
CITY OF ROCHESTER H. S

Assessing
Department

Laurie Taylor, Chief Appraiser

DATE: June 28, 2004

TO: Deborah Millhouse

RE: 99-031-Saddlebrook Orchards

No comment.

CITY OF ROCHESTER HILLS

Fire
Department

DATE: July 5, 2005

TO: Planning Department

RE: Saddlebrook Orchards

William Cooke, Ext. 2703

FILE NO: 99-031

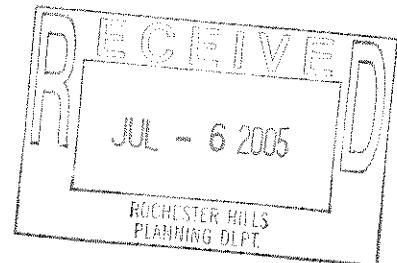
REVIEW NO: 8

APPROVED **X**

DISAPPROVED _____

William Cooke
Fire Inspector

I:\Fir\Site\Saddlebrook Orchards 2005.8



Deborah Millhouse

From: Richard Young
Sent: Monday, July 12, 2004 12:33 PM
To: Deborah Millhouse
Subject: RE: Saddlebrook Orchards (City File No. 99-031)

No comments! thank you

-----Original Message-----

From: Deborah Millhouse
Sent: Monday, July 12, 2004 9:40 AM
To: Richard Young; Bob White; Cliff McLeod
Subject: Saddlebrook Orchards (City File No. 99-031)

Any review comments? Thanks and have a good one!

CITY OF ROCHESTER HILLS

Public
Services

DATE: March 6, 2007

TO: Sandi DiSipio, Planning & Development

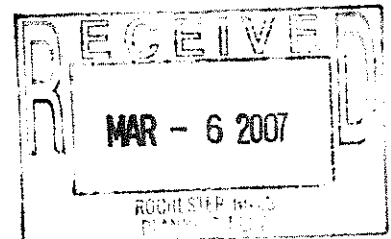
RE: **Saddlebrook Orchards**
City File #99-031/Section 28

Tracey Balint, Engineering Services JAB

Engineering Services has reviewed the Final Site Condominium plan for Saddlebrook Orchards received on March 6, 2007. The plans are as previously approved. Engineering Services of the Department of Public Services has no objection to the plans being considered for approval by the Planning Commission and the City Council.

Please remind the applicant that a Land Improvement Permit must be obtained prior to grading and all outstanding fees and permits must be obtained prior to construction commencing.

cc: Paul Davis, P.E., City Engineer
Roger Moore, P.S., Licensed Surveyor
Sheryl McIsaac, Office Coordinator - DPS
Jason Boughton, Engineering Technician
File



**DEPARTMENT OF
PUBLIC SERVICE**

Roger H. Rousse
Director

Telephone
248.656.4685
FAX
248.656.4758

Billing / Account
Information
248.656.4688

Engineering Services
248.656.4640

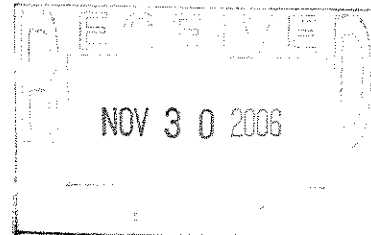
Pathways
248.656.4640

Roads
248.656.4685

Water / Sewer
248.656.4685

November 30, 2006

Mr. William Church
Brookfield, L.L.C.
70 Grey Road
Auburn Hills, MI 48326



**Re: Saddlebrook Orchards
Construction Plan Approval
City file # 99-031, Section 28**

Dear Mr. Church:

On November 14, 2006 the City received a phone call requesting to extend the construction plan approval for Saddlebrook Orchards for one year. The City of Rochester Hills Engineering Services has approved this request.

The construction plan approval extension will expire on November 30, 2007.

Please keep in mind, that prior to commencing construction all items on the pre-construction checklist must be completed. Questions involving project administration may be directed to Ms. Sheryl McIsaac. Questions pertaining to plan review may be directed to me. We can both be reached at (248) 656-4640.

