

SANITARY SEWER EASEMENT

ELRO CORPORATION, a Michigan corporation, of

201 W. Big Beaver Road, Suite 720, Troy, Michigan 48084

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

Part of

Sidwell #15-02-200-014

See Exhibit A

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the sanitary sewer, 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 sanitary sewer 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 sanitary sewer: (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 MCLA 207.526(a)

IN WITNESS WHEREOF, the undersigned have hereunto affixed their signatures on this 13<sup>th</sup> day of JUNE, 2004.

IN THE PRESENCE OF:

Signature [Signature]  
Print or type name: JOANNE B. JENNINGS

ELRO CORPORATION  
Signature [Signature]  
Print Name: HARRY E. TERBRUGGEN  
Title: EXECUTIVE VICE PRESIDENT

Signature \_\_\_\_\_  
Print or type name: \_\_\_\_\_

Signature \_\_\_\_\_  
Print or type name: \_\_\_\_\_

Signature \_\_\_\_\_  
Print or type name: \_\_\_\_\_

Signature \_\_\_\_\_  
(Print Name) \_\_\_\_\_  
Title \_\_\_\_\_

STATE OF MICHIGAN  
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of JUNE, 2004, by HARRY E. TERBRUGGEN who is the EXEC VICE PRES, of ELRO CORPORATION a MI corporation, on behalf of the corporation.

Drafted by:

Roger P. Moore, PS  
City of Rochester Hills  
1000 Rochester Hills Drive  
Rochester Hills, MI 48309

[Signature]  
JOANNE B. JENNINGS  
NOTARY PUBLIC OAKLAND COUNTY, Michigan  
MY COMMISSION EXPIRES [Date]  
My Commission Expires:

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

# EXHIBIT A

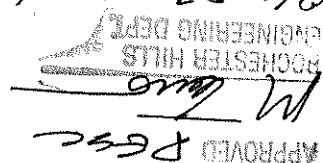
## DESCRIPTION OF SANITARY SEWER EASEMENT

COMMENCING AT A POINT WHICH IS  $N00^{\circ}54'35''W$  2900.73' ALONG THE NORTH AND SOUTH 1/4 LINE OF SECTION 2 AND CENTERLINE OF SHELDON ROAD , FROM THE SOUTH 1/4 CORNER OF SECTION 2, T.3N., R.11E., SAID POINT IS ALSO THE CENTER POST OF SAID SECTION 2; THENCE CONTINUING  $N02^{\circ}55'10''W$  526.96' ALONG SAID NORTH AND SOUTH 1/4 LINE OF SECTION 2 AND CENTERLINE OF SHELDON ROAD TO A POINT OF BEGINNING, SAID POINT BEING ON THE NORTH R.O.W. OF CLEAR CREEK DRIVE;

