

PEDESTRIAN-BICYCLE PATHWAY EASEMENT

Brookedale West Homeowners Association, a Michigan non-profit corporation, of
169 Stonetree Cir, Rochester Hills, Michigan 48309-1139

For and in consideration of one dollar, (\$1.00), 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, and public use of a pedestrian-bicycle pathway over, on, through and across land more particularly described as:

See Attached Exhibit A

Brookedale West, Park No.1 #15-07-376-001

Brookedale West, Park No.2 #15-07-326-001

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the pedestrian-bicycle pathway, 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 pedestrian-bicycle pathway 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, and public use of the pedestrian-bicycle pathway: (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 Tax under MCL 207.505(a) and 207.526(a).

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 27th day of August, 2013.

Brookedale West Homeowners Association,
A Michigan non-profit corporation

Richard P. Sickon 27 AUG 2013

Print Name & Title: Richard P. Sickon, President

STATE OF MICHIGAN
COUNTY OF Oakland

The foregoing instrument was acknowledged before me this 27th day of August, 2013, by Richard P. Sickon, President of Brookedale West Homeowners Association, a Michigan non-profit corporation, on behalf of said corporation.

Josy A. Foisy

JOSY A FOISY
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Sep 23, 2019
ACTING IN COUNTY OF Oakland

, Notary Public
Oakland County, Michigan
My Commission Expires: 9-23-19
Acting in Oakland County, Michigan

Drafted by:
Adele Swann
City of Rochester Hills
1000 Rochester Hills Dr
Rochester Hills, MI 48309

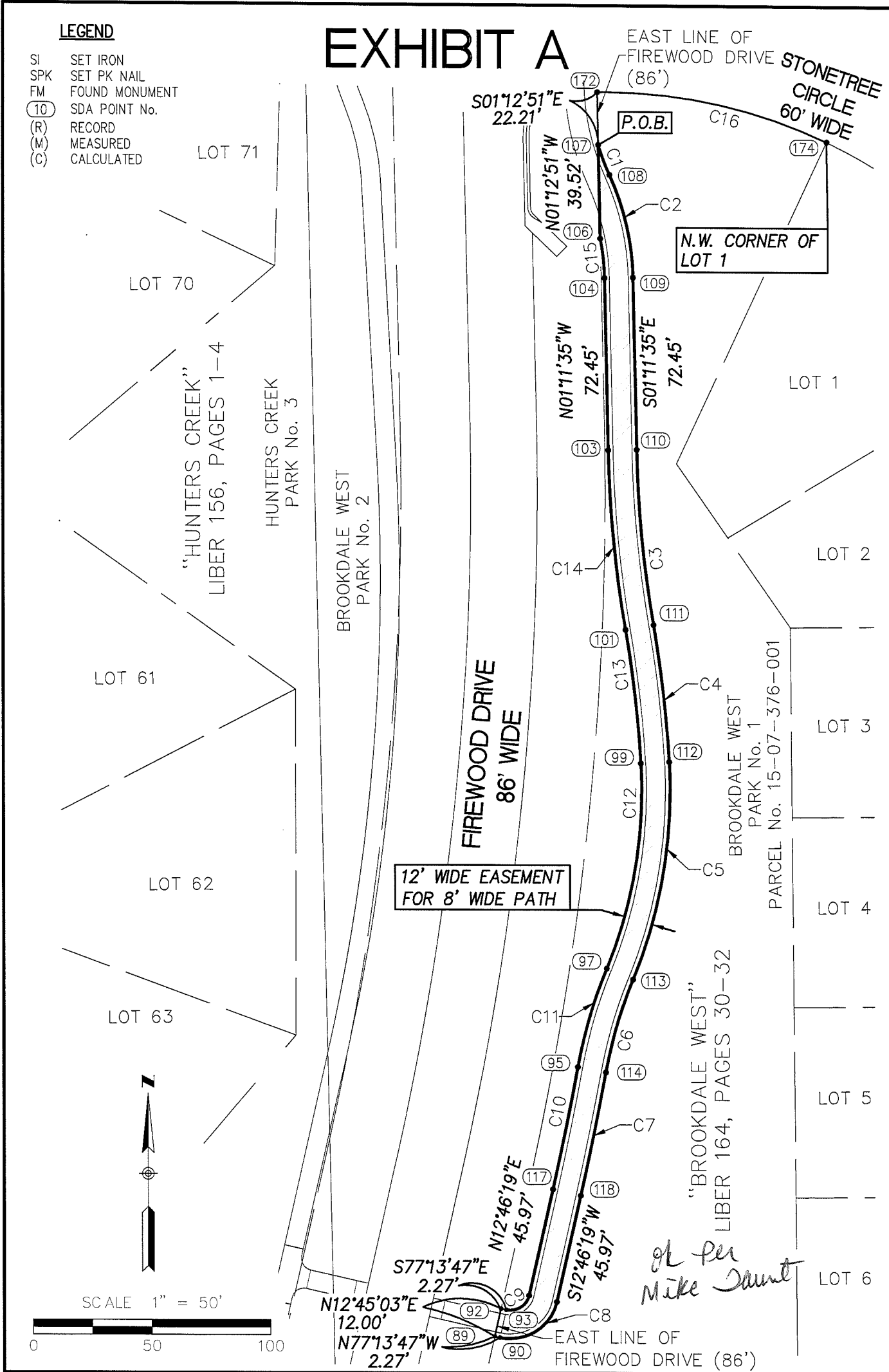
9/10/13
John Staran Appd.

