

WATERMAIN EASEMENT

Gianna Investments, LLC

a Michigan limited liability company of

59227 Van Dyke, Washington, MI 48094

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

See attached Exhibits A and B

Parcel ID# 15-28-300-029

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the watermain, 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 watermain 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 watermain: (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

3 day of June, 2019.

Gianna Investments, LLC



Signature

MICHAEL A. MAGNOLI

(Print Name)

OWNER

Title

Signature

(Print Name)

Title

STATE OF MICHIGAN  
COUNTY OF Macomb

The foregoing instrument was acknowledged before me this 3 day of June, 2019, by Michael A Magnoli who is a member of Gianna Investments, LLC, a Michigan limited liability company, on behalf of the company.

Drafted by: John Dell'Isola  
PEA, Inc.  
2430 Rochester Ct., Ste. 100  
Troy, MI 48083



Notary Public  
County, Michigan  
My Commission Expires:

**ANGELA L. TUDISCO**  
Notary Public, Macomb County, MI  
My Commission Expires: 7/24/2021  
Acting in the County of Macomb

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

John Staran  
Approved 9/25/19

**EXHIBIT A  
LEGAL DESCRIPTION**

LEGAL DESCRIPTION – TAX PARCEL ID # 15-28-300-029:  
(Per PEA Inc.)

LANDS IN THE SOUTHWEST 1/4 OF SECTION 28, TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, FORMERLY AVON TOWNSHIP, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 28; THENCE N89°23'17"E, 1598.44 FEET ALONG THE SOUTH LINE OF SAID SECTION 28 AND THE CENTERLINE OF AUBURN ROAD (VARIABLE WIDTH), TO THE POINT OF BEGINNING; THENCE N00°22'02"W, 831.90 FEET; THENCE N89°23'24"E, 261.20 FEET; THENCE S00°25'39"E, 831.89 FEET; THENCE S89°23'17"W, 262.07 FEET ALONG THE SOUTH LINE OF SAID SECTION 28 AND THE CENTERLINE OF SAID AUBURN ROAD TO THE POINT OF BEGINNING.

EXCEPT,

THE SOUTHERLY 33 FEET THEREOF FOR AUBURN ROAD, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 28; THENCE N89°23'17"E, 1598.44 FEET ALONG THE SOUTH LINE OF SAID SECTION 28, ALSO BEING THE CENTERLINE OF AUBURN ROAD (VARIABLE WIDTH) TO THE POINT OF BEGINNING; THENCE N00°22'02"W, 33.00 FEET; THENCE N89°23'17"E, 262.04 FEET; THENCE S00°25'39"E, 33.00 FEET TO THE AFOREMENTIONED SOUTH LINE OF SECTION 28; THENCE ALONG SAID SOUTH LINE, S89°23'17"W, 262.07 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT,

THE NORTHERLY 27 FEET OF THE SOUTHERLY 60 FEET THEREOF FOR AUBURN ROAD, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 28; THENCE N89°23'17"E, 1598.44 FEET ALONG THE SOUTH LINE OF SAID SECTION 28, ALSO BEING THE CENTERLINE OF AUBURN ROAD (VARIABLE WIDTH); THENCE N00°22'02"W, 33.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N00°22'02"W, 27.00 FEET; THENCE N89°23'17"E, 262.01 FEET; THENCE S00°25'39"E, 27.00 FEET; THENCE S89°23'17"W, 262.04 FEET TO THE POINT OF BEGINNING,

ALSO EXCEPT,

LANDS FOR BASIL DRIVE (VARIABLE WIDTH) AND SAGE LANE (60 FOOT WIDE) DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 28; THENCE N89°23'17"E, 1598.44 FEET ALONG THE SOUTH LINE OF SAID SECTION 28, ALSO BEING THE CENTERLINE OF AUBURN ROAD (VARIABLE WIDTH); THENCE N00°22'02"W, 60.00 FEET; THENCE N89°23'17"E, 24.26 FEET TO THE POINT OF BEGINNING; THENCE N00°22'02"W, 50.15 FEET; THENCE 85.30 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 125.00 FEET, A CENTRAL ANGLE OF 39°05'52", AND A CHORD WHICH BEARS N19°10'54"E 83.65 FEET; THENCE N38°43'50"E, 56.16 FEET; THENCE 40.94 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 60.00 FEET, A CENTRAL ANGLE OF 39°05'52", AND A CHORD WHICH BEARS N19°10'54"E 40.15 FEET; THENCE N00°22'02"W, 381.83 FEET; THENCE S89°23'24"W, 101.10 FEET; THENCE N00°22'02"W, 60.00 FEET; THENCE N89°23'24"E, 261.32 FEET; THENCE S00°25'39"E, 60.00 FEET; THENCE S89°23'24"W, 100.29 FEET; THENCE S00°22'02"E, 397.94 FEET; THENCE 81.89 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 120.00 FEET, A CENTRAL ANGLE OF 39°05'52", AND A CHORD WHICH BEARS S19°10'54"W 80.31 FEET; THENCE S38°43'50"W, 43.85 FEET; THENCE 37.53 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 55.00 FEET, A CENTRAL ANGLE OF 39°05'52", AND A CHORD WHICH BEARS S19°10'54"W 36.81 FEET; THENCE S00°22'02"E, 49.85 FEET; THENCE S89°23'17"W, 70.00 FEET TO THE POINT OF BEGINNING,

CONTAINING ±3.387 ACRES OF LAND, MORE OR LESS.

