

## TERMINATION OF WATERMAIN EASEMENT

This Termination of Watermain Easement (“Termination”) is made on October  
11, 2016 by the City of Rochester Hills, a Michigan municipal corporation whose address is 1000 Rochester Hills Drive, Rochester Hills, MI 48309 (“City”) and WoodSpring Suites Detroit Rochester Hills LLC, a Kansas limited liability company, whose address is 8621 East 21<sup>st</sup> North, Suite 250, Wichita, Kansas 67206 (“WoodSpring”).

### RECITALS

A. City is the grantee of a watermain easement dated April 4, 2007 and recorded July 23, 2007 in Liber 39383, Page 150, as amended June 12, 2013 and recorded December 17, 2013 in Liber 46638, Page 777, Oakland County Records (“Watermain Easement”).

B. The water main described in the Watermain Easement will be removed.

C. The land primarily burdened by the Watermain Easement is described on attached Exhibit A (“Property”) and is now owned by WoodSpring.

D. The development of the Property is subject to the terms of a Consent Judgment, dated April 3, 2003; First Amendment to Consent Judgment, dated May 26, 2005; and Order for Second Amendment to Consent Judgment, dated November 22, 2005, entered in Oakland County Circuit Court Case No. 02-046199-AW.

E. The City and WoodSpring wish to terminate and vacate the Watermain Easement as it pertains to the Property.

F. The portion of the Watermain Easement to be terminated and vacated is depicted on attached Exhibit B.

### TERMINATION

1. **Termination.** The City and WoodSpring hereby consent and agree to termination of the Watermain Easement and vacating the area of the Watermain Easement as depicted on Exhibit B as it pertains to the Property, and upon execution and

recording of this Termination, the Watermain Easement shall be of no force and effect.

- 2. **Notice.** By recording this Termination, notice is hereby given that the Watermain Easement is terminated.
- 3. **Successors and Assigns.** This Termination shall run with the land described in Exhibit A and shall be binding upon and inure to the benefit of WoodSpring, the City, and their respective successors, transferees, grantees and assigns.

**WOODSPRING SUITES DETROIT  
ROCHESTER HILLS LLC**, a Kansas limited liability company

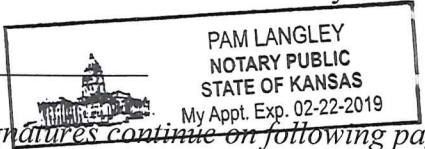
By: Scott Frey  
Printed name: Scott Frey  
Its: VP/ Controller

STATE OF KANSAS            )  
  ) ss  
COUNTY OF SEDGWICK    )

Subscribed, sworn to and acknowledged before me on 10/11, 2016 by Scott Frey, the VP/Controller of WoodSpring Suites Detroit Rochester Hills LLC, a Kansas limited liability company, on behalf of the company.

[Signature]  
Notary Public

My Commission Expires: \_\_\_\_\_



*(signatures continue on following page)*

**CITY OF ROCHESTER HILLS**, a Michigan municipal corporation

By: \_\_\_\_\_

Its: Mayor

and

By: \_\_\_\_\_

Its: Clerk

STATE OF MICHIGAN            )  
  ) ss  
COUNTY OF OAKLAND        )

Acknowledged before me on \_\_\_\_\_, 2016 by \_\_\_\_\_,  
the Mayor, and \_\_\_\_\_, the Clerk, of the City of Rochester Hills, a  
Michigan municipal corporation, on behalf of the corporation.

\_\_\_\_\_  
Notary Public  
\_\_\_\_\_  
County, MI  
Acting in Oakland County, MI  
My Commission Expires: \_\_\_\_\_

Drafted by:  
Karl N. Hesse  
Foulston Siefkin LLP  
1551 N. Waterfront Pkwy, Ste 100  
Wichita, KS 67206

