

SANITARY SEWER EASEMENT
GRANTED TO THE CITY OF ROCHESTER HILLS

SANITARY SEWER EASEMENT

Rochester KM Partners LLC a Michigan limited liability company of 6960 Orchard Lake Road, Suite 300, West Bloomfield, MI 48322 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 (the "Property") more particularly described as:

See attached Exhibit A

In the area (the "Easement Area") depicted and legally described as:

See attached Exhibit B

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 Grantor has consented to any permanent improvements or alterations necessary to the use and exercise of easement rights granted hereunder.

Except in cases of emergency, Grantee shall provide written notice to Grantor no less than twenty-four (24) hours prior to any entry upon the Property. All work performed by Grantee hereunder shall be performed in a prompt and expeditious manner, and in a manner that minimizes disruption of the operation of the Property. Without the prior written consent of Grantor, Grantee shall not place on or store any materials upon the Easement Area or any other portion of the Property.

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 material 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 Area, (b) the right to construct or install surface improvements, including but not limited to paved driveways, roadways, parking and/or walkways, landscaping, fencing, utilities and/or similar improvements over the Easement Area, and (c) the right to grant other non-exclusive easements and rights-of-way across, over, under and through the Easement Area.

Exempt from Transfer Taxes under MCL 207.505(a) and 207.526(a).

[Remainder of page intentionally left blank; signatures on following page]

IN WITNESS WHEREOF, the undersigned have hereunto affixed their signatures on this 7th day of AUGUST, 2018.

Rochester KM Partners LLC

[Handwritten Signature]

Signature

CRAGG H SINGER

(Print Name)

AUTHORIZED REPRESENTATIVE

Title

STATE OF MICHIGAN
COUNTY OF Oakland

The foregoing instrument was acknowledged before me this 7th day of August, 2018, by Craig H. Singer who is a member of Rochester KM Partners LLC, a Michigan limited liability company, on behalf of the company.

[Handwritten Signature]

SHERI L. DENNIS
Oakland

, Notary Public
County, Michigan

My Commission Expires:

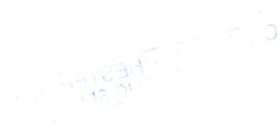
Drafted by: Emil BUNEK, PE
PEA, Inc.
2430 Rochester Court, Suite 100
Troy, MI 48083



When recorded, return to

Clerks Dept.
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

John Staran
Approved 8/13/18



**EXHIBIT A
LEGAL DESCRIPTION**

LEGAL DESCRIPTION

(Per PEA ALTA 2001-186, Dated 07-13-01)

Land located in the City of Rochester Hills, County of Oakland, and State of Michigan:

Part of the Northeast 1/4 of Section 22, T.3N., R.11E., City of Rochester Hills, Oakland County, Michigan, more particularly described as follows:
Commencing at the Northeast corner of said Section 22; thence along the North line of said Section 22, N89°05'58"W, 1045.00 feet; thence S00°59'40"W (recorded as S00°59'59"W), 60.00 feet to a point on the South Right-of-Way line of Avon Road, said point also being the **Point of Beginning**; thence along said South Right-of-Way line, S89°05'58"E, 577.00 feet; thence S00°59'40"W (recorded as S00°59'59"W), 180.00 feet; thence S89°05'58"E, 393.00 feet to a point on the West Right-of-Way line of Rochester Road; thence along said West Right-of-Way line, S00°59'40"W (recorded as S00°59'59"W), 475.00 feet; thence N89°05'58"W, 970.00 feet; thence N00°59'40"E (recorded as N00°59'59"E), 655.00 feet to the **Point of Beginning**, containing 12.962 acres and subject to any easements or restrictions of record.

Parcel ID # 15-22-226-014

*Scott W.
Approved 8/27/18*



PEA, Inc.