*Jenny M  
Approved 10/9/19*



**PEA, Inc.**

2430 Rochester Ct, Ste 100  
Troy, MI 48063-1872  
t: 248.689.9090  
f: 248.689.1044  
www.peainc.com

CLIENT:  
GIANNA INVESTMENTS LLC  
59227 VAN DYKE  
WASHINGTON, MI., 48094

SCALE: —

JOB No: 2016-137

DATE: 5-10-19

DWG. No: 1 of 2

# EXHIBIT A SKETCH OF PARCEL

Tax Id. No.  
15-28-352-005  
NORTHFIELD INDUSTRIAL PARK  
LIBER 167, PAGE 26

Tax Id. No.  
15-28-377-021

Tax Id. No.  
15-28-377-007  
NORTHFIELD INDUSTRIAL PARK NO. 2  
LIBER 163, PAGE 8

$N89^{\circ}23'24"E$  261.20'

PARCEL ID No.  
15-28-300-029  
(±3.387 ACRES)

2' WIDE  
WATER MAIN  
EASEMENT B  
(SEE EXHIBIT B)

SAGE LANE  
(PUBLIC-60'WIDE)

VARIABLE WIDTH  
WATER MAIN  
EASEMENT A  
(SEE EXHIBIT B)

Tax Id. No.  
15-28-300-028

Tax Id. No.  
15-28-300-030

Tax Id. No.  
15-28-300-031

$N00^{\circ}22'02"W$  831.90'

BASIL DRIVE  
(PUBLIC-VARIABLE WIDTH)

$S00^{\circ}25'39"E$  831.89'

VARIABLE WIDTH  
WATER MAIN  
EASEMENT A  
(SEE EXHIBIT B)

NORTHERLY  
RIGHT-OF-WAY LINE  
OF AUBURN ROAD

SOUTH 1/4 CORNER  
SECTION 28  
T.03N. R.11E.  
ROCHESTER HILLS

33' R.O.W. LINE

33' R.O.W. LINE

P.O.B.

SOUTH LINE OF SECTION 28 &  
CENTERLINE OF AUBURN RD.

$N89^{\circ}23'17"E$  1598.44'

$S89^{\circ}23'17"W$  262.07'

W. AUBURN ROAD  
(PUBLIC-VARIABLE WIDTH)

SW CORNER  
SECTION 28  
T.03N. R.11E.  
ROCHESTER HILLS

**LEGEND**



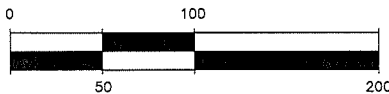
SECTION CORNER

P.O.B.

POINT OF BEGINNING

R.O.W.

RIGHT OF WAY



GRAPHIC SCALE  
1" = 100'



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59227 VAN DYKE  
WASHINGTON, MI, 48094

SCALE: 1" = 100'

JOB No: 2016-137

DATE: 5-10-19

DWG. No: 2 of 2

**EXHIBIT B**  
**LEGAL DESCRIPTION**

**LEGAL DESCRIPTION – VARIABLE WIDTH WATER MAIN EASEMENT A:**

(Per PEA Inc.)

A variable width water main easement over the previously described Tax Parcel ID No. 15-28-300-029, being part of the Southwest 1/4 of Section 28, Town 3 North, Range 11 East, Rochester Hills, Oakland County, Michigan, said easement being more particularly described as:

**COMMENCING** at the Southwest corner of said Section 28; thence N89°23'17"E, 1598.44 feet along the South line of said Section 28; thence N00°22'02"W, 60.00 feet to the North line of W. Auburn Road (Public-Variable Width); thence along said North line, N89°23'17"E, 242.01 feet to the **POINT OF BEGINNING**;

Thence along said easement the following sixteen (16) courses:

- 1) N00°25'39"W, 108.68 feet;
- 2) N45°23'51"W, 5.84 feet;
- 3) S89°37'58"W, 80.80 feet;
- 4) N45°22'02"W, 19.60 feet;
- 5) N00°22'08"W, 3.74 feet to the East line of Basil Drive (Public-Variable Width);
- 6) along said East line, 66.58 feet along the arc of a non-tangent curve to the left, having a radius of 120.00 feet, a central angle of 31°47'18" and a chord bearing N15°31'37"E, 65.73;
- 7) continuing along said East line, N00°22'02"W, 397.94 feet to the South line of Sage Lane (Public-60' wide);
- 8) along said South line, N89°23'24"E, 100.29 feet;
- 9) S00°25'39"E, 2.00 feet;
- 10) S89°23'24"W, 98.30 feet;
- 11) S00°22'08"E, 454.61 feet;
- 12) S45°22'02"E, 3.03 feet;
- 13) N89°37'58"E, 80.80 feet;
- 14) S45°23'51"E, 22.40 feet;
- 15) S00°25'39"E, 116.89 to the aforementioned North line of W. Auburn Road and;
- 16) along said North line, S89°23'17"W, 20.00 feet to the **POINT OF BEGINNING**.

Containing ±5,855 square feet of land.

**LEGAL DESCRIPTION – 2 FOOT WIDE WATER MAIN EASEMENT B:**

(Per PEA Inc.)

A 2 foot wide water main easement over the previously described Tax Parcel ID No. 15-28-300-029, being part of the Southwest 1/4 of Section 28, Town 3 North, Range 11 East, Rochester Hills, Oakland County, Michigan, the centerline of said easement being more particularly described as:

**COMMENCING** at the Southwest corner of said Section 28; thence N89°23'17"E, 1598.44 feet along the South line of said Section 28; thence N00°22'02"W, 650.90 feet to the **POINT OF BEGINNING**;

Thence along the centerline of said easement, N89°23'24"E, 101.10 feet to the **POINT OF ENDING**.

Containing ±202 square feet of land.

*Jenny M.  
Approved 10/9/19*








**PEA, Inc.**

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CLIENT: <b>GIANNA INVESTMENTS LLC</b> 59227 VAN DYKE WASHINGTON, MI., 48094	SCALE:     —	JOB No:   2016-137
	DATE:   5-10-19	DWG. No:   1 of 2

## EXHIBIT B SKETCH OF EASEMENT

### LEGEND

-  SECTION CORNER
-  POB POINT OF BEGINNING
-  POE POINT OF ENDING
-  ROW RIGHT OF WAY
-  ESMT EASEMENT

2' WIDE  
WATER MAIN  
EASEMENT B

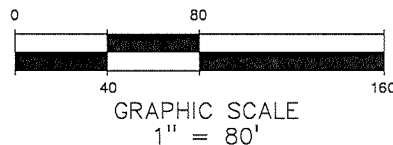
POB  
ESMT B

$N89^{\circ}23'24"E$   
101.10'  
@ WM ESMT

POE  
ESMT B

PARCEL ID No.  
15-28-300-029  
(±3.387 ACRES)

VARIABLE WIDTH  
WATER MAIN  
EASEMENT A



Tax Id. No.  
15-28-300-030

Tax Id. No.  
15-28-300-028



N00°22'02"W 650.90'

BASIL DRIVE  
(PUBLIC-VARIABLE WIDTH)

VARIABLE WIDTH  
WATER MAIN  
EASEMENT A

Line Table		
Line #	Direction	Length
L1	N00°22'02"W	60.00'
L2	N89°23'17"E	242.01'
L3	N00°25'39"W	108.68'
L4	N45°23'51"W	5.84'
L5	S89°37'58"W	80.80'
L6	N45°22'02"W	19.60'
L7	N00°22'08"W	3.74'
L8	N00°22'02"W	397.94'
L9	N89°23'24"E	100.29'
L10	S00°25'39"E	2.00'
L11	S89°23'24"W	98.30'
L12	S00°22'08"E	454.61'
L13	S45°22'02"E	3.03'
L14	N89°37'58"E	80.80'
L15	S45°23'51"E	22.40'
L16	S00°25'39"E	116.89'
L17	S89°23'17"W	20.00'

33' R.O.W. LINE  
 $N89^{\circ}23'17"E$   
1598.44'

W. AUBURN ROAD  
(PUBLIC-VARIABLE WIDTH)

33' R.O.W. LINE

SOUTH LINE OF SECTION 28 &  
CENTERLINE OF AUBURN RD.

SW CORNER  
SECTION 28  
T.03N. R.11E.  
ROCHESTER HILLS

SOUTH 1/4 CORNER  
SECTION 28  
T.03N. R.11E.  
ROCHESTER HILLS

Curve Table					
Curve #	Length	Radius	Delta	CH. BRG.	Chord
C1	66.58'	120.00'	31°47'18"	N15°31'37"E	65.73'

CLIENT:  
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SCALE: 1" = 80'

JOB No: 2016-137

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DWG. No: 2 of 2

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