

SANITARY SEWER EASEMENT

Gateway Properties- Rochester Hills, LLC a Michigan limited liability company of 38700 Van Dyke Ave, Suite 200, Sterling Heights, Michigan 48312, owner of Unit 2 (herein defined), **RH Hospitality, LLC**, a Michigan limited liability company of 29200 Northwestern Highway, Suite 450, Southfield, MI 48034, owner of Unit 1 (herein defined) and **Gateway of Rochester Hills Association**, a Michigan non-profit corporation, as the administrator of Gateway of Rochester Hills and pursuant to rights reserved in Article VIII, Section 4 of the Master Deed with respect to Common Elements in the condominium, whose address is 38700 Van Dyke, Suite 200, Sterling Heights, Michigan 48312 (collectively "Grantor), 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 sanitary sewer on, under through and across land more particularly described as:

Parcel ID No(s). 15-34-477-017 (Unit 1) & 15-34-477-018 (Unit 2)
See attached Exhibit A

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the sanitary sewer, 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 sanitary sewer shall be restored by the City to its immediately prior condition, except to the extent permanent improvements or alterations are installed pursuant to Exhibit A, which improvements are necessary to the use and exercise of easement rights granted hereunder.

The easement shall be irrevocable and non-exclusive, and each Grantor and its successors and assigns may use and enjoy the easement area situated on its property in common with the City.

Each Grantor expressly reserves to itself and its successors and assigns, so long as there is no interference with the construction, operation, maintenance, repair and/or replacement of the sanitary sewer: (a) the right of ingress and egress over, through and across the easement situated on its property, and (b) the right to grant other non-exclusive easements and rights-of-way across, over, under and through the easement parcel situated on its property, with the condition that prior to such a grant written consent shall be obtained from the City, which consent shall not be unreasonably held.

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 2nd day of May, 2019.

Gateway Properties - Rochester Hills, LLC

Signature

Emily D'Agostini Kunath
(Print Name)

Authorized Agent
Title

STATE OF MICHIGAN
COUNTY OF Macomb

The foregoing instrument was acknowledged before me this 2nd day of May, 2019, by Emily D'Agostini Kunath, Authorized Agent of Gateway Properties- Rochester Hills, LLC, a Michigan limited liability company, on behalf of the company.

Scott Keith
Scott Keith, Notary Public
Oakland County, Michigan
Acting in Macomb County
My Commission Expires: 11/19/2024

RH Hospitality, LLC

Majid Koza
Signature
MAJID KOZA
(Print Name)
MANAGER
Title

STATE OF MICHIGAN
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 9th day of May, 2019, by MAJID KOZA who is a manager of RH HOSPITALITY, LLC, a Michigan limited liability company, on behalf of the company.

Alan W. Baskins
Notary Public
County, Michigan
My Commission Expires:

ALAN W. BASKINS
Notary Public, State of Michigan
County of Oakland
My Commission Expires July 6, 2020
Acting in the County of OAKLAND

~~Gateway of Rochester Hills Association~~

~~[Signature]
Signature
Emily D'Agostini Kunath
(Print Name)
Board member
Title~~

STATE OF MICHIGAN
COUNTY OF Macomb

The foregoing instrument was acknowledged before me this 2nd day of May, 2019, by Emily D'Agostini Kunath, board member of Gateway of Rochester Hills Association, a Michigan non-profit corporation, on behalf of the corporation.

Scott Keith
Scott Keith, Notary Public
Oakland County, Michigan
Acting in Macomb County
My Commission Expires: 11/19/2024

see next page
for signature

Drafted by:
Emily D'Agostini Kunath
38700 Van Dyke, Suite 200
Sterling Heights, MI 48312

When recorded, return to
Clerks Dept.
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

RH Hospitality, LLC

Signature

(Print Name)

Title

STATE OF MICHIGAN
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 2019, by _____ who is a member of _____, a Michigan limited liability company, on behalf of the company.

, Notary Public
County, Michigan
My Commission Expires:

Gateway of Rochester Hills Association

[Signature]

Signature

Emily D'Agostini Kunath

(Print Name)

Board member

Title

STATE OF MICHIGAN
COUNTY OF Macomb

The foregoing instrument was acknowledged before me this 2nd day of May, 2019, by Emily D'Agostini Kunath, board member of Gateway of Rochester Hills Association, a Michigan non-profit corporation, on behalf of the corporation.