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

EXHIBIT A

LEGEND

- SI SET IRON
- SPK SET PK NAIL
- FM FOUND MONUMENT
- (10) SDA POINT No.
- (R) RECORD
- (M) MEASURED
- (C) CALCULATED



Spalding DeDecker Associates, Inc.



SPALDING DeDECKER ASSOCIATES, INC. ENGINEERS SURVEYORS

905 SOUTH BLVD. EAST ROCHESTER HILLS, MI 48307
 PH: (248) 844-5400 FAX: (248) 844-5404
 www.sda-eng.com

DRAWN: L.THORNTON	DATE: 08-15-13
CHECKED: P.O'ROURKE	DATE:
MANAGER: M.DeDECKER	SCALE: 1" = 50'
JOB No. RB12-015	SHEET: 1 OF 6
SECTION 7 TOWN 3 NORTH RANGE 11 EAST	
AVON TOWNSHIP	OAKLAND COUNTY, MI

EXHIBIT A

CURVE TABLE						
CURVE #	LENGTH	RADIUS	DELTA	TANGENT	CHORD BEARING	CHORD
C1	13.45'	98.00'	007°51'39"	6.73'	S20° 35' 06"E	13.43'
C2	44.78'	110.00'	023°19'21"	22.70'	S12° 51' 15"E	44.47'
C3	74.05'	498.00'	008°31'09"	37.09'	S05° 27' 09"E	73.98'
C4	57.97'	510.00'	006°30'45"	29.02'	S06° 27' 21"E	57.94'
C5	93.68'	210.00'	025°33'37"	47.63'	S09° 34' 51"W	92.91'
C6	40.94'	198.00'	011°50'48"	20.54'	S16° 26' 15"W	40.87'
C7	52.92'	1343.22'	002°15'27"	26.46'	S11° 38' 35"W	52.92'
C8	31.42'	20.00'	090°00'00"	20.00'	S57° 46' 19"W	28.28'
C9	12.57'	8.00'	090°00'00"	8.00'	N57° 46' 19"E	11.31'
C10	52.45'	1331.22'	002°15'27"	26.23'	N11° 38' 35"E	52.45'
C11	43.42'	210.00'	011°50'48"	21.79'	N16° 26' 15"E	43.34'
C12	88.33'	198.00'	025°33'37"	44.91'	N09° 34' 51"E	87.60'
C13	56.61'	498.00'	006°30'45"	28.33'	N06° 27' 21"W	56.58'
C14	75.83'	510.00'	008°31'09"	37.99'	N05° 27' 09"W	75.76'
C15	16.79'	98.00'	009°48'49"	8.41'	N06° 05' 59"W	16.76'
C16	100.04'	217.81'	026°19'00"	50.92'	N78° 03' 21"W	99.17'

