

CONSERVATION EASEMENT

-Nottingham Woods-

THIS CONSERVATION EASEMENT, is made this 11th day of May 2017 by and between Manchester Hamlin, LLC, a Michigan Liability Company, whose address is 45111 Market Street, Shelby Township, Michigan 48315, and its successors and assigns ("Grantor"), and the City of Rochester Hills, a Michigan Municipal Corporation, whose address is 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309, and its successor and assigns ("Grantee").

For and in consideration of the sum of One and 00/100 Dollars (\$1.00), the receipt of which is acknowledged; and other good and valuable consideration, the Grantor hereby grants and conveys to the Grantee a CONSERVATION EASEMENT, on the terms and conditions stated herein:

1. This Conservation Easement is located upon a parcel of land situated in the City of Rochester Hills, Oakland County, Michigan. The parcel in its entirety is more particularly described on **page 1 of 2 of Exhibit A** ("the Parcel").
2. The **Conservation Easement Area** within the Parcel that are being granted by the Grantor are specifically described on page 1 of 2 and depicted on page 2 of 2 of **Exhibit A**.
3. Except as may agreed upon by the Grantor and Grantee, Grantor and its successors and assigns shall refrain from altering the topography of, placing fill material in, dredging, removing or excavating any soil or minerals from, draining surface water from, constructing or placing any structures on, plowing, tilling, cultivating, scarifying or otherwise altering or developing the Conservation Easement Areas.
4. The specific purpose of this easement is to maintain the Conservation Easement Areas in their natural and undeveloped condition. Grantor, its successors and assigns, shall maintain the Conservation Easement Areas in their natural undeveloped condition, unless an alteration is approved by the Grantee.
5. This Conservation Easement does not grant or convey to the Grantee or any members of the general public any rights of ownership, possession or use of the Conservation Easement Areas.
6. Upon reasonable written notice to the Grantor, its successors or assigns, at reasonable times, the Grantee, and its authorized employees and agents, may enter upon the Conservation Easement Areas only to determine whether they are being maintained in compliance with the terms of this Conservation Easement. The Grantee assumes all liability for the acts of any of its employees and agents who may enter the Conservation Easement Areas and does hereby indemnify and hold the Grantor harmless from any loss, cost or expense incurred by the Grantor as a result of such acts.
7. This Conservation Easement may be enforced by either an action at law or in equity and shall be enforceable against the owner of the Parcel upon which the Conservation Easement Areas rest (and the owners of any future sub-parcels upon which the Conservation Easement Areas rests) or any other person despite lack of privity of estate or contract.
8. This Conservation Easement runs with the land in perpetuity unless modified or terminated by written agreement of Grantor, or its successor and assigns and the Grantee.
9. Grantor shall indicate the existence of this easement on all deeds, mortgages, land contracts, plats, and any other legal instruments used to convey any interest in the Parcel.
10. This Conservation Easement shall be binding upon the successors and assigns of both the Grantor and Grantee.
11. This Conservation Easement is Exempt from Transfer Tax under MCL 207.505(a) and 207.526(a).

IN WITNESS WHEREOF, the undersigned have hereunto affixed their signatures on this 17th day of May, 2017

Manchester Hamlin, LLC

By: Jim George

Print or type name: Jim George

Title: Member

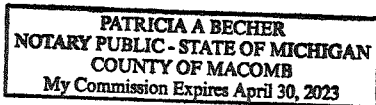
CITY OF ROCHESTER HILLS

By: Bryan K. Barnett, Mayor

By: Tina Barton, Clerk

STATE OF MICHIGAN
COUNTY OF Macomb

The foregoing instrument was acknowledged before me this 17th day of May, 2017, by JAMES GEORGE, who is the MASTER MEMBER of MANCHESTER HAMLIN LLC, a Michigan limited liability company, on behalf of and by authority of the Company.



Patricia A. Becher, Notary Public
Macomb County, Michigan
My commission expires: 4/30/2023
Acting in the County of MACOMB

STATE OF MICHIGAN
COUNTY OF _____

The foregoing instrument acknowledged before me this _____ day of _____, 20____, by Bryan K. Barnett, Mayor, and Tina Barton, Clerk, of the City of Rochester Hills, on behalf of the City.