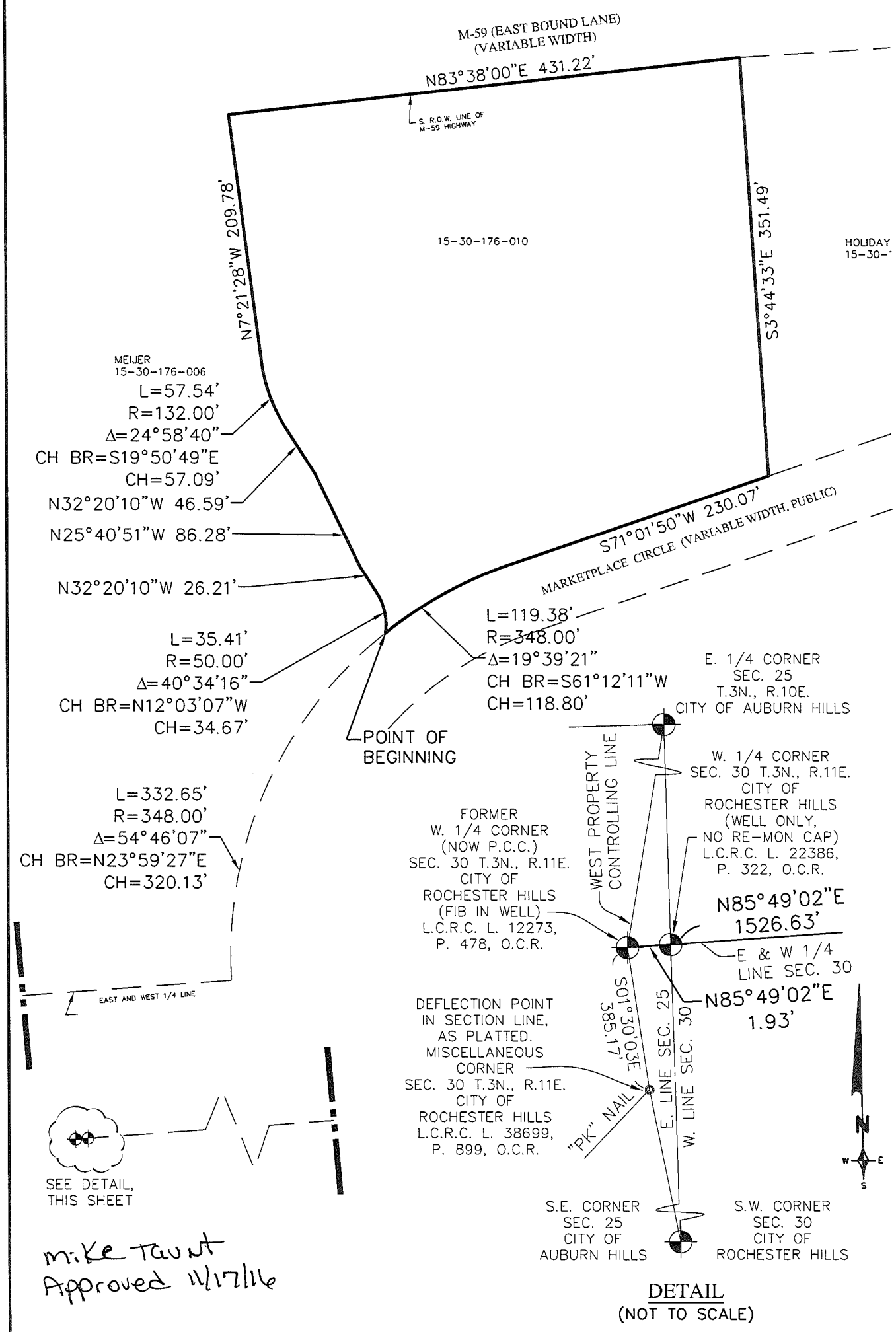
When recorded return to:  
City of Rochester Hills  
1000 Rochester Hills Drive  
Rochester Hills, MI 48309

*John Staran*  
*Approved 11/16/16*

**EXHIBIT A TO TERMINATION**  
**SKETCH AND LEGAL DESCRIPTION OF PROPERTY**

*(see attached)*

EXHIBIT 'A'



Mike Taunt  
Approved 11/17/16

DETAIL  
(NOT TO SCALE)

REVISIONS		
ITEM	DATE	BY

**BOUNDARY SKETCH  
WOODSPRING SUITES  
ROCHESTER HILLS, MICHIGAN**

**ZEIMET WOZNIAK**  
& ASSOCIATES  
Civil Engineers & Land Surveyors  
55800 GRAND RIVER AVE, SUITE 100  
NEW HUDSON, MICHIGAN 48165  
P: (248) 437-5099 F: (248) 437-5222 www.zeimetwozniak.com

