

WATER MAIN EASEMENT

EIG14T JV MI ROCHESTER HILLS LLC, a Michigan limited liability company of 1695 Twelve Mile Road, Suite 100, Berkley, Michigan 48072

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 water main on, under through and across land more particularly described as:

See attached Exhibit A (*Legal Description and sketch of Burdened Property*), Exhibit B (*Legal Description of Easement*) and Exhibit C (*Sketch of Easement*)

Parcel ID# 70-15-23-301-018

In connection with the 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.

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 16th day of February, 2024.

EIG14T JV MI ROCHESTER HILLS LLC

Signature

Reed Fenton

(Print Name)

Manager

Title

STATE OF MICHIGAN
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 16th day of February, 2024,

by Reed Fenton who is a MANAGER of EIG14T JV MI ROCHESTER HILLS LLC, a Michigan limited liability company, on behalf of the limited liability company.

Drafted by:

Mary Jo Marchetti, Notary Public

Michael J. Laramie, Esq.
General Counsel
814 CRE, LLC
1695 Twelve Mile Road, Suite 100
Berkley, MI 48072

Oakland County, Michigan
My Commission Expires: 8/30/2026

When recorded, return to:

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

*P. Daniel Christ
Approved 3/8/24*



**EXHIBIT A
PARCEL DESCRIPTION**

EXISTING LEGAL OVERALL DESCRIPTION:

Land in the City of Rochester Hills, Oakland County, MI, described as follows:

Part of the West ½ of Section 23, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, being more particularly described as follows: Beginning at a point which is North 01 degree 50 minutes 00 seconds West 2.36 feet along the West line of Section 23 and North 85 degrees 52 minutes 54 seconds East 66.05 feet from the West ¼ corner of Section 23, Town 3 North, Range 11 East; thence North 85 degrees 52 minutes 55 seconds East 409.33 feet; thence South 01 degree 48 minutes 43 seconds East 437.73 feet; thence Westerly 8.72 feet along the arc of a curve to the right (Radius of 535.00 feet, central angle of 00 degrees 56 minutes 01 second, long chord bears North 83 degrees 57 minutes 43 seconds West 8.72 feet); thence Westerly 87.82 feet along the arc of a curve to the left (Radius of 605.00 feet, central angle of 08 degrees 19 minutes 02 seconds, long chord bears North 87 degrees 39 minutes 12 seconds West 87.74 feet); thence Westerly 51.57 feet along the arc of curve to the right (Radius of 645.00 feet, central angle of 04 degrees 34 minutes 52 seconds, long chord bears North 89 degrees 31 minutes 17 seconds West 51.56 feet); thence North 87 degrees 13 minutes 52 seconds West 262.17 feet; thence North 01 degree 48 minutes 43 seconds West 390.70 feet along a line parallel with and 66 feet East to the West line of Section 23 to the Point of Beginning.

EXCEPT:

Part of the Southwest ¼ of Section 23, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan described as: Beginning at a point distant North 01 degree 50 minutes 00 seconds West 2.36 feet and North 85 degrees 52 minutes 55 seconds East 66.05 feet and North 85 degrees 52 minutes 55 seconds East 379.31 feet from the West ¼ corner of said Section 23; thence continuing North 85 degrees 52 minutes 55 seconds East 30.02 feet; thence along the West lines of Lots 214 through 217 of "EDDINGTON FARMS SUB NO. 2" (as recorded in Liber 219, Page 14 Oakland County Records) South 01 degree 48 minutes 43 seconds East 437.72 feet; thence Westerly 8.72 feet along the arc of a curve to the right, having a radius of 535.00 feet and a long chord which bears North 83 degrees 57 minutes 44 seconds West 8.72 feet; thence Westerly 21.54 feet along the arc of a curve to the left, having a radius of 605.00 feet and a long chord which bears North 84 degrees 30 minutes 53 seconds West 21.54 feet; thence North 01 degree 48 minutes 43 seconds West 432.60 feet to the Point of Beginning.