Yours truly,

A handwritten signature in cursive script that reads "Tracey A. Balint".

Tracey A. Balint, P.E.
Project Engineer

TAB/jfd

c: Roger Rousse, Director; DPS
Ed Anzek, Director; Planning Department
Paul Davis, P.E., City Engineer; DPS
Roger Moore, P.S., Licensed Surveyor; DPS
Sheryl McIsaac, Office Coordinator; DPS
Beverly Post, Engineering Aide; DPS
Lila Nikollaj; Carthew Law Firm, 115 Walnut Blvd, Suite 200, Rochester, MI 48307
File

City Hall
General Information
248.656.4600

Bryan K. Barnett
Mayor
248.656.4664

CITY OF ROCHESTER HILLS

Parks and Forestry

Gerald Lee, Forestry Operations Manager
Tom Fink, Forestry Ranger



DATE: June 1, 2004

TO: Deborah Millhouse,
Deputy Director - Planning

RE: Saddlebrook Orchards
File #99-031

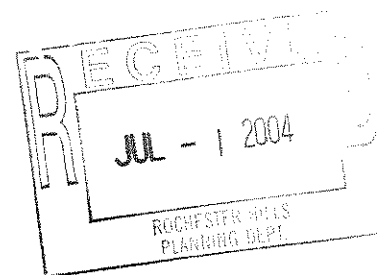
Note: Forestry reviewed this plan for right-of-way tree issues only.

No further comments.

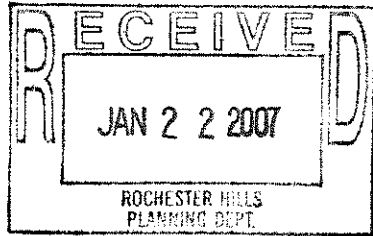
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cc: Carla Campbell, Landscape Architect

I:\Par\FOR\PLANNING\2004\SaddlebrookOrchards07-01-04.doc



Planning and
Development



DATE: January 21, 2007

TO: Ed Anzek, Director
Planning and Development

RE: Saddlebrook Orchards
Affect of Ash Trees on
Tree Conservation Ordinance
City File #99-031

FROM: Carla J. Dinkins
Landscape Architect
Planning & Development

In 2003, prior to learning the full effect of the Emerald Ash Borer infestation, Ash trees were counted in the Tree Conservation Ordinance (TCO) calculations the same as any other species of tree. Unfortunately, we learned all too soon that Ash trees in southeastern Michigan were quickly dying and all were doomed to a rather rapid demise. Hence, for the last couple of years, Ash trees have been removed totally from the TCO calculations. The Ash trees were no longer counted as trees suitable for preservation, nor were Developers required to replace Ash trees that were removed as part of their development.

For the majority of the projects going through the submittal, review and approval process the decision to eliminate the Ash trees from the TCO calculations was not a problem. Actually, many Developers were requesting their elimination because they thought it was unfair to be required to replace trees that were going to die anyway due to a condition over which they did not have any control.

However, the Saddlebrook Orchards development, submittal and approval process has taken much longer than typical and hence spans the time period from before we knew we had a problem through the demise of nearly all the Ash trees. Hence, the Saddlebrook Orchards development no longer meets the 37% tree preservation requirement of the TCO. To meet the 37% requirement 77 trees would need to be preserved. The current plan has 70 trees, 7 short of the requirement.

The Developer of this development has incorporated significant common open space for the purpose of tree preservation. Currently, the plan proposed by the Developer is providing 33,052 square feet of common open space divided among 4 areas. The majority of the 70 trees being preserved are located within the limits of these 4 areas and the remainder of the trees are located within the limits of several of the individual lots. For a small development of only 10 lots this is a significant amount of common open space.

Prior to this submittal the Developer's plans either met or slightly exceeded the 37% preservation requirement of the TCO. It is now due to the uncontrollable demise of the Ash trees that he no longer meets the requirement of the TCO by a total of 7 trees.

