

WATERMAIN EASEMENT

Executive Place LLC, a Michigan limited liability company of
5485 Abbey, Rochester MI 48306

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:

SEE EXHIBIT A

Sidwell #15-36-352-018&15-36-352-019

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 MCLA 207.526(a); MSA 7.456 (26) (a).

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 23rd day of May, ~~19~~2005.

IN THE PRESENCE OF:

Signature [Signature]
Print or type name: David Boersma

Signature [Signature]
Frank D'Anna
(Print Name)
Member
Title

Signature [Signature]
Print or type name: Gillian Malmberg

STATE OF MICHIGAN
COUNTY OF Macomb

The foregoing instrument was acknowledged before me this 23rd day of May, ~~19~~2005 by Frank D'Anna, who is a member of Executive Place LLC, a Michigan limited liability company, on behalf of the company.

Drafted by: Gillian Malmberg May 23, 2005

O'ANNA & ASSOCIATES
42500 HAYES STE 100
CLINTON TWP MI 48038

[Signature]
Diane Hays

Macomb County, Michigan
My Commission Expires:

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

*ok'd by
J-S
6-14-05*

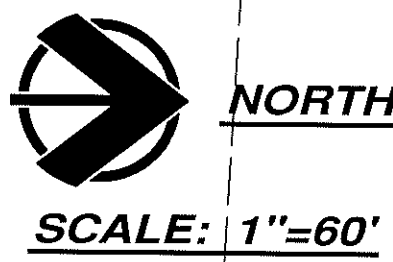
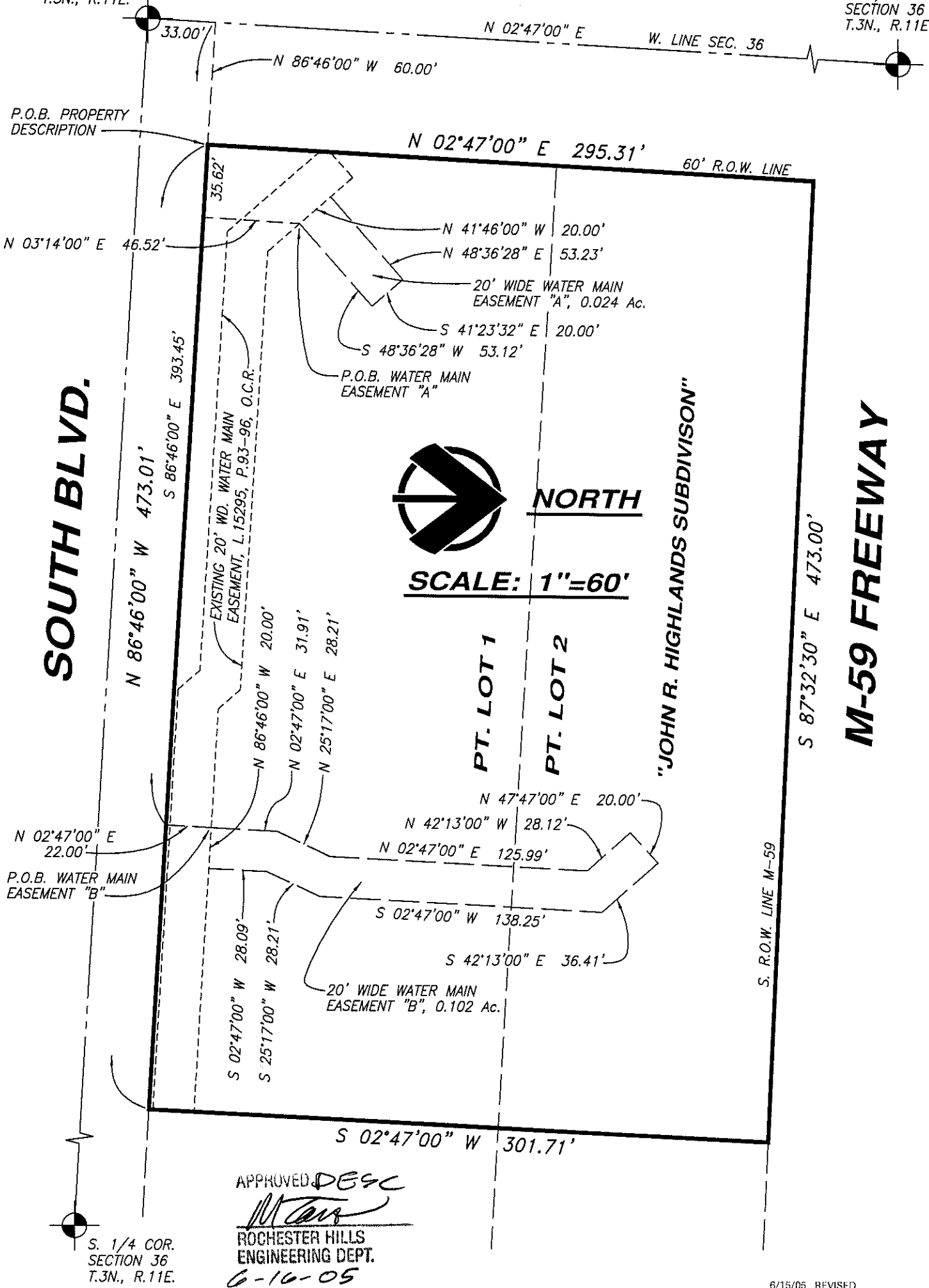
DIANE M. HAYS
Notary Public, State of Michigan
County of Macomb
My Commission Expires Sep. 14, 2008
Acting in the County of Macomb