Parcel ID# 70-15-23-301-018

PARCEL A

A parcel of land located in the West 1/2 of Section 23, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, being described as: COMMENCING at the West 1/4 corner of Section 23; thence along the West line of Section 23, North 02 degrees 38 minutes 26 seconds West, 2.08 feet; thence North 85 degrees 03 minutes 12 seconds East, 65.96 feet to the Easterly right of way line of South Rochester Road (variable width - public) and the POINT-OF-BEGINNING of this parcel description; thence North 85 degrees 03 minutes 12 seconds East, 379.31 feet; thence South 02 degrees 38 minutes 26 seconds East, 294.52 feet; thence South 87 degrees 21 minutes 34 seconds West, 115.59 feet; thence North 02 degrees 38 minutes 35 seconds West, 77.51 feet; thence South 87 degrees 21 minutes 27 seconds West, 263.41 feet to the Easterly right of way line of South Rochester Road; thence along the Easterly right of way line of South Rochester Road, North 02 degrees 38 minutes 26 seconds West, 201.75 feet to the POINT-OF-BEGINNING. Covering 2.03 acres of land, more or less.

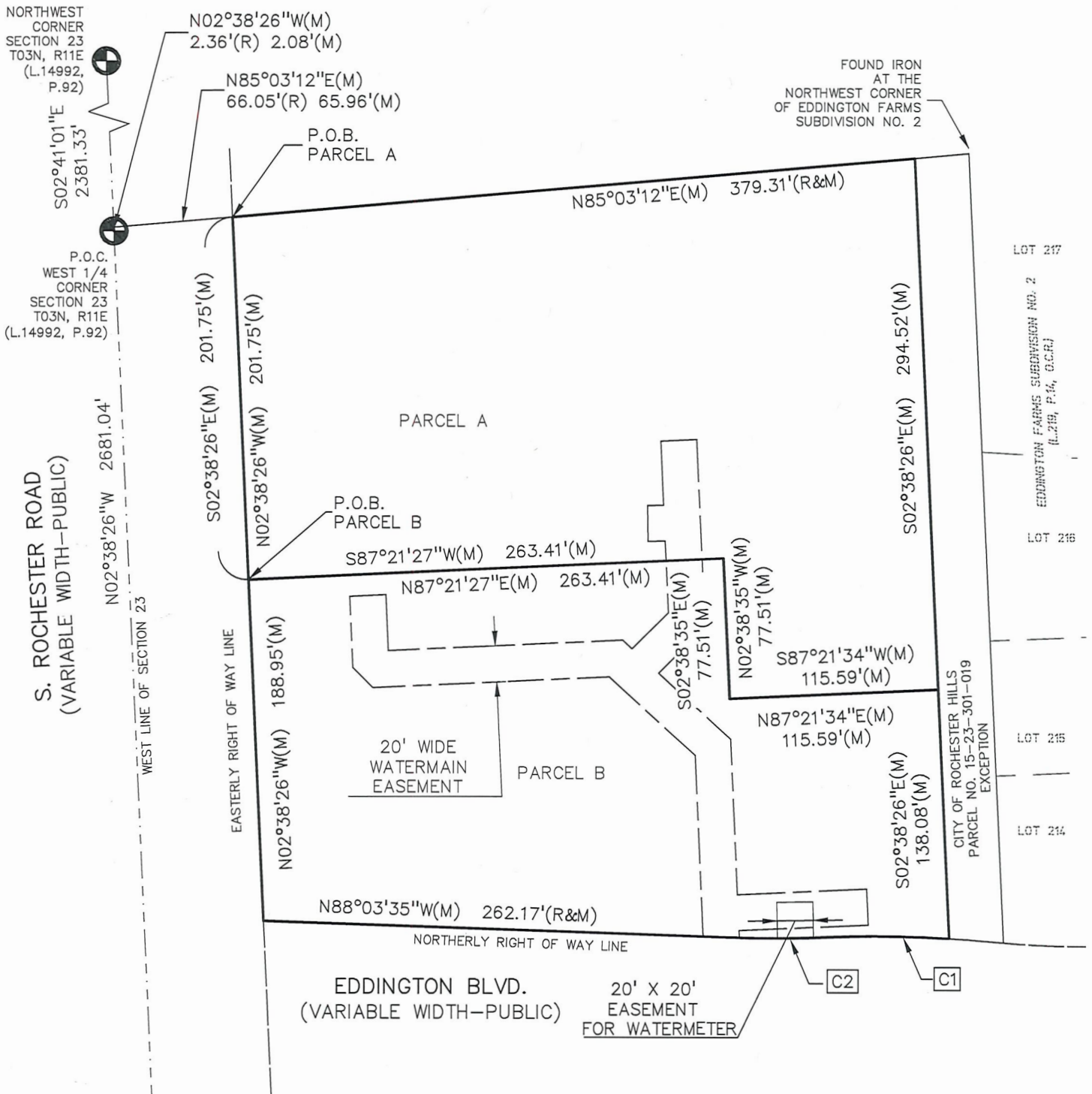
PARCEL B

A parcel of land located in the West 1/2 of Section 23, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, being described as: COMMENCING at the West 1/4 corner of Section 23; thence along the West line of Section 23, North 02 degrees 38 minutes 26 seconds West, 2.08 feet; thence North 85 degrees 03 minutes 12 seconds East, 65.96 feet to the Easterly right of way line of South Rochester Road (variable width - public); thence along the Easterly right of way line of South Rochester Road, South 02 degrees 38 minutes 26 seconds East, 201.75 feet to the POINT-OF-BEGINNING of this parcel description; thence North 87 degrees 21 minutes 27 seconds East, 263.41 feet; thence South 02 degrees 38 minutes 35 seconds East, 77.51 feet; thence North 87 