

WATERMAIN EASEMENT

400 NORTH ADAMS, LLC, a Michigan limited liability company (“**Grantor**”), whose address is c/o Robert B. Aikens & Associates, LLC, 350 North Old Woodward Ave., Suite 300, Birmingham, Michigan 48009, hereby grants to the City of Rochester Hills, a Michigan municipal corporation, the address of which is 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309 (“**City**”), an easement for the construction, operation, maintenance, repair and/or replacement of a watermain on, under, through and across land more particularly described on **Exhibit A** attached hereto and incorporated herein (“**New Watermain Easement Area**”).

RECITALS:

A. Meadowbrook Associates, a Michigan co-partnership (“**Meadowbrook**”), granted to the City a certain Watermain Easement dated September 25, 2001, recorded on May 31, 2002 in Liber 25790, Page 598, Oakland County Records (“**Watermain Easement**”).

B. Grantor is a successor to Meadowbrook, having succeeded to Meadowbrook’s interest in the property described on **Exhibit B** attached hereto and incorporated herein (“**Grantor Parcel**”).

C. Grantor desires to grant an easement to the City to add the New Watermain Easement Area to the Watermain Easement, on the terms and conditions set forth below.

NOW, THEREFORE, in connection with this grant of easement, Grantor states as follows:

1. Grantor waives and relinquishes any right, title or interest in the watermain, or the facilities incidental thereto, which may be located in the New Watermain Easement Area.

2. All property disturbed or altered, now or in the future, by reason of the construction, operation, maintenance, repair and/or replacement of the watermain shall be restored by the City to its immediately prior condition. Grantor reserves the right to use the surface of the easement area for access to Grantor’s property, including the right to construct thereon driveways and parking areas and to install landscaping. In the event the City disturbs the above ground improvements installed by Grantor pursuant to the right hereinabove reserved in connection with the construction, operation, maintenance, repair and/or replacement of the watermain easement by the City, the City shall be required to restore such improvements to their immediately prior condition, but shall not be required to restore any landscaping disturbed thereby.

3. 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.

4. 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 watermain: (a) the right of ingress and egress over, through and across the New Watermain Easement ~~Area~~, and (b) the right to grant other non-exclusive easements and right-of-way across, over, under and through the Grantor Parcel, so long as the use of the Grantor Parcel by others to whom Grantor grants such easements does not materially disturb the rights granted to the City hereunder.

5. Grantor reserves the right to relocate the New Watermain Easement Area, provided that Grantor shall, at its sole expense, relocate the watermain easement and any affected facilities incidental thereto, into the relocated easement area.

Spicer Group, Inc.
 230 S. Washington Avenue
 Saginaw, MI 48607
 TEL (989) 754-4717
 FAX (989) 754-4440
 www.SpicerGroup.com

