

HIGHWAY EASEMENT

Rochester Auburn Associates, LLC, a Michigan limited liability Company, of 6750 Oak Hills Dr., Bloomfield Hills, MI 48301 grant (s) to the City of Rochester Hills, a Michigan municipal corporation, of 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309, an easement for all public highway purposes, including public utilities, and the construction, operation, maintenance, repair, replacement and/or public use of water main, sanitary sewer, storm sewer, sidewalks and/or pathways in, over, under, upon, and through the following described premises situated in the City of Rochester Hills, Oakland County, Michigan:

Sidwell # 15-34-227-046
See Attached Exhibits A and B

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in such public utilities or improvements, or the facilities incidental thereto, which may be located in the easement.

All property disturbed or altered by the City by reason of construction, operation, etc., 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.

To the fullest extent permitted by law, and provided that the Grantee does not cause the environmental contamination, the Grantor, for itself, its successors and assigns, shall indemnify, defend and hold harmless the Grantee against any liability, damages, costs, expenses, claims, causes of action, losses, settlements, fines, penalties and attorney's fees claimed against or incurred by the Grantee relating to (1) the existence, mitigation or remediation of environmental contamination in the easement area; (2) any corrective action and due care obligations with respect to existing contamination in the easement area; (3) the occurrence, disturbance or movement of environmental contamination resulting directly or indirectly from any work conducted by the Grantee within the scope, and in the exercise, of its easement rights.

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 itself and Grantor's successors and assigns, so long as there is no interference with the City's easement rights: (1) right of ingress and egress across the easement, and (2) right to grant other non-exclusive easements and rights-of-way across, over and under 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 21st day of APRIL, 2014.

Rochester Auburn Associates, LLC
Signature: [Handwritten Signature]
Print or type name: DORAIN MARKUS
Title: MANAGER

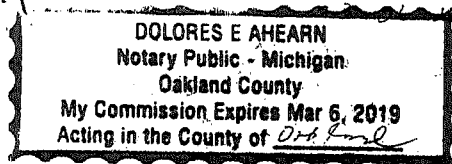
STATE OF MICHIGAN
COUNTY OF Oakland

The foregoing instrument was acknowledged before me this 21st day of April, 2014, by Dorain Markus, who is a member of Rochester Auburn Associates, LLC a Michigan limited liability company, on behalf of the company.

Drafted by: Rachel Smith, Professional Engineering Assoc., Inc. 2430 Rochester Court, Ste. 100 Troy, MI 48083

[Handwritten Signature] Dolores E. A., Notary Public Oakland County, Michigan My Commission expires: [Handwritten Date]

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



**EXHIBIT A
LEGAL DESCRIPTIONS**

LEGAL DESCRIPTION — PARCEL 15-34-227-046

Land in part of the NE 1/4 of Section 34, Township 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan; including all of Lots 7 thru 13 inclusive; also including the North 100 feet of Lots 21, 22 and 23 of "AVONCROFTS SUBDIVISION" according to the Plat thereof, as recorded in Liber 19, Page 15, of Plats, Oakland County Records;

Being more particularly described as, BEGINNING at the Northeast corner of Lot 10 of said "AVONCROFTS SUBDIVISION"; thence S00°02'21"W, 418.00 feet along the west line of Rochester Road (33' half width) to the southeast corner of Lot 7 of said "AVONCROFTS SUBDIVISION"; thence N90°00'00"W, 226.79 feet along the south line of said Lot 7 to the southwest corner of said Lot 7; thence N02°20'21"E, 48.11 feet along the west line of said Lot 7; thence S89°49'53"W, 361.32 feet along a line 100 feet south of and parallel to the south line of Lots 11, 12 and 13 of the aforementioned "AVONCROFTS SUBDIVISION" to the west line of Lot 21 of said "AVONCROFTS SUBDIVISION"; thence along said west line N04°15'00"E, 100.30 feet to the southwest corner of Lot 13 of said "AVONCROFTS SUBDIVISION"; thence N00°00'00"E, 271.20 feet along the west line of said Lot 13 to the northwest corner of said Lot 13 and the south line of W. Auburn Road (66' wide); thence S89°58'39"E, 579.00 feet along said south line to the POINT OF BEGINNING.

