

PEDESTRIAN-BICYCLE PATHWAY EASEMENT

AGE of Rochester Hills Inc., a Michigan corporation, of 1245 E. Grand Blanc Road, Grand Blanc, Michigan 48439 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, and public use of a pedestrian-bicycle pathway over, on, through and across land more particularly described as:

*See Attached Exhibit A*

Sidwell #15-34-352-035

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the pedestrian-bicycle pathway, 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 pedestrian-bicycle pathway 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.

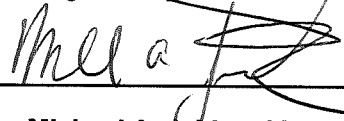
Grantor expressly reserves to Grantor and Grantor's successors and assigns, so long as there is no interference with the construction, operation, maintenance, repair and/or replacement, and public use of the pedestrian-bicycle pathway: (a) the right of ingress and egress over, through and across the 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 Taxes under MCL 207.505(a) and 207.526(a).

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 26th day of September 2017.

AGE of Rochester Hills, Inc.  
A Michigan Corporation

Signature:



Print or type name:

Michael A. Jablonski

Title:


Vice President

STATE OF MICHIGAN  
COUNTY OF GENESEE

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of September 2017, by Michael A. Jablonski, who is the Vice President of AGE of Rochester Hills, Inc., a Michigan corporation, on behalf of the corporation.

Drafted by:  
Kevin Cook  
CHMP, Inc.  
5359 Territorial Road  
Grand Blanc, Michigan

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

  
Jeanne Rose Reiter, Notary Public  
Genesee County, Michigan  
My Commission Expires: 02-22-2022  
Acting in Genesee County, Michigan

*John Staron  
Approved 9/27/17*

EXHIBIT A

LEGAL DESCRIPTION OF EASEMENT:

AN EASEMENT SITUATED IN PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 34, TOWN 3-NORTH, RANGE 11-EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS:

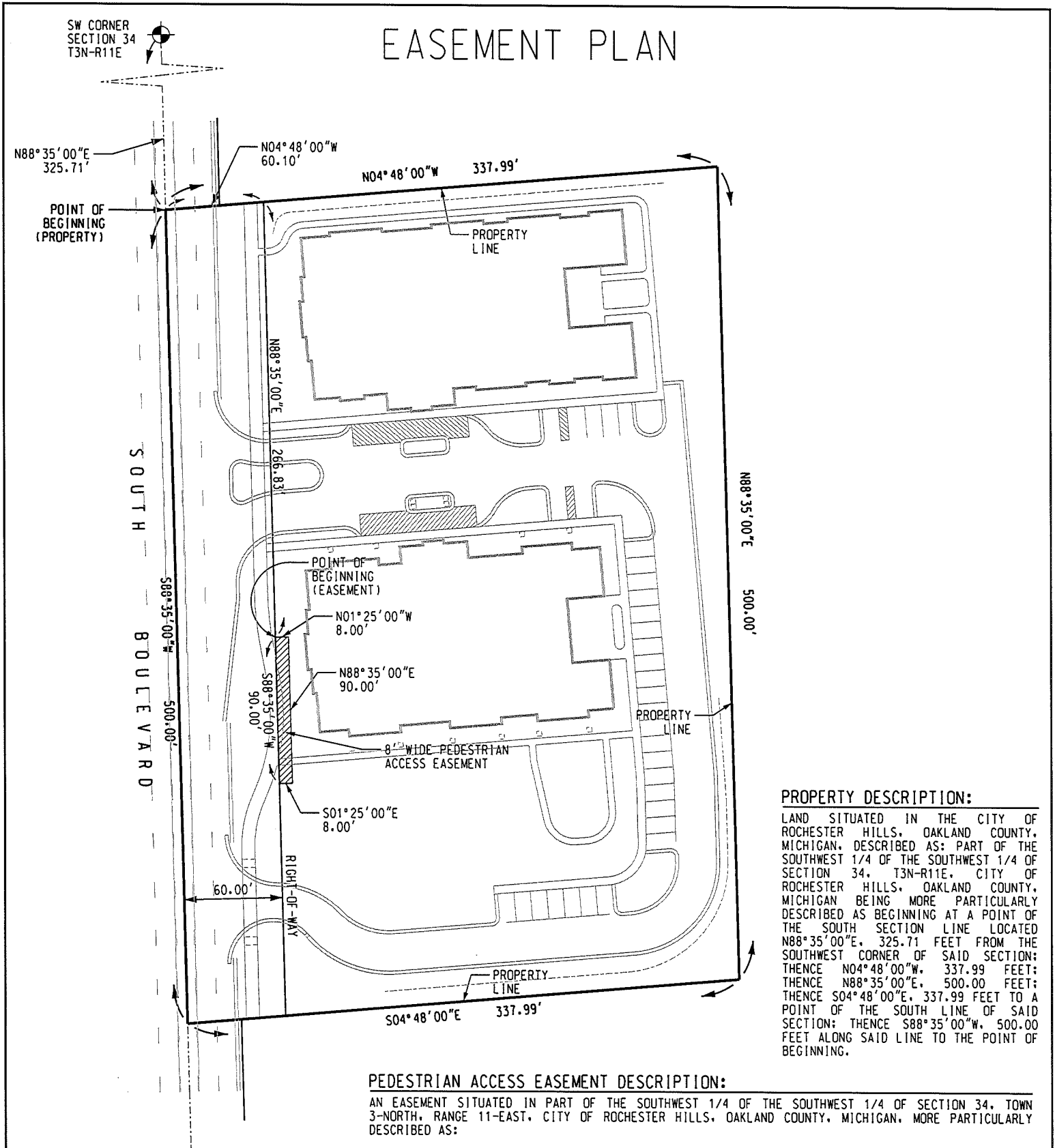
COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE N88°35'00"E ALONG THE SOUTH LINE OF SAID SECTION 34, 325.71 FEET TO THE SOUTHWEST PROPERTY CORNER OF PARCEL AFFECTED BY EASEMENT; THENCE N04°48'00"W ALONG THE WEST PROPERTY LINE OF SAID AFFECTED PROPERTY, 60.10 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SOUTH BOULEVARD (60' WIDE); THENCE N88°35'00"E ALONG SAID RIGHT-OF-WAY AND PARALLEL WITH SAID SOUTH LINE OF SECTION 34, 266.83' TO THE POINT OF BEGINNING;