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DRAWN: L.THORNTON	DATE: 08-15-13
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MANAGER: M.DeDECKER	SCALE:
JOB No. RB12-015	SHEET: 2 OF 6
SECTION 7 TOWN 3 NORTH RANGE 11 EAST	
AVON TOWNSHIP	OAKLAND COUNTY, MI

EXHIBIT A

PATHWAY EASEMENT DESCRIPTION

A 12 FOOT WIDE PATHWAY EASEMENT ACROSS BROOKEDALE WEST PARK NUMBER 1 IN "BROOKEDALE WEST" (AS RECORDED IN LIBER 164 OF PLATS, PAGES 30, 31 & 32, OAKLAND COUNTY RECORDS), BEING PART OF THE WEST ½ OF SECTION 7, TOWNSHIP 3 NORTH, RANGE 11 EAST, AVON TOWNSHIP, NOW THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, "BROOKEDALE WEST" (AS RECORDED IN LIBER 164, PAGES 30, 31 & 32, OAKLAND COUNTY RECORDS), THENCE 100.04 FEET ALONG THE SOUTH LINE OF STONETREE CIRCLE (60 FEET WIDE) ON A CURVE TO THE LEFT (HAVING A CENTRAL ANGLE OF 26°19'00", A RADIUS OF 217.81 FEET AND A CHORD BEARING N78°03'21"W 99.17 FEET); THENCE ALONG THE EAST LINE OF FIREWOOD DRIVE (86 FEET WIDE), S01°12'51"E 22.21 FEET TO THE POINT OF BEGINNING; THENCE 13.45 FEET ALONG A NON-TANGENT CURVE TO THE LEFT (HAVING A CENTRAL ANGLE OF 07°51'39", A RADIUS OF 98.00 FEET AND A CHORD BEARING S20°35'06"E 13.43 FEET); THENCE 44.78 FEET ALONG A TANGENT REVERSE CURVE TO THE RIGHT (HAVING A CENTRAL ANGLE 23°19'21", A RADIUS OF 110.00 FEET AND A CHORD BEARING S12°51'15"E 44.47 FEET); THENCE S01°11'35"E 72.45 FEET; THENCE 74.05 FEET ALONG A TANGENT CURVE TO THE LEFT (HAVING A CENTRAL ANGLE OF 08°31'09", A RADIUS OF 498.00 FEET AND A CHORD BEARING S05°27'09"E 73.98 FEET); THENCE 57.97 FEET ALONG A TANGENT REVERSE CURVE TO THE RIGHT (HAVING A CENTRAL ANGLE OF 06°30'45", A RADIUS OF 510.00 FEET AND A CHORD BEARING 06°27'21"E 57.94 FEET); THENCE 93.68 FEET ALONG A TANGENT CURVE TO THE RIGHT (HAVING A CENTRAL ANGLE OF 25°33'37", A RADIUS OF 210.00 FEET AND A CHORD BEARING S09°34'51"W 92.91 FEET); THENCE 40.94 FEET ALONG A TANGENT REVERSE CURVE TO THE LEFT (HAVING A CENTRAL ANGLE OF 11°50'48", A RADIUS OF 198.00 FEET AND A CHORD BEARING S16°26'15"W 40.87 FEET); THENCE 52.92 FEET ALONG A TANGENT REVERSE CURVE TO THE RIGHT (HAVING A CENTRAL ANGLE OF 02°15'27", A RADIUS OF 1343.22 FEET AND A CHORD BEARING S11°38'35"W 52.92 FEET); THENCE S12°46'19"W 45.97 FEET; THENCE 31.42 FEET ALONG A TANGENT CURVE TO THE RIGHT (HAVING A CENTRAL ANGLE OF 90°00'00", A RADIUS OF 20.00 FEET AND A CHORD BEARING OF S57°46'19"W 28.28 FEET); THENCE S77°13'47"E 2.27 FEET; THENCE ALONG THE EAST LINE OF FIREWOOD DRIVE (86 FEET WIDE) N12°45'03"E 12.00 FEET; THENCE S77°13'47"E 2.27 FEET; THENCE 12.57 FEET ALONG A TANGENT CURVE TO THE LEFT (HAVING A CENTRAL ANGLE OF 90°00'00", A RADIUS OF 8.00 FEET AND A CHORD BEARING N57°46'19"E 11.31 FEET); THENCE N12°46'19"E 45.97 FEET; THENCE 52.45 FEET ALONG A TANGENT CURVE TO THE LEFT (HAVING A CENTRAL ANGLE OF 02°15'27", A RADIUS OF 1331.22 FEET AND A CHORD BEARING N11°38'35"E 52.45 FEET); THENCE 43.42 FEET ALONG A TANGENT REVERSE CURVE TO THE RIGHT (HAVING A CENTRAL ANGLE OF 11°50'48", A RADIUS OF 210.00 FEET AND A CHORD BEARING N16°26'15"E 43.34 FEET); THENCE 88.33 FEET ALONG A TANGENT REVERSE CURVE TO THE LEFT (HAVING A CENTRAL ANGLE OF 25°33'37", A RADIUS OF 198.00 FEET AND A CHORD BEARING N09°34'51"E 87.60 FEET); THENCE 56.61 FEET ALONG A TANGENT CURVE TO THE LEFT (HAVING A CENTRAL ANGLE OF 06°30'45", A RADIUS OF 498.00 FEET AND A CHORD BEARING 06°27'21"W 56.58 FEET); THENCE 75.83 FEET ALONG A TANGENT REVERSE CURVE TO THE RIGHT (HAVING A CENTRAL ANGLE OF 08°31'09", A RADIUS OF 510.00 FEET AND A CHORD BEARING N05°27'09"W 75.76 FEET); THENCE N01°11'35"W 72.45 FEET; THENCE 16.79 FEET ALONG A TANGENT CURVE TO THE LEFT (HAVING A CENTRAL ANGLE OF 09°48'49", A RADIUS OF 98.00 FEET AND A CHORD BEARING N06°05'59"W 16.76 FEET); THENCE ALONG THE EAST LINE OF FIREWOOD DRIVE (86 FEET WIDE), N01°12'51"W 39.52 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.1377 ACRES.