DATE	8/12/16	SCALE	HOR: 1" = 100'
DESIGNED BY	SRB	JOB NO.	15154
DRAWN BY	SRB	SHEET NO.	1/2
		© COPYRIGHT 2016	

EXHIBIT 'A'

LEGAL DESCRIPTION

THE LAND REFERRED TO IN THIS COMMITMENT IS DESCRIBED AS FOLLOWS:

LAND SITUATED IN THE CITY OF ROCHESTER HILLS, COUNTY OF OAKLAND, MICHIGAN, DESCRIBED AS:

PART OF THE NORTHWEST QUARTER OF SECTION 30, TOWN 3 NORTH, RANGE 11 EAST, COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 30 (AS REMONUMENTED) SAID QUARTER CORNER BEING NORTH 85 DEGREES 49 MINUTES 02 SECONDS EAST 1.93 FEET ALONG THE WESTERLY EXTENSION OF THE EAST AND WEST QUARTER LINE OF SAID SECTION 30 FROM A PROPERTY-CONTROLLING CORNER (FORMERLY DESCRIBED AS THE WEST QUARTER CORNER) OF SAID SECTION 30 AND PROCEEDING ALONG SAID EAST AND WEST QUARTER LINE NORTH 85°49'02" EAST 1,526.63 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF MARKETPLACE CIRCLE (VARIABLE WIDTH); THENCE ALONG SAID RIGHT-OF-WAY LINE 332.65 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS 348.00 FEET, CENTRAL ANGLE 54°46'06" AND A CHORD THAT BEARS NORTH 23°59'27" EAST 320.13 FEET TO THE POINT OF BEGINNING; THENCE 35.41 FEET ALONG THE ARC OF A CURVE TO THE LEFT, RADIUS 50.00 FEET, CENTRAL ANGLE 40°34'16" AND A CHORD THAT BEARS NORTH 12°03'07" WEST 34.67 FEET; THENCE NORTH 32°20' 10" WEST 26.21 FEET; THENCE NORTH 25°40'51" WEST 86.28 FEET; THENCE NORTH 32°20'10" WEST 46.59 FEET; THENCE 57.54 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS 132.00 FEET, CENTRAL ANGLE 24°58'40" AND A CHORD THAT BEARS NORTH 19°50'49" WEST 57.09 FEET; THENCE NORTH 07°21'28" WEST 209.78 FEET; THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF M-59 HIGHWAY NORTH 83°38'00" EAST 431.22 FEET; THENCE SOUTH 03°44'33" EAST 351.49 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF MARKETPLACE CIRCLE (VARIABLE WIDTH); THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING TWO COURSES: SOUTH 71°01'50" WEST 230.07 FEET, AND 119.38 FEET ALONG THE ARC OF A CURVE TO THE LEFT, RADIUS 348.00 FEET, CENTRAL ANGLE 19°39'21" AND A CHORD THAT BEARS SOUTH 61°12'11" WEST 118.80 FEET TO THE POINT OF BEGINNING.

TAX PARCEL NO.      15-30-176-010

<b>REVISIONS</b>			<b>LEGAL DESCRIPTION</b> <b>WOODSPRING SUITES</b> ROCHESTER HILLS, MICHIGAN  Civil Engineers & Land Surveyors 55800 GRAND RIVER AVE, SUITE 100 NEW HUDSON, MICHIGAN 48165 P: (248) 437-5099 F: (248) 437-5222 www.zeimetwozniak.com		DATE	SCALE HOR: 1" = N/A
ITEM	DATE	BY			8/12/16	FIELD BOOK NO.
			DESIGNED BY	JOB NO.	© COPYRIGHT 2016	
			SRB	15154		
			DRAWN BY	SHEET NO.		
			SRB	2/2		

**EXHIBIT B TO TERMINATION  
DEPICTION OF TERMINATED EASEMENTS**

*(see attached)*

EXHIBIT 'B'