2430 Rochester Ct, Ste 100
Troy, MI 48083-1872
t: 248.689.9090
f: 248.689.1044
www.peainc.com

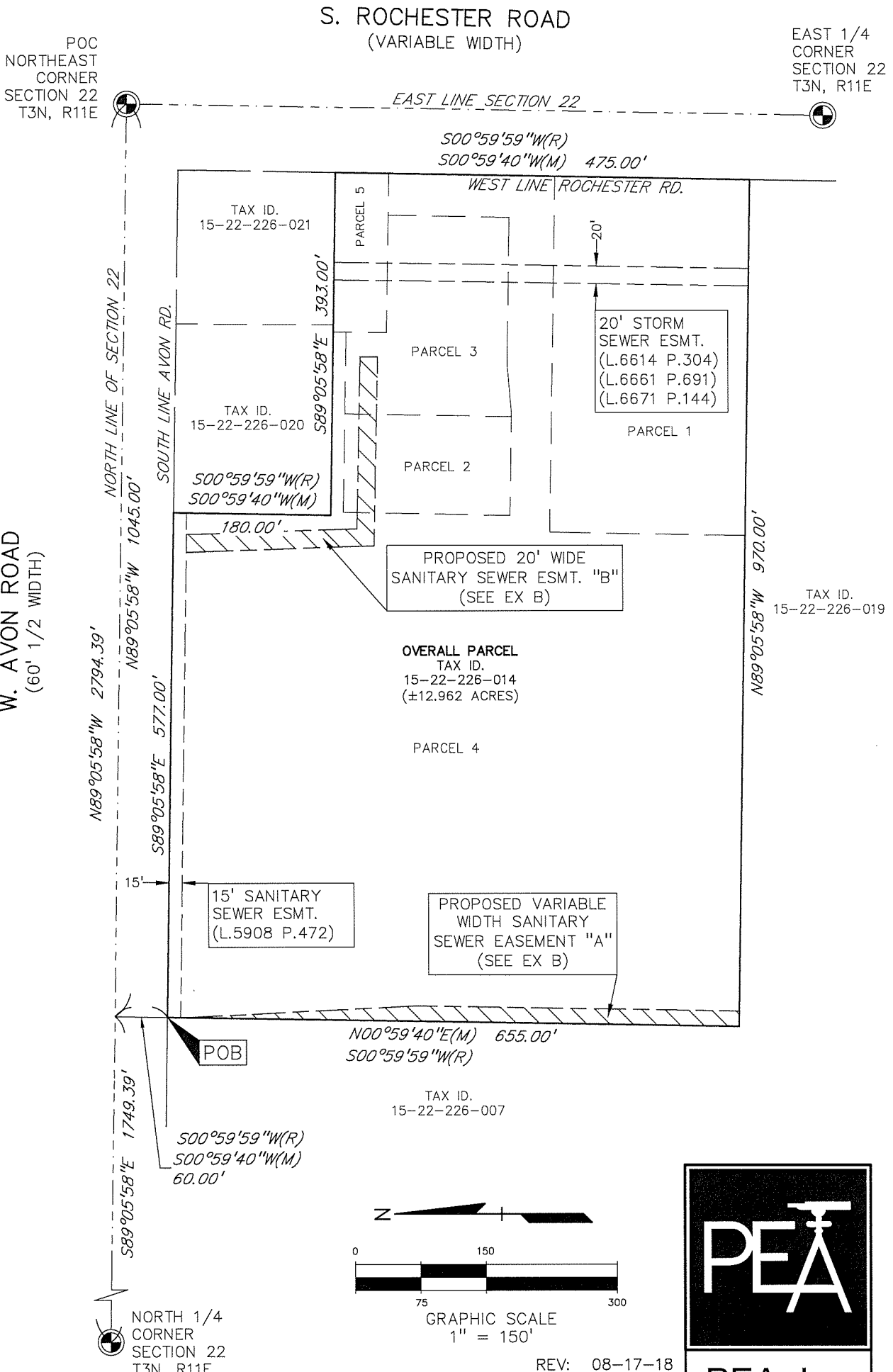
REV: 08-17-18
REV: ~~07-23-18~~

CLIENT: FIRST HOLDING MANAGEMENT 6960 ORCHARD LAKE ROAD WEST BLOOMFIELD, MI 48322	SCALE: N/A	JOB No: 2016-367
	DATE: 06-27-18	DWG. No: 1 of 2

EXHIBIT A SKETCH OF PARCEL

LEGEND

-  SECTION CORNER
-  POINT OF BEGINNING
-  POINT OF COMMENCEMENT



PEA, Inc.