LEGAL DESCRIPTION — HIGHWAY EASEMENT

An easement for public highway purposes over land and in part of the NE 1/4 of Section 34, Township 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan; said easement being the east 20.00 feet of Lots 7 thru 10 inclusive and also being the North 27 feet of Lots 10 thru 13 inclusive of "AVONCROFTS SUBDIVISION" according to the Plat thereof, as recorded in Liber 19, Page 15, of Plats, Oakland County Records;

Being more particularly described as, BEGINNING at the Northeast corner of Lot 10 of said "AVONCROFTS SUBDIVISION"; thence S00°02'21"W, 418.00 feet along the west line of Rochester Road (33' half width) to the southeast corner of Lot 7 of said "AVONCROFTS SUBDIVISION"; thence N90°00'00"W, 20.00 feet along the south line of said Lot 7; thence thence N00°02'21"E, 391.01 feet along a line 20.00 feet west of and parallel to the west line of Rochester Road (33' half width); thence N89°58'39"W, 558.98 feet along a line 27.00 feet south of and parallel to the south line of W. Auburn Road (66' wide) to the west line of Lot 13 of said "AVONCROFTS SUBDIVISION"; thence N00°00'00"E, 27.00 feet along the west line of said Lot 13 to the northwest corner of said Lot 13 and the south line of W. Auburn Road (66' wide); thence S89°58'39"E, 579.00 feet along said south line to the POINT OF BEGINNING.