**TERMINATION OF WATERMAIN EASEMENT**

A WATERMAIN EASEMENT TO BE TERMINATED LOCATED IN SECTION 30, T. 3 N., R. 11 E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE EAST 1/4 CORNER OF SECTION 30 AND PROCEEDING ALONG THE EAST AND WEST 1/4 LINE OF SECTION 30 S. 85°45'03" W. 942.80 FEET AND S. 32°42'01" E. 26.68 FEET AND S. 65°18'11" W. 258.97 FEET AND S. 24°35'28" E. 35.10 FEET TO A POINT ALONG THE NORTHERLY RIGHT-OF-WAY OF SOUTH ADAMS ROAD (VARIABLE WIDTH) AND ALONG SAID RIGHT-OF-WAY S. 63°06'17" W. 859.04 FEET AND ALONG THE WESTERLY VARIABLE WIDTH ROAD RIGHT-OF-WAY LINE OF MARKETPLACE CIRCLE N. 18°44'16" E. 17.87 FEET AND N. 25°37'45" W. 151.86 FEET AND S. 64°18'43" W. 25.14 FEET AND S. 67°06'23" W. 28.66 FEET AND S. 63°06'17" W. 222.67 FEET AND N. 71°53'43" W. 8.00 FEET AND N. 26°53'43" W. 11.26 FEET AND S. 63°06'17" W. 61.70 FEET AND S. 63°06'17" W. 191.98 FEET AND S. 63°06'17" W. 137.84 FEET AND N. 82°12'07" W. 90.77 FEET AND N. 82°12'07" W. 160.62 FEET AND S. 85°10'47" W. 85.30 FEET AND S. 85°10'47" W. 28.20 FEET AND N. 82°12'07" W. 200.61 FEET AND N. 82°12'07" W. 50.01 FEET AND S. 07°47'53" W. 18.80 FEET AND N. 82°12'07" W. 18.10 FEET AND N. 77°08'37" W. 60.02 FEET AND N. 77°08'37" W. 10.00 FEET AND 16.51 FEET ALONG THE ARC OF A CURVE TO THE LEFT, RADIUS 460.00 FEET, CENTRAL ANGLE 02°03'25", AND A CHORD THAT BEARS N. 12°49'40" E. 16.51 FEET AND 24.10 FEET ALONG THE ARC OF A CURVE TO THE LEFT, RADIUS 460.00 FEET, CENTRAL ANGLE 03°00'05", AND A CHORD THAT BEARS N. 09°17'56" E. 24.09 FEET AND N. 07°47'53" E. 12.93 FEET AND N. 34°23'18" E. 13.42 FEET AND N. 07°47'53" E. 26.12 FEET AND N. 18°47'31" W. 13.42 FEET AND N. 07°47'53" E. 58.76 FEET AND 158.14 FEET ALONG THE ARC OF A CURVE TO THE LEFT, RADIUS 460.00 FEET, CENTRAL ANGLE 19°41'51", AND A CHORD THAT BEARS N. 02°03'02" W. 157.36 FEET AND N. 11°53'58" W. 81.82 FEET AND 290.18 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS 358.00 FEET, CENTRAL ANGLE 46°26'32", AND A CHORD THAT BEARS N. 11°19'18" E. 282.31 FEET AND N. 05°56'23" W. 10.00 FEET AND N. 41°48'24" W. 16.65 FEET AND N. 44°45'31" E. 43.93 FEET AND N. 06°13'53" W. 229.59 FEET AND N. 06°13'53" W. 172.70 FEET AND N. 84°54'26" E. 251.18 FEET AND N. 85°30'22" E. 10.03 FEET AND S. 03°44'33" E. 10.00 TO THE POINT OF BEGINNING OF THE CENTERLINE OF A 20 FOOT WIDE WATERMAIN EASEMENT TO BE VACATED; THENCE ALONG SAID CENTERLINE S. 03°44'33" E. 15.10 FEET TO A POINT OF ENDING.