degrees 21 minutes 34 seconds East, 115.59 feet; thence South 02 degrees 38 minutes 26 seconds East, 138.08 feet to the Northerly right of way line of Eddington Boulevard (variable width - public); thence along the Northerly right of way line of Eddington Boulevard the following Three (3) courses: 1) 66.28 feet along a non-tangent curve to the left, having a radius of 605.00 feet, a central angle of 06 degrees 16 minutes 38 seconds, and chord bearing North 89 degrees 30 minutes 06 seconds West, 66.25 feet; 2) 51.57 feet along a tangent reverse curve to the right, having a radius of 645.00 feet, a central angle of 04 degrees 34 minutes 52 seconds, and chord bearing South 89 degrees 39 minutes 00 seconds West, 51.56 feet; 3) North 88 degrees 03 minutes 35 seconds West, 262.17 feet to the Easterly right of way line of South Rochester Road; thence along the Easterly right of way line of South Rochester Road, North 02 degrees 38 minutes 26 seconds West, 188.95 feet to the POINT-OF-BEGINNING. Covering 1.56 acres of land, more or less.

SURVEYOR'S NOTES:

A) Bearings were established via GPS Observations and linked to Continuously Operating Reference Stations (CORS) within the Michigan Spatial Reference Network (MSRN).

**EXHIBIT A
PARCEL SKETCH**



LEGEND

- SECTION LINE
- SECTION CORNER
- PROPERTY LINE
- RIGHT OF WAY LINE
- P.O.C. POINT OF COMMENCING
- P.O.B. POINT OF BEGINNING

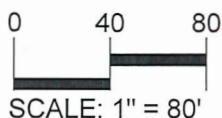
MEASURED:
 ARC = 66.28'
 RADIUS = 605.00'
 DELTA = 06°16'38"
 CHORD = 66.25'
 CH. BRG. = N89°30'06"W

RECORD:
 ARC = 51.57'
 RADIUS = 645.00'
 DELTA = 04°34'52"
 CHORD = 51.56'

MEASURED:
 ARC = 51.57'
 RADIUS = 645.00'
 DELTA = 04°34'52"
 CHORD = 51.56'
 CH. BRG. = S89°39'00"W



EIG14T
 3221 W. BIG BEAVER ROAD,
 SUITE 11
 TROY, MI 48084



JANUARY 05, 2024
 22-1301

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**EXHIBIT B
EASEMENT DESCRIPTION**