Scott Keith

Scott Keith, Notary Public
Oakland County, Michigan
Acting in Macomb County
My Commission Expires: 11/19/2024

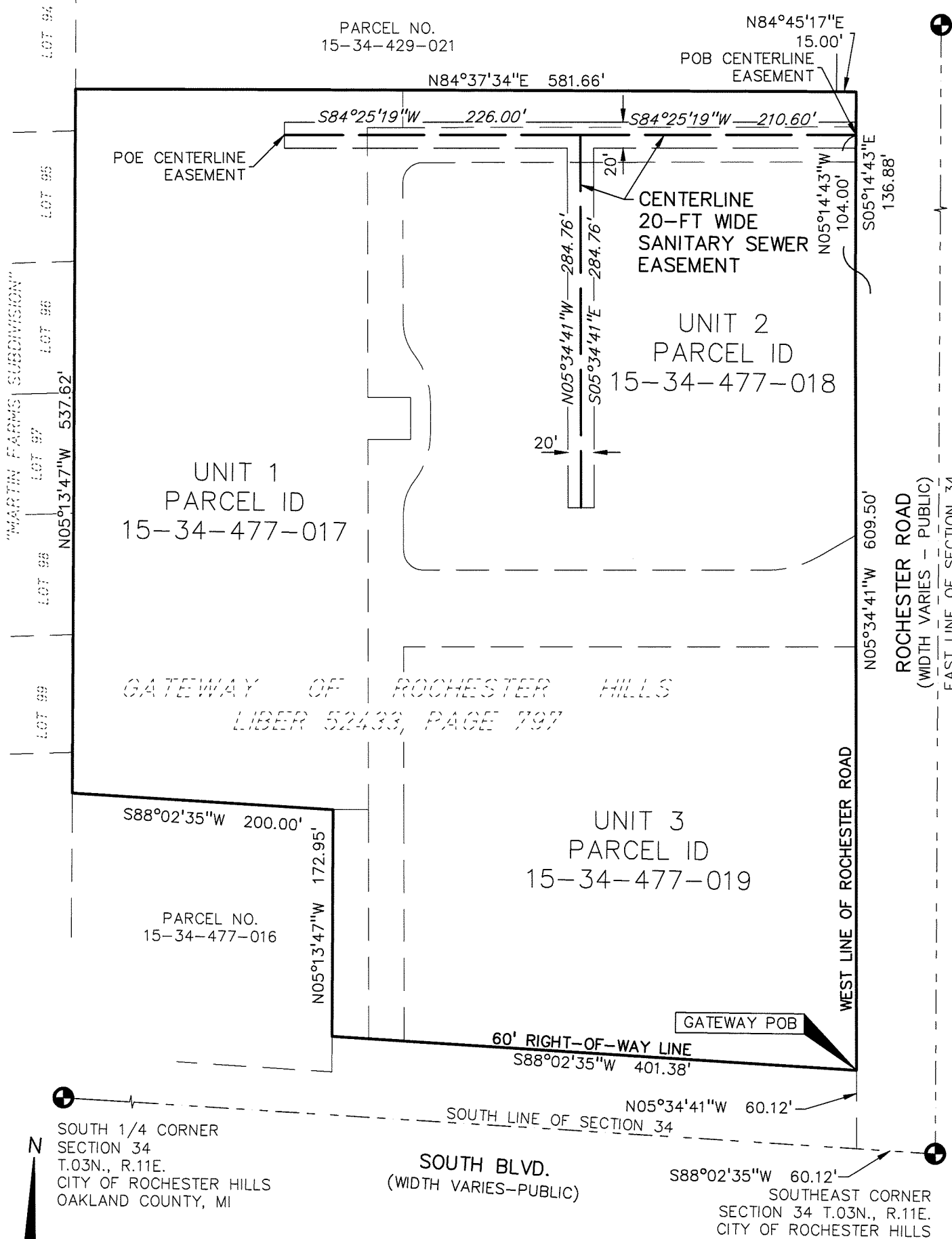
*John Staran
Approved 5/23/19*

Drafted by:
Emily D'Agostini Kunath
38700 Van Dyke, Suite 200
Sterling Heights, MI 48312

When recorded, return to
Clerks Dept.
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

EXHIBIT A SANITARY SEWER EASEMENT

EAST 1/4 CORNER
SECTION 34 T.03N., R.11E.
CITY OF ROCHESTER HILLS
OAKLAND COUNTY, MI



PARCEL NO.
15-34-429-021

N84°45'17"E
15.00'

POB CENTERLINE
EASEMENT

N84°37'34"E 581.66'

S84°25'19"W 226.00'

S84°25'19"W 210.60'