<b>REVISIONS</b>			<b>TERMINATION OF WATERMAIN EASEMENT</b> <b>ADAMS MARKETPLACE</b> ROCHESTER HILLS, MICHIGAN	DATE	SCALE
ITEM	DATE	BY		8/12/16	HOR: 1" = 200'
			 Civil Engineers & Land Surveyors 40024 GRAND RIVER AVE, SUITE 100 NOVI, MICHIGAN 48375 P: (248) 442-1101 F: (248) 442-1241 www.zeimetwozniak.com	DESIGNED BY	JOB NO.
				SRB	15154
			DRAWN BY	SHEET NO.	
			SRB	1/4	

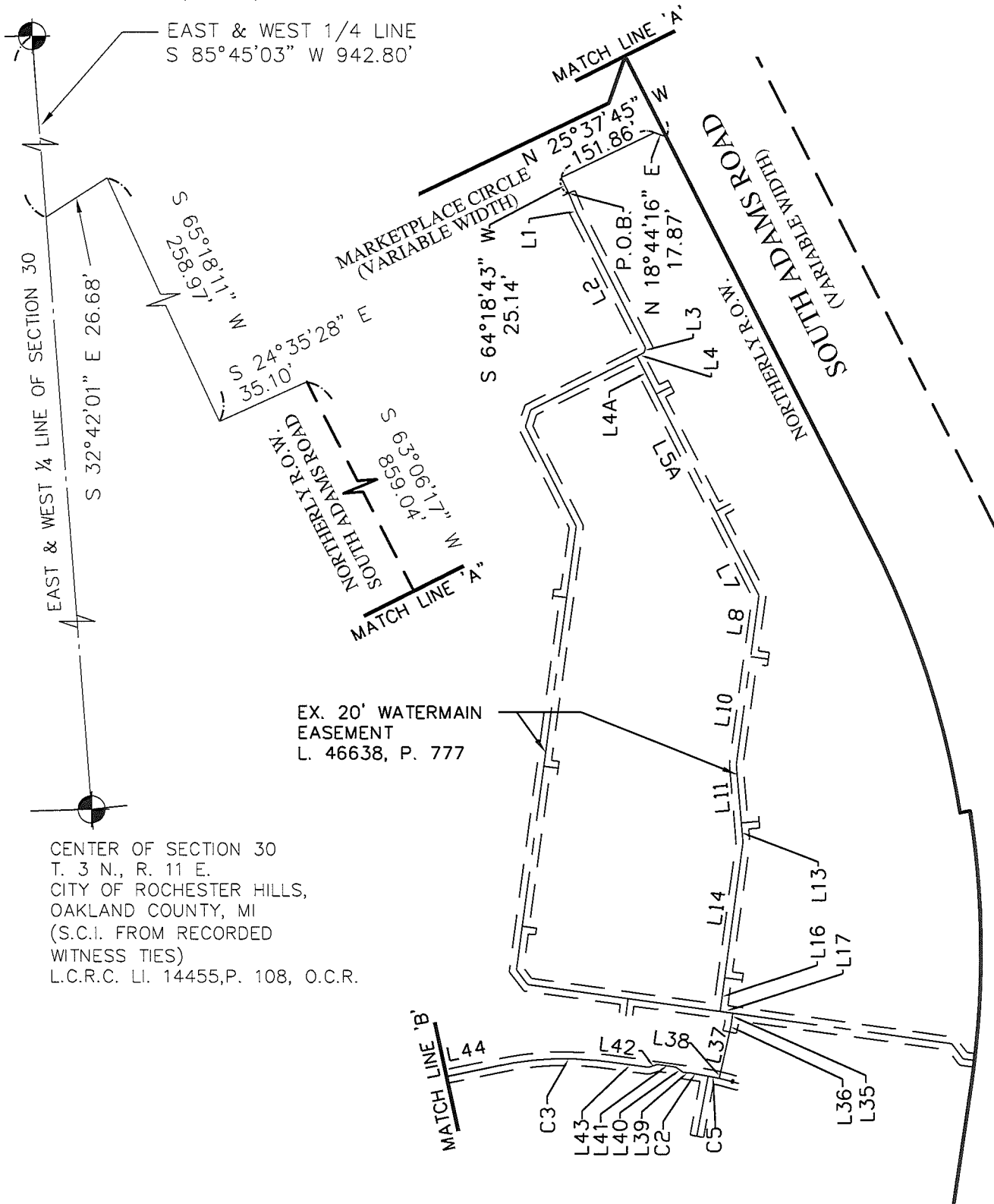


EXHIBIT 'B'

E. 1/4 CORNER SECTION 30  
 T. 3 N., R. 11 E.  
 CITY OF ROCHESTER HILLS,  
 OAKLAND COUNTY, MI  
 (FD, CNC. MON. IN SWAMP)  
 L.C.R.C. LI. 7732, P. 469, O.C.R.