2430 Rochester Ct, Ste 100
Troy, MI 48063-1872
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f: 248.689.1044
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CLIENT:
FIRST HOLDING MANAGEMENT
6960 ORCHARD LAKE ROAD
WEST BLOOMFIELD, MI 48322

SCALE: 1"=150'
DATE: ~~06-27-18~~

JOB No: 2016-367
DWG. No: 2 of 2

REV: 08-17-18
REV: ~~07-23-18~~

EXHIBIT B
LEGAL DESCRIPTION

LEGAL DESCRIPTION – VARIABLE WIDTH SANITARY SEWER EASEMENT "A":

(Per PEA Inc.)

A variable width sanitary sewer easement over the previously described Parcel, being part of the Northeast 1/4 of Section 22, Town 3 North, Range 11 East, Rochester Hills, Oakland County, Michigan, said easement being more particularly described as:

Commencing at the northeast corner of said Section 22; thence N89°05'58"W, 1045.00 feet along the north line of said Section 22; thence S00°59'40"W, 60.00 feet to the northwest corner of said Parcel; thence continuing S00°59'40"W, along the west line of said Parcel, 19.01 feet to the **POINT OF BEGINNING**;

Thence along said easement the following four (4) courses;

- 1) S02°47'53"E, 267.44 feet;
- 2) S00°59'40"W, 369.11 feet to the south line of said Parcel;
- 3) along said south line N89°05'58"W, 17.69 feet to the aforementioned west line and;
- 4) along said west line N00°59'40"E, 635.99 feet to the **POINT OF BEGINNING**.

Containing ±8,890 square feet of land.

LEGAL DESCRIPTION – 20 FOOT WIDE SANITARY SEWER EASEMENT "B":

(Per PEA Inc.)

A 20 foot wide sanitary sewer easement over the previously described Parcel, being part of the Northeast 1/4 of Section 22, Town 3 North, Range 11 East, Rochester Hills, Oakland County, Michigan, the Centerline of said easement being more particularly described as:

Commencing at the northeast corner of said Section 22; thence N89°05'58"W, 468.00 feet along the north line of said Section 22; thence S00°59'40"W, 60.00 feet to the northeast corner of said Parcel; thence N89°05'58"W along the north line of said Parcel, 34.74; thence S00°54'02"W, 15.00 feet to the south line of a 15 foot wide sanitary easement recorded in Liber 5908, Page 472 (Oakland County Records) and the **POINT OF BEGINNING**;

Thence along said easement centerline S01°52'01"E, 205.40 feet and S88°45'07"E, 217.80 to the **POINT OF ENDING**.

Sidelines of said easement to lengthen or shorten as to begin at the south line of the existing Sanitary Sewer easement.

Containing ±8,464 square feet of land.



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REV: 08-17-18
REV: ~~07-23-18~~