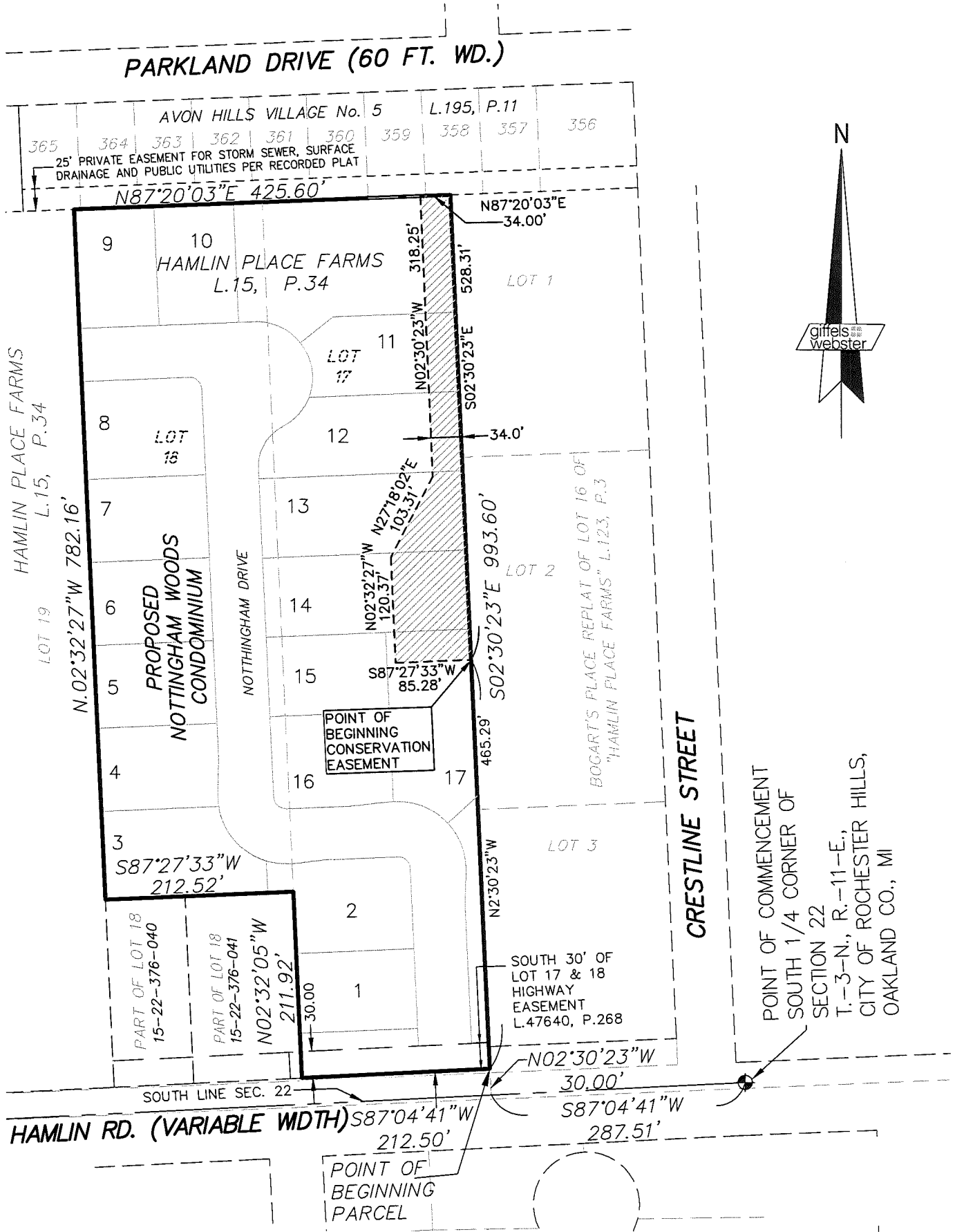
_____, Notary Public
_____, Michigan
My commission expires: _____
Acting in the County of _____

Drafted by:
Patrick S. McKay, Esq.
Kirk, Huth, Lange & Badalamenti, PLC
19500 Hall Road, Suite 100
Clinton Township, MI 48038

John Staran
Approved as
to form 4/28/17

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

EXHIBIT A



Mike Tawnt
Approved 6/27/17

CONSERVATION EASEMENT

PART OF THE SOUTHWEST 1/4 SECTION 22, T.-03-N., R.-11-E., AVON TOWNSHIP (NOW CITY OF ROCHESTER HILLS), OAKLAND COUNTY, MICHIGAN

REVISED 05-01-2017



ENGINEERS LAND SURVEYORS
PLANNERS LANDSCAPE ARCHITECTS
28 W. ADAMS, SUITE 1200
DETROIT, MICHIGAN 48226
(313) 962-4442

DATE:	11/05/16	CHECKED BY:	ALG	DATE:	11/16	SCALE:	1" = 150'
DRAWN:	LDA					SHEET:	1 OF 2
DESIGN:						JOB No:	18701.00
SECTION:	22		T-03-N, R-11-E				

Copyright © 2017, Giffels Webster
No reproduction shall be made without the prior written consent of Giffels Webster.

