HIGHWAY EASEMENT

Daniel B. Brown and Mary Lou Brown, husband and wife, whose address is 3535 Bendelow, Rochester Hills, Michigan 48307 grant to the City of Rochester Hills, a Michigan municipal corporation, whose address is 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, County of Oakland, State of Michigan, described as follows, to-wit:

The property and easement are described on the attached Exhibit C

Tax Identification no. 70-15-35-476-011

In connection with the grant of the easement, Grantors waive and relinquish 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.

The easement shall be irrevocable and non-exclusive, and Grantor and Grantors' successors and assigns may use and enjoy the easement area in common with the city.

Grantors expressly reserve to themselves and Grantors' successors and assigns, so long as there is no interference with the City's easement rights: (1) the right of ingress and egress across the easement, and (2) the 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 tax under MCL 207.526 (a).
Signed this 21st day of June, 2002
IN THE PRESENCE OF:
Roderick W. Martin
Roderick W. Martin

M. - E (Sh.)

Dianne E. White

STATE OF MICHIGAN)

COUNTY OF OAKLAND)

Land & Spor

Daniel B. Brown

Mary Lou Brown

The foregoing instrument was acknowledged before me this 21st day of June, 2002, by Daniel B. Brown and Mary Lou Brown, husband and wife.

Johnsturm Johnsturm 4-16-03 Dianne E. White, Notary Public Oakland County, Michigan

My commission expires: August 1, 2003

Drafted by:
Roderick W. Martin
Attorney at Law
431 Sixth Street
Rochester, Michigan 48307

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

EXHIBIT C

PROPERTY DESCRIPTION

PART OF LOT 52 OF "BROOKLANDS SUB." IN SECTION 35, T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 25 OF PLATS, ON PAGE 10 & 10A, OAKLAND COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE S.E. CORNER OF SAID SECTION 35; THENCE N.88'07'59"W., (RECORDED AS N.88'17'20"W.), 33.00 FT.; THENCE N.02'53'50"E., 627.92 FT. ALONG THE EXISTING WESTERLY 33.00 FT., RIGHT-OF-WAY OF JOHN R ROAD TO A POINT ON THE NORTH RIGHT-OF-WAY OF M-59 EXPRESSWAY BEING THE POINT OF BEGINNING; THENCE N.87'24'49"W., 683.21 FT. ALONG THE SAID NORTH RIGHT-OF-WAY OF M-59 EXPRESSWAY; THENCE N.02'36'02"E., 270.75 FT. TO A POINT ON THE SOUTH RIGHT-OF-WAY OF MICHELSON ROAD (60 FT. WIDE); THENCE ALONG A CURVE TO THE RIGHT AN ARC DISTANCE OF 593.03 FT, SAID CURVE HAVING A RADIUS OF 1627.15 FT., AND A LONG CHORD OF S.85'54'37"E., 589.76 FT.; THENCE S.75'25'15"E., 96.98 FT. TO A POINT ON THE EXISTING WESTERLY 33.00 FT. RIGHT-OF-WAY OF JOHN R ROAD; THENCE S.02'53'50"W., 235.13 FT. TO THE POINT OF BEGINNING. CONTAINING 4.334 ACRES. SUBJECT TO THE RIGHTS OF THE PUBLIC OVER JOHN R ROAD AND MICHELSON ROAD AND ANY OTHER EASEMENT, RESTRICTION. AND RIGHT-OF-WAY OF RECORD, IF ANY.

27 FT. EASEMENT FOR FUTURE R.O.W.

27 FT. EASEMENT FOR FUTURE R.O.W.

EASEMENT OF PART OF LOT 52 OF "BROOKLANDS SUB." IN SECTION 35, T.3N., R.11E., CIT' OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 25 OF PLATS, ON PAGE 10 & 10A, OAKLAND COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE S.E. CORNER OF SAID SECTION 35; THENCE N.88'07'59"W., (RECORDED AS N.88'17'20"W.), 33.00 FT.; THENCE N.02'53'50"E., 627.92 FT. ALONG THE EXISTING WESTERLY 33.00 FT., RIGHT—OF—WAY OF JOHN R ROAD TO A POINT ON THE NORTH RIGHT—OF—WAY OF M—59 EXPRESSWAY BEING THE POINT OF BEGINNING; THENCE N.87'24'49"W., 27.00 FT. ALONG THE SAID NORTH RIGHT—OF—WAY OF M—59 EXPRESSWAY; THENCE N.02'53'50"E., 240.86 FT.; THENCE S.75'25'15"E., 27.57 FT. TO A POINT ON THE EXISTING WESTERLY 33.00 FT., RIGHT—OF—WAY OF JOHN R ROAD; THENCE S.02'53'50"W., 235.13 FT. ALONG THE SAID WESTERLY 33.00 FT., RIGHT—OF—WAY OF JOHN R ROAD TO THE POINT OF BEGINNING.

