

**WATER MAIN EASEMENT**

**S.E. MICHIGAN LAND HOLDING LLC**, a Michigan limited liability company of **51237 Danview Technology Court, Shelby Township, MI 48315** 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 water main on, under, thru and across land more particularly described as:

**See Attached Exhibit "A"**

**Sidwell # 15-27-151-003**

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the water main, 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 water main 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 water main: (a) the right of ingress and egress over, thru and across the easement, and (b) the right to grant other nonexclusive easements and rights-of-way across, over, under and thru 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); MSA 7.456 (26) (a).

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 20<sup>TH</sup> day of APRIL, 2015.


**S.E. MICHIGAN LAND HOLDING LLC,**  
A Michigan limited liability company

By:   
**Anthony Lombardo, Its Manager**

STATE OF MICHIGAN            )  
  ) ss  
COUNTY OF MACOMB         )


The foregoing instrument was acknowledged before me this 20<sup>TH</sup> day of APRIL, 2015, by **ANTHONY LOMBARDO** who is manager of **S.E. MICHIGAN LAND HOLDING LLC**, a Michigan limited liability company, on behalf of the company.

Drafted by:  
Lombardo Homes  
Wendy Fuhrman  
51237 Danview Technology Court  
Shelby Twp., MI 48315

  
\_\_\_\_\_  
, Notary Public  
Macomb County, Michigan  
My Commission Expires: 7/8/2017

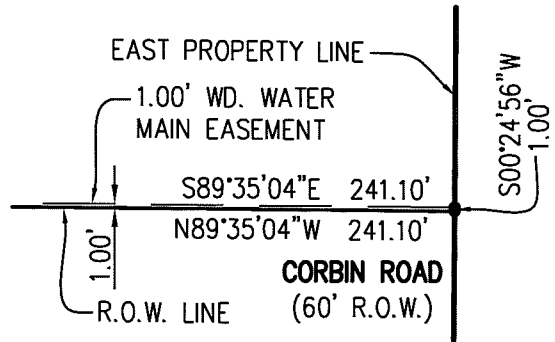
When recorded, return to:  
City of Rochester Hills  
1000 Rochester Hills Drive  
Rochester Hills, MI 48309

**Mark Paul Roebuck**  
Notary Public, State of Michigan, County of Macomb  
My Commission Expires: July 8, 2017  
Acting in the County of Macomb

