

AMENDMENT TO WATERMAIN EASEMENT

On the fifth day of July, 1990, Hampton Crossing Associates, a Michigan partnership, granted to the City of Rochester Hills, a Michigan municipal corporation ("City"), an easement for the construction, operation, maintenance, repair and/or replacement of a water main, ("Water Main") on under, through and across land ("Land") more particularly described in the Watermain Easement recorded by the Oakland County Register of Deeds on July 28, 1994 in Liber 14865 at Page 601. *See Attached Exhibit C.*

During construction of improvements to the Land, a section of the Water Main is being built outside of the existing Watermain Easement, and New Plan Hampton Village, LLC, a Delaware limited liability company, whose address is 22054 Farmington Road, Farmington, Michigan 48336, the current owner of the Land and improvements by mesne conveyances, ("Owner") and City desire to relocate Easement A and to amend the description of Easement A to correctly describe its new location

Now, therefore, Owner agrees to and by this Amendment to Watermain Easement does hereby amend Line 4 of the existing Watermain Easement to the legal description set forth herein and as depicted and described on attached Exhibits A and B, which amended description shall replace and supersede the description of Line 4, which shall replace and supersede the legal description of Line 4 of the existing Waterman Easement as originally recorded. The originally recorded legal description of Line 4 of the Watermain Easement shall be of no further force or effect and the City shall have the same easement rights in Line 4 of the Watermain Easement described and shown in the attached Exhibits A and B.

In all other respects, the original Watermain Easement is ratified, confirmed and re-declared. The recording of this Watermain Easement is exempt from Michigan Transfer Taxes under MCLA Sections 207.526 (a) and 207.505 (a).

SIGNATURES ON THE FOLLOWING PAGE

NEW PLAN HAMPTON VILLAGE, LLC,
a Delaware limited liability company

By: *Mark K. Salma*
Mark K. Salma, Vice President, Redevelopment

STATE OF MICHIGAN
COUNTY OF OAKLAND

The foregoing Amendment to Watermain Easement was acknowledged before me this 2nd day of October, 2017, by Mark K. Salma, Vice President, Redevelopment of New Plan Hampton Village, LLC, a Delaware limited liability company, on behalf of the limited liability company.

Mary J. Paul
Notary Public
Wayne County, Michigan
Acting in Oakland County, Michigan
My Commission Expires: 05/19/2019

MARY J. PAUL
Notary Public, State of Michigan
County of Wayne
My Commission Expires 05-19-2019
Acting in the County of Oakland

CITY OF ROCHESTER HILLS,
a Michigan municipal corporation

By: _____
Printed Name: Bryan K. Barnett
Its: Mayor

STATE OF MICHIGAN
COUNTY OF OAKLAND

The foregoing Amendment to Watermain Easement was acknowledged before me on _____, 2018, by Bryan K. Barnett, the Mayor of the City of Rochester Hills, a Michigan municipal corporation, on behalf of the corporation.

