

**GRANT OF SIDEWALK EASEMENT  
(Barrington Park of Rochester Hills)**

This Grant of Sidewalk Easement ("Agreement") is made effective \_\_\_\_\_, 2015 by and between Pulte Land Company, LLC, a Michigan limited liability company, whose address is 100 Bloomfield Hills Parkway, Bloomfield Hills, Michigan 48304 ("Developer") and the CITY OF ROCHESTER HILLS, a Michigan municipal corporation, of 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309 ("City").

Developer grants to City an easement for the construction, operation, maintenance, repair and/or replacement, and public use of a sidewalk easement ("Sidewalk Easement") over, on, through and across the 7 foot wide parcel of land more particularly described on attached Exhibit A, part of Tax Parcel No. 15-26-376-007 ("Sidewalk Easement Area") on the terms described in this Agreement.

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the Sidewalk Easement Area and the sidewalk improvements constructed therein upon dedication to and acceptance by the City ("Sidewalk Improvements").

All property disturbed or altered, now or in the future, by reason of the City's construction, operation, maintenance, repair and/ or replacement of the Sidewalk Easement Area 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 Sidewalk Easement shall allow public pedestrian and non-motorized traffic and shall permit maintenance, repair and replacement of the paving the Sidewalk Easement Area.

The easement shall be irrevocable and non-exclusive, and Developer and Developer's successors and assigns, including the owners of Units in the development proposed to be constructed by Developer on the adjacent land, and the Unit Owners and Condominium Association established by Developer to administer the development, may use and enjoy the easement area in common with the City.

Developer expressly reserves to Developer and its successors and assigns, so long as there is no interference with the construction, operation, maintenance, repair and/or replacement, and public use of the Sidewalk Easement: (a) the right of ingress and egress over, through and across the Sidewalk Easement Area, and (b) the right to grant other non-exclusive easements and rights-of-way, across, over, under and through the Sidewalk Easement Area, with the condition that prior to any such grant, written consent shall be obtained from the City.

This instrument shall run with the land first described above and shall be binding upon and inure to the benefit of the Developer, City and their respective heirs, representatives, successors and assigns.

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 14<sup>th</sup> day of August, 2015.

PULTE LAND COMPANY, LLC, a  
Michigan limited liability company

By:   
Kevin Christofferson  
Its: Vice President of Finance

[signatures continue on following page]

STATE OF MICHIGAN )

COUNTY OF OAKLAND )

Acknowledged before me this 19<sup>th</sup> day of August, 2015, by Kevin Christofferson, the Vice President of Finance of Pulte Land Company, LLC, a Michigan limited liability company, on behalf of the company.

Embossed Hereon Is My  
Oakland County, Michigan Notary Public Seal  
My Commission Expires March 05, 2020  
AMANDA J. VANDERPOOL

*Amanda J. Vanderpool*

Amanda J. Vanderpool, Notary Public  
Oakland County, MI

Acting in Oakland County, MI

My commission expires: March 5, 2020

CITY OF ROCHESTER HILLS, a Michigan  
municipal corporation

By: \_\_\_\_\_

Its: Mayor

and

By: \_\_\_\_\_

Its: Clerk

STATE OF MICHIGAN )

COUNTY OF OAKLAND )

) ss

Acknowledged before me on \_\_\_\_\_, 2015 by \_\_\_\_\_, the Mayor, and \_\_\_\_\_, the Clerk, of the City of Rochester Hills, a Michigan municipal corporation, on behalf of the corporation.