PARCEL NO. 15-07-376-001

Spalding DeDecker
Associates, Inc.

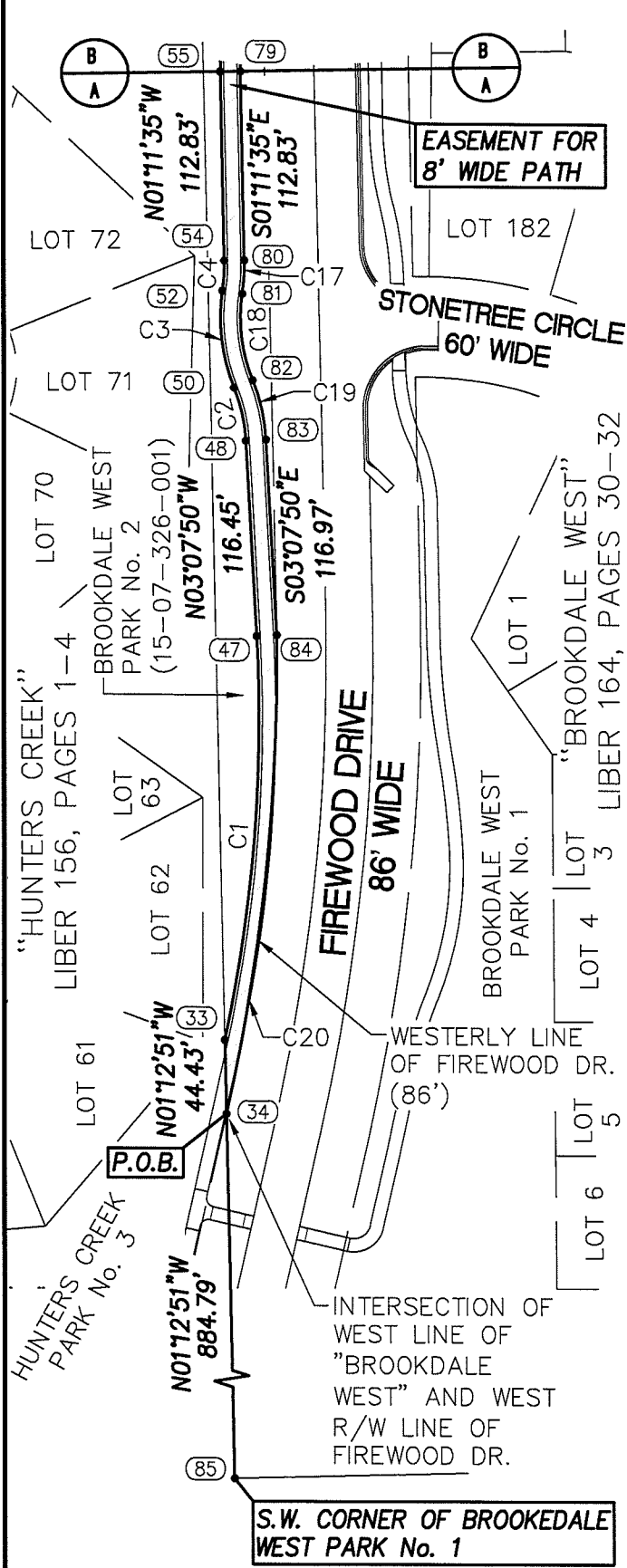


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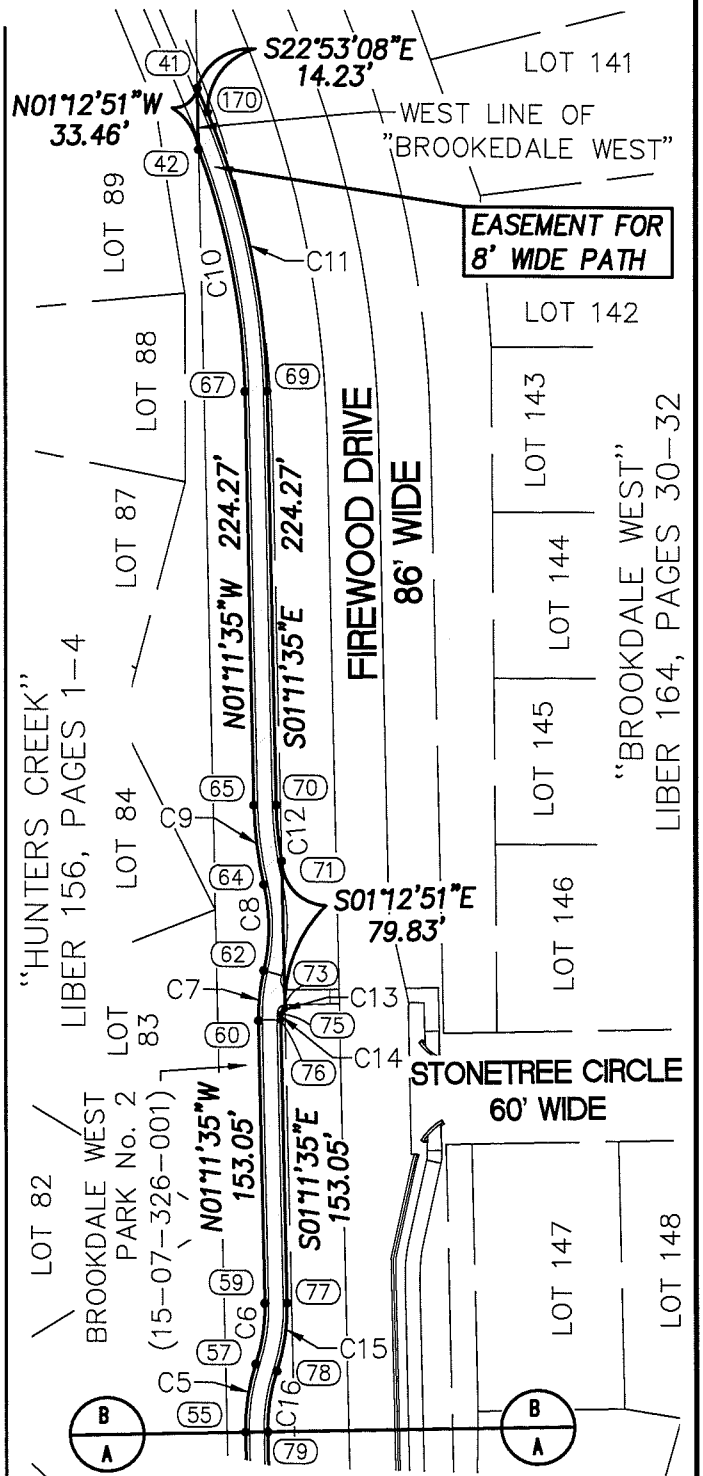
DRAWN: L.THORNTON	DATE: 08-15-13
CHECKED: P.O'ROURKE	DATE:
MANAGER: M.DeDECKER	SCALE:
JOB No. RB12-015	SHEET: 3 OF 6
SECTION 7 TOWN 3 NORTH RANGE 11 EAST	
AVON TOWNSHIP	OAKLAND COUNTY, MI