THENCE N01°25'00"W, 8.00 FEET; THENCE PARALLEL TO SAID SOUTH LINE OF SECTION 34 N88°35'00"E, 90.00 FEET; THENCE S01°25'00"E, 8.00 FEET TO SAID NORTHERLY RIGHT-OF-WAY LINE; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY & PARALLEL TO SAID SOUTH LINE OF SECTION 34 S88°35'00"W, 90.00 FEET TO SAID POINT OF BEGINNING.

Mike Taunt  
Approved 9/28/17

# EXHIBIT A

## EASEMENT PLAN



### PROPERTY DESCRIPTION:

LAND SITUATED IN THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 34, T3N-R11E, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT A POINT OF THE SOUTH SECTION LINE LOCATED N88°35'00"E, 325.71 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION; THENCE N04°48'00"W, 337.99 FEET; THENCE N88°35'00"E, 500.00 FEET; THENCE S04°48'00"E, 337.99 FEET TO A POINT OF THE SOUTH LINE OF SAID SECTION; THENCE S88°35'00"W, 500.00 FEET ALONG SAID LINE TO THE POINT OF BEGINNING.

### PEDESTRIAN ACCESS EASEMENT DESCRIPTION:

AN EASEMENT SITUATED IN PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 34, TOWN 3-NORTH, RANGE 11-EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE N88°35'00"E ALONG THE SOUTH LINE OF SAID SECTION 34, 325.71 FEET TO THE SOUTHWEST PROPERTY CORNER OF PARCEL AFFECTED BY EASEMENT; THENCE N04°48'00"W ALONG THE WEST PROPERTY LINE OF SAID AFFECTED PROPERTY, 60.10 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SOUTH BOULEVARD (60' WIDE); THENCE N88°35'00"E ALONG SAID RIGHT-OF-WAY AND PARALLEL WITH SAID SOUTH LINE OF SECTION 34, 266.83' TO THE POINT OF BEGINNING;

THENCE N01°25'00"W, 8.00 FEET; THENCE PARALLEL TO SAID SOUTH LINE OF SECTION 34 N88°35'00"E, 90.00 FEET; THENCE S01°25'00"E, 8.00 FEET TO SAID NORTHERLY RIGHT-OF-WAY LINE; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY & PARALLEL TO SAID SOUTH LINE OF SECTION 34 S88°35'00"W, 90.00 FEET TO SAID POINT OF BEGINNING.

NORTH  
SOUTH CORNER SECTION 34 T3N-R11E

SEAL OF MICHIGAN  
CHRISTOPHER BRZEZINSKI  
SURVEYOR  
No. 56925  
LICENSED PROFESSIONAL SURVEYOR

PROJECT: THE PINES OF ROCHESTER HILLS  
910 SOUTH BLVD WEST  
ROCHESTER, MI

SW 1/4 OF SECTION 34  
TOWN 3N - RANGE 11E  
CITY OF ROCHESTER HILLS  
STATE OF MICHIGAN

JOB NO.: 160402  
SCALE: 1" = 80'  
DATE: 08-31-2017  
REVISION:  
CREW:  
DRAWN BY: BRZEZINSKI  
CHK'D BY: QUADERER  
MISC:  
PAGE: 2 OF 2

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