

WATER MAIN EASEMENT

AVON CREEK BUILDING LLC, a Michigan limited liability company of 14970 Technology Dr., Shelby Twp., MI 48315 grants to the CITY OF ROCHESTER HILLS, a Michigan municipal corporation, of 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309 ("the City"), an easement for the construction, operation, maintenance, repair and/or replacement of a water main on, under through and across land located in the City of Rochester Hills, Oakland County, Michigan more particularly described and depicted on Exhibit A attached hereto and made a part hereof.

C/K/A Vacant Avon Road, Rochester Hills, Michigan
Tax Parcel I.D. Nos. Parcel A-15-13-301-065
Parcel B-15-13-301-066
Parcel C-15-13-301-067
Parcel D-15-13-301-068
Parcel E-15-13-301-069

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the water man, 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 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.

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, 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 Taxes under MCL 207.505(a) and 207.526(a).

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 30 day of November, 2023.

FRANCES BATTAGLIA
Notary Public, State of Michigan
County of Macomb
My Commission Expires Mar. 28, 2028
Acting in the County of Macomb

Frances Battaglia

AVON CREEK BUILDING LLC

By: Salvatore Leone

Member

Its: _____

STATE OF MICHIGAN)
)ss
COUNTY OF MACOMB)

The foregoing instrument was acknowledged before me this 30 day of November, 2023, by Salvatore LEONE who is a member of AVON CREEK BUILDING LLC, a Michigan limited liability company, on behalf of the company. -1-

Drafted By:

Paul Cappuso
Avon Creek Building LLC
14970 Technology Dr.
Shelby Twp., MI 48315

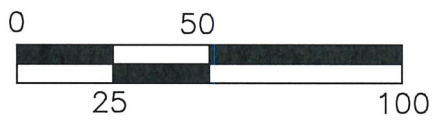
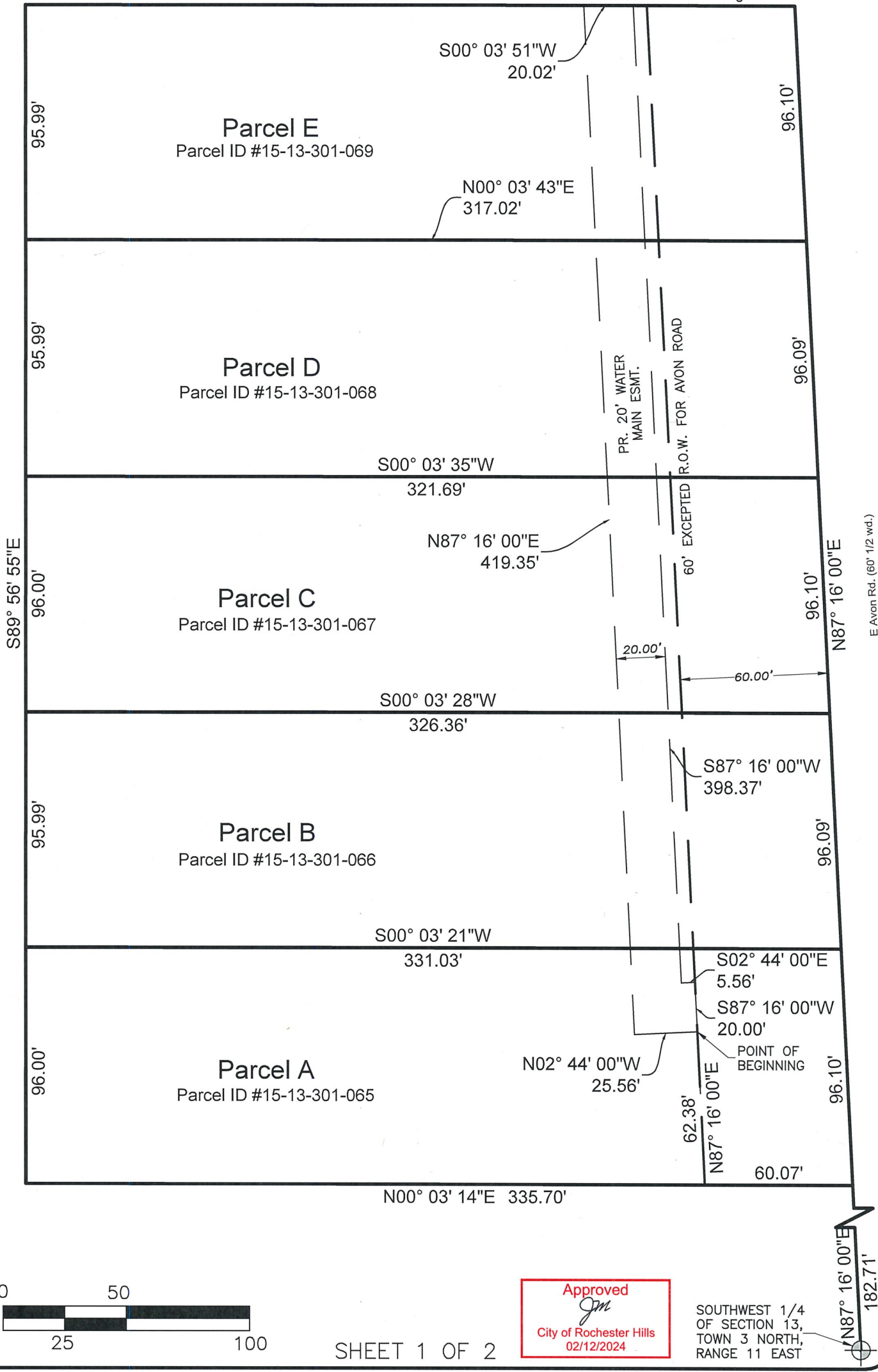
When Recorded Return To:

Clerks Dept.
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

P. Daniel Christ
Approved 1/26/24

Exhibit A Water Main Easement

S00° 03' 51"W 312.35'



SHEET 1 OF 2

Approved

 City of Rochester Hills
 02/12/2024

SOUTHWEST 1/4
 OF SECTION 13,
 TOWN 3 NORTH,
 RANGE 11 EAST

CLIENT: AVON CREEK BLDG	PROJECT NO.: 22010	DATE: 09-29-2023	
SCALE: 1" = 50'	DRAWN BY: T.A.	CHECKED BY: S.M.	



Mauro Engineering
 48657 Hayes Road
 Shelby Twp. MI 48315
 p: 586-247-2800 f: 586-247-2811
 visit us at: www.mauroeng.com

Exhibit A

Water Main Easement

Parcel A: 15-13-301-065 Legal Description:

PARCEL A LOCATED IN THE SOUTHWEST $\frac{1}{4}$ OF SECTION 13, T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN; COMMENCING AT SOUTHWEST CORNER OF SECTION 13; THENCE N87°16'00"E 182.71 FEET ALONG THE SOUTH LINE OF SAID SECTION 13 LYING IN AVON ROAD (60 FOOT HALF-WIDTH) TO POINT OF BEGINNING; THENCE N00°03'14"E 335.70 FEET; THENCE S89°56'55"E 96.00 FEET; THENCE S00°03'21"W 331.03 FEET; THENCE S87°16'00"W 96.10 FEET TO POINT OF BEGINNING, BEING SUBJECT TO THE RIGHTS OF THE PUBLIC OVER THE SOUTHERLY 60 FEET THEREOF AS OCCUPIED BY SAID AVON ROAD, ALSO BEING SUBJECT TO EASEMENTS CONDITIONS, RESTRICTIONS AND EXCEPTIONS RECORDED.

Parcel B: 15-13-301-066 Legal Description:

PARCEL B LOCATED IN THE SOUTHWEST $\frac{1}{4}$ OF SECTION 13, T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN; COMMENCING AT SOUTHWEST CORNER OF SECTION 13; THENCE N87°16'00"E 278.81 FEET ALONG THE SOUTH LINE OF SAID SECTION 13 LYING IN AVON ROAD (60 FOOT HALF-WIDTH) TO POINT OF BEGINNING; THENCE N00°03'21"E 331.03 FEET; THENCE S89°56'55"E 95.99 FEET; THENCE S00°03'28"W 326.36 FEET; THENCE S87°16'00"W 96.09 FEET TO POINT OF BEGINNING, BEING SUBJECT TO THE RIGHTS OF THE PUBLIC OVER THE SOUTHERLY 60 FEET THEREOF AS OCCUPIED BY SAID AVON ROAD, ALSO BEING SUBJECT TO EASEMENTS CONDITIONS, RESTRICTIONS AND EXCEPTIONS RECORDED.