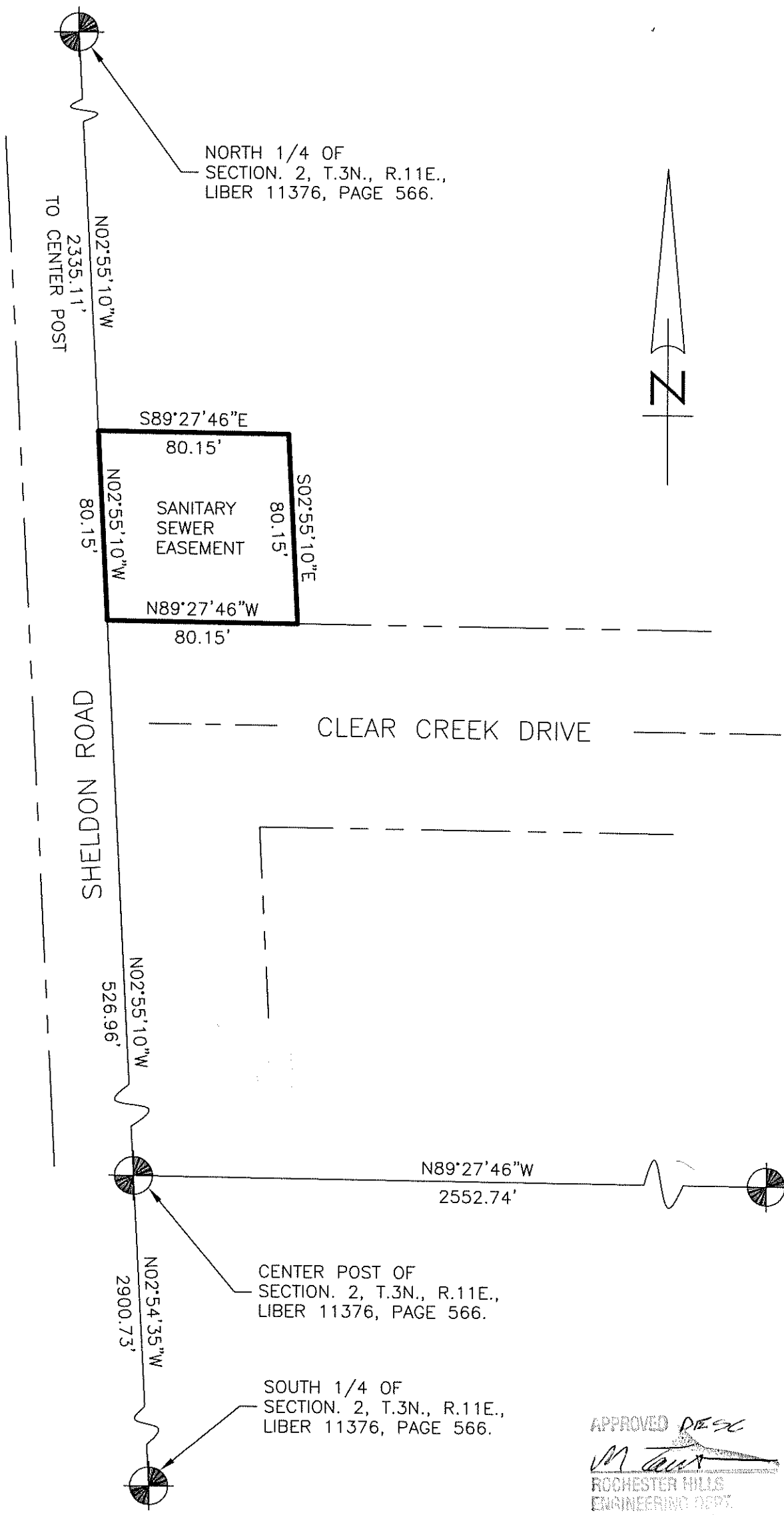
THENCE CONTINUING ALONG THE NORTH AND SOUTH 1/4 LINE  $N02^{\circ}55'10''W$  80.15; THENCE  $S89^{\circ}27'46''E$  80.15; THENCE  $S02^{\circ}55'10''E$  80.15' TO THE NORTH R.O.W. OF CLEAR CREEK DRIVE; THENCE  $N89^{\circ}27'46''W$  80.15' ALONG THE NORTH R.O.W. OF CLEAR CREEK DRIVE TO THE POINT OF BEGINNING.

CONTAINING 0.15 ACRES MORE OR LESS.

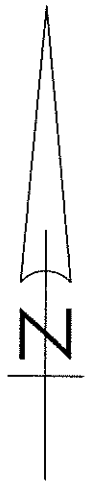
*0.15 per  
John Staran  
6-3-04*

*7002-20-90*  
  
 APPROVED P.E.C.

REVISIONS	MARK	BULLETIN	DATE	APPROVED BY	City of Rochester Hills 1000 Rochester Hills Drive Rochester Hills, Michigan 48309	SANITARY EASEMENT	NOT TO SCALE
				CITY COUNCIL, DATE: _____			DATE: 04/04/04
				PREPARED BY ENGINEERING SERVICES DEPARTMENT OF PUBLIC SERVICE			SHEET 1 OF 2



NORTH 1/4 OF SECTION. 2, T.3N., R.11E., LIBER 11376, PAGE 566.



TO CENTER POST  
2335.11'

N02°55'10"W

S89°27'46"E  
80.15'

80.15'  
N02°55'10"W

SANITARY SEWER EASEMENT

80.15'  
S02°55'10"E

N89°27'46"W  
80.15'

CLEAR CREEK DRIVE

SHELDON ROAD

526.96'  
N02°55'10"W

N89°27'46"W  
2552.74'

CENTER POST OF SECTION. 2, T.3N., R.11E., LIBER 11376, PAGE 566.

2900.73'  
N02°54'35"W

SOUTH 1/4 OF SECTION. 2, T.3N., R.11E., LIBER 11376, PAGE 566.

APPROVED *DE-EX*  
*M. Lewis*  
ROCHESTER HILLS  
ENGINEERING DEPT.  
06-02-04

REVISIONS	MARK	BULLETIN	DATE

APPROVED BY  
CITY COUNCIL, DATE: \_\_\_\_\_  
PREPARED BY ENGINEERING SERVICES  
DEPARTMENT OF PUBLIC SERVICE

**City of Rochester Hills**  
1000 Rochester Hills Drive  
Rochester Hills, Michigan 48309

**SANITARY EASEMENT**

NOT TO SCALE  
DATE: 04/30/04  
SHEET 2 OF 2