Hence, I can understand the frustration this developer is experiencing trying to meet the TCO. While saving an additional 7 trees does not seem like it should be difficult, the current plans are saving all the trees in the 4 open space areas and all the trees within the limits of the lots that are outside of the building envelopes. The remainder of the trees on the site are located within the limits of the roadways or the utility easements. In order to save 7 additional trees it would most likely require that an additional lot be converted to open space. Based on the current ratio of open space to number of lots this could significantly affect the viability of this development, hence the Developer may very well decide to request a variance for the 7 tree shortage.

CITY OF ROCHESTER HILLS

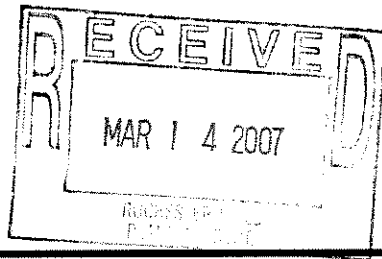
Planning
Department

DATE: March 13, 2007

TO: Ed Anzek, Director
Planning & Development

RE: Saddlebrook Orchards
Final Landscape Review
City File #99-031

FROM: Carla J. Dinkins
Landscape Architect
Planning & Development



For this review I have reviewed the following documents:

- Sheet 1 of 7 Existing Conditions Plan, dated last revised September 14, 2005 (No changes).
- Sheet 2 of 7 Unit Plan, dated last revised September 14, 2005 (No changes)
- Sheet 3 of 7 Potential Limits of Earth Disruption & Units Limits, Dated last revised September 14, 2006 (No changes)
- Sheet 4 of 7 Site Plan (South), dated last revised September 14, 2005 (No change)
- Sheet 5 of 7 Site Plan (North), dated last revised September 14, 2005 (No change)
- Sheet 6 of 7 Tree Chart & Detail Plan, dated last revised September 14, 2005 (revised per requested however, revision date not updated)
- Sheet 7 of 7 Auburn Road Turn Lanes, dated September 14, 2005 (No change)
- Sheet L-1 Landscape Site Plan, dated last revised March 12, 2007
- Sheet L-2 Landscape Details, dated last revised March 12, 2007
- Sheet L-3 Landscape Notes, dated last revised March 12, 2007

Please note that my review of these documents is for landscape and tree preservation related issues only.

My review comments are as follows:

Tree removal and replacement status:

Requirement:

- The Tree Conservation Ordinance (TCO) regulates this site. For a development of this type the TCO requires that 37% of the existing regulated trees on the site be preserved and all regulated trees removed be replaced on a one of one basis.

Status:

- Due to the length of time that this project has been in the process many of the Ash trees on this development have died due to the affects of the Emerald Ash Borer infestation, hence, when calculating trees for the TCO Ash trees are totally eliminated. Ash trees do not have to be replaced if removed, however, they may not be counted as trees to be saved either.

Due to the situation with the Ash trees this site no longer meets the requirements of the TCO. The plans currently indicate that of the 207 regulated trees onsite 70 (non-Ash) are designated for preservation. This equals a 33% preservation rate and does not meet the requirements of the TCO. Seven additional trees would need to be preserved to meet the requirements of the TCO.

Note: A variance has been granted to this Developer for the 7 trees that the site falls short of the TCO, with the provision that he plant seven additional trees.

The plans submitted indicate that the Developer has provided 7 additional trees that are acceptable to the City of Rochester Hills.

- Below are the tree preservation calculations (without Ash trees):

Total tree surveyed	250
Minus off-site trees	<u>-5</u>
	245
Minus R.O.W. trees	<u>-7</u>
	238
Minus dead tree	<u>-1</u>
	237
Minus Ash trees	<u>-30</u>
Number of regulated trees onsite	207
Regulated trees removed onsite	<u>-137</u>
Total number of trees saved onsite	70

70 trees = .338 = 33% of all regulated trees onsite.

The 137 regulated trees removed require 137 tree replacement credits.

A total of 164 tree replacement credits (including 7 additional trees) are being provided.

Buffer requirements and status:

Requirement:

- None required for this development.

