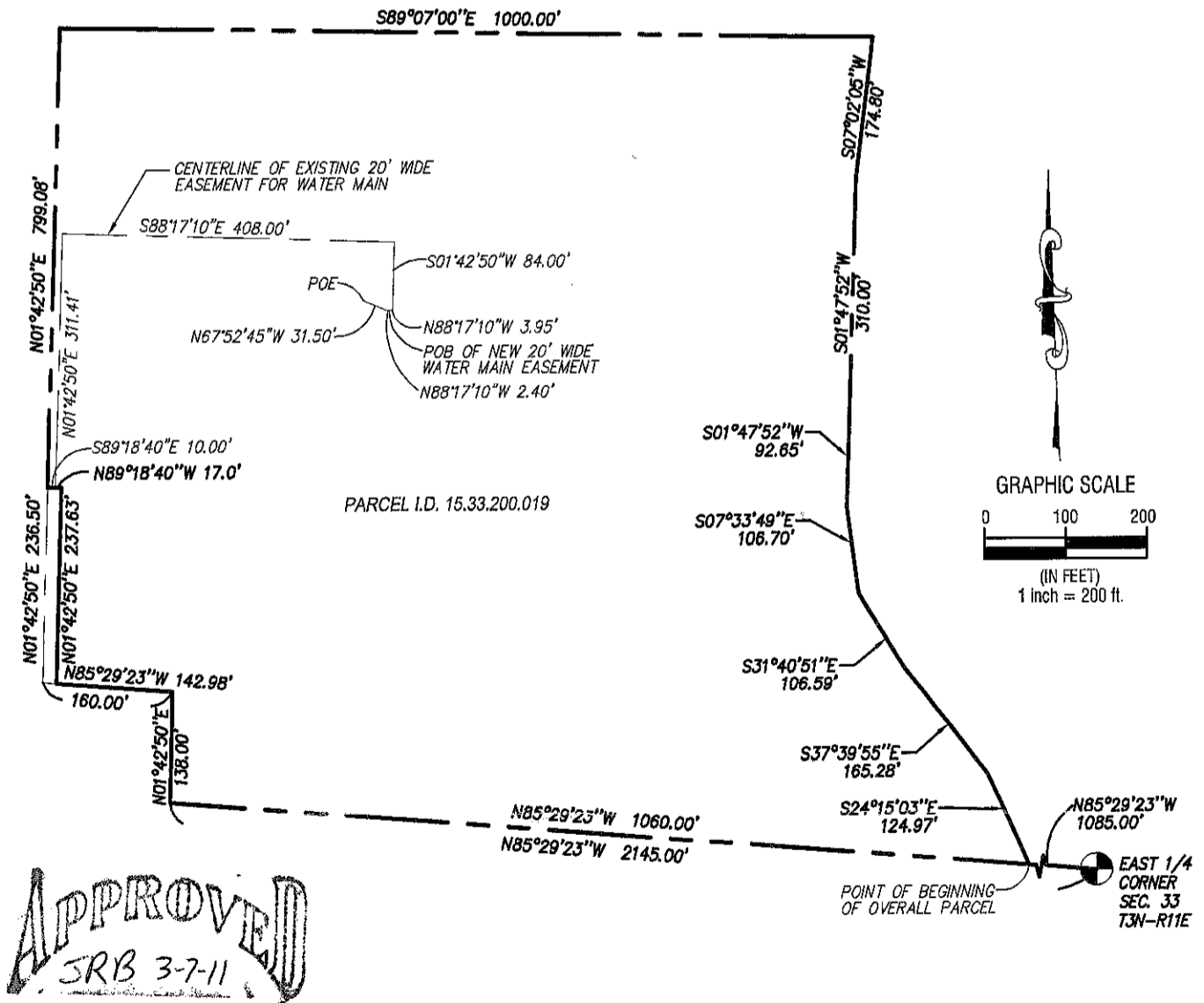
(ROCHESTER HILLS ASSESSING DEPARTMENT)
TAX PARCEL NO. 70-15-33-200-019

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 SECTION 33, T.3.N, R.11.E, ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT PT DIST N 85°29'23" W 1,085 FT FROM E 1/4 COR, TH N 85°29'23" W 1,060 FT, TH N 01°42'50" E 138 FT, TH N 85°29'23" W 160 FT, TH N 01°42'50" E 799.08 FT, TH S 89°07'00" E 1,000 FT, TH S 07°02'05" W 174.80 FT, TH S 01°47'52" W 310 FT, TH S 01°47'52" W 92.65 FT, TH S 07°33'49" E 106.70 FT, TH S 31°40'51" E 106.59 FT, TH S 37°39'55" E 165.28 FT, TH S 24°15'03" E 124.97 FT TO THE POB. EXC BEG AT PT DIST N 85°29'23" W 2,145 FT & N 01°42'50" E 138 FT & N 85°29'23" W 160 FT FROM E 1/4 COR, TH N 01°42'50" E 236.50 FT, TH S 89°18'40" E 17 FT, TH S 01°42'50" W 237.63 FT, TH N 85°29'23" 17.02 FT TO BEG 22.29 A 5-18-09 FR 018.

WATERMAIN EASEMENT:

THE CENTERLINE OF A 20 FOOT WIDE EASEMENT FOR WATERMAIN PURPOSES BEING DESCRIBED AS: COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 33; THENCE N 85°29'23" W, 2,145.00 FEET; THENCE N 01°42'50" E, 138.00 FEET; THENCE N 85°29'23" W, 160.00 FEET; THENCE N 01°42'50" E, 236.50 FEET; THENCE S 89°18'40" E, 10.00 FEET; THENCE THE FOLLOWING FOUR COURSES (1) N 01°42'50" E, 311.41 FEET, AND (2) S 88°17'10" E, 408.00 FEET, AND (3) S 01°42'50" W, 84.00 FEET, AND (4) N 88°17'10" W, 3.95 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF A 20' WIDE EASEMENT; THENCE N 88°17'10" W, 2.40 FEET; THENCE N 67°52'45" W, 31.50 FEET TO A POINT OF ENDING.



Spalding DeDecker Associates, Inc.



Engineering Consultants
Infrastructure • Land Development • Surveying

SPALDING DeDECKER ASSOCIATES, INC.

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www.spaldingdedecker.com

DRAWN: RP

CHECKED: DS

MANAGER: TJS

JOB No. NP10063

SECTION 33

ROCHESTER HILLS

DATE: 01-11-11

DATE: 01-11-11

SCALE: 1" = 200'

SHEET: 1 OF 1

TOWN 3 NORTH RANGE 11 EAST

OAKLAND COUNTY, MI