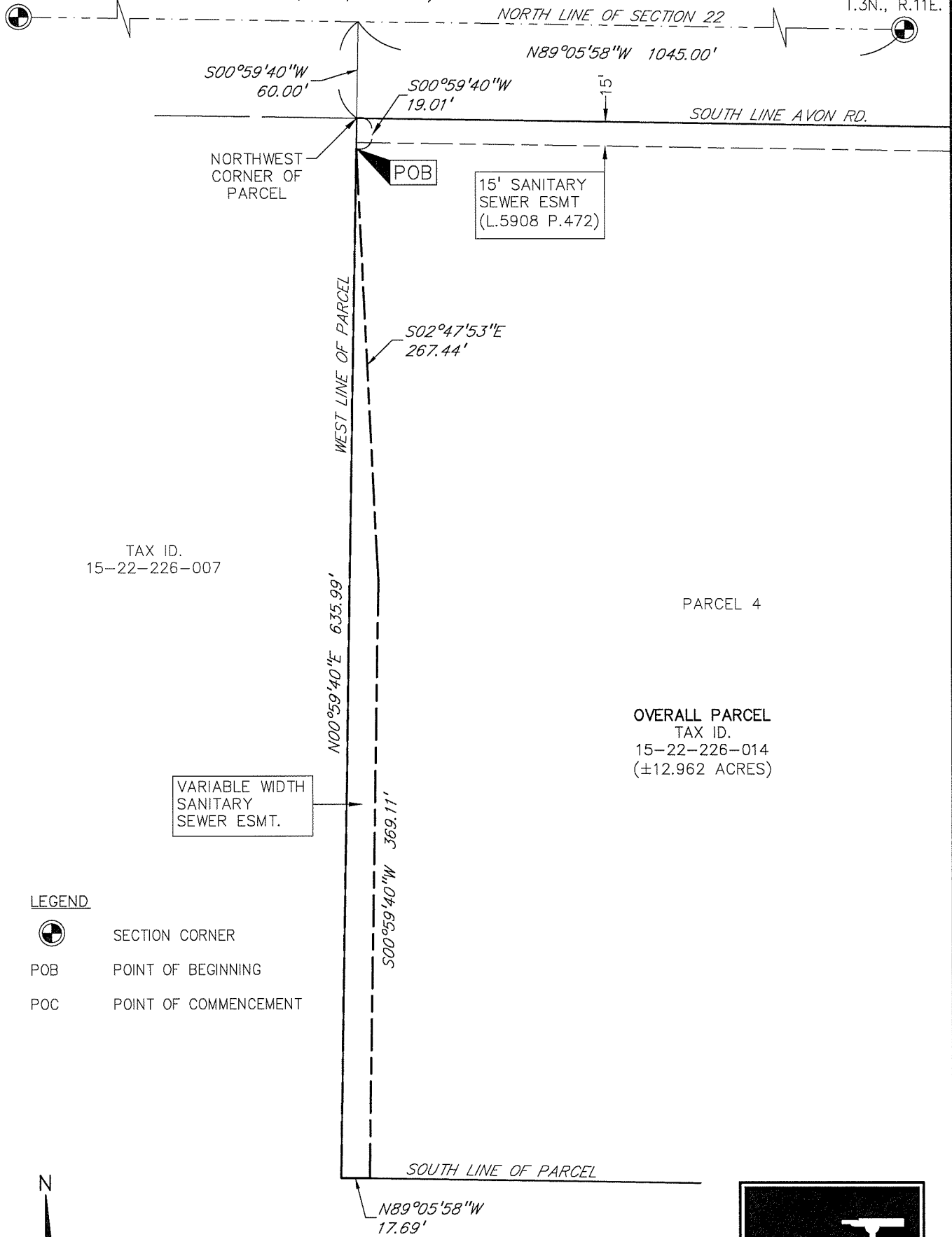
CLIENT: FIRST HOLDING MANAGEMENT 6960 ORCHARD LAKE ROAD WEST BLOOMFIELD, MI 48322	SCALE: N/A	JOB No: 2016-367
	DATE: 06-27-18	DWG. No: 1 of 3

EXHIBIT B SKETCH OF EASEMENT "A"

NORTH 1/4 COR.
SECTION 22
T.3N., R.11E.

W. AVON ROAD
(60' 1/2 WIDTH)

POC
N.E. COR.
SEC. 22
T.3N., R.11E.



TAX ID.
15-22-226-007

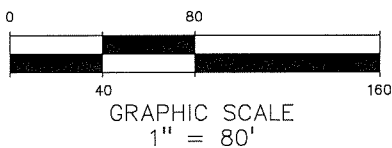
PARCEL 4

OVERALL PARCEL
TAX ID.
15-22-226-014
(±12.962 ACRES)

VARIABLE WIDTH
SANITARY
SEWER ESMT.

LEGEND

- SECTION CORNER
- POINT OF BEGINNING
- POINT OF COMMENCEMENT



REV: 08-17-18
REV: ~~07-23-18~~



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CLIENT:
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6960 ORCHARD LAKE ROAD
WEST BLOOMFIELD, MI 48322