Status:

- None provided.

Parking lot island planter requirements and status:

Requirement:

- None required.

Status:

- None provided.

Recommendation:

With the exception of the following conditions, all concerns and comments of my previous review dated March 7, 2005 have been addressed in a satisfactory manner and hence I recommend approval of the landscape documents. The following issues must be addressed prior to final site plan approval and the issuing of the Land Improvement Permit.

1. Prior to the issuing of the Land Improvement Permit for this development the Tree Protective Fencing must be installed, inspected and approved by this writer.
2. Prior to issuing the Land Improvement Permit for this development the following bonds must be posted.

Replacement trees and all other landscaping	\$44,310.00
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SENT VIA FAX AND MAIL

March 15, 2003 (revised March 25, 2003)

Ms. Deborah Millhouse
Department of Planning
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309-3033

**Subject: File No. 99-031; Saddlebrook Orchards Site Condominiums;
Wetland Use Permit Review #1**

Applicant: Kieft Engineering, Inc.

Dear Ms. Millhouse:

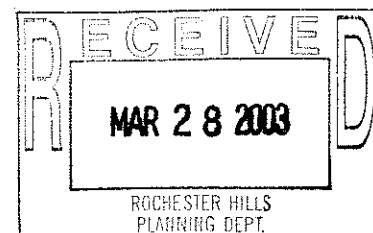
The above-referenced project proposes to construct a 10-unit single-family site condominium on approximately 5 acres. The proposed project is located on the north side of Auburn Road, east of Crooks Road.

This review has been undertaken in the context of the following wetland delineation letters:

1. ASTI letter dated June 28, 2002 for parcel 15-28-300-026 (west of subject parcel);
2. ASTI letter dated November 1, 2002 for parcel 15-28-300-033 (east of subject parcel);
3. J&L Consulting services letters dated April 23, 1996 and November 20, 2000 for subject parcel; and
4. Michigan Department of Environmental Quality (DEQ) letter dated May 15, 2002 (attached) (amended September 4, 2002) for parcel 15-28-300-026.

Furthermore, ASTI conducted a site investigation on March 12, 2003 to evaluate the wetlands on and adjacent to the subject parcel.

There is one wetland that is referenced in all of the above letters that occurs on parcels 15-28-300-026 through 15-28-300-029. This wetland has been delineated and recently evaluated by ASTI and the DEQ and was found to be approximately 1.7 acres in size and isolated. Because the wetland is less than 2 acres, isolated, and not essential for the preservation of the City's





Ms. Deborah Millhouse/City of Rochester Hills
99-031 Wetland Use Permit Review #1
March 15, 2003 (revised March 25, 2003)- Page 2

natural resources, it is not regulated by the City nor the DEQ. Furthermore, there are no City or DEQ regulated wetlands located to the east or west of the subject site.

- * The parcels north of Auburn Road, between Alexander and Dearborn streets, which includes the subject parcel, contain no regulated wetlands; therefore, no Wetland Use Permit or Natural Features Setback Modification is required for the proposed project.

Respectfully submitted,

APPLIED SCIENCE & TECHNOLOGY, INC.

Steven F. Niswander

Steven F. Niswander, Ph.D.

Ecologist

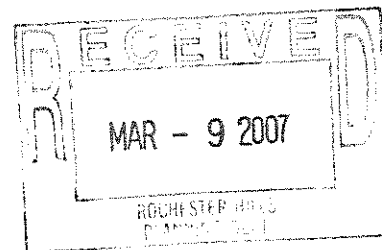
Professional Wetland Scientist #1276

Attachment: DEQ Wetland Assessment Report dated May 15, 2002 (amended September 4, 2002)

cc: Amy Neary, Senior Planner, McKenna Associates, Inc.

