

AMENDMENT TO WATERMAIN EASEMENT

The Islamic Association of Greater Detroit, a Michigan Ecclesiastical Corporation, (hereafter "Owner"), whose address is 865 Auburn Road, Rochester Hills, Michigan 48309, amends the Watermain Easement which it granted to the City of Rochester Hills, a Michigan municipal corporation, (hereafter "City"), whose address is 1000 Rochester Hills Drive, Rochester Hills, MI 48309 on March 10, 2000, and which was recorded with the Oakland County Register of Deeds on June 23, 2000 at Liber 21527, pages 069 - 070,

Pursuant to this Amendment to the Watermain Easement, the Islamic Association of Greater Detroit grants to the CITY OF ROCHESTER HILLS, an easement for the construction, operation, maintenance, repair and/or replacement of a watermain on, under through and across land situated in the County of Oakland, City of Rochester Hills, State of Michigan, described as follows:

The East 500 feet of Lot(s) 9 and 10, also the East 200 feet of Lot 13, also Lot 14, EXCEPT The West 10 feet thereof and all of Lots 