Mike Taunt Approved 12/20/13

PROFESSIONAL
ENGINEERING
ASSOCIATES

CLIENT:
Rochester Auburn Assoc.
6750 Oakhills Drive
Bloomfield Hills, MI., 48301

SCALE: 1"= 100'
DATE: 11-27-13

JOB No: 2012074
DWG. No: 1 of 2

2430 Rochester Ct. Suite 100
Troy, MI 48068-1872
(248) 689-9090

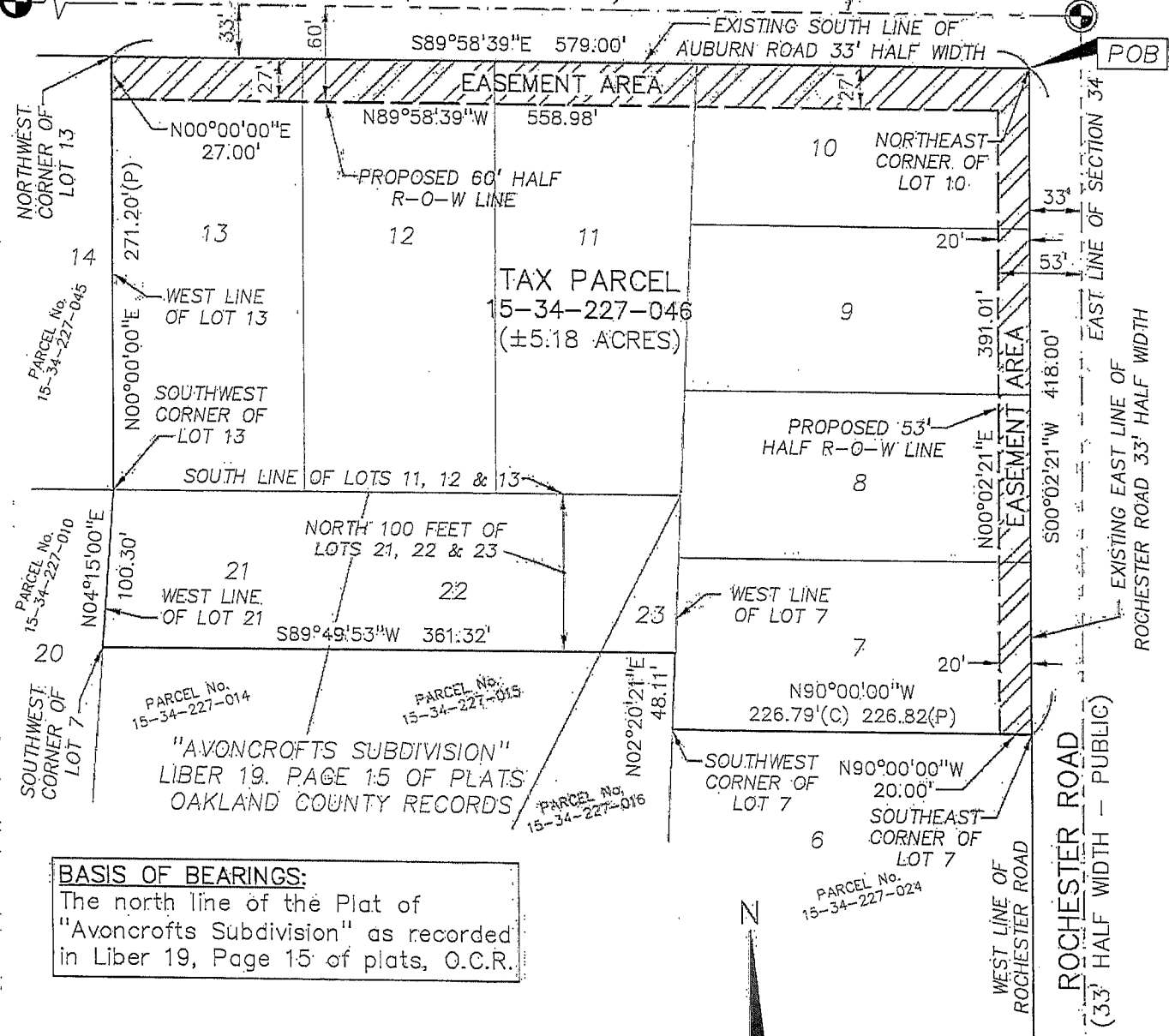
EXHIBIT B SKETCH OF HIGHWAY EASEMENT

NORTH 1/4 CORNER
OF SECTION 34,
T.03N., R.11E.
AVON TWP., MI
(L.14992, P.089)

NORTH LINE OF
SECTION 34 &
CENTERLINE OF
AUBURN ROAD

CALCULATED
NE CORNER OF
SECTION 34,
T.03N., R.11E.
AVON TWP., MI
(L.14992, P.096)

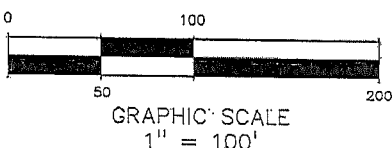
W. AUBURN ROAD
(66' WIDE-PUBLIC)



BASIS OF BEARINGS:
The north line of the Plat of
"Avoncrofts Subdivision" as recorded
in Liber 19, Page 15 of plats, O.C.R.

LEGEND

- (P) PLAT
- (C) CALCULATED
- SECTION CORNER FOUND
- SECTION CORNER RECORD



EAST 1/4
CORNER OF
SECTION 34,
T.03N., R.11E.
AVON TWP., MI
(L.14992, P.090)

PROFESSIONAL
ENGINEERING
ASSOCIATES

<p>CLIENT: Rochester Auburn Assoc. 6750 Oakhills Drive Bloomfield Hills, MI, 48301</p>	<p>SCALE: 1" = 100'</p>	<p>JOB No: 2012074</p>	<p>2430 Rochester Ct. Suite 100 Troy, MI 48063-1872 (248) 689-9090</p>
<p>DATE: 11-27-13</p>		<p>DWG. No: 2 of 2</p>	