CARTHEW LAW FIRM, PC

115 WALNUT BLVD., SUITE 200
ROCHESTER, MI 48307
248-650-8523
248-650-8543(Fax)
email:pcarthew@carthewlaw.com



PAUL CARTHEW
*Also admitted in Texas

Of Counsel
PHILIP W. MATTHEWS

March 7, 2007

William Boswell
Planning Commission Chairman
1000 Rochester Hills Drive
Rochester Hills, MI 48309-3034

VIA REGULAR MAIL

Re: Saddlebrook Orchards
City File #99-031

Dear Mr. Boswell:

This firm represents Brookfield, LLC on the above-referenced matter. As you may know, on February 14, 2007, the Rochester Hills City Council granted a tree variance which would allow the Saddlebrook Orchards project to proceed without the requirement that a new tree survey be conducted and would allow the 37% TCO tree save requirement to fall short by seven trees. Therefore, we are now requesting that a tree removal permit be granted by the Planning Commission.

In addition, early this year we were informed that after nearly four years of continually developing this project, the final plans had not been submitted within the one year deadline (June 11, 2004) and therefore the project would have to be resubmitted from the beginning.

In order to expedite the process, it has been recommended that the preliminary and final approvals could be "piggy-backed" once the tree variance had been issued. The City has agreed to place the preliminary and final approval on the first Planning Commission agenda in March. Accordingly, we respectfully request that the Planning Commission provide preliminary and final site plan approval during the March 20, 2007 meeting.

Your assistance in this matter is appreciated. Should you have any questions, please call.

Very truly yours,

CARTHEW LAW FIRM, PC

A handwritten signature in black ink, appearing to read "Paul Carthew".

Paul Carthew

CC: Ed Anzek
Dave Kohl

DEVELOPMENT APPLICATION

City of Rochester Hills

Applicant BROOKFIELD LLC
 Address 70 GREY RD, AUBURN HILLS, MI 48326
 Telephone 248-852-3600 Fax 248-852-0950
 Applicant's Legal Interest in Property OWNER
 Property Owner (s) BROOKFIELD LLC
 Address 70 GREY RD, AUBURN HILLS, MI 48326
 Telephone 248-852-3600 Fax 248-852-0950
 Project Name SADDLE BROOK ORCHARDS Present Zoning R4
 Project Location AUBURN, E. OF CROOKS
 Existing Use VACANT Proposed Use RESIDENTIAL
 Required number of hydrants Required average spacing of hydrants (chart on page 14)
 Land Area (Acres) SAC Floor Area of Proposed Structure
 Sidwell No. 15-28-300-029 BOCA construction type

Type of Development:

- | | |
|--|---|
| <input type="checkbox"/> Multiple Family | <input type="checkbox"/> Special Land Use |
| <input type="checkbox"/> Commercial | <input checked="" type="checkbox"/> One-Family Detached Condominium |
| <input type="checkbox"/> Industrial | <input type="checkbox"/> Preliminary <input checked="" type="checkbox"/> Final |
| <input type="checkbox"/> Institutional or Public | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Composting Facility License | <input type="checkbox"/> Tent. Preliminary <input type="checkbox"/> Final Preliminary |
| <input type="checkbox"/> Planned Unit Development (PUD) | <input type="checkbox"/> Final Plat |
| <input type="checkbox"/> Concept <input type="checkbox"/> Preliminary <input type="checkbox"/> Final | |

Wetlands Use Permit:

- | | |
|--|---|
| <input type="checkbox"/> Boundary Determination needed | <input type="checkbox"/> There are City regulated wetlands on the property |
| <input type="checkbox"/> There are MDEQ regulated wetlands on the property | <input type="checkbox"/> There are <u>No</u> regulated wetlands on the property |

Tree Removal Permit:

- | | |
|--|--|
| <input type="checkbox"/> There are Regulated Trees on the property | <input type="checkbox"/> There are <u>NO</u> regulated trees on the property |
|--|--|

Check List:

The following items must be provided with application to start the review process:

- | | |
|--|--|
| <input type="checkbox"/> 22 Copies (folded & sealed) Site Plans or Plat (Including detailed landscape/screening plan sheets) 24"x36" sheet | <input type="checkbox"/> Review Fee |
| <input type="checkbox"/> 12 Copies (folded & sealed) Floor Plans and Elevations (if applicable) | <input type="checkbox"/> 2 Copies Environmental Impact Statement |
| <input type="checkbox"/> Fire flow test (new structures and small additions) | <input type="checkbox"/> Copy of Purchase or Lease Agreement |
| <input type="checkbox"/> Information per Tree Preservation Ord. OR | <input type="checkbox"/> Wetland Boundary Determination |
| <input type="checkbox"/> "No Affected Regulated Trees Affidavit" | |

I hereby authorize the employees and representatives of the City of Rochester Hills to enter and conduct an investigation of the above referenced property.