N:\18187001\18701.00 - Nottingham Woods\Easements\Conservation Easement.dwg

EXHIBIT A

PROPERTY DESCRIPTION

TAX ID NO. 15-22-376-039

LOT 17 AND PART OF LOT 18 OF HAMLIN PLACE FARMS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 15 OF PLATS PAGE 34, OAKLAND COUNTY RECORDS. MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 22, TOWN 3, NORTH, RANGE 11 EAST, AVON TOWNSHIP (NOW CITY OF ROCHESTER HILLS), OAKLAND COUNTY, MICHIGAN, SOUTH 87 DEGREES 04 MINUTES 41 SECONDS WEST, 287.51 FEET ALONG THE SOUTH LINE OF SECTION 22; THENCE NORTH 02 DEGREES 30 MINUTES 23 SECONDS WEST, 30.00 FEET TO THE SOUTHEAST CORNER OF LOT 17, SAID POINT BEING THE POINT OF BEGINNING; THENCE SOUTH 87 DEGREES 04 MINUTES 41 SECONDS WEST, 212.50 FEET ALONG THE NORTH RIGHT OF WAY LINE OF HAMLIN ROAD (VARIABLE WIDTH) TO THE SOUTHWEST CORNER OF SAID LOT 17; THENCE NORTH 02 DEGREES 32 MINUTES 05 SECONDS WEST, 211.92 FEET ALONG THE WEST LINE OF LOT 17 SAID LINE ALSO BEING THE EAST LINE OF LOT 18; THENCE SOUTH 87 DEGREES 27 MINUTES 33 SECONDS WEST, 212.52 FEET TO A POINT ON THE WEST LINE OF LOT 18; THENCE NORTH 02 DEGREES 32 MINUTES 27 SECONDS WEST, 782.16 FEET ALONG SAID WEST LINE TO A POINT ON THE SOUTH LINE OF "AVON HILLS VILLAGE SUBDIVISION NO.5, AS RECORDED IN LIBER 195 OF PLATS, PAGE 11, OAKLAND COUNTY RECORDS; THENCE NORTH 87 DEGREES 20 MINUTES 03 SECONDS EAST, 425.60 FEET ALONG SAID SOUTH LINE TO THE NORTHWEST CORNER OF LOT 1 OF "BOGART'S PLACE REPLAT OF LOT 16 OF HAMLIN PLACE FARMS" AS RECORDED IN LIBER 123 OF PLATS, PAGE 3, OAKLAND COUNTY RECORDS SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 17; THENCE SOUTH 02 DEGREES 30 MINUTES 23 SECONDS EAST, 993.60 FEET TO THE POINT OF BEGINNING AND CONTAINING 8.673 ACRES.

CONSERVATION EASEMENT DESCRIPTION:

A PART OF LOT 17 OF HAMLIN PLACE FARMS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 15 OF PLATS PAGE 34, OAKLAND COUNTY RECORDS. MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 22, TOWN 3, NORTH, RANGE 11 EAST, AVON TOWNSHIP (NOW CITY OF ROCHESTER HILLS), OAKLAND COUNTY, MICHIGAN, SOUTH 87 DEGREES 04 MINUTES 41 SECONDS WEST, 287.51 FEET ALONG THE SOUTH LINE OF SECTION 22; THENCE NORTH 02 DEGREES 30 MINUTES 23 SECONDS WEST, 30.00 FEET TO THE SOUTHEAST CORNER OF LOT 17, THENCE CONTINUING NORTH 02 DEGREES 30 MINUTES 23 SECONDS WEST, 465.29 FEET ALONG THE EAST LINE OF SAID LOT 17 TO THE POINT OF BEGINNING; THENCE SOUTH 87 DEGREES 27 MINUTES 33 SECONDS WEST, 85.28 FEET; THENCE NORTH 02 DEGREES 32 MINUTES 27 SECONDS WEST, 120.37 FEET; THENCE NORTH 27 DEGREES 18 MINUTES 02 SECONDS EAST, 103.31 FEET; THENCE NORTH 02 DEGREES 30 MINUTES 23 SECONDS WEST, 318.25 FEET TO A POINT ON THE NORTH LINE OF LOT 17, SAID SUBDIVISION; THENCE NORTH 87 DEGREES 20 MINUTES 03 SECONDS EAST, 34.00 FEET ALONG SAID NORTH LINE TO THE NORTHEAST CORNER OF SAID LOT 17; THENCE SOUTH 02 DEGREES 30 MINUTES 23 SECONDS EAST, 528.31 FEET ALONG THE EAST LINE OF LOT 17 TO THE POINT OF BEGINNING AND CONTAINING 0.607 ACRE.

CONSERVATION EASEMENT

PART OF THE SOUTHWEST 1/4 SECTION 22, T.-03-N., R.-11-E., AVON TOWNSHIP (NOW CITY OF ROCHESTER HILLS), OAKLAND COUNTY, MICHIGAN

REVISED 05-01-2017

giffels
webster

ENGINEERS LAND SURVEYORS
PLANNERS LANDSCAPE ARCHITECTS
28 W. ADAMS, SUITE 1200
DETROIT, MICHIGAN 48226
(313) 962-4442

DATE:	11/05/16	CHECKED BY	DATE	SCALE:	NA
DRAWN:	LDA	ALG	11/16	SHEET:	2 OF 2
DESIGN:				JOB No:	18701.00
SECTION:	22	T-03-N, R-11-E			