EXHIBIT "A"

JOHN R. ROAD

S.W. CORNER
SECTION 36
T.3N., R.11E.

W. 1/4 COR.
SECTION 36
T.3N., R.11E.



APEX

ENGINEERING GROUP INC.
CIVIL ENGINEERING & LAND PLANNING CONSULTANTS

47745 VAN DYKE AVENUE
SHELBY TOWNSHIP, MI 48317

PHONE: 586-739-5200
FAX: 586-254-5314

PROJECT:
**WATER MAIN EASE.
FOR "EXECUTIVE
PLACE" OFFICES**

PT. OF THE S.W. 1/4 OF SEC. 36, T.3N., R.11E.,
CITY OF ROCHESTER HILLS, OAKLAND CO., MI

6/15/05 REVISED
6/06/05 REVISED

CLIENT:
EXECUTIVE PLACE L.L.C.
42500 HAYES, SUITE 100
CLINTON TOWNSHIP, MI 48038
(586) 263-4030

JOB NO: 02-043
DATE: 5/18/05
DRAWN BY: N.P.R.
CHECKED BY: N.P.R.

PROPERTY DESCRIPTION

PART OF LOT 1 AND LOT 2 OF "JOHN R. HIGHLANDS SUBDIVISION" PART OF THE SOUTHWEST 1/4 OF SECTION 36, T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN (LIBER 52, PAGE 22 O.C.R.), COMMENCING AT THE SOUTHWEST CORNER OF SECTION 36; THENCE ALONG THE WEST SECTION LINE N.02°47'00"E, 33.00 FEET; THENCE S.86°46'00"E., 60.00 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE SIXTY (60) FOOT RIGHT-OF-WAY LINE OF JOHN R ROAD N.02°47'00"E., 295.31 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF M-59; THENCE ALONG SAID LINE S.87°32'30"E., 473.00 FEET; THENCE S.02°47'00"W., 301.71 FEET; THENCE N.86°46'00"W., 473.01 FEET TO THE POINT OF BEGINNING, CONTAINING 3.241 ACRES AND SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

WATER MAIN EASEMENT "A"

A TWENTY (20) FEET WIDE EASEMENT FOR WATER MAIN, ACROSS THE ABOVE-DESCRIBED PROPERTY, IS DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SECTION 36; THENCE ALONG THE WEST SECTION LINE N.02°47'00"E, 33.00 FEET; THENCE S.86°46'00"E., 95.62 FEET; THENCE N.03°14'00"E., 46.52 FEET TO THE POINT OF BEGINNING; THENCE N.41°46'00"W., 20.00 FEET; THENCE N.48°36'28"E., 53.23 FEET; THENCE S.41°23'32"E., 20.00 FEET; THENCE S.48°36'28"W., 53.12 FEET TO THE POINT OF BEGINNING, CONTAINING 0.024 ACRES.

WATER MAIN EASEMENT "B"

A TWENTY (20) FEET WIDE EASEMENT FOR WATER MAIN, ACROSS THE ABOVE-DESCRIBED PROPERTY, IS DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SECTION 36; THENCE ALONG THE WEST SECTION LINE N.02°47'00"E, 33.00 FEET; THENCE S.86°46'00"E., 393.45 FEET; THENCE N.02°47'00"E., 22.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N.02°47'00"E., 31.91 FEET; THENCE N.25°17'00"E., 28.21 FEET; THENCE N.02°47'00"E., 125.99 FEET; THENCE N.42°13'00"W., 28.12 FEET; THENCE N.47°47'00"E., 20.00 FEET; THENCE S.42°13'00"E., 36.41 FEET; THENCE S.02°47'00"W., 138.25 FEET; THENCE S.25°17'00"W., 28.21 FEET; THENCE S.02°47'00"W., 28.09 FEET; THENCE N.86°46'00"W., 20.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.102 ACRES.

APPROVED *DESC*

M. T. J. [Signature]
 ROCHESTER HILLS
 ENGINEERING DEPT.
 6-16-05

A P E X
 ENGINEERING GROUP INC.
 CIVIL ENGINEERING & LAND PLANNING CONSULTANTS

47745 VAN DYKE AVENUE
 SHELBY TOWNSHIP, MI 48317

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