William R Church

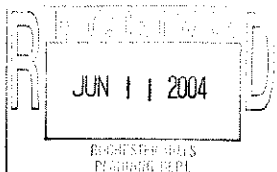
(Signature of Property Owner)

I certify that all the above statements and those contained in documents submitted herewith are true and correct.

William R. Church

(Signature of Applicant)

(Date)



For Official Use Only
 File No: 98-031
 Escrow No:

Environmental Impact Analysis Report
Proposed Development "Saddlebrook Orchards"

PART I

Past and Present Status of the Land

A. This 5-acre site, zoned residential, is composed of Capac sandy loam soils, suitable for home building. The site is heavily treed with trees common to the area such as oak, maple and hickory as shown on the enclosed plan. There is no ground water supply required on this parcel, nor are there any existing wetlands and the site is not in a floodplain. The land is relatively flat from front to back and currently storm water drains from the east to the west, toward the ditch along Auburn Road.

B, C, D. We are not aware of any unique historical or cultural value to this property. There are no important scenic features or existing landmarks on this site- There was, however, an existing older frame house with a garage, a shed and a well on the parcel. The buildings have been removed and the well will be grouted per OCHD requirements.

E, F. This parcel of land has 260 feet of frontage on Auburn Road. The proposed residential street into the subdivision, Basil Drive, will have direct access from Auburn Road. All utilities including water, sewer, electric, gas, telephone and cable television are available and will be brought to the lots from Auburn Road.

PART II

The Plan - Small Residential Development

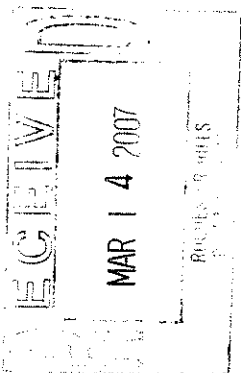
A, B, C, D, E. This development is planned as a single-family site condominium with 10 homesites packages priced in the range of \$300,000 to \$400,000. These residences will generate moderate automobile, pedestrian and non-motorized vehicle (bicycle) traffic.

PART III

Impact Factors

A. The natural and urban characteristics of this planned development are as follows:

1. There will be numerous isolated areas of undisturbed land after the road and detention ponds are constructed and the utilities are installed comprising about 0.76 acres.
2. There are no wetlands or standing water existing on this site.
3. The proposed storm water detention ponds will be 0.42 acres +/- and are designed for a ten-year storm.
4. There will be 4 private parks, 0.76 +/- acres of passive recreational open space, for use and maintenance by the residents of this development.
5. There will be no acreage of public open space, however, the roads and right-of-ways will be dedicated to the use of the public.



6. The extent of off-site drainage will be limited to the regulated outflow of storm wafer from the detention basin into the: existing storm sewer system in the south side of Auburn Road.

7. There are no planned community facilities in this development.

8. The developer will install all utilities (sewer, water, gas, electric, telephone, cable, television and storm sewer) and they will be brought to the lots from the existing mains in Auburn Road.

B, C. Currently, construction plans are 100% complete and the project engineer is obtaining various permits. The projected construction timetable for the roads, utilities and site landscaping will be approximately nine (9) months.

D. This parcel is relatively flat from front to rear. No mass grading is proposed, only earth balancing for the detention ponds and roads is required. Final grading will closely match existing.