\_\_\_\_\_  
Notary Public  
County, MI

Acting in Oakland County, MI

My Commission Expires: \_\_\_\_\_

**PREPARED BY:**

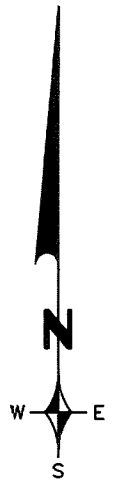
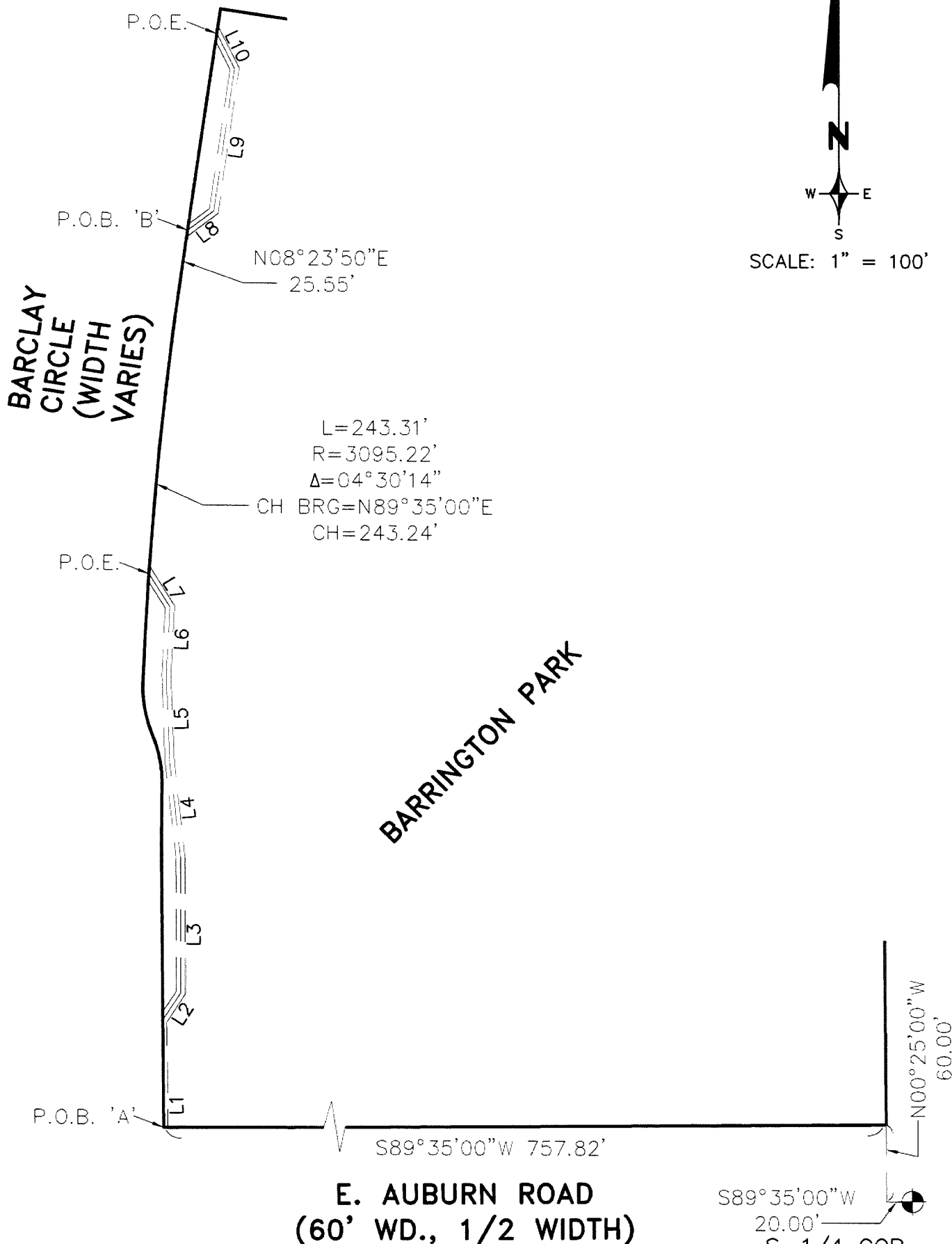
Sandra Sorini Elser  
Bodman PLC  
201 S. Division, Suite 400  
Ann Arbor, MI 48104

**WHEN RECORDED, RETURN TO:**

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

*John Staraw  
Approved 9/1/15*

# EXHIBIT "A"



SCALE: 1" = 100'

**LEGEND**

P.O.B. POINT OF BEGINNING  
P.O.E. POINT OF ENDING

*mike TAVNT  
Approved 9/17/15*

S89°35'00"W 20.00'  
S. 1/4 COR.  
SECTION 26  
T. 3 N., R. 11 E.,  
ROCHESTER HILLS,  
OAKLAND CO., MI.