John Staran
Approved 10/6/17

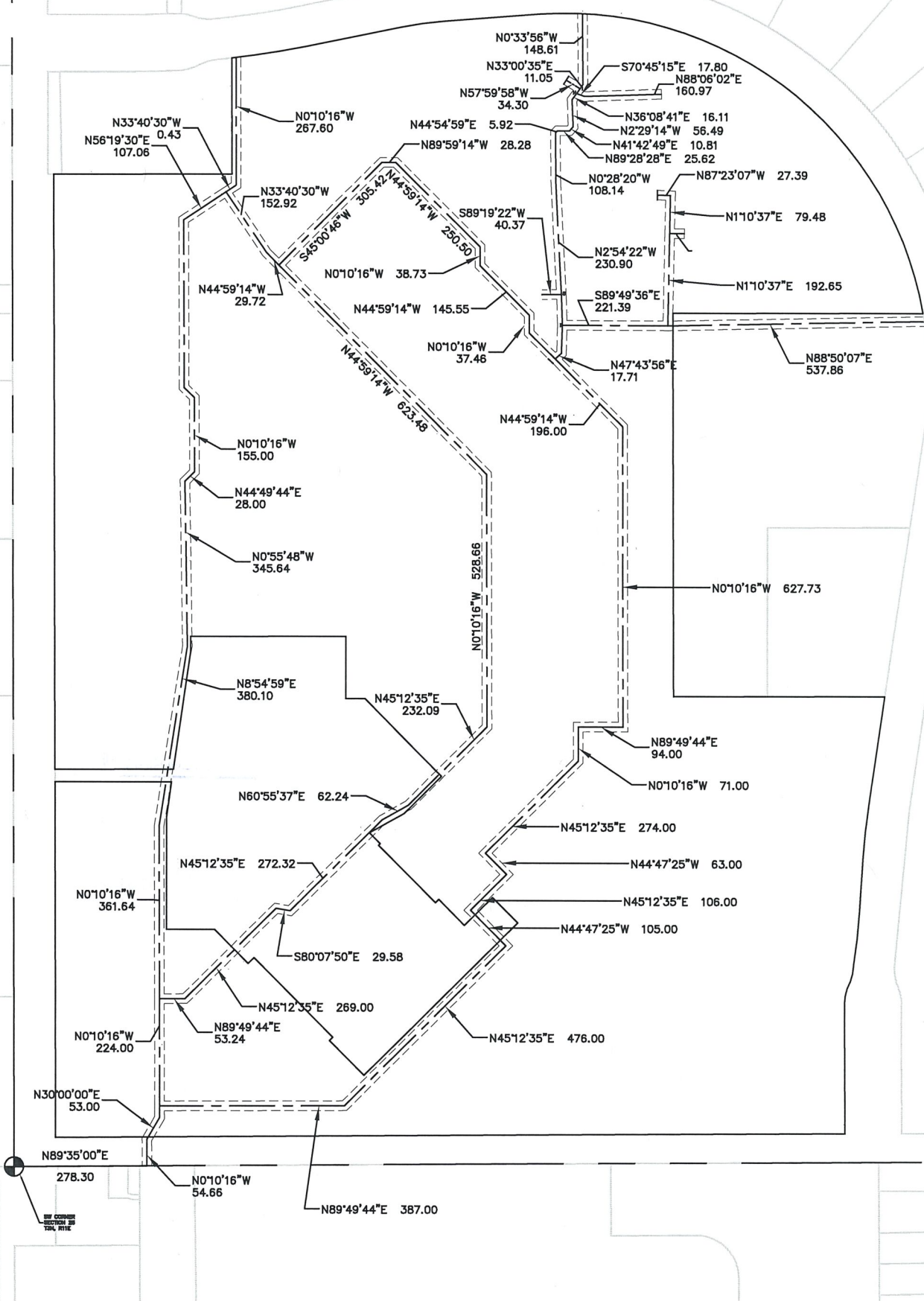
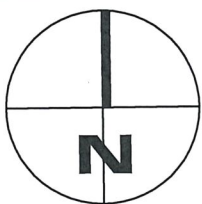
Notary Public

Oakland County, Michigan
Acting in Oakland County, Michigan
My Commission Expires: _____

Drafted by:
Jeffrey R. Kravitz
Jeffrey R. Kravitz PLLC
5116 Woodlands Drive
Bloomfield Hills, Michigan 48302

When Recorded Return to:
Clerk's Department
City of Rochester Hills, Michigan
1000 Rochester Hills Drive
Rochester Hills, Michigan 48309

EXHIBIT 'A'



APPROVED BY _____
DATE: _____

PREPARED BY ENGINEERING SERVICES
DEPARTMENT OF PUBLIC SERVICE

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

REVISED WM
EASEMENTS
HAMPTON VILLAGE
1 OF 1

SCALE
1" = 300'
DATE:
04/10/2018
CITY FILE:
17-004

EXHIBIT 'B'

AMENDED WATER MAIN EASEMENT LEGAL DESCRIPTION EXHIBIT 'C'