E. The zoning on both sides (east and west) of the subject development is the same, (R-4). There is a newer residential subdivision directly across Auburn Road TO The south on Wilmington Dr., also zoned R-4. The subject parcel backs up to I-1 zoning, light manufacturing. All adjoining sites are occupied.

F. The regional impact of this project will be that ten (10) families will occupy the land where once only one family resided, thus increasing the Rochester Hills tax base and the need for related community services.

G. Anticipated adverse effects to the local environment during construction might be noise (limited to daylight hours), dust and rainwater runoff which will be minimized by the storm water management system.

H. None anticipated.

I. Changes inevitably resulting from this development might be:

1. Physical

No change in air quality is anticipated. There will be increase of impervious surfaces. This development should not cause pollution to the water supply and the storm sewers and the silting basin/detention pond will prevent flooding and the transportation of silt offsite. Since an older residence does exist here and this property backs up to a light industrial subdivision, chances are this development will not affect the wildlife habitat. Landscaped areas will improve the appearance of the vegetative cover to benefit of the community. A large number of mature trees will remain standing, street trees and entrance landscaping will be added and ground cover / flowering shrubbery / evergreens will grace the pond area and park. Individual homesites will be landscaped and sodded. Noise levels should not noticeably increase. No street lights are proposed for this development.

2. Social

This new residential development will be pleasing to the eye yet barely noticeable from Auburn Road. Vehicles driving in and out of this subdivision will cause a slight increase in traffic at peak hours, that is mornings, afternoons (after school) and evenings. Ten to twelve trips per unit per day are anticipated. Vehicular traffic within this development will consist of passenger

cars, minivans, SUV's, pick-up trucks, possibly a motorcycle or two and bicycles. Residents in this subdivision will have access to any recreational center in the city as well as any county park; will be within one half mile of the upper elementary and middle schools will be within two miles from two elementary schools and three and one half miles from Rochester High School. The M-59 freeway is within one mile of this site and the shopping facilities within the Village of Rochester Hills are close at hand. The Rochester Hills Civic Center is within two and one half miles and Crittenton Hospital is just three and one half miles from this development. Easy access to the freeways from this site means a person could be within minutes of their place of employment within a thirty mile radius.

3. Economic

The new homes in this condominium development will influence surrounding land values in a positive way. City tax revenues will increase. City services and utilities are already available and there will be no off-site public improvement costs.

J. Additional Factors

1. Relative to the land immediately surrounding the proposed development, no zoning changes are being proposed which might affect use. This small development of 10 homes will be assimilated into the surrounding community. Sage Lane the interior east-west street, will be stubbed at each end for possible future extension.
2. Any disturbed or removed vegetative cover outside of building envelopes and road paving will be revitalized through reforestation, afforestation, seeding, sodding and landscaping.
3. Built-in beautification are the park and pond which offer green, open space at the development entrance off Auburn Road. There will be a curve Basil Drive so you are not looking directly into a straight road but a more interesting scene as you approach the first homesite.
4. Due to traffic and utility constraints that have been considered, there is no alternative plan for this parcel at this time.

PART IV IN SUMMARY

This development complies with the Rochester Hills Master Plan and the roads will be constructed to the specifications of the City of Rochester Hills. These 10 additional homesites will broaden the city and county tax base and serve the need for moderately priced homes. Another land use would not be as appropriate as this proposal. The neighborhood is currently a mix of older homes on large parcels and newer, small-lot subdivisions. "Our" site is zoned R-4, Single-Family Residential with a minimum lot size of 9600 sq. ft. These homesites will help serve as a stepping stone to updating this community. Considerable effort has been enlisted to preserve as many of the trees on the site as possible and limit the grading as a further venture to preserve the trees. This development brings storm water management to the region providing new positive drainage to the sites to the east.

Thank you for your time and consideration.