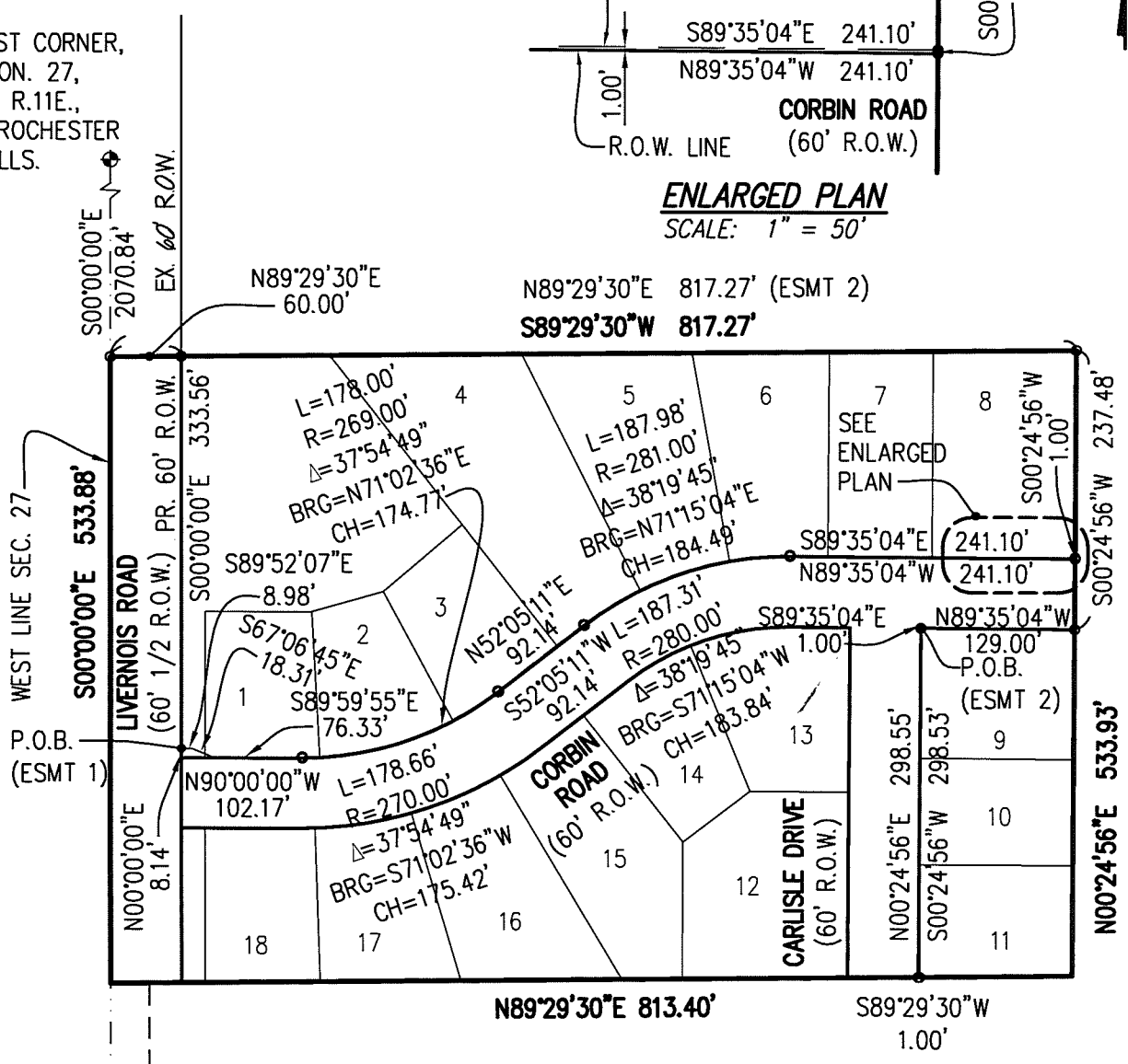
  
approved 5/14/15

# EXHIBIT A

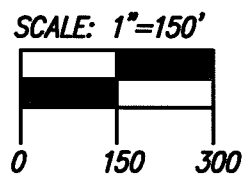
## WATER MAIN EASEMENT



NORTHWEST CORNER,  
SECTION. 27,  
T.3N., R.11E.,  
CITY OF ROCHESTER  
HILLS.



*Mike Tawnt  
Approved 5/18/15*



M-15-0405  
SHEET 1 OF 2

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CLIENT: CRANBROOK HOMES  
PROJECT: CUMBERLAND POINTE, N.W. 1/4 SEC. 27  
DATE: 03/12/15



6303 26 MILE RD. SUITE 110  
WASHINGTON TWP, MI 48094  
T (586) 677 - 4081  
F (586) 677 - 4084

# EXHIBIT A

## LEGAL DESCRIPTION: TOTAL PARCEL

PART OF THE NORTHWEST 1/4 OF SECTION 27, T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN. BEING MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 27, THENCE S00°00'00"E 2070.84' ALONG THE WEST LINE OF SAID SECTION 27 TO THE POINT OF BEGINNING; THENCE PROCEEDING S00°00'00"E 533.88' ALONG THE WEST LINE OF SAID SECTION 27 TO A POINT; THENCE N89°29'30"E 813.40' TO A POINT ON THE WEST LINE OF "CUMBERLAND HILLS SUB. NO. 3" A PLAT RECORDED IN LIBER 107 OF PLATS, ON PAGES 40-43 OF OAKLAND COUNTY RECORDS; THENCE N00°24'56"E 533.93' ALONG THE WEST LINE OF SAID "CUMBERLAND HILLS SUB. NO. 3" TO A POINT; THENCE S89°29'30"W 817.27' TO THE POINT OF BEGINNING.