EXHIBIT A



DETAIL A

8/20/13
Approved By: ATs

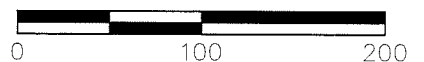


DETAIL B

LEGEND

- SI SET IRON
- SPK SET PK NAIL
- FM FOUND MONUMENT
- (10) SDA POINT No.
- (R) RECORD
- (M) MEASURED
- (C) CALCULATED

SCALE 1" = 100'



Spalding DeDecker Associates, Inc.



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DRAWN: L.THORNTON	DATE: 08-15-13
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MANAGER: M.DeDECKER	SCALE: 1" = 100'
JOB No. RB12-015	SHEET: 4 OF 6
SECTION 7 TOWN 3 NORTH RANGE 11 EAST	
AVON TOWNSHIP	OAKLAND COUNTY, MI

EXHIBIT A

CURVE TABLE						
CURVE #	LENGTH	RADIUS	DELTA	TANGENT	CHORD BEARING	CHORD
C1	242.71'	898.00'	015°29'09"	121.83'	N04° 34' 44"E	241.98'
C2	32.53'	98.00'	019°01'04"	16.42'	N12° 38' 22"W	32.38'
C3	58.94'	110.00'	030°41'55"	30.19'	N06° 47' 57"W	58.23'
C4	18.03'	106.00'	009°44'35"	9.03'	N03° 40' 42"E	18.00'
C5	37.55'	110.00'	019°33'26"	18.96'	N08° 35' 08"E	37.37'
C6	33.45'	98.00'	019°33'26"	16.89'	N08° 35' 08"E	33.29'
C7	27.49'	110.00'	014°19'04"	13.82'	N05° 57' 58"E	27.42'
C8	46.95'	103.00'	026°07'09"	23.89'	N00° 03' 55"E	46.55'
C9	43.25'	210.00'	011°48'05"	21.70'	N07° 05' 37"W	43.18'
C10	133.81'	398.00'	019°15'47"	67.54'	N10° 49' 28"W	133.18'
C11	155.23'	410.00'	021°41'33"	78.56'	S12° 02' 21"E	154.30'
C12	30.61'	198.00'	008°51'31"	15.34'	S05° 37' 20"E	30.58'
C13	3.93'	3.00'	075°00'02"	2.30'	S38° 23' 04"W	3.65'
C14	3.55'	98.00'	002°04'36"	1.78'	S00° 09' 12"E	3.55'
C15	37.55'	110.00'	019°33'26"	18.96'	S08° 35' 08"W	37.37'
C16	33.45'	98.00'	019°33'26"	16.89'	S08° 35' 08"W	33.29'
C17	20.07'	118.00'	009°44'35"	10.06'	S03° 40' 43"W	20.04'
C18	52.51'	98.00'	030°41'55"	26.90'	S06° 47' 57"E	51.88'
C19	36.51'	110.00'	019°01'04"	18.43'	S12° 38' 23"E	36.34'
C20	288.02'	1234.92'	013°21'46"	144.64'	S06° 04' 12"W	287.36'

Approved By Mike Sant

Spalding DeDecker
Associates, Inc.