Parcel C: 15-13-301-067 Legal Description:

PARCEL C LOCATED IN THE SOUTHWEST $\frac{1}{4}$ OF SECTION 13, T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN; COMMENCING AT SOUTHWEST CORNER OF SECTION 13; THENCE N87°16'00"E 374.90 FEET ALONG THE SOUTH LINE OF SAID SECTION 13 LYING IN AVON ROAD (60 FOOT HALF-WIDTH) TO POINT OF BEGINNING; THENCE N0°03'28"E 326.36 FEET; THENCE S89°56'55"E 96.00 FEET; THENCE S00°03'35"W 321.69 FEET; THENCE S87°16'00"W 96.10 FEET TO POINT OF BEGINNING, BEING SUBJECT TO THE RIGHTS OF THE PUBLIC OVER THE SOUTHERLY 60 FEET THEREOF AS OCCUPIED BY SAID AVON ROAD, ALSO BEING SUBJECT TO EASEMENTS CONDITIONS, RESTRICTIONS AND EXCEPTIONS RECORDED.

Parcel D: 15-13-301-068 Legal Description:

PARCEL D LOCATED IN THE SOUTHWEST $\frac{1}{4}$ OF SECTION 13, T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN; COMMENCING AT SOUTHWEST CORNER OF SECTION 13; THENCE N87°16'00"E 471.00 FEET ALONG THE SOUTH LINE OF SAID SECTION 13 LYING IN AVON ROAD (60 FOOT HALF-WIDTH) TO POINT OF BEGINNING; THENCE N00°03'35"E 321.69 FEET; THENCE S89°56'55"E 95.99 FEET; THENCE S00°03'43"W 317.02 FEET; THENCE S87°16'00"W 96.09 FEET TO POINT OF BEGINNING, BEING SUBJECT TO THE RIGHTS OF THE PUBLIC OVER THE SOUTHERLY 60 FEET THEREOF AS OCCUPIED BY SAID AVON ROAD, ALSO BEING SUBJECT TO EASEMENTS CONDITIONS, RESTRICTIONS AND EXCEPTIONS RECORDED.

Parcel E: 15-13-301-069 Legal Description:

PARCEL E LOCATED IN THE SOUTHWEST $\frac{1}{4}$ OF SECTION 13, T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN; COMMENCING AT SOUTHWEST CORNER OF SECTION 13; THENCE N87°16'00"E 567.09 FEET TO POINT OF BEGINNING; THENCE N00°03'43"E 317.02 FEET; THENCE S89°56'55"E 95.99 FEET; THENCE S00°03'51"W 312.35 FEET; THENCE S87°16'00"W 96.10 FEET TO POINT OF BEGINNING, BEING SUBJECT TO THE RIGHTS OF THE PUBLIC OVER THE SOUTHERLY 60 FEET THEREOF AS OCCUPIED BY SAID AVON ROAD, ALSO BEING SUBJECT TO EASEMENTS CONDITIONS, RESTRICTIONS AND EXCEPTIONS RECORDED.

Water Main Easement Legal Description:

T.3N., R.11E., SECTION 13 PART OF THE SOUTHWEST $\frac{1}{4}$, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN; COMMENCING AT SOUTHWEST CORNER OF SECTION 13; THENCE N87°16'00"E 182.71 FEET; THENCE N00°03'14"E 60.07 FEET; THENCE N87°16'00"E 62.38 FEET TO POINT OF BEGINNING; THENCE N02°44'00"W 25.56 FEET; THENCE N87°16'00"E 419.35 FEET; THENCE S00°03'51"W 20.02 FEET; THENCE S87°16'00"W 398.37 FEET; THENCE S02°44'00"E 5.56 FEET; THENCE S87°16'00"W 20.00 FEET TO THE POINT OF BEGINNING.

Approved

 City of Rochester Hills
 02/12/2024

CLIENT:	PROJECT NO.: 22010		
AVON CREEK BLDG.	DATE: 09-29-2023		
SCALE: 1" = 50'	DRAWN BY: T.A.	CHECKED BY: S.M.	



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