

SANITARY SEWER EASEMENT

GREAT OAKS MANAGEMENT COMPANY, L.L.C., a Michigan Limited Liability Company, of 22725 Greater Mack, Suite 206A, St. Clair Shores, Michigan 48080 ("Grantor"), grants to the CITY OF ROCHESTER HILLS, a Michigan municipal corporation, of 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309 ("City"), an easement for the construction, operation, maintenance, repair and/or replacement of a sanitary sewer on, under through and across land more particularly described on and depicted on Exhibit "A", attached hereto.

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. Provided, however, if at any time the easement is not used for the purpose intended, all rights shall revert to the Grantor.

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 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 sanitary sewer: (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 MCLA 207.526(a)

IN WITNESS WHEREOF, the undersigned have hereunto affixed their signatures on this 5th day of May, 2005.

GREAT OAKS MANAGEMENT COMPANY, L.L.C.  
A Michigan Limited Liability Company

By: [Signature]  
James M. Vogt, Authorized Member

STATE OF MICHIGAN )  
COUNTY OF Oakland

The foregoing instrument was acknowledged before me this 5th day of May, 2005, by James M. Vogt, the Authorized Member of GREAT OAKS MANAGEMENT COMPANY, L.L.C., a Michigan Limited Liability Company who executed the foregoing on behalf of such limited liability company.

[Signature]  
Notary Public, Oakland County  
State of Michigan  
Acting in \_\_\_\_\_ County, Michigan  
My Commission Expires: 12-12-05

DEBNA ANN LIS  
NOTARY PUBLIC OAKLAND CO, MI  
MY COMMISSION EXPIRES Dec 12, 2005

015.8 by J. Steyer  
6-14-05

CONSENT OF LENDER

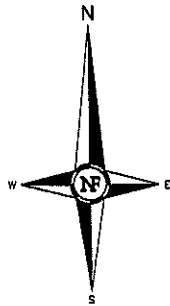
Independent Bank hereby consents to the execution of this Sanitary Sewer Easement by and between Great Oaks Management Company, L.L.C. and the City of Rochester Hills, and agrees to be bound by the terms and conditions contained