REVISIONS		
ITEM	DATE	BY

**SIDEWALK EASEMENT  
BARRINGTON PARK**  
ROCHESTER HILLS MICHIGAN

**Z EIMET W OZNI AK**  
& ASSOCIATES  
Civil Engineers & Land Surveyors  
55800 GRAND RIVER AVE. SUITE 100  
NEW HUDSON, MICHIGAN 48165  
P: (248) 437-5099 F: (248) 437-5222 www.zeimetwozniak.com

DATE 8/7/15	SCALE HOR: 1" = 100' FIELD BOOK NO.
DESIGNED BY	JOB NO. <b>13178</b>
DRAWN BY SRB	SHEET NO. <b>1/2</b>

© COPYRIGHT 2015

# EXHIBIT "A"

## LEGAL DESCRIPTION

A CENTERLINE DESCRIPTION OF A 7 FOOT WIDE SIDEWALKY EASEMENT LOCATED IN THE SOUTHWEST 1/4 OF SECTION 26, T. 3 N., R. 11 E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 26 AND ALONG THE SOUTH LINE OF SAID SECTION 26 S. 89°35'00" W. 20.00 FEET; THENCE N. 00°25'00" W. 60.00 FEET TO THE NORTH RIGHT OF WAY LINE OF E. AUBURN ROAD (60 FEET WIDE); THENCE ALONG SAID NORTH RIGHT OF WAY LINE S. 89°35'00" W. 757.82 FEET TO THE POINT OF BEGINING 'A' OF SAID EASEMENT; THENCE N. 00°37'28" W. 78.07 FEET; THENCE N. 32°57'01" E. 26.10 FEET; THENCE N. 00°07'46" W. 104.94 FEET; THENCE N. 06°23'02" W. 75.44 FEET; THENCE N. 02°08'08" W. 68.23 FEET; THENCE N. 02°52'05" E. 52.96 FEET; THENCE N. 32°07'32" W. 30.48 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF BARCLAY CIRCLE (WIDTH VARIES) AND THE POINT OF ENDING OF SAID EASMENT CENTERLINE; THENCE ALONG SAID EAST RIGHT OF WAY LINE 243.31 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS 3095.22 FEET, CENTRAL ANGLE 04°30'14", AND A CHORD THAT BEARS N. 89°35'00" E. 243.24 FEET; THENCE N. 08°23'50" E. 25.55 FEET TO THE POINT OF BEGINNING 'B'; THENCE ALONG SAID EASEMENT CENTERLINE N. 53°17'54" E. 25.35 FEET; THENCE N. 08°17'54" E. 111.94 FEET; THENCE N. 26°42'06" W. 30.79 FEET TO A POINT ON SAID EAST RIGHT OF WAY AND THE POINT OF ENDING OF SAID EASEMENT CENTERLINE.

LINE TABLE		
Line #	Direction	Length
L1	N00°37'28"W	78.07'
L2	N32°57'01"E	26.10'
L3	N00°07'46"W	104.94'
L4	N06°23'02"W	75.44'
L5	N02°08'08"W	68.23'
L6	N02°52'05"E	52.96'
L7	N32°07'32"W	30.48'
L8	N53°17'54"E	25.35'
L9	N08°17'54"E	111.94'
L10	N26°42'06"W	30.79'

REVISIONS			<b>SIDEWALK EASEMENT BARRINGTON PARK</b> ROCHESTER HILLS MICHIGAN		DATE	SCALE HOR: 1" =	
ITEM	DATE	BY			8/7/15	FIELD BOOK NO.	
			<b>Z EIMET W OZNIAK</b> & ASSOCIATES Civil Engineers & Land Surveyors 55800 GRAND RIVER AVE. SUITE 100 NEW HUDSON, MICHIGAN 48165 P: (248) 437-5099 F: (248) 437-5222 www.zeimetwozniak.com		DESIGNED BY	JOB NO.	© COPYRIGHT 2015
						13178	
					DRAWN BY	SHEET NO.	
					SRB	2/2	