

WATERMAIN EASEMENT

GAFcyn II LLC

a Michigan limited liability company of

5566 Orchard Ridge Dr., Rochester, MI 48306

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:

SEE EXHIBIT "A"

Sidwell # 15-23-151-001

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.

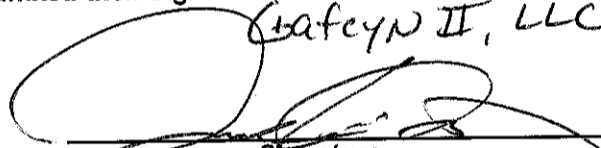
The easement shall be irrevocable and non-exclusive, and Grantor and Grantor's successors and assigns may use and enjoy the easement area in common with the City.

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 Taxes under MCL 207.505(a) and 207.526(a).

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this

30th day of July, 2012.

GAFcyn II, LLC


Signature
GEORGE A. FETSO

(Print Name)
MGR MEMBER

Title

Signature

(Print Name)

Title

STATE OF MICHIGAN
COUNTY OF Macomb acting in Oakland

The foregoing instrument was acknowledged before me this 30th day of July, 2012, by George A Fetso who is a member of GAFcyn II LLC, of Rochester Hills, a Michigan limited liability company, on behalf of the company.

Drafted by:
Jason D. Sutton PE
1299 Lamplighter Ln.
Rochester Hills, MI 48306
When recorded, return to:

Rhonda M Kirchoff

, Notary Public
County, Michigan
My Commission Expires:

RHONDA M. KIRCHHOFF
NOTARY PUBLIC, STATE OF MI
COUNTY OF MACOMB
MY COMMISSION EXPIRES Nov 9, 2018
ACTING IN COUNTY OF Oakland

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

John Staran App'd 9/28/12

TDJ CONSULTING INC.

Consulting Engineers
Civil — Survey
1299 Lamplighter Lane
Rochester Hills, Michigan 48306
Telephone (248) 765-0897
DRAFTER: JASON SUTTON, P.E.

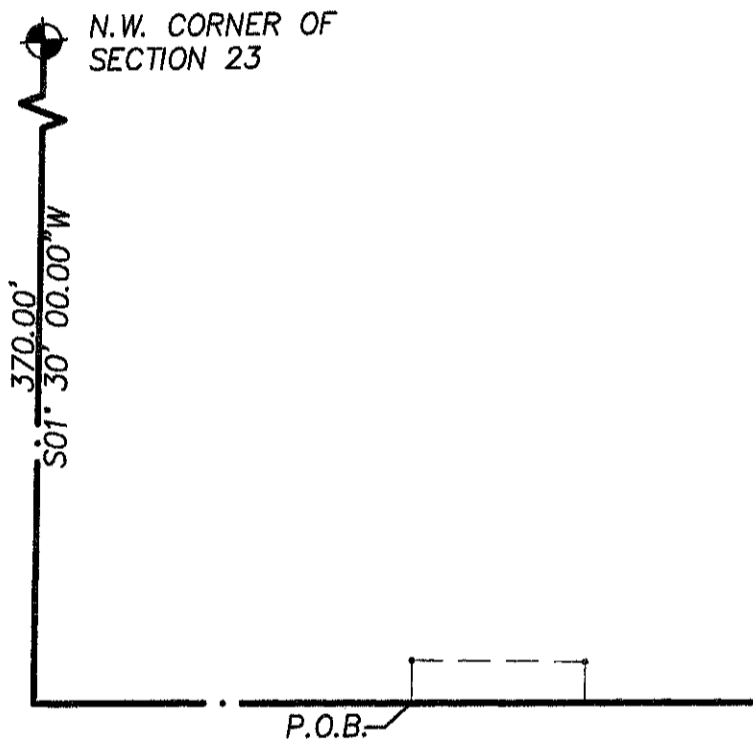
EXHIBIT 'A' (PAGE 1 OF 1)

LEGAL DESCRIPTION



SCALE: 1" = 60'

DATE: 7/24/12



LEGAL DESCRIPTION:

1185 S. ROCHESTER ROAD, TAX ID 15-23-151-001
LAND SITUATED IN THE CITY OF ROCHESTER HILLS, MI BEING PART OF THE NW ¼ OF SECTION 23, T3N, R11E. BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT A POINT DISTANT S.01°30'00"W., 909.50 FEET FROM THE NW SECTION CORNER THENCE S.89°26'45"E., 702.36 FEET; THENCE S.01°35'40"W., 66.00 FEET; THENCE S.87°15'00"E., 65.00 FEET; THENCE S.01°35'40"W., 304.00 FEET; THENCE N89°15'38"W., 766.71 FEET; THENCE N.01°30'00"E., 370.00 FEET TO THE POINT OF BEGINNING. CONTAINING 6.43 ACRES.

EASEMENT DESCRIPTION:

THAT PART OF A PROPOSED 20.0 FOOT WIDE EASEMENT, FOR WATER MAIN PURPOSES, LYING ON PROPERTY KNOWN AS 1185 S. ROCHESTER ROAD, ROCHESTER HILLS, MICHIGAN, SAID EASEMENT BEING DESCRIBED AS FOLLOWS:
AN EASEMENT SITUATED IN THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, BEING PART OF THE N.W. 1/4 OF SECTION 23, T.3N., R.11E., AND BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT A POINT DISTANT S.01°30'00"W. 1279.50 FT. AND S.89°15'38"E. 118.09 FT. FROM THE N.W. CORNER OF SAID SECTION 23; THENCE N.01°13'51"E. 13.29 FT.; THENCE S.88°46'09"E. 54.13 FT.; THENCE S.01°13'51"W. 12.82 FT.; THENCE N.89°15'38"W. 54.13 FT. TO THE POINT OF BEGINNING.

APP'D FOR DESC MT 8-8-12