# Exhibit A

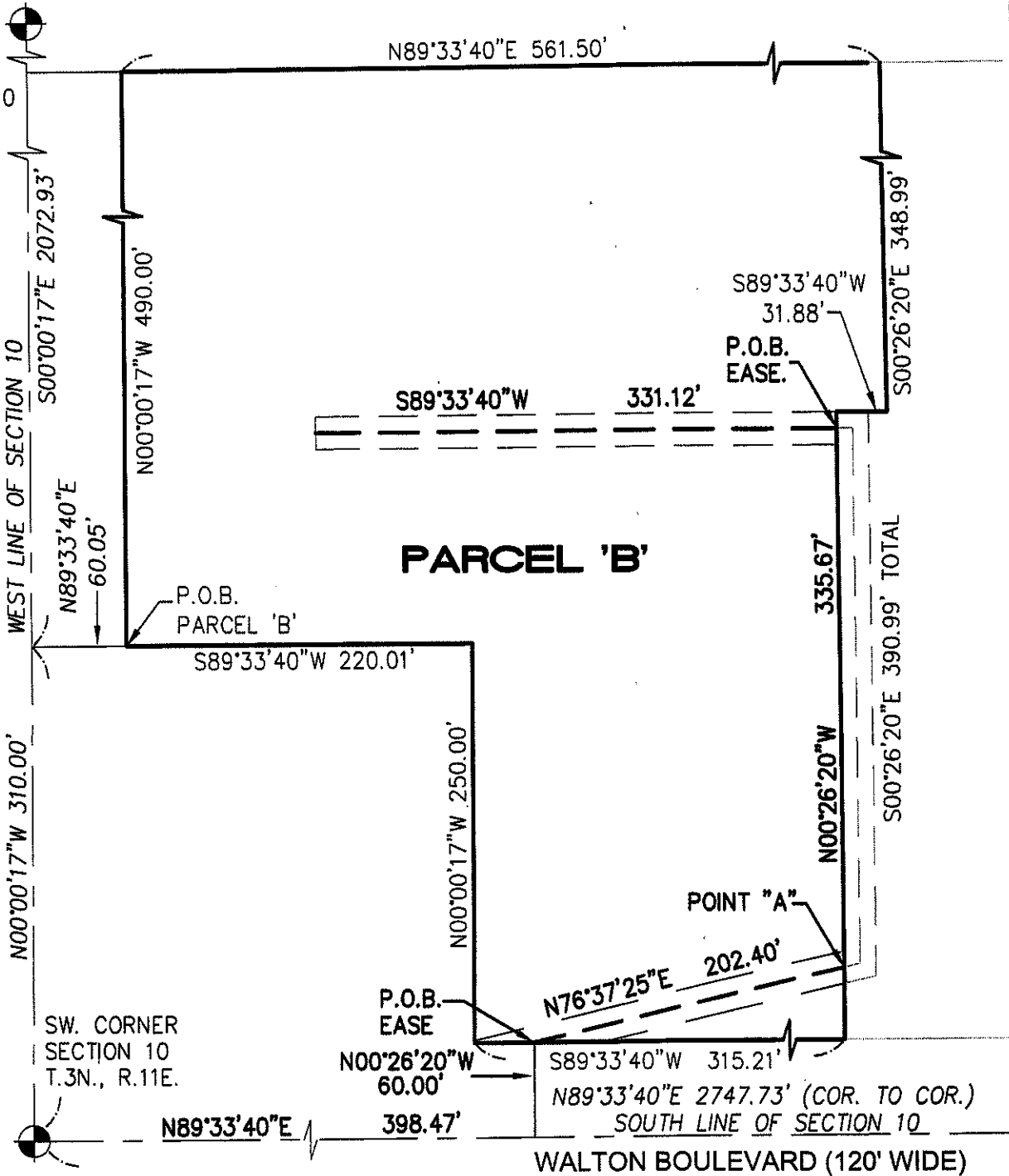
## 20 FOOT WIDE SANITARY SEWER EASEMENT

Parcel # 15-10-351-078



W. 1/4 COR.  
OF SECTION 10  
T.3N., R.11E.

LIVERNOIS ROAD  
(120' WIDE)



APPROVED DESC

*M. Nowak*  
ROCHESTER HILLS  
ENGINEERING DEPT.

06-07-05

**NF NOWAK & FRAUS**

Consulting Engineers • Land Surveyors • Land Planners

1310 N. Stephenson Highway  
Royal Oak, Michigan 48067-1508

Tel. (248) 399-0886  
Fax. (248) 399-0805

GREAT OAKS MANAGEMENT COMPANY  
22725 GREATER MACK  
STE. 206-A  
ST. CLAIR SHORES, MI 48080

SCALE 1" = 100'      DATE 03-09-2005      DRAWN N. Naoum      JOB No. C730      SHEET 1 of 2

## Exhibit A

### 20 FOOT WIDE SANITARY SEWER EASEMENT

#### LEGAL DESCRIPTION - PARCEL B

PART OF THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 10, T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS N. 00° 00' 17" W., 310.00 FEET ALONG THE WEST LINE OF SECTION 10 AND N. 89° 33' 40" E., 60.05 FEET FROM THE SOUTHWEST CORNER OF SECTION 10, T.3N., R.11E.; THENCE N. 00° 00' 17" W., 490.00 FEET ALONG THE EAST RIGHT-OF-WAY LINE OF LIVERNOIS ROAD (120.00 FEET WIDE); THENCE N. 89° 33' 40" E., 561.50 FEET; THENCE S. 00° 26' 20" E., 348.99 FEET; THENCE S. 89° 33' 40" W., 31.88 FEET; THENCE S. 00° 26' 20" E., 390.99 FEET; THENCE S. 89° 33' 40" W., 315.21 FEET; THENCE N. 00° 00' 17" W., 250.00 FEET; THENCE S. 89° 33' 40" W., 220.01 FEET TO THE POINT OF BEGINNING. CONTAINING 350,105 SQUARE FEET OR 8.04 ACRES OF LAND.

#### LEGAL DESCRIPTION - 20' WIDE SANITARY SEWER EASEMENT

A TWENTY (20.00) FOOT WIDE EASEMENT FOR SANITARY SEWER, THE CENTERLINE OF WHICH IS DESCRIBED AS PART OF THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 10, T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 10; THENCE N89°33'40"E, 398.47 FEET; THENCE N00°26'20"W, 60.00 FEET TO THE POINT OF BEGINNING; THENCE N76°37'25"E, 202.40 FEET TO THE POINT OF ENDING "A".

ALSO A TWENTY (20.00) FOOT WIDE EASEMENT FOR SANITARY SEWER, THE CENTERLINE OF WHICH IS DESCRIBED AS BEGINNING AT A POINT DISTANT N00°26'20"W, 335.67 FEET FROM POINT "A"; THENCE S89°33'40"W, 331.12 FEET TO THE POINT OF ENDING.

APPROVED *DGSC*

*M. Naoum*

ROCHESTER HILLS  
ENGINEERING DEPT.

06-07-05

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SCALE	DATE	DRAWN	JOB No.	SHEET
	03-09-05	N. Naoum	C730	2 of 2