SCALE: 1" = 200'



CENTER OF SECTION 30  
 T. 3 N., R. 11 E.  
 CITY OF ROCHESTER HILLS,  
 OAKLAND COUNTY, MI  
 (S.C.I. FROM RECORDED  
 WITNESS TIES)  
 L.C.R.C. LI. 14455, P. 108, O.C.R.

EX. 20' WATERMAIN  
 EASEMENT  
 L. 46638, P. 777

REVISIONS		
ITEM	DATE	BY

**TERMINATION OF WATERMAIN EASEMENT  
 ADAMS MARKETPLACE  
 ROCHESTER HILLS, MICHIGAN**

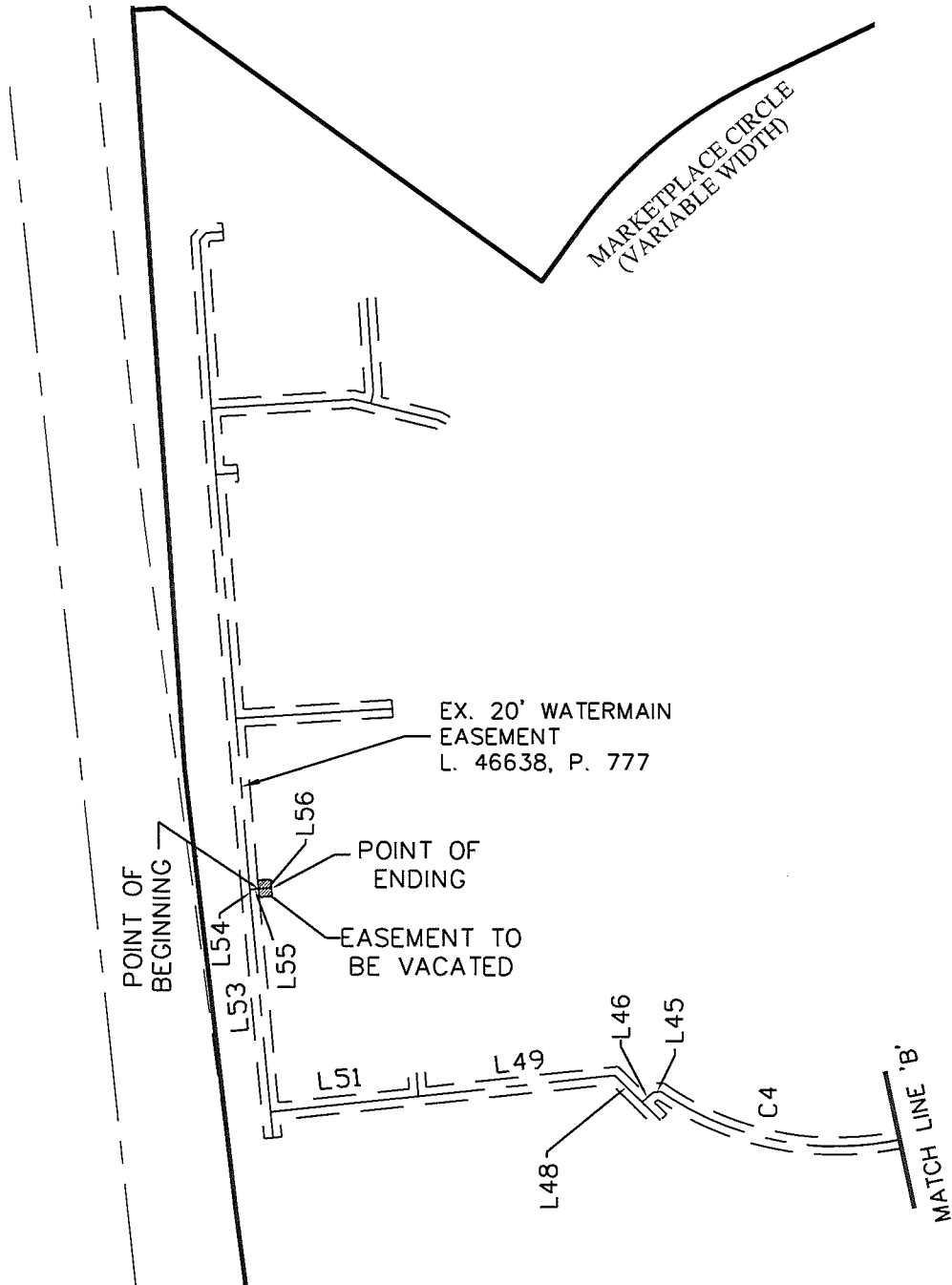
**Z EIMET W OZNI AK**  
 & ASSOCIATES  
 Civil Engineers & Land Surveyors  
 40024 GRAND RIVER AVE. SUITE 100  
 NOVI, MICHIGAN 48375  
 P: (248) 442-1101 F: (248) 442-1241 www.zeimetwozniak.com