20-FOOT WIDE WATERMAIN EASEMENT

A 20-foot wide Watermain Easement over a parcel of land located in the West 1/2 of Section 23, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, being described as: COMMENCING at the West 1/4 corner of Section 23; thence along the West line of Section 23, North 02 degrees 38 minutes 26 seconds West, 2.08 feet; thence North 85 degrees 03 minutes 12 seconds East, 65.96 feet to the easterly right of way line of South Rochester Road (variable width - public); thence along the easterly right of way line of South Rochester Road, South 02 degrees 38 minutes 26 seconds East, 390.70 feet to the northerly right of way line of Eddington Boulevard (variable width - public); thence along the northerly right of way line of Eddington Boulevard, South 88 degrees 03 minutes 35 seconds East, 243.69 feet to the POINT-OF-BEGINNING of this 20-foot wide Watermain Easement; thence North 02 degrees 37 minutes 57 seconds West, 100.40 feet; thence North 47 degrees 37 minutes 57 seconds West, 64.36 feet; thence South 87 degrees 21 minutes 34 seconds West, 131.17 feet; thence North 45 degrees 00 minutes 00 seconds West, 15.80 feet; thence North 02 degrees 38 minutes 26 seconds West, 39.16 feet; thence North 87 degrees 21 minutes 34 seconds East, 20.00 feet; thence South 02 degrees 38 minutes 26 seconds East, 30.83 feet; thence North 87 degrees 21 minutes 34 seconds East, 130.10 feet; thence South 47 degrees 37 minutes 57 seconds East, 6.95 feet; thence North 45 degrees 37 minutes 35 seconds East, 28.11 feet; thence North 02 degrees 41 minutes 11 seconds West, 39.88 feet; thence South 89 degrees 15 minutes 38 seconds West, 9.52 feet; thence North 00 degrees 44 minutes 22 seconds West, 20.00 feet; thence North 89 degrees 15 minutes 38 seconds East, 8.84 feet; thence North 02 degrees 41 minutes 11 seconds West, 35.81 feet; thence North 87 degrees 21 minutes 34 seconds East, 20.00 feet; thence South 02 degrees 41 minutes 11 seconds East, 104.66 feet; thence South 45 degrees 37 minutes 35 seconds West, 35.94 feet; thence South 47 degrees 37 minutes 57 seconds East, 53.95 feet; thence South 02 degrees 37 minutes 57 seconds East, 86.44 feet; thence North 87 degrees 22 minutes 03 seconds East, 71.67 feet; thence South 02 degrees 37 minutes 57 seconds East, 20.00 feet; thence South 87 degrees 22 minutes 03 seconds West, 71.67 feet; thence South 02 degrees 37 minutes 57 seconds East, 3.85 feet to the northerly right of way line of Eddington Boulevard; thence along the northerly right of way line of Eddington Boulevard 1.58 feet along a non-tangent curve to the left, having a radius of 1554.78 feet, a central angle of 00 degrees 03 minutes 30 seconds, and chord bearing North 88 degrees 07 minutes 47 seconds West, 1.58 feet; thence continuing along the northerly right of way line of Eddington Boulevard North 88 degrees 03 minutes 35 seconds West, 18.48 feet to the POINT-OF-BEGINNING.

20-FOOT BY 20-FOOT WATER METER EASEMENT

A 20-foot by 20-foot Easement for Watermain over a parcel of land located in the West 1/2 of Section 23, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, being described as: COMMENCING at the West 1/4 corner of Section 23; thence along the West line of Section 23, North 02 degrees 38 minutes 26 seconds West, 2.08 feet; thence North 85 degrees 03 minutes 12 seconds East, 65.96 feet to the easterly right of way line of South Rochester Road (variable width - public); thence along the easterly right of way line of South Rochester Road, South 02 degrees 38 minutes 26 seconds East, 390.70 feet to the northerly right of way line of Eddington Boulevard (variable width - public); thence along the northerly right of way line of Eddington Boulevard, South 88 degrees 03 minutes 35 seconds East, 262.17 feet; thence continuing along the northerly right of way line of Eddington Boulevard, 22.70 feet along a curve to the left, having a radius of 645.00 feet, a central angle of 02 degrees 00 minutes 58 seconds, and chord bearing South 89 degrees 04 minutes 04 seconds East, 22.70 feet to the POINT-OF-BEGINNING of this 20-foot by 20-foot Easement for Watermain; thence North 00 degrees 57 minutes 51 seconds West, 20.00 feet; thence North 89 degrees 02 minutes 09 seconds East, 20.00 feet; thence South 00 degrees 57 minutes 51 seconds East, 20.00 feet to the northerly right of way line of Eddington Boulevard; thence along the northerly right of way line of Eddington Boulevard, 20.00 feet along a non-tangent curve to the right, having a radius of 645.00 feet, a central angle of 01 degrees 46 minutes 36 seconds, and chord bearing South 89 degrees 02 minutes 09 seconds West, 20.00 feet to the POINT-OF-BEGINNING.

