

SECOND AMENDMENT TO WATERMAIN EASEMENT

GAUSS GROUP LLC, a Delaware limited liability company, whose address is 520 Newport Center Drive, Suite 480, Newport Beach, California 90013 ("**Grantor**"), and the **CITY OF ROCHESTER HILLS**, a Michigan municipal corporation, whose address is 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309 ("**Grantee**"), hereby amend that certain Water Main Easement granted by The Marketplace of Rochester Hills, LLC, Grantor's predecessor in interest, to Grantee, dated April 4, 2007, and recorded on July 23, 2007, in Liber 39383, Pages 150-154, as amended by that certain Amendment to Watermain Easement, dated June 12, 2013, and recorded on December 2, 2013, in Liber 46638, Page 777 Oakland County Records, (collectively, hereinafter referred to as the "**Existing Easement**" and the easement area subject to the Existing Easement, the "**Easement Area**").

During construction of a knee wall on the property, a section of such knee wall was built in a location within the Easement Area, and Grantor and Grantee now desire to amend the legal description of the Easement Area to describe its new location.

Based on the foregoing facts and circumstances, the parties hereby amend the Existing Easement to: (A) add the property described in **Exhibit A** to the Easement Area, and (B) revise the description thereof, to vacate and abandon that portion of the Existing Easement as described in **Exhibit B** attached hereto and incorporated herein, and each such added and abandoned portions also being depicted and described on the attached **Exhibit C**.

Except as amended hereby, the Existing Easement and all rights granted to Grantee therein are ratified and confirmed.

Exempt from Transfer Taxes under MCL 207.505(a) and 207.526(a).

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 22nd day of September, 2023.

[Signature pages follow]

SIGNATURE PAGE

SECOND AMENDMENT TO WATERMAIN EASEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy or validity of that document.

GAUSS GROUP LLC,
a Delaware limited liability company

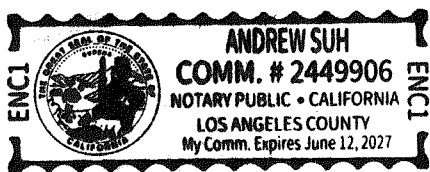
By: *Michael Kluchin*
Michael Kluchin, Authorized Agent

STATE OF CALIFORNIA)
COUNTY OF ORANGE)

The foregoing instrument was acknowledged before me this September 22, 2023, by Michael Kluchin, as Authorized Agent of Gauss Group LLC, a Delaware limited liability company, on behalf of the limited liability company.

Andrew Suh
NOTARY PUBLIC

My commission expires: 06/12/2027



SIGNATURE PAGE
SECOND AMENDMENT TO WATERMAIN EASEMENT

CITY OF ROCHESTER HILLS

By: _____
Bryan K. Barnett, Mayor

STATE OF MICHIGAN)

COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me on ~~September~~ ^{November} __, 2023, by Bryan K. Barnett, Mayor of the City of Rochester Hills, Michigan, a Michigan municipal corporation, on behalf of the corporation.

NOTARY PUBLIC

My commission expires: _____

Drafted by: *Bill Metzinger*
Tractor Supply Company
5401 Virginia Way
Brentwood, TN 37027

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

John Staran
Approved 10/2/23

EXHIBIT A

ADDITION TO EXISTING EASEMENT

THE CENTERLINE FOR A 20-FOOT WIDE EASEMENT FOR WATERMAIN LOCATED ON A PARCEL OF LAND BEING PART OF SECTION 30, T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT A POINT N. 82°12'07" W. 64.69 FEET AND S. 52°47'53" W. 27.31 FEET FROM SAID POINT "J" OF THE LEGAL DESCRIPTION OF THE EXISTING EASEMENT SET FORTH IN EXHIBIT A THEREOF, AS PREVIOUSLY RECORDED IN LIBER 39383, PAGES 150-154, AND AMENDED AS PREVIOUSLY RECORDED IN LIBER 46638, PAGE 777, TO THE POINT OF BEGINNING; THENCE ALONG SAID EASEMENT ADDITION CENTERLINE S. 52°47'53" W. 14.14 FEET; THENCE S. 85°07'59" W. 5.00 FEET TO A POINT "J1"; THENCE N. 06°51'54" W. 21.64 FEET TO A POINT OF ENDING; THENCE FROM SAID POINT "J1" S. 85°07'59" W. 24.62 TO A POINT OF ENDING ON THE EASTERLY RIGHT-OF-WAY LINE OF MARKETPLACE CIRCLE (30' WIDE, ½ WIDTH).

PART OF PARCEL #15-30-326-015

Approved
Jm
City of Rochester Hills
09/27/2023 9:13:59 AM

EXHIBIT B

DESCRIPTION OF EXISTING EASEMENT

(HEREBY VACATED & ABANDONED)

ABANDONMENT TO EXISTING EASEMENT

THE CENTERLINE FOR THE ABANDONMENT OF THE PORTION OF AN EXISTING 20-FOOT WIDE EASEMENT FOR WATERMAIN LOCATED ON A PARCEL OF LAND BEING PART OF SECTION 30, T.3N, R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT A POINT N. 82°12'07" W. 64.69 FEET AND S. 52°47'53" W. 27.31 FEET FROM SAID POINT "J" OF THE LEGAL DESCRIPTION OF THE EXISTING EASEMENT SET FORTH IN EXHIBIT A THEREOF, AS PREVIOUSLY RECORDED IN LIBER 39383, PAGES 150-154, AND AMENDED AS PREVIOUSLY RECORDED IN LIBER 46638, PAGE 777, TO THE POINT OF BEGINNING; THENCE ALONG SAID EASEMENT CENTERLINE TO BE ABANDONED S. 07°47'53" W. 147.70 FEET TO A POINT "K"; THENCE N. 82°12'07" W. 26.00 FEET TO A POINT OF ENDING; THENCE FROM SAID POINT "K" S. 07°47'53" W. 125.62 TO A POINT OF ENDING.