A 20 FOOT WIDE EASEMENT FOR WATER, INTENDED TO FOLLOW THE EXISTING LOCATION, WITH A CENTERLINE DESCRIBED AS FOLLOWS;

(LINE 1)

BEGINNING AT A POINT ON THE SOUTH LINE OF SECTION 26, T3N-R11E, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, SAID POINT BEING N89°35'00"E, 278.30 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 26; THENCE FROM SAID POINT OF BEGINNING N00°10'16"W, 54.66 FEET; THENCE N30°00'00"E, 53.00 FEET; THENCE N00°10'16"W, 24.36 FEET TO A POINT HEREINAFTER TO BE KNOWN AS POINT 'A'; THENCE CONTINUING N00°10'16"W, 224.00 FEET TO POINT HEREINAFTER TO BE KNOWN AS POINT 'B'; THENCE CONTINUING N00°10'16"W, 361.64; THENCE N08°54'59"E, 380.10 FEET; THENCE N00°55'48"W, 345.64 FEET; THENCE N44°49'44"E, 28.00 FEET; THENCE N00°10'16"W, 155.00 FEET; THENCE N45°10'16"W, 30.00 FEET; THENCE N00°10'16"W, 350.00 FEET; THENCE N56°19'30"E, 350.00 FEET; THENCE N56°19'30"E, 107.06 FEET TO A POINT HEREINAFTER KNOWN AS POINT 'C'; THENCE CONTINUING N56°19'30"E, 24.96 FEET; THENCE N00°10'16"W, 267.60 FEET TO THE SOUTHERLY RIGHT OF WAY OF BARCALY CIRCLE AND THE POINT OF ENDING.

(LINE 2)

BEGINNING AT A POINT 'B' AS PREVIOUSLY DESCRIBED; THENCE N89°49'44"E, 53.24 FEET; THENCE N45°12'35"E, 269.00 FEET; THENCE S80°07'50"E, 29.58 FEET; THENCE N45°12'36"E, 272.32 FEET; THENCE N60°55'37"E, 62.24 FEET; THENCE N45°42'35"E, 232.09 FEET; THENCE N00°10'16"W, 528.66 FEET; THENCE N44°59'14", 623.48 FEET TO A POINT HEREINAFTER TO BE KNOWN AS POINT 'D'; THENCE CONTINUING N44°59'14"W, 29.72 FEET; THENCE N33°40'30"W, 152.92 FEET TO POINT 'C' AS PREVIOUSLY DESCRIBED AND THE POINT OF ENDING.

(LINE 3)

BEGINNING AT POINT 'A' AS PREVIOUSLY DESCRIBED; THENCE N89°49'44"E, 387.00 FEET; THENCE N45°12'35"E, 476.00 FEET; THENCE N44°47'25"W, 105.00 FEET; THENCE N45°12'35"E, 106.00 FEET; THENCE N44°47'25"W, 63.00 FEET; THENCE N45°12'35"E, 274.00 FEET; THENCE N00°10'16"W, 71.00 FEET; THENCE N89°49'44"E, 94.00 FEET; THENCE N00°10'16"W, 627.73 FEET; THENCE N44°59'14"W, 196.00 FEET TO A POINT HEREINAFTER KNOWN AS 'E'; THENCE CONTINUING N44°59'14"W, 81.00 FEET; THENCE N00°10'16"W, 37.46 FEET; THENCE N44°59'14"W, 145.55 FEET; THENCE N00°10'16"W, 38.73 FEET; THENCE N44°59'14"W, 250.00 FEET; THENCE N89°59'14"W, 28.28 FEET; THENCE S45°00'46"W, 292.78 FEET TO A POINT 'D' AS PREVIOUSLY DESCRIBED AND THE POINT OF ENDING.

