

RIGHT OF WAY

Parcel No. 3

KNOW ALL MEN BY THESE PRESENTS, That **THE CITY OF ROCHESTER HILLS**, a Michigan Municipal Corporation, 1000 Rochester Hills Drive, Rochester Hills, Michigan, PARTIES OF THE FIRST PART, for and in consideration of the sum of (\$ /, ⁰⁰/₁₀₀) receipt of which is hereby acknowledged, paid to them by the **NANCY DINGLEDAY DRAIN DRAINAGE DISTRICT**, acting through the Drainage Board for the **NANCY DINGLEDAY DRAIN** under Chapter 20 of Act No. 40 of the Public Acts of 1956, as amended, PARTY OF THE SECOND PART, whose address is One Public Works Drive, Waterford, Michigan 48328-1907, do hereby grant to the said Party of the Second Part the right to construct, operate, maintain, repair and/or replace the **NANCY DINGLEDAY DRAIN** across and through the following described parcel of land situated in the City of Rochester Hills, Oakland County, Michigan, to-wit:

A strip of land varying in width traversing over and across the Northwest Quarter (NW ¼) Section 29, T.3N., R.11E., City of Rochester Hills, Oakland County, Michigan, being that part of abandoned Grand Trunk Western Railroad right-of-way.

Sidwell No. 15-29-176-008

A PERMANENT EASEMENT DESCRIBED AS FOLLOWS:

A strip of land 30.00 ft. wide having a centerline described as: Beginning at a point on the Southerly line of the above-described parcel said point located distant N. 00°02'35"E., 0.74 ft. and N. 66°55'47"E., 74.16 ft. from the West ¼ corner of said Section 29, thence from said point of beginning N. 03°37'07"W., 85.42 ft. to a point of ending on Northerly parcel line, said point of ending located distant N. 00°02'35"E., 88.42 ft. and N. 66°55'47"E., 68.09 ft. and from the West ¼ corner of said Section 29.

DESC
M. [Signature]
ROCHESTER HILLS
ENGINEERING CO.
11-03-03

A TEMPORARY EASEMENT DESCRIBED AS FOLLOWS:

A strip of land 15.00 ft. wide parallel to and adjoining the West edge of the above-described permanent easement, also a strip of land 25.00 ft. wide parallel to and adjoining the East edge of the above-described permanent easement.

The Parties of the First Part herewith agree not to build or convey to others permission to build any permanent structures on the above-described permanent easement.

All trees within the permanent easement can be removed and not replaced.

Said temporary construction easement shall terminate upon the completion date of construction.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns.

A map of the above described easement is attached hereto and made a part thereof.

If the said premises shall be disturbed by reason of the exercise of any of the foregoing powers, then said premises shall be restored to substantially the condition that existed prior to the contractors entering upon said premises.

IN WITNESS WHEREOF, the Parties of the First Part have hereunto affixed their signatures this _____ day of _____, A.D., 2003.

WITNESSES:

**CITY OF ROCHESTER HILLS,
a Michigan Municipal Corporation**

_____	_____ (L.S.)
_____	_____ (L.S.)
_____	_____ (L.S.)

ACKNOWLEDGEMENT

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

On this _____ day of _____, A.D., 2003, before me, a Notary Public in and for said County, personally appeared and _____ to me personally known, who being by me severally duly sworn did say that they are respectively the _____ and _____ of the **CITY OF ROCHESTER HILLS, a Michigan Municipal Corporation**, a corporation created and existing under the laws of the **State of Michigan**, and that the said Easement Grant was signed and sealed in behalf of said corporation by authority of its Board of Directors, and the said _____ acknowledged the said instrument to be the free act and deed of the said Corporation.