PART OF PARCEL #15-30-326-015

Approved



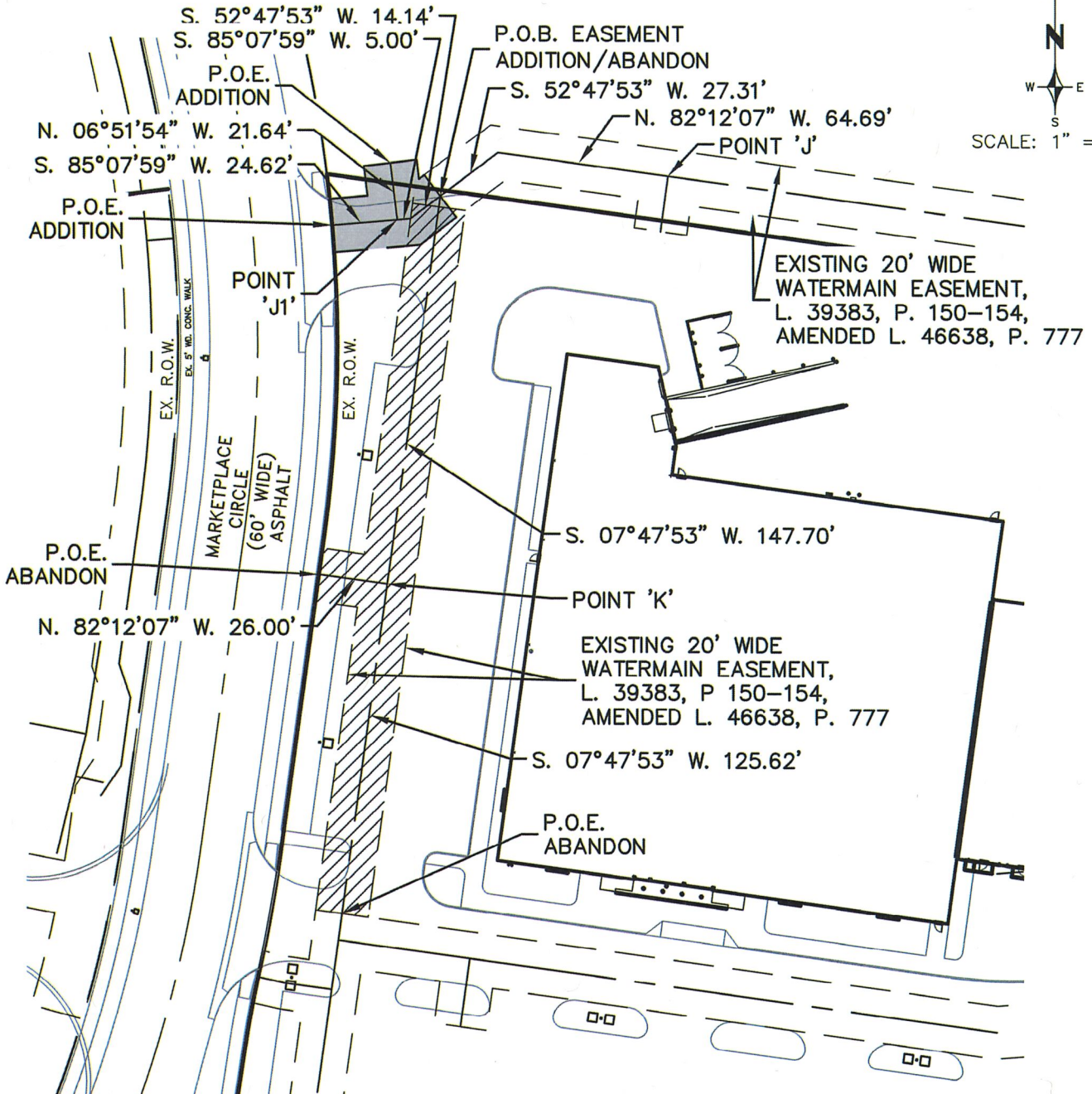
City of Rochester Hills
09/27/2023 9:14:52 AM

EXHIBIT C

WATERMAIN EASEMENT SECOND AMENDMENT SKETCH
 TAX IDENTIFICATION NUMBER: 15-30-326-015



SCALE: 1" = 60'



LEGEND:

P.O.B. POINT OF BEGINNING
 P.O.E. POINT OF ENDING



EASEMENT TO BE ABANDONED



EASEMENT ADDITION

Approved

 City of Rochester Hills
 09/26/2023 2:20:14 PM

REVISIONS		
ITEM	DATE	BY
PER CITY REVIEW	8/29/23	SRB

WATERMAIN EASEMENT AMENDMENT SKETCH
TRACTOR SUPPLY
 ROCHESTER HILLS, MICHIGAN

Z EIMET W OZNIAK
 & ASSOCIATES
 Civil Engineers & Land Surveyors
 55800 GRAND RIVER AVE, SUITE 100
 NEW HUDSON, MICHIGAN 48165
 P: (248) 437-5099 F: (248) 437-5222 www.zeimetwozniak.com

DATE	11/29/22	SCALE	1" = 60'
DESIGNED BY	SRB	FIELD BOOK NO.	
JOB NO.	22159	SHEET NO.	1/1
DRAWN BY	SRB		

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