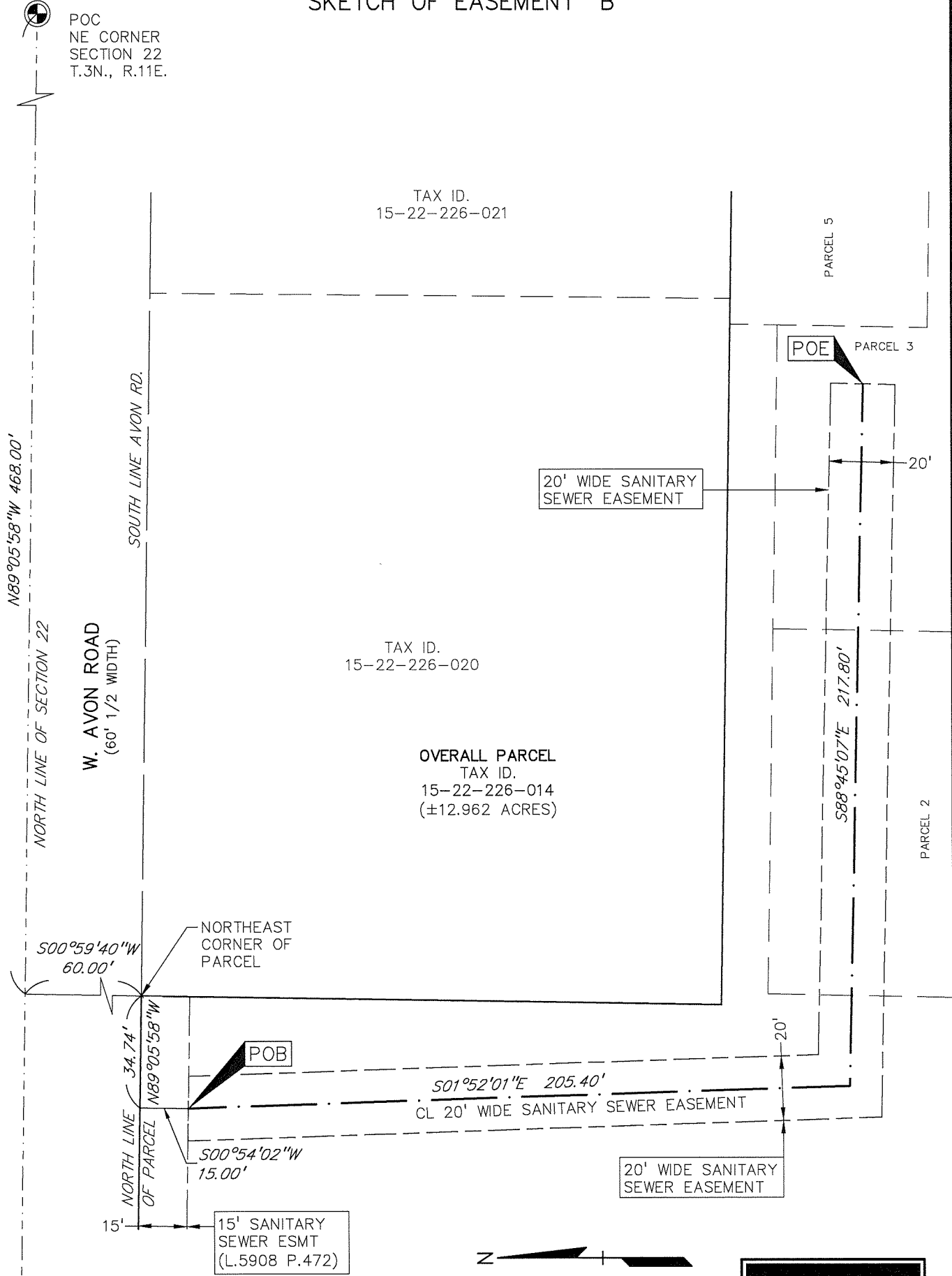
SCALE: 1" = 80'





JOB No: 2016-367

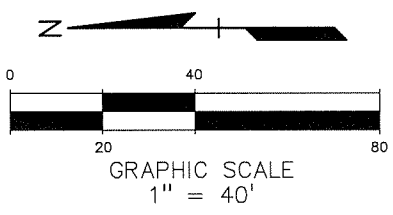
DATE: ~~06-27-18~~

DWG. No: 2 of 3

EXHIBIT B SKETCH OF EASEMENT "B"




- LEGEND**
-  SECTION CORNER
 -  POB POINT OF BEGINNING
 -  POE POINT OF ENDING
 -  POC POINT OF COMMENCEMENT



PEA, Inc.

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 NORTH 1/4
CORNER
SECTION 22
T3N, R11E

CLIENT:
FIRST HOLDING MANAGEMENT
6960 ORCHARD LAKE ROAD
WEST BLOOMFIELD, MI 48322

SCALE: 1" = 40'
DATE: ~~06-27-18~~

JOB No: 2016-367
DWG. No: 3 of 3

REV: 08-17-18
REV: ~~07-23-18~~