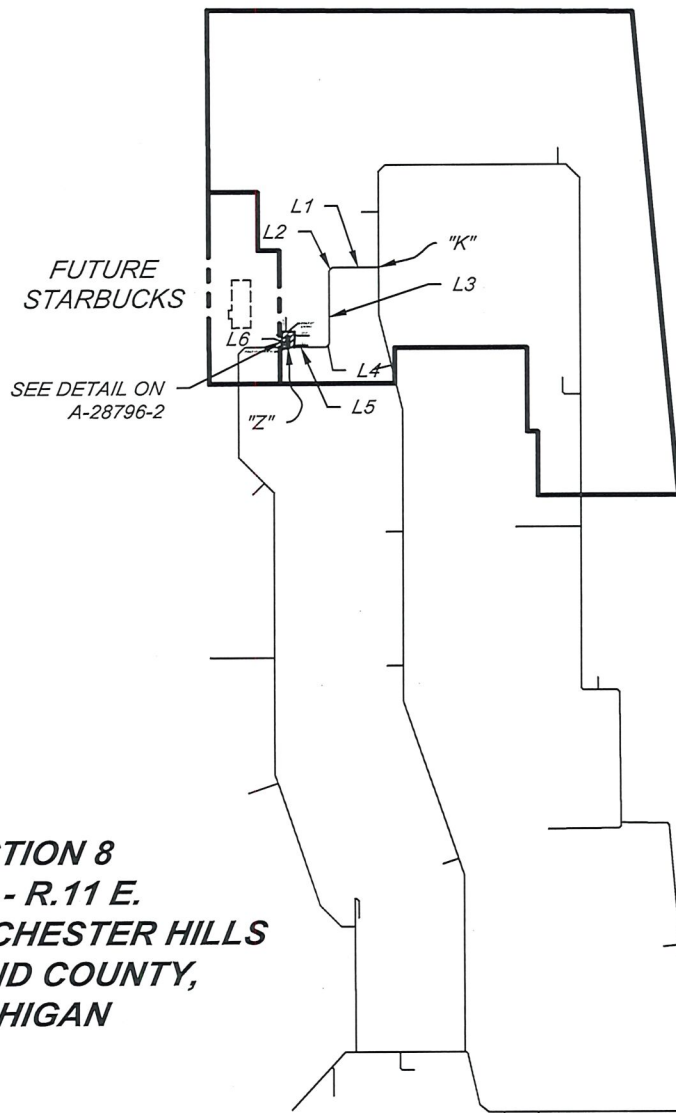


EXHIBIT A

NEW WATERMAIN EASEMENT AREA

SCALE: 1" = 300'

DWG. NO.: A-28796-1



| LINE TABLE | | |
|------------|---------------|----------|
| LINE | BEARING | DISTANCE |
| L1 | S90°-00'-00"W | 72.50' |
| L2 | S45°-00'-00"W | 7.07' |
| L3 | S00°-00'-00"E | 112.67' |
| L4 | S45°-00'-00"W | 7.07' |
| L5 | S90°-00'-00"W | 59.58' |
| L6 | N01°-15'-25"E | 25.00' |

SECTION 8
T.3 N. - R.11 E.
CITY OF ROCHESTER HILLS
OAKLAND COUNTY,
MICHIGAN

CENTERLINE OF
 EXISTING WATERMAIN
 EASEMENT
 L.25790, P.598

TAX ID: 15-08-303-036
 OWNER NAME: 400 North Adams, LLC
 PROPERTY: 400 N. Adams Road
 Rochester Hills, Michigan

DATE: 12/19/2023



Approved

 City of Rochester Hills
 01/09/2024



Parcel Description:

A part of the Southwest 1/4 of Section 8, T.3 N. - R.11 E., City of Rochester Hills, Oakland County, Michigan, described as: Commencing at the Southwest corner of said Section 8; thence N.00°-04'-02"W., 8.10 feet along the West line of said Section 8; thence S.89°-52'-17"E., 2.11 feet to a property controlling corner as established in LCRC Liber 6311, Page 699, Oakland County Records; thence continuing S.89°-52'-17"E., 233.00 feet; thence N.00°-07'-00"W., 233.00 feet; thence S.89°-59'-54"E., 14.50 feet; thence N.00°-07'-00"W., 160.00 feet; thence N.89°-59'-54"W., 187.50 feet; thence N.00°-07'-00"W., 1435.34 feet to the East line of Adams Road (120.00 feet wide) to the Point of Beginning; thence N.00°-07'-00"W., 286.25 feet along the East line of Adams Road to the South line of Shadow Woods Subdivision No. 1, as recorded in Liber 160, Page 30 of Plats, Oakland County Records; thence the following two courses along the perimeter of said subdivision: (1) S.89°-37'-16"E., 663.89 feet; and (2) S.05°-14'-49"E., 759.90 feet; thence West 219.77 feet; thence North 100 feet; thence West 16.55 feet; thence North 131.65 feet; thence West 206.04 feet; thence South 55.66 feet; thence West 179.31 feet; thence N.00°-07'-00"W., 207.00 feet; thence West 33.50 feet; thence N.00°-07'-00"W., 91.88 feet; thence West 77.00 feet to the Point of Beginning.