(LINE 4)

BEGINNING AT A POINT 'E' AS PREVIOUSLY DESCRIBED; THENCE N47°43'56"E, 17.71 FEET; THENCE N01°41'23.50"E 58.57 FEET TO A POINT HEREINAFTER TO BE KNOWN AS POINT 'F'; THENCE N01°39'06"W, 64.29 FEET TO A POINT HEREINAFTER TO BE KNOWN AS POINT 'G'; THENCE N02°54'22"W, 230.90 FEET; THENCE N00°28'20"W, 108.14 FEET; THENCE N44°54'59"E, 5.92 FEET; THENCE N89°28'28"E, 25.62 FEET; THENCE N41°42'49"E, 10.81 FEET; THENCE N02°29'14"W, 56.49 FEET; THENCE N36°08'41"E, 16.11 FEET TO A POINT HEREINAFTER TO BE KNOWN AS POINT 'H'; THENCE N36°50'03"E, 12.57 FEET TO A POINT HEREINAFTER TO BE KNOWN AS POINT 'I'; THENCE N33°00'35"E, 11.05 FEET; THENCE N0°33'56"W 153.50 FEET TO THE SOUTHERLY THE SOUTHERLY RIGHT OF WAY LINE OF BARCLAY CIRCLE AND POINT OF ENDING. ALSO BEGINNING AT POINT 'G' AS PREVIOUSLY DESCRIBED; THENCE S89°19'22"W 30.36 FEET TO A POINT OF ENDING. ALSO BEGINNING AT POINT 'H' AS PREVIOUSLY DESCRIBED; THENCE S70°45'15"E 17.80 FEET; THENCE N88°06'02"E 150.97 FEET TO A POINT OF ENDING. ALSO BEGINNING AT POINT 'I' AS PREVIOUSLY DESCRIBED; THENCE N57°59'58"W 24.30 FEET TO A POINT OF ENDING.

(LINE 5)

BEGINNING AT POINT 'F' AS PREVIOUSLY DESCRIBED; THENCE N89°33'45"E, 769.72 FEET TO THE WESTERLY RIGHT OF WAY OF BARCLY CIRCLE AND THE POINT OF ENDING.

APPROVED BY

DATE: _____

PREPARED BY ENGINEERING SERVICES
DEPARTMENT OF PUBLIC SERVICE

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

REVISED WM
EASEMENTS
HAMPTON VILLAGE
1 of 1

SCALE

DATE:

04/10/2018

CITY FILE:

17-004

EXHIBIT "C"

RECORD PARCEL 1 LEGAL DESCRIPTION

PARCEL 1:

UNITS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 AND 12, "HAMPTON VILLAGE CENTRE CONDOMINIUM", ACCORDING TO THE MASTER DEED RECORDED IN LIBER 11707, PAGE 158 THROUGH 240, INCLUSIVE AND AMENDED BY FIRST AMENDMENT TO THE MASTER DEED RECORDED IN LIBER 12051, PAGES 807 THROUGH 821, INCLUSIVE, OAKLAND COUNTY RECORDS, AND DESIGNATED AS OAKLAND COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 713, TOGETHER WITH RIGHTS IN GENERAL COMMON ELEMENT AND LIMITED COMMON ELEMENTS AS SET FORTH IN THE ABOVE MASTER DEED AND AS DESCRIBED IN ACT 59 OF THE PUBLIC ACTS OF 1978, AS AMENDED.

RECORD TARGET TRACT LEGAL DESCRIPTION (EXCEPTION)

TARGET TRACT:

BEGINNING AT A POINT NORTH 00 DEGREES 10 MINUTES 16 SECONDS WEST 804.37 FEET ALONG THE WEST LINE OF SECTION 26 AND NORTH 89 DEGREES 49 MINUTES 44 SECONDS EAST 87.00 FEET FROM THE SOUTHWEST CORNER OF SECTION 26, TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN AND PROCEEDING THENCE NORTH 00 DEGREES 10 MINUTES 16 SECONDS WEST 26.00 FEET ALONG THE EAST LINE OF ROCHESTER ROAD; THENCE NORTH 89 DEGREES 49 MINUTES 44 SECONDS EAST 248.29 FEET; THENCE NORTH 08 DEGREES 13 MINUTES 13 SECONDS EAST 248.53 FEET; THENCE NORTH 00 DEGREES 10 MINUTES 16 SECONDS WEST 30.42 FEET; THENCE NORTH 89 DEGREES 49 MINUTES 44 SECONDS EAST 40.22 FEET; THENCE SOUTH 44 DEGREES 47 MINUTES 25 SECONDS EAST 227.62 FEET; THENCE SOUTH 45 DEGREES 12 MINUTES 35 SECONDS WEST 110.00 FEET; THENCE SOUTH 60 DEGREES 55 MINUTES 37 SECONDS WEST 83.28 FEET; THENCE SOUTH 44 DEGREES 47 MINUTES 25 SECONDS EAST 32.17 FEET; THENCE SOUTH 45 DEGREES 12 MINUTES 35 SECONDS WEST 4.83 FEET; THENCE SOUTH 44 DEGREES 47 MINUTES 25 SECONDS EAST 169.33 FEET; THENCE NORTH 45 DEGREES 12 MINUTES 35 SECONDS EAST 10.00 FEET; THENCE SOUTH 44 DEGREES 47 MINUTES 25 SECONDS EAST 76.44 FEET; THENCE NORTH 45 DEGREES 12 MINUTES 35 SECONDS EAST 83.23 FEET; THENCE SOUTH 44 DEGREES 47 MINUTES 25 SECONDS EAST 75.06 FEET; THENCE SOUTH 45 DEGREES 12 MINUTES 35 SECONDS WEST 453.90 FEET; THENCE NORTH 44 DEGREES 47 MINUTES 25 SECONDS WEST 102.50 FEET; THENCE NORTH 45 DEGREES 12 MINUTES 35 SECONDS EAST 10.00 FEET; THENCE NORTH 44 DEGREES 47 MINUTES 25 SECONDS WEST 234.27 FEET; THENCE SOUTH 45 DEGREES 12 MINUTES 35 SECONDS WEST 17.50 FEET; THENCE NORTH 44 DEGREES 47 MINUTES 25 SECONDS WEST 100.31 FEET; THENCE SOUTH 89 DEGREES 49 MINUTES 44 SECONDS WEST 99.91 FEET; THENCE NORTH 00 DEGREES 10 MINUTES 16 SECONDS WEST 235.00 FEET; THENCE NORTH 08 DEGREES 13 MINUTES 13 SECONDS EAST 75.19 FEET; THENCE SOUTH 89 DEGREES 49 MINUTES 44 SECONDS WEST 244.45 FEET TO THE POINT OF BEGINNING.

PREPARED FOR:
BRIXMOR PROPERTY
GROUP
FARMINGTON, MI

DRAWN BY: MMB

CHECKED BY: BAB JOB No.: B3130016 SHEET 1 of 2



2365 HAGGERTY ROAD S.
CANTON, MICHIGAN 48188
TEL: (734) 397-3100
FAX: (734) 397-3131

www.MannikSmithGroup.com

EXHIBIT "C"

RECORD WATER MAIN EASEMENT LEGAL DESCRIPTION (LIBER 14865, PAGE 601)

EXHIBIT "C"

A 20 FEET WIDE EASEMENT FOR WATER MAIN WITH A CENTERLINE DESCRIBED AS FOLLOWS:

(LINE 1)

BEGINNING AT A POINT ON THE SOUTH LINE OF SECTION 26, T3N-R11E, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, SAID POINT BEING N 89°35'00"E, 278.30 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 26; THENCE FROM SAID POINT OF BEGINNING N 00°10'16"W, 54.66 FEET; THENCE N 30°00'00"E, 53.00 FEET; THENCE N 00°10'16"W, 24.36 FEET TO A POINT HERINAFTER TO BE KNOWN AS POINT 'A'; THENCE CONTINUING N 00°10'16"W, 224.00 FEET TO A POINT HERINAFTER TO BE KNOWN AS POINT 'B'; THENCE CONTINUING N 00°10'16"W, 361.64 FEET; THENCE N 08°54'59"E, 380.10 FEET; THENCE N 00°55'48"W, 345.64 FEET; THENCE N 44°49'44"E, 28.00 FEET; THENCE N 00°10'16"W, 155.00 FEET; THENCE N 45°10'16"W, 30.00 FEET; THENCE N 00°10'16"W, 350.00 FEET; THENCE N 56°19'30"E, 107.06 FEET TO A POINT HERINAFTER TO BE KNOWN AS POINT 'C'; THENCE CONTINUING N 56°19'30"E, 24.96 FEET; THENCE N 00°10'16"W, 267.60 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF BARCLAY CIRCLE AND THE POINT OF ENDING.