POE CENTERLINE
EASEMENT

CENTERLINE
20-FT WIDE
SANITARY SEWER
EASEMENT

UNIT 2
PARCEL ID
15-34-477-018

UNIT 1
PARCEL ID
15-34-477-017

N05°34'41"W 284.76'
S05°34'41"E 284.76'

N05°14'43"W 104.00'
S05°14'43"E 136.88'

GATEWAY OF ROCHESTER HILLS
LIBER 52433, PAGE 797

UNIT 3
PARCEL ID
15-34-477-019

S88°02'35"W 200.00'

PARCEL NO.
15-34-477-016

N05°13'47"W 172.95'

GATEWAY POB

60' RIGHT-OF-WAY LINE
S88°02'35"W 401.38'

WEST LINE OF ROCHESTER ROAD

N05°34'41"W 609.50'

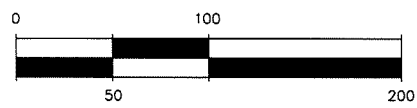
ROCHESTER ROAD
(WIDTH VARIES - PUBLIC)
EAST LINE OF SECTION 34

SOUTH LINE OF SECTION 34

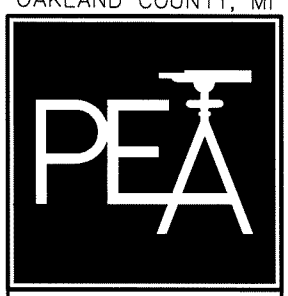
SOUTH 1/4 CORNER
SECTION 34
T.03N., R.11E.
CITY OF ROCHESTER HILLS
OAKLAND COUNTY, MI

SOUTH BLVD.
(WIDTH VARIES-PUBLIC)

S88°02'35"W 60.12'
SOUTHEAST CORNER
SECTION 34 T.03N., R.11E.
CITY OF ROCHESTER HILLS
OAKLAND COUNTY, MI



Jenny M.
Approved 5/16/19



PEA, Inc.
2430 Rochester Ct, Ste 100
Troy, MI 48063-1872
t: 248.689.9090
f: 248.689.1044
www.peainc.com

CLIENT: GATEWAY PROPERTIES -
ROCHESTER HILLS, LLC
38700 VAN DYKE AVE., SUITE 200
STERLING HEIGHTS, MICHIGAN

SCALE: 1" = 100'
DATE: 4-19-19

JOB No: 2017-237
DWG. No: 1 OF 2

**EXHIBIT A
SANITARY SEWER EASEMENT**

LEGAL DESCRIPTIONS

GATEWAY OF ROCHESTER HILLS

The land referred to in this document is described as follows:

City of Rochester Hills, County of Oakland, State of Michigan

Units 1 and 2, "Gateway of Rochester Hills" Condominium, according to the Master Deed recorded in Liber 52433, Pages 797 through 839, inclusive, as amended, Oakland County Records and designated as Oakland County Condominium Subdivision Plan No. 2259, together with rights in common elements and limited common elements, as set forth in the above Master Deed (and amendments thereto) and as described in Act 59 of the Public Acts of 1978, as amended.

SANITARY SEWER EASEMENT

A 20-foot wide easement for Sanitary Sewer in a part of the Southeast 1/4 Section 34, Town 03 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, described as:

Commencing at the southeast corner of said Section 34, thence South 88 degrees 02 minutes 35 seconds West, 60.12 feet along the south line of said Section 34 to the extension of the west line of Rochester Road (width varies); thence along said west line North 05 degrees 34 minutes 41 seconds West 669.62 feet; thence North 05 degrees 14 minutes 43 seconds West 104.00 feet to the POINT OF BEGINNING of the centerline of a 20-foot wide easement for sanitary sewer; thence along said centerline the following courses and distances; South 84 degrees 25 minutes 19 seconds West 210.60 feet; thence South 05 degrees 34 minutes 41 seconds East 284.76 feet; thence North 05 degrees 34 minutes 41 seconds West 284.76 feet; thence South 84 degrees 25 minutes 19 seconds West 226.00 feet to the POINT OF ENDING of the centerline of this 20-foot wide easement for sanitary sewer.



PEA, Inc.

2430 Rochester Ct, Ste 100
Troy, MI 48063-1872
t: 248.689.9090
f: 248.689.1044
www.peainc.com

CLIENT: GATEWAY PROPERTIES – ROCHESTER HILLS, LLC 38700 VAN DYKE AVE., SUITE 200 STERLING HEIGHTS, MICHIGAN	SCALE: NTS	JOB No: 2017-237
	DATE: 4-19-19	DWG. No: 2 OF 2