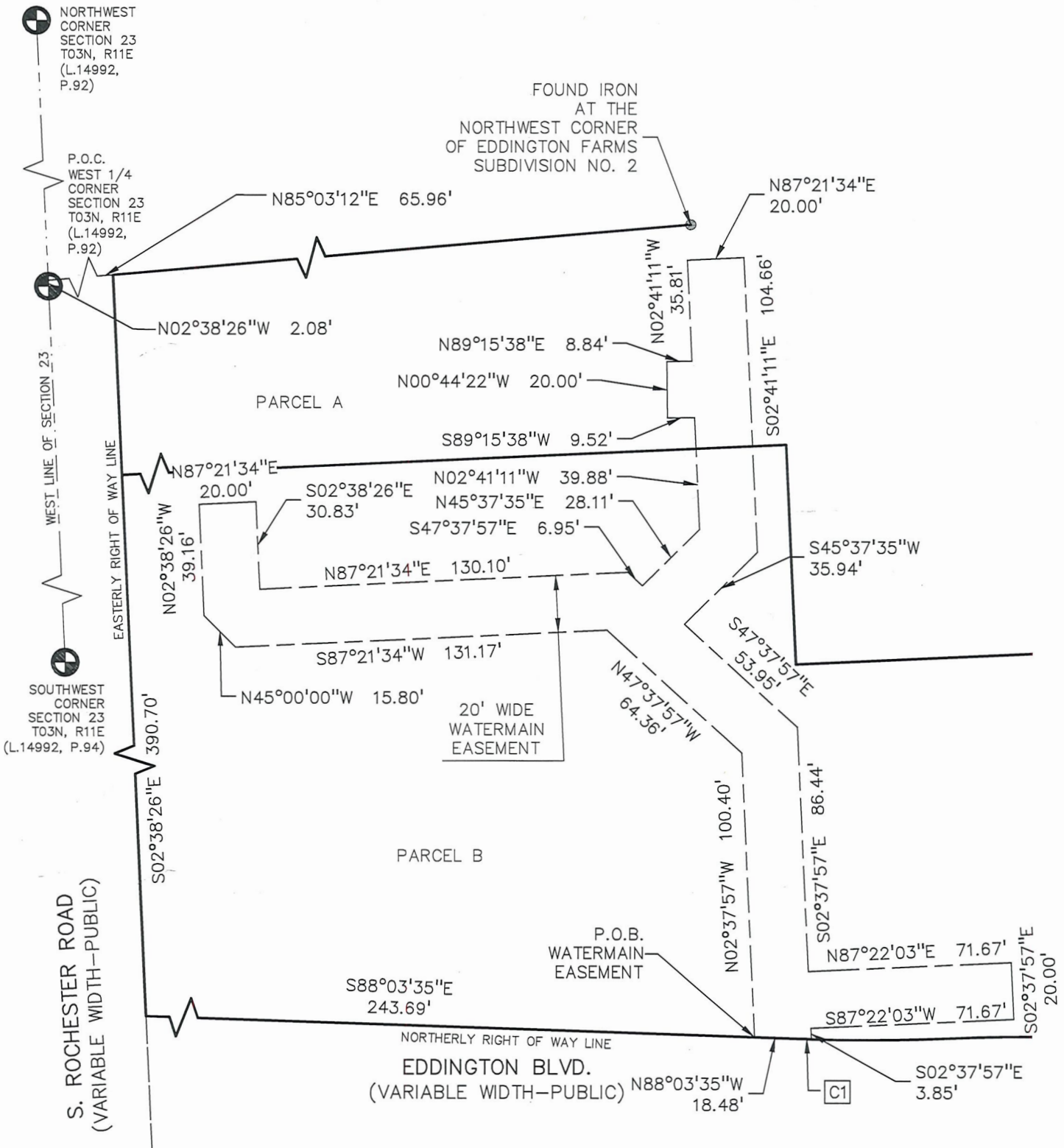


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EXHIBIT C EASEMENT SKETCH 20-FOOT WIDE WATERMAIN EASEMENT



ARC = 1.58'
 RADIUS = 1,554.78'
 DELTA = 00°03'30" [C1]
 CHORD = 1.58'
 CH. BRG. = N88°07'47"W

LEGEND

- SECTION LINE
- SECTION CORNER
- PROPERTY LINE
- EXCEPTION LINE
- EASEMENT LINE
- RIGHT OF WAY LINE
- P.O.C. POINT OF COMMENCING
- P.O.B. POINT OF BEGINNING

SURVEYOR'S NOTES:

- A) BEARINGS WERE ESTABLISHED BY HOLDING MICHIGAN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (2113).