REVISED 01/08/24

DRAWN BY: DEH
 CHECKED BY: JRD

PLOT DATE: 01/08/24
 SHEET 1 OF 2

JOB#: 130328SG2021
 DWG#: A-28796-1

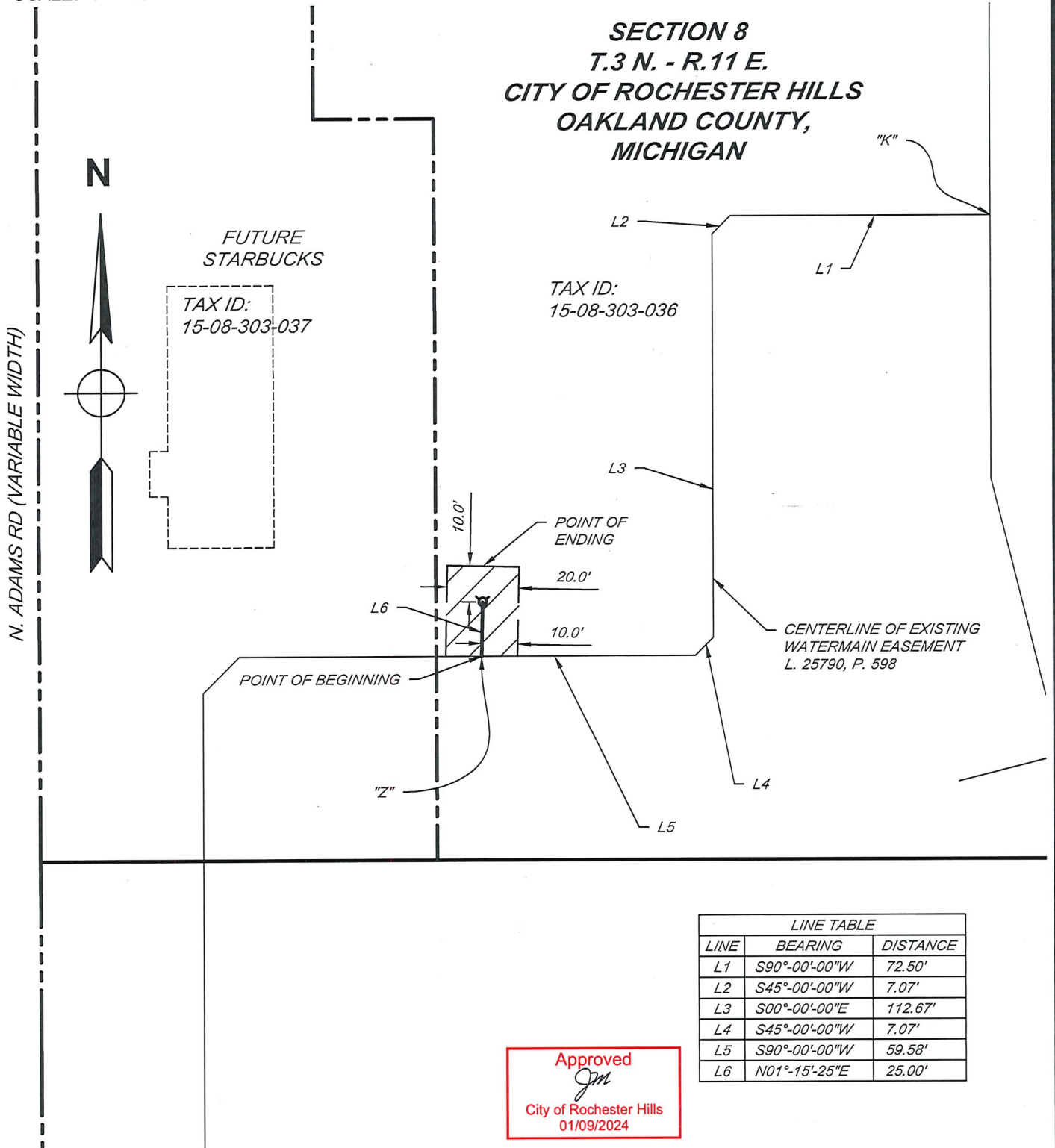
Spicer Group, Inc.
 230 S. Washington Avenue
 Saginaw, MI 48607
 TEL (989) 754-4717
 FAX (989) 754-4440
 www.SpicerGroup.com



EXHIBIT A
NEW WATERMAIN EASEMENT AREA

SCALE: 1" = 40'

DWG. NO.: A-28796-2



| LINE TABLE | | |
|------------|---------------|----------|
| LINE | BEARING | DISTANCE |
| L1 | S90°-00'-00"W | 72.50' |
| L2 | S45°-00'-00"W | 7.07' |
| L3 | S00°-00'-00"E | 112.67' |
| L4 | S45°-00'-00"W | 7.07' |
| L5 | S90°-00'-00"W | 59.58' |
| L6 | N01°-15'-25"E | 25.00' |