DATE	SCALE
8/12/16	HOR: 1" = 200'
DESIGNED BY	FIELD BOOK NO.
SRB	
DRAWN BY	JOB NO.
SRB	15154
	SHEET NO.
	2/4

EXHIBIT 'B'



SCALE: 1" = 200'



REVISIONS		
ITEM	DATE	BY

**TERMINATION OF WATERMAIN EASEMENT  
ADAMS MARKETPLACE  
ROCHESTER HILLS, MICHIGAN**


**ZEIMET WOZNIAK**  
& ASSOCIATES  
Civil Engineers & Land Surveyors  
40024 GRAND RIVER AVE, SUITE 100  
NOVI, MICHIGAN 48375  
P: (248) 442-1101 F: (248) 442-1241 www.zeimetwozniak.com

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DESIGNED BY	FIELD BOOK NO.
SRB	
DRAWN BY	JOB NO.
SRB	15154
	SHEET NO.
	3/4

EXHIBIT 'B'

CURVE TABLE					
NO.	RADIUS	ARC LENGTH	DELTA	CHORD LENGTH	CHORD BEARING
C2	460.00	24.10	03°00'05"	24.09	N09°17'56"E
C3	460.00	158.14	19°41'51"	157.36	N02°03'02"W
C4	358.00	290.18	46°26'32"	282.31	N11°19'18"E
C5	460.00	16.51	02°03'25"	16.51	N12°49'40"E

LINE TABLE		
LINE	BEARING	LENGTH
L1	S67°06'23"W	28.66
L2	S63°06'17"W	222.67
L3	N71°53'43"W	8.00
L4	N26°53'43"W	11.26
L4A	S63°06'17"W	61.70
L5A	S63°06'17"W	191.98
L7	S63°06'17"W	137.84
L8	N82°12'07"W	90.77
L10	N82°12'07"W	160.62
L11	S85°10'47"W	85.30
L13	S85°10'47"W	28.20
L14	N82°12'07"W	200.61
L16	N82°12'07"W	50.01
L17	S07°47'53"W	18.80
L35	N82°12'07"W	18.10
L36	N77°08'37"W	9.98
L37	N77°08'37"W	60.02
L38	N77°08'37"W	10.00
L39	N07°47'53"E	12.93
L40	N34°23'18"E	13.42
L41	N07°47'53"E	26.12
L42	N18°47'31"W	13.42
L43	N07°47'53"E	58.76
L44	N11°53'58"W	81.82
L45	N05°56'23"W	10.00
L46	N41°48'24"W	16.65
L48	N44°45'31"E	43.93
L49	N06°13'53"W	229.59
L51	N06°13'53"W	172.70
L53	N84°54'26"E	251.18
L54	N85°30'22"E	10.03
L55	S03°44'33"E	10.00
L56	S03°44'33"E	15.10

<b>REVISIONS</b> ITEM    DATE    BY         			<b>TERMINATION OF WATERMAIN EASEMENT          ADAMS MARKETPLACE          ROCHESTER HILLS, MICHIGAN</b>		DATE 8/12/16	SCALE HOR: 1" = 200' FIELD BOOK NO.
			 <b>ZEIMET WOZNIAK</b> & ASSOCIATES Civil Engineers & Land Surveyors 40024 GRAND RIVER AVE, SUITE 100 NOVI, MICHIGAN 48375 P: (248) 442-1101 F: (248) 442-1241 www.zeimetwozniak.com		DESIGNED BY SRB	JOB NO. <b>15154</b>
					DRAWN BY SRB	SHEET NO. <b>4/4</b>