Notary Public

County, _____
My Commission Expires: _____

APPROVED AS TO FORM
J. Staran 2/29/04

ROCHESTER HILLS COUNSEL

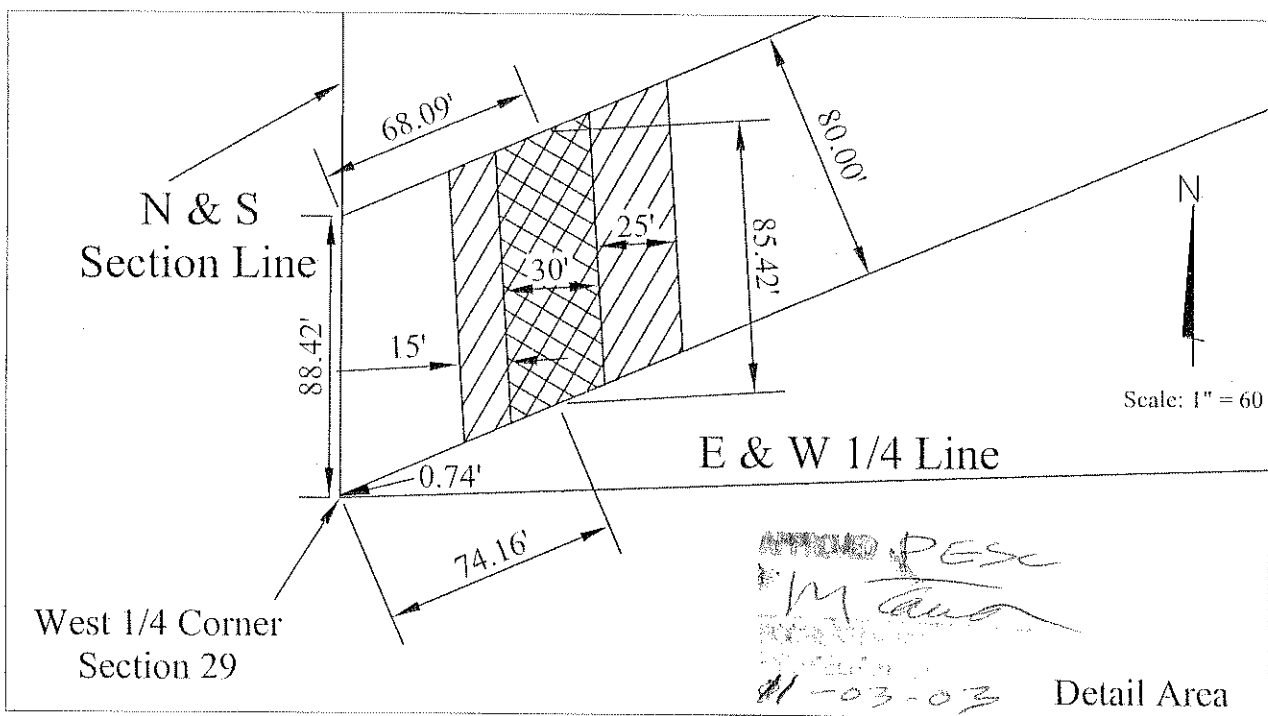
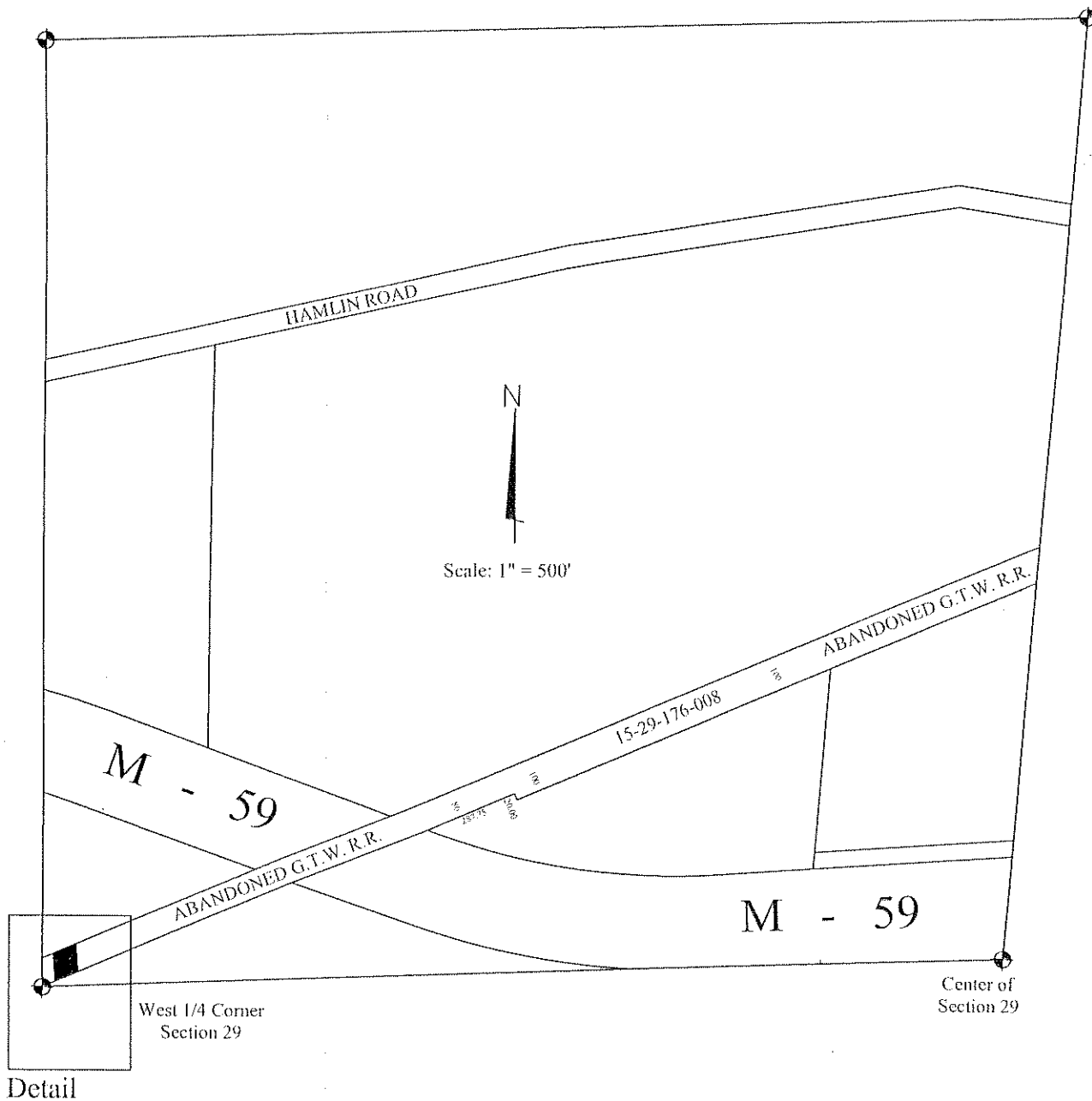
This instrument drafted by:

Paul E. Dove, Right-of-Way Supervisor, Office of the
Oakland County Drain Commissioner
Building 95 West
One Public Works Drive
Waterford, Michigan 48328-1907

(C)-Corporation Ack.- Revised 10/18/01

DAL/kmb

EASEMENT SKETCH



PROJECT: Nancy Dingleday Drain

PERMANENT EASEMENT  EASEMENT PARCEL NO. 3 DWG. 1 OF 1

TEMPORARY EASEMENT  SIDWELL NO. 15-29-176-008

Part of the Northwest 1/4 of Section 29