

PEDESTRIAN PATHWAY EASEMENT

Drew S. Behm and Linda S. Behm, husband and wife, of
3274 John R Road, Rochester Hills, MI 48307

For and in consideration of the sum of: Six Thousand, Three Hundred, Twenty-Eight and no/100 Dollars (\$6,328.00) 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 pathway over, on, through and across land more particularly described as:

See Exhibit A
Sidwell #15-35-226-031

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the pedestrian 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 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 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 Tax under MCL 207.505(a) and 207.526(a).

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 14 day of May, 2014.

IN THE PRESENCE OF:

Drew S Behm
Signature

Drew S. Behm
Print Name

Linda S Behm
Signature

Linda S. Behm
Print Name

STATE OF MICHIGAN
COUNTY OF Clare

The foregoing instrument was acknowledged before me this 14 day of May, 2014, by Drew S. Behm and Linda S. Behm, husband and wife.

Drafted by:
Barbara J. Smith
1000 Rochester Hills Drive
Rochester Hills, MI 48309

Sabrina Paolucci
Notary Public
Isabella County, Michigan
Acting in County of ~~Oakland~~ Clare
My Commission Expires: 9-27-18

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

Sabrina Paolucci
Notary Public, Isabella County, Michigan
My Commission Expires: September 27, 2018
Acting Clare County, Michigan

John Staran
Approved 6/26/14

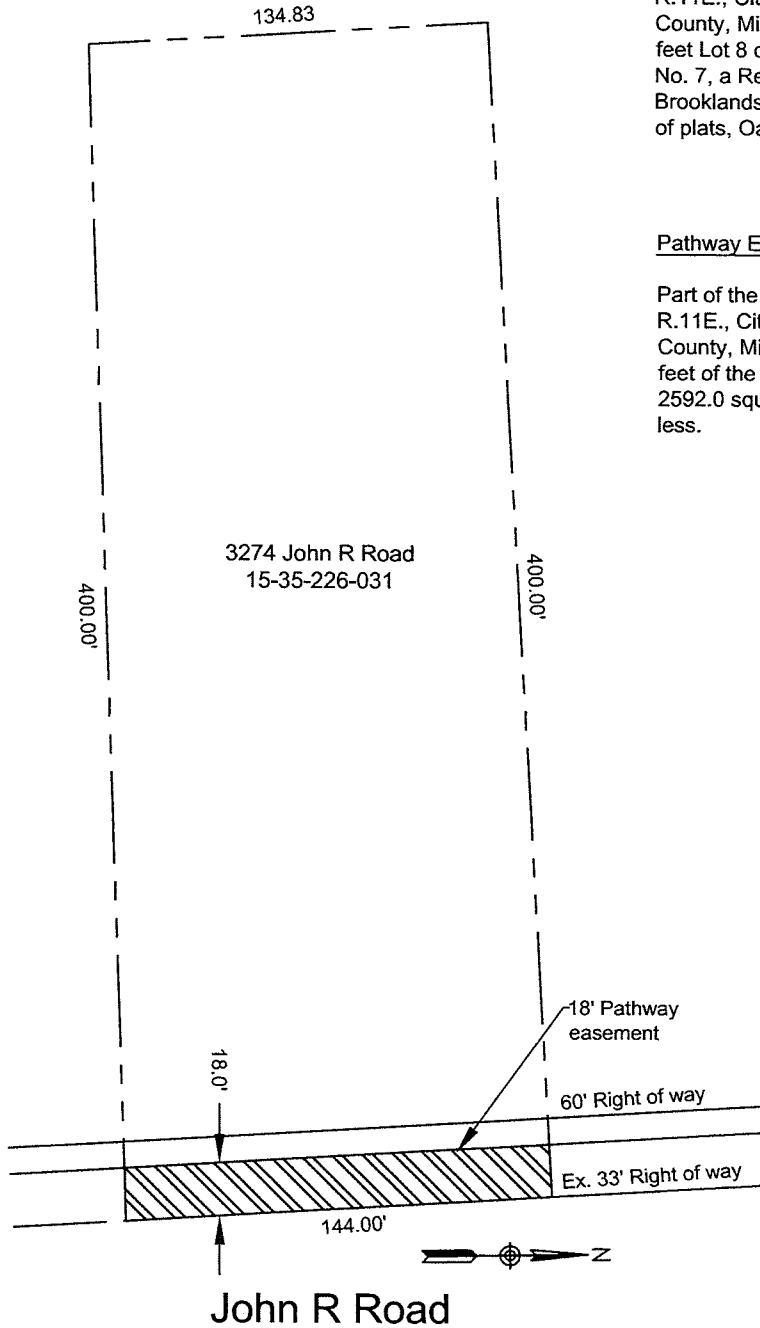
EXHIBIT A

Parcel Description:

Part of the northeast 1/4 of Section 35, T.3N., R.11E., City of Rochester Hills, Oakland County, Michigan, described as the East 400 feet Lot 8 of Supervisor's Avon Township Plat No. 7, a Resubdivision of Lots 53 and 54 of Brooklands, as recorded in Liber 12, Page 59 of plats, Oakland County records.

Pathway Easement Description:

Part of the northeast 1/4 of Section 35, T.3N., R.11E., City of Rochester Hills, Oakland County, Michigan, described as the East 18 feet of the above described parcel, containing 2592.0 square feet, (0.060 acres) more or less.



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

PATHWAY EASEMENT
3274 John R Road
15-35-226-031

SCALE: 1" = 50'
DATE: 4/25/2014
SHEET 1 OF 1

file location: I:\Eng\Publ\E08013 John R Pathway_W Side_Auburn to ~2,300 feet S\Easement Acquisition\Easement Docs\Exhibits\City_Parcels_2-Rev.dwg

Mike Tavant
Approved