

**WATERMAIN EASEMENT**

OPDYKE INC., a MICHIGAN NON PROFIT corporation,  
of 2460 OPDYKE RD., Bloomfield, MI. 48304-2223

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 watermain on, under, through and across land more particularly described as:

Sidwell # 15-02-200-016  
SEE ATTACHED EXHIBIT "A"

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the watermain, 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 watermain 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 watermain: (a) the right of ingress and egress over, through and across the easement, and (b) the right to grant other non-exclusive easements and rights-of-way, across, over, under and through 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 MCL 207.505 (a) and 207.526 (a)

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 14<sup>th</sup> day of September, 2011.

OPDYKE INC.

Signature:

A. Bailleres

Print or type name:

Anthony Bailleres

Title:

President

Signature:

Jose Felix Ortega

Print or type name:

Jose Felix Ortega

Title:

Secretary

STATE OF NEW YORK  
COUNTY OF BRONX

The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of September, 2011, by Anthony Bailleres and Jose Felix Ortega, who is the President and Secretary respectively

OPDYKE INC. a Michigan non profit corporation, on behalf of the corporation.

Drafted by: Endreszl & Associates Engineering, Inc.  
David Endreszl, P.E. 248-394-0842  
8700 Pine Knob Rd.  
Clarkston, MI. 48348

[Signature]

, Notary Public

BRONX County, New York  
My Commission Expires: December 13, 2013

When recorded, return to:

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

4/3/12  
John J. Staron  
approved

AXEL DIAZ  
NOTARY PUBLIC - BRONX COUNTY  
REGISTRATION NO. 02DI6032583  
MY COMMISSION EXPIRES 12/13/2013



# EASEMENT EXHIBIT "A"

**20 foot wide Water Main Easement Description:**

A 20.00 foot wide permanent easement for water main purposes located in the NE ¼ of Section 2, T3N, R11E, City of Rochester Hills, formerly Avon Township, Oakland County, MI across the following described property:

Legal Description by PEA, Inc.

(Total Parcel for Previous Sidwell No. 15-02-200-007 & 15-02-200-008)

New Parcel ID 15 02-200-016 AKA OPDYKE INC. PROPERTY

Part of the Northeast 1/4 of Section 2, T3N, R11E, City of Rochester Hills, formerly Avon Township, Oakland County, Michigan, described as beginning at the Northeast corner of said Section 2; thence along the East Section line as monumented South 03 degrees 38 minutes 58 seconds East, 1360.28 feet to a point on the Northeasterly line of Consumers Power Company property; said point hereinafter referred to as point "B"; thence along said line North 53 degrees 55 minutes 54 seconds West, 1686.84 feet; Thence North 04 degrees 34 minutes 42 seconds West, 311.63 feet to a point on the North line of Section 2; Thence along said line North 87 degrees 38 minutes 06 seconds East, 658.62 feet; Thence South 04 degrees 31 minutes 54 seconds, East, 244.76 feet to a concrete monument; Thence South 53 degrees 55 minutes 54 seconds, East, 150.99 feet to a concrete monument; Thence North 36 degrees 01 minutes 42 seconds, East, 100.92 feet to a concrete monument; Thence North 03 degrees 39 minutes 17 seconds, West, 259.41 feet along a line passing through a concrete monument 60 feet South of the Section line to a point on the North line of Section 2; thence along said line North 87 degrees 38 minutes 06 seconds East, 459.91 feet to the point of beginning, containing 23.69 acres more or less.

AKA New Sidwell No. 15-02-200-016

The 20 foot wide permanent easement across a portion of the above described parcel being more particularly described as lying 10 foot on each side of a centerline with a point of beginning described as commencing from the above described Point "B"; thence along the Northeasterly line of the Consumers Power Property North 53 degrees 55 minutes 54 seconds West, 625.48 feet to the point of beginning of said centerline; said point hereinafter referred to as Point "C"; said point "C" is also the point of ending of the centerline of a 20 foot wide water main easement granted on November 30, 2011 to the City of Rochester Hills by the Consumers Energy Company as recorded in Liber 43628 Page 874 Oakland County Records; said point "C" being on the Northeasterly line of Consumers Power Company property; thence from said point of beginning "C" North 20 degrees 28 minutes 26 seconds East 76.34 feet; thence North 35 degrees 59 minutes 22 seconds East 146.78 feet to the point of ending of said centerline of the easement.

The temporary construction easement shall consist of a 20 foot wide strip of land on each side of the above described 20 foot wide permanent easement.

*M.T.  
Approved  
4/10/12*

**E ndreszl &  
A ssociates  
E ngineering**

CONSULTING  
CIVIL ENGINEERING  
LAND PLANNING

8700 Pine Knob Road  
Clarkston, MI 48348  
(248) 394-0842  
Fax (248) 394-0532

REVISED 4-2-12			
Scale: 1" = 300'	Design:	Ck. By: DE	Job No.: 11-02
Date: 12-16-11	Drawn By: SRB		Dwg. No.: 2