Philip R. Seaver Title Company

42651 Woodward Avenue
Bloomfield Hills, Michigan 48304
(248) 338-7135 (248) 647-2171

6751 Dixie Highway
Clarkston, Michigan 48346
(248) 625-6100

30640 West Twelve Mile Road
Farmington Hills, Michigan 48334
(248) 932-0660

37500 Garfield
Clinton Township, Michigan 48036
(810) 263-9900

834 South Lapeer Road
Oxford, Michigan 48371
(248) 969-9522

525 North Main
Milford, Michigan 48381
(248) 676-2224

7600 West Grand River
Brighton, Michigan 48114
(810) 227-4211

Brookfield, LLC,
320 E. Maple, Ste 290
Birmingham, MI 48009

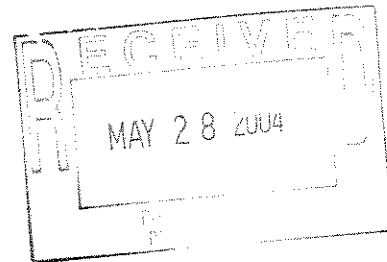
TO THE INSURED:

Enclosed herewith is your Seaver Title Owner's Policy protecting the title to the property you recently purchased. It is a valuable document. Keep it in a safe place.

If at any time you sell this property, it will be necessary to provide the purchaser with a new, current title policy. This policy will be honored for credit on a new policy.

For additional information call or write Philip R. Seaver Title Company at any of the phone numbers or addresses shown above.

PHILIP R. SEAVER TITLE COMPANY



Visit us on our website at www.seavertitle.com

SCHEDULE A

Office File Number	Policy Number	Date of Policy	Amount of Insurance
1 F-230568-O SU	2 7509722-3210	3 February 27, 2001 at 5:00 P.M.	4 \$ 125,000.00

1. Name of Insured:

Brookfield, LLC, a Michigan Limited Liability Company

2. The estate or interest in the land which is covered by this policy is:

Fee Simple

3. Title to the estate or interest is vested in the insured:

Brookfield, LLC, a Michigan Limited Liability Company

4. The land herein described is encumbered by the following mortgage or trust deed, and assignments:

and the mortgages or trust deeds, if any, shown in Schedule B hereof.

5. The land referred to in the Policy is described as follows: City of Rochester Hills

Part of the Southwest 1/4 of Section 28, Town 3 North, Range 11 East, Township of Avon, now City of Rochester Hills, Oakland County, Michigan. See continuation attached.

See Legal Description Continuation Attached

1650 West Auburn Road
Tax Item No. 15-28-300-029

Policy Number: 7509722-3210

Office File Number: F-230568-O SU

SCHEDULE A, ITEM 5 - LEGAL DESCRIPTION CONTINUATION

City of Rochester Hills

Part of the Southwest 1/4 of Section 28, Town 3 North, Range 11 East, Township of Avon, now City of Rochester Hills, Oakland County, Michigan, more particularly described as follows: Beginning at a point in the center of the highway 1598 feet East of the Southwest corner of the Southwest 1/4 of Section 28; thence North 832 feet; thence East 262 feet; thence South 832 feet to the center of the Highway; thence West 262 feet to the place of beginning.

Re: 1650 West Auburn Road

Tax Item No. 15-28-300-029

Policy Number: 7509722-3210
Owners

SCHEDULE B

Office File Number: F-230568-O SU

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

General Exceptions

1. Rights or claims of parties in possession not shown by the public records.
2. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises.
3. Easements or claims of easements not shown by the public records and existing water, mineral, oil, and exploration rights.
4. Any lien or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Taxes or special assessments which are not shown as existing liens by the public records.
6. Restrictions upon the use of the premises not appearing in the chain of title.

Special Exceptions: The mortgage, if any, referred to in Item 4 of Schedule A.

7. Rights of the public or any governmental unit in any part of captioned land taken, used, dedicated or deeded for road purposes.
8. Right of Way granted Consumers Power Company as recorded in Liber 573 on Page 25, and in Liber 586, Page 91, Oakland County Records.
9. Easement granted to County of Oakland for sanitary sewer as set forth in Liber 7157 on Page 692 and in Liber 7157, Page 693 Oakland County Records.
10. 2000 December Taxes - OWING.
Special Assesments - OWING

Countersigned



Authorized Signatory