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DRAWN: L.THORNTON

DATE: 08-15-13

CHECKED: P.O'ROURKE

DATE:

MANAGER: M.DeDECKER

SCALE:

JOB No. RB12-015

SHEET: 5 OF 6

SECTION 7 TOWN 3 NORTH RANGE 11 EAST

AVON TOWNSHIP

OAKLAND COUNTY, MI

EXHIBIT A

PATHWAY EASEMENT DESCRIPTION

A PATHWAY EASEMENT ACROSS BROOKEDALE WEST PARK NUMBER 2 IN "BROOKEDALE WEST" (AS RECORDED IN LIBER 164 OF PLATS, PAGES 30, 31 & 32, OAKLAND COUNTY RECORDS), BEING PART OF THE WEST ½ OF SECTION 7, TOWNSHIP 3 NORTH, RANGE 11 EAST, AVON TOWNSHIP, NOW THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF BROOKEDALE WEST PARK NO. 1, "BROOKEDALE WEST" (AS RECORDED IN LIBER 164 OF PLATS, PAGES 30, 31 & 32, OAKLAND COUNTY RECORDS), THENCE ALONG THE WEST LINE OF SAID 'BROOKEDALE WEST', N01°12'51"W 884.79 FEET TO A POINT ON THE EAST LINE OF FIREWOOD DRIVE (86 FEET WIDE) AND THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE WEST LINE OF SAID 'BROOKEDALE WEST', N01°12'51"W 44.43 FEET; THENCE 242.71 FEET ALONG A NON-TANGENT CURVE TO THE LEFT (HAVING A CENTRAL ANGLE OF 15°29'10", A RADIUS OF 898.00 FEET AND A CHORD BEARING N04°34'44"E 241.98 FEET); THENCE N03°07'50"W 116.45 FEET; THENCE 32.53 FEET ALONG A TANGENT CURVE TO THE LEFT (HAVING A CENTRAL ANGLE OF 19°01'04", A RADIUS OF 98.00 FEET AND A CHORD BEARING N12°38'22"W 32.38 FEET); THENCE 58.94 FEET ALONG A REVERSE CURVE TO THE RIGHT (HAVING A CENTRAL ANGLE OF 30°41'55", A RADIUS OF 110.00 FEET AND A CHORD BEARING N06°47'57"W 58.23 FEET); THENCE 18.03 FEET ALONG A REVERSE CURVE TO THE LEFT (HAVING A CENTRAL ANGLE OF 09°44'35", A RADIUS OF 106.00 FEET AND A CHORD BEARING N03°40'42"E 18.00 FEET); THENCE N01°11'35"W 112.83 FEET; THENCE 37.55 FEET ALONG A TANGENT CURVE TO THE RIGHT (HAVING A CENTRAL ANGLE OF 19°33'26", A RADIUS OF 110.00 FEET AND A CHORD BEARING N08°35'08"E 37.37 FEET); THENCE 33.45 FEET ALONG A REVERSE CURVE TO THE LEFT (HAVING A CENTRAL ANGLE OF 19°33'26", A RADIUS OF 98.00 FEET AND A CHORD BEARING N08°35'08"E 33.29 FEET); THENCE N01°11'35"W 153.05 FEET; THENCE 27.49 FEET ALONG A TANGENT CURVE TO THE RIGHT (HAVING A CENTRAL ANGLE OF 14°19'04", A RADIUS OF 110.00 FEET AND A CHORD BEARING N05°57'58"E 27.42 FEET); THENCE 46.95 FEET ALONG A REVERSE CURVE TO THE LEFT (HAVING A CENTRAL ANGLE OF 26°07'09", A RADIUS OF 103.00 FEET AND A CHORD BEARING N00°03'55"E 46.55 FEET); THENCE 43.25 FEET ALONG A REVERSE CURVE TO THE RIGHT (HAVING A CENTRAL ANGLE OF 11°48'05", A RADIUS OF 210.00 FEET AND A CHORD