Approved

 City of Rochester Hills
 01/18/2024

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 TROY, MI 48084

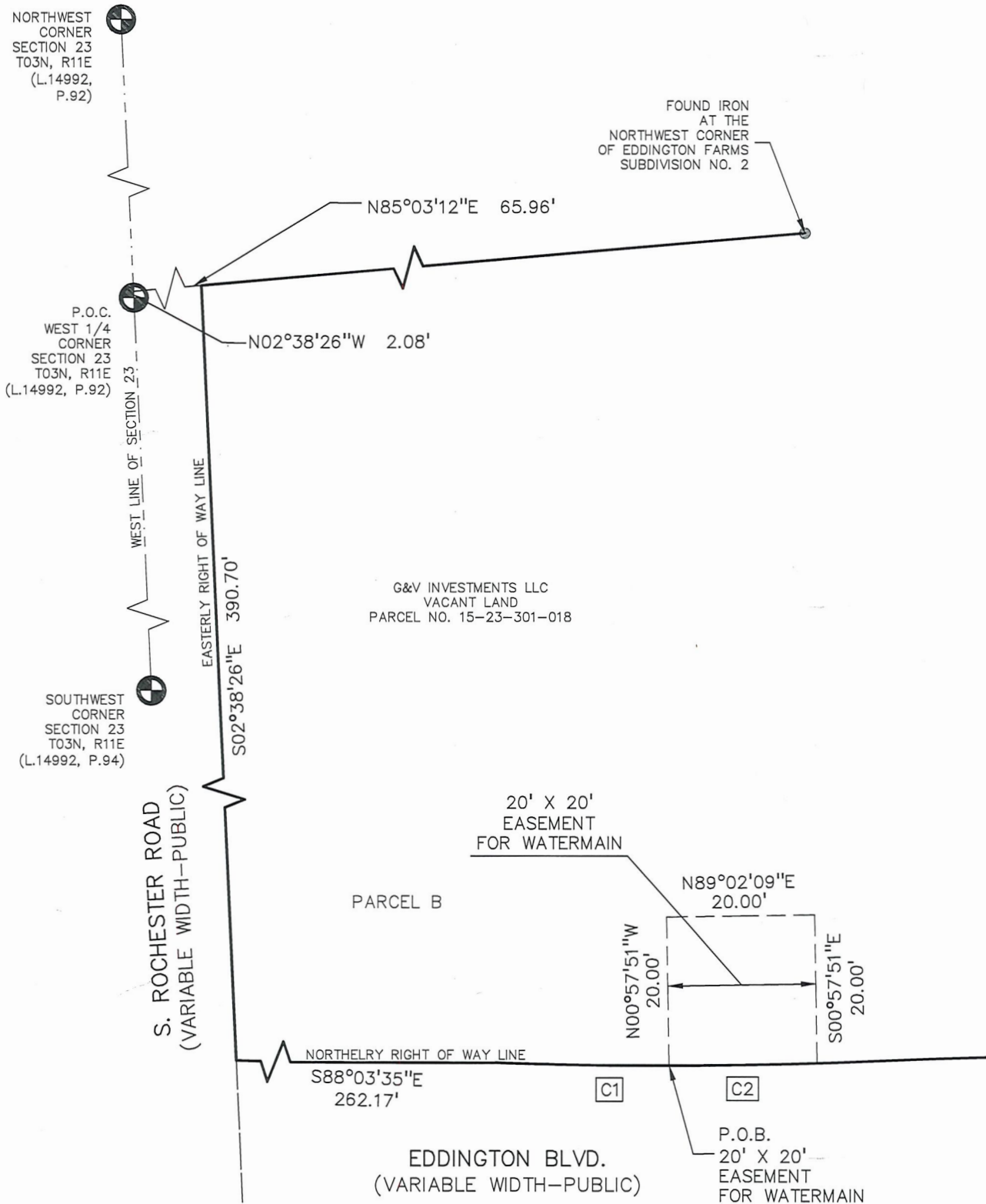


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**EXHIBIT C
EASEMENT SKETCH
20-FOOT BY 20-FOOT WATER METER EASEMENT**



$ARC = 22.70'$
 $RADIUS = 645.00'$
 $DELTA = 02^{\circ}00'58''$ [C1]
 $CHORD = 22.70'$
 $CH. BRG. = S89^{\circ}04'04''E$

$ARC = 20.00'$
 $RADIUS = 645.00'$
 $DELTA = 01^{\circ}46'36''$ [C2]
 $CHORD = 20.00'$
 $CH. BRG. = S89^{\circ}02'09''W$

LEGEND

- SECTION LINE
- SECTION CORNER
- PROPERTY LINE
- EXCEPTION LINE
- EASEMENT LINE
- RIGHT OF WAY LINE
- P.O.C. POINT OF COMMENCING
- P.O.B. POINT OF BEGINNING

SURVEYOR'S NOTES:
 A) Bearings were established via GPS Observations and linked to Continuously Operating Reference Stations (CORS) within the Michigan Spatial Reference Network (MSRN).

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