Approved

 City of Rochester Hills
 01/09/2024

TAX ID: 15-08-303-036 DATE: 12/19/2023
 OWNER NAME: 400 North Adams, LLC
 PROPERTY: 400 N. Adams Road
 Rochester Hills, Michigan

LEGEND

 WATERMAIN EASEMENT

WATERMAIN EASEMENT DESCRIPTION: A part of the Southwest 1/4 of Section 8, T.3 N. - R.11 E., City of Rochester Hills, Oakland County, Michigan being further described as follows: Commencing at Point "K" as recorded on Liber 25790, Page 602, Oakland County Records; thence S90°-00'00"W, 72.50 feet; thence S45°-00'-00"W, 7.07 feet; thence S00°-00'-00"E, 112.67 feet; thence S45°-00'-00"W, 7.07 feet; thence S90°-00'-00"W, 59.58 feet to a Point "Z"

AND

Beginning at the above described Point "Z" the following course being along the centerline of a 20 foot wide easement for water main purposes; N01°-15'-25"E, 25.00 feet to the Point of Ending

REVISED 01/08/24

DRAWN BY: DEH
 CHECKED BY: JRD

PLOT DATE: 01/08/24
 SHEET 2 OF 2

JOB#: 130328SG2021
 DWG#: A-28796-2

GRANTOR PARCEL

VON MAUR 400 N. ADAMS Parcel #: 15-08-303-036

PARCEL B

A part of the Southwest 1/4 of Section 8, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, described as:
 Commencing at the Southwest corner of said Section 8;
 thence North 00°04'02" West, 8.10 feet along the West line of said Section 8;
 thence South 89°52'17" East, 2.11 feet to a property controlling corner as established in land corner recordation certificate Liber 6311, Page 699, Oakland County Records;
 thence continuing South 89°52'17" East, 233.00 feet;
 thence North 00°07'00" West, 233.00 feet;
 thence South 89°59'54" East, 14.50 feet;
 thence North 00°07'00" West, 160.00 feet;
 thence North 89°59'54" West, 187.50 feet;
 thence North 00°07'00" West, 1435.34 feet along the East line of Adams Road (120.00 feet wide) to the Point of Beginning;
 thence North 00°07'00" West, 286.25 feet along the East line of Adams Road to the South line of "Shadow Woods Sub. No. 1", as recorded in Liber 160, Page 30 of Plats, Oakland County Records;
 thence the following two courses along the perimeter of said subdivision:
 (1) South 89°37'16" East (recorded as: South 87°12'53" East) 663.89 feet; and
 (2) South 05°14'49" East (recorded as South 02°50'24" East) 759.90 feet;
 thence due West, 219.77 feet;
 thence due North, 100.00 feet;
 thence due West, 16.55 feet;
 thence due North, 131.65 feet;
 thence due West, 206.04 feet;
 thence due South, 55.66 feet;
 thence due West, 179.31 feet;
 thence North 00°07'00" West, 207.00 feet;
 thence West, 33.50 feet;
 thence North 00°07'00" West, 91.88 feet;
 thence West, 77.00 feet to the Point of Beginning.
 Containing 399,222 sq. ft., or 9.1649 ac, more or less.



BEARING BASE

Bearings are based on the description contained in the Commitment for Title Insurance issued by Fidelity National Title Insurance Company; Order Number: GLT1900454; Commitment Date: August 30, 2019 at 08:00 AM.

CERTIFICATION

I hereby certify that I surveyed and mapped the land above platted and described on May 15, 2021; And that the relative positional precision of each corner is based on the 95 percent confidence level, or approximately 2 standard deviations, which is within limits accepted by the practice of professional surveying.

Derek Kosicki, PS #4001043058
 Professional Surveyor
 Derek.K@MichiganSurveying.com

| | |
|---|----------------|
| CLIENT: 400 N ADAMS, LLC | JOB NO. 21-133 |
|  MICHIGAN SURVEYING, INC. 20836 Hall Rd., Suite 108 Clinton Twp., MI 48038 tel. (734) 542-9088 www.MichiganSurveying.com | DATE 05/15/21 |
| | SCALE NONE |
| | SHEET 1 OF 1 |