BEARING N07°05'37"W 43.18 FEET); THENCE N01°11'35"W 224.27 FEET; THENCE 133.81 FEET ALONG A TANGENT CURVE TO THE LEFT (HAVING A CENTRAL ANGLE OF 19°15'47", A RADIUS OF 398.00 FEET AND A CHORD BEARING N10°49'28"W 133.18 FEET); THENCE ALONG THE WEST LINE OF SAID 'BROOKEDALE WEST', N01°12'51"W 33.46 FEET; THENCE S22°53'08"E 14.23 FEET; THENCE 155.23 FEET ALONG A TANGENT CURVE TO THE RIGHT (HAVING A CENTRAL ANGLE OF 21°41'33", A RADIUS OF 410.00 FEET AND A CHORD BEARING S12°02'21"E 154.30 FEET); THENCE S01°11'35"E 224.27 FEET; THENCE 30.61 FEET ALONG A TANGENT CURVE TO THE LEFT (HAVING A CENTRAL ANGLE OF 08°51'31", A RADIUS OF 198.00 FEET AND A CHORD BEARING S05°37'20"E 30.58 FEET); THENCE ALONG THE WEST LINE OF FIREWOOD DRIVE (86 FEET WIDE) S01°12'51"E 79.83 FEET; THENCE 3.93 FEET ALONG A NON-TANGENT CURVE TO THE LEFT (HAVING A CENTRAL ANGLE OF 75°00'02", A RADIUS OF 3.00 FEET AND A CHORD BEARING S38°23'04"W 3.65 FEET); THENCE 3.55 FEET ALONG A COMPOUND TANGENT CURVE TO THE LEFT (HAVING A CENTRAL ANGLE OF 02°04'36", A RADIUS OF 98.00 FEET AND A CHORD BEARING OF S00°09'12"E 3.55 FEET); THENCE S01°11'35"E 153.05 FEET; THENCE 37.55 FEET ALONG A TANGENT CURVE TO THE RIGHT (HAVING A CENTRAL ANGLE OF 19°33'26", A RADIUS OF 110.00 FEET AND A CHORD BEARING S08°35'08"W 37.37 FEET); THENCE 33.45 FEET ALONG A REVERSE CURVE TO THE LEFT (HAVING A CENTRAL ANGLE OF 19°33'26", A RADIUS OF 98.00 FEET AND A CHORD BEARING S08°35'08"W 33.29 FEET); THENCE S01°11'35"E 112.83 FEET; THENCE 20.07 FEET ALONG A TANGENT CURVE TO THE RIGHT (HAVING A CENTRAL ANGLE OF 09°44'35", A RADIUS OF 118.00 FEET AND A CHORD BEARING S03°40'43"W 20.04 FEET); THENCE 52.51 FEET ALONG A REVERSE CURVE TO THE LEFT (HAVING A CENTRAL ANGLE OF 30°41'55", A RADIUS OF 98.00 FEET AND A CHORD BEARING S06°47'57"E 51.88 FEET); THENCE 36.51 FEET ALONG A REVERSE CURVE TO THE RIGHT (HAVING A CENTRAL ANGLE OF 19°01'04", A RADIUS OF 110.00 FEET AND A CHORD BEARING S12°38'23"E 36.34 FEET); THENCE S03°07'50"E 116.97 FEET; THENCE ALONG THE WESTERLY LINE OF FIREWOOD DRIVE (86 FEET WIDE) 288.02 FEET ON A NON-TANGENT CURVE TO THE RIGHT (HAVING A CENTRAL ANGLE OF 13°21'46", A RADIUS OF 1234.92 FEET AND A CHORD BEARING S06°04'12"W 287.36 FEET) TO THE POINT OF BEGINNING.
CONTAINING 0.3459 ACRES.

15-07-326-001

OK
8/22/13

Spalding DeDecker
Associates, Inc.



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JOB No. RB12-015	SHEET: 6 OF 6
SECTION 7 TOWN 3 NORTH RANGE 11 EAST	
AVON TOWNSHIP	OAKLAND COUNTY, MI