CONTAINING 9.993 ACRES (GROSS) --- 9.257 ACRES (NET)

RESERVED THEREFROM ALL EASEMENTS AND RIGHT OF WAYS OF RECORD.

(LEGAL DESCRIPTION FROM A CERTIFICATE OF SURVEY BY HOUSTON KENNEDY, 1/19/2004)

PARCEL SIDWELL NUMBER: 15-27-151-003

## LEGAL DESCRIPTION: WATER MAIN EASEMENT 1

PART OF THE NORTHWEST 1/4 OF SECTION 27, T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN. BEING MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 27, THENCE S00°00'00"E 2070.84' ALONG THE WEST LINE OF SAID SECTION 27; THENCE N89°29'30"E 60.00'; THENCE S00°00'00"E 333.56' TO THE POINT OF BEGINNING; THENCE S89°52'07"E 8.98'; THENCE S67°06'45"E 18.31'; THENCE S89°59'55" 76.33'; THENCE 178.00' FEET ALONG THE ARC OF A CURVE TO THE LEFT (RADIUS OF 269.00,' CENTRAL ANGLE OF 37°54'49", LONG CHORD BEARS N71°02'36"E 174.77'); THENCE N52°05'11"E 92.14; THENCE 187.98' FEET ALONG THE ARC OF A CURVE TO THE RIGHT (RADIUS OF 281.00,' CENTRAL ANGLE OF 38°19'45", LONG CHORD BEARS N71°15'04"E 184.49'); THENCE S89°35'04"E 241.10'; THENCE S00°24'56"W 1.0'; THENCE N89°35'04"W 241.10'; THENCE 187.31' FEET ALONG THE ARC OF A CURVE TO THE LEFT (RADIUS OF 280.00,' CENTRAL ANGLE OF 38°19'45", LONG CHORD BEARS S71°15'04"W 183.84'); THENCE S52°05'11"W 92.14'; THENCE 178.66' FEET ALONG THE ARC OF A CURVE TO THE RIGHT (RADIUS OF 270.00', CENTRAL ANGLE OF 37°54'49", LONG CHORD BEARS S71°02'36"W 175.42'); THENCE N90°00'00"W 102.17'; THENCE N00°00'00"E 8.14' TO THE POINT OF BEGINNING.

CONTAINING 926 SQUARE FEET --- 0.02 ACRES

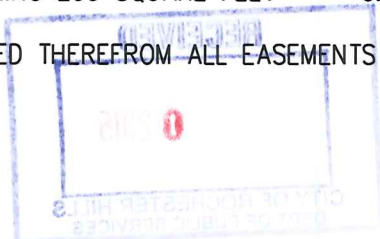
RESERVED THEREFROM ALL EASEMENTS AND RIGHT OF WAYS OF RECORD.

## LEGAL DESCRIPTION: WATER MAIN EASEMENT 2

PART OF THE NORTHWEST 1/4 OF SECTION 27, T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN. BEING MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 27, S00°00'00"E 2070.84' ALONG THE WEST LINE OF SAID SECTION 27; AND N89°29'30"E 817.27' TO A POINT ON THE WEST LINE OF "CUMBERLAND HILLS SUB. NO. 3" A PLAT RECORDED IN LIBER 107 OF PLATS, ON PAGES 40-43 OF OAKLAND COUNTY RECORDS; AND S00°24'56"W 237.48' ALONG THE WEST LINE OF SAID "CUMBERLAND HILLS SUB. NO. 3" TO A POINT; AND N89°35'04" 129.00' TO THE POINT OF BEGINNING; THENCE S00°24'56"W 298.53'; THENCE S89°29'30"W 1.0'; THENCE N00°24'56"E 298.55'; THENCE S89°35'04"E 1.0' TO THE POINT OF BEGINNING.

CONTAINING 299 SQUARE FEET --- 0.01 ACRES

RESERVED THEREFROM ALL EASEMENTS AND RIGHT OF WAYS OF RECORD.



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M-15-0405  
SHEET 2 OF 2

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PROJECT: CUMBERLAND POINTE, N.W. 1/4 SEC. 27  
DATE: 03/12/15



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