(LINE 2)

BEGINNING AT POINT 'B' AS PREVIOUSLY DESCRIBED; THENCE N 89°49'44"E, 53.24 FEET; THENCE N 45°12'35"E, 269.00 FEET; THENCE S 80°07'50"E, 29.58 FEET; THENCE N 45°12'35"E, 272.32 FEET; THENCE N 60°55'37"E, 62.24 FEET; THENCE N 45°12'35"E, 232.09 FEET; THENCE N 00°10'16"W, 528.66 FEET; THENCE N 44°59'14"W, 623.48 FEET TO A POINT HERINAFTER TO BE KNOWN AS POINT 'D'; THENCE CONTINUING N 44°59'14"W, 29.72 FEET; THENCE N 33°40'30" W, 152.92 FEET TO POINT 'C' AS PREVIOUSLY DESCRIBED AND THE POINT OF ENDING.

(LINE 3)


BEGINNING AT POINT 'A' AS PREVIOUSLY DESCRIBED; THENCE N 89°49'44"E, 387.00 FEET; THENCE N 45°12'35"E, 476.00 FEET; THENCE N 44°47'25"W, 105.00 FEET; THENCE N 45°12'35"E, 106.00 FEET; THENCE N 44°47'25"W, 63.00 FEET; THENCE N 45°12'35"E, 274.00 FEET; THENCE N 00°10'16"W, 71.00 FEET; THENCE N 89°49'44"E, 94.00 FEET; THENCE N 00°10'16"W, 627.73 FEET; THENCE N 44°59'14"W, 196.00 FEET TO A POINT HERINAFTER TO BE KNOWN AS POINT 'E'; THENCE CONTINUING N 44°59'14"W, 81.00 FEET; THENCE N 00°10'16"W, 37.46 FEET; THENCE N 44°59'14"W, 145.55 FEET; THENCE N 00°10'16"W, 38.73 FEET; THENCE N 44°59'14"W, 250.50 FEET; THENCE N 89°59'14"W, 28.28 FEET; THENCE S 45°00'46"W, 292.78 FEET TO POINT 'D', AS PREVIOUSLY DESCRIBED AND THE POINT OF ENDING.

(LINE 4)

BEGINNING AT POINT 'E' AS PREVIOUSLY DESCRIBED; THENCE N 45°00'46"E, 15.00 FEET; THENCE N 00°10'16"W, 67.00 FEET TO A POINT HERINAFTER TO BE KNOWN AS POINT 'F'; THENCE CONTINUING N 00°10'16"W, 405.51 FEET; THENCE N 89°49'44"E, 65.14 FEET; THENCE N 00°10'16"W, 242.18 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF BARCLAY CIRCLE AND THE POINT OF ENDING.

(LINE 5)

BEGINNING AT POINT 'F' AS PREVIOUSLY DESCRIBED; THENCE N 89°33'45"E, 769.72 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF BARCLAY CIRCLE AND THE POINT OF ENDING.

		PREPARED FOR: BRIXMOR PROPERTY GROUP FARMINGTON, MI	
	DRAWN BY: MMB		
	CHECKED BY: BAB	JOB No.: B3130016	SHEET 2 of 2
		2365 HAGGERTY ROAD S. CANTON, MICHIGAN 48188 TEL: (734) 397-3100 FAX: (734) 397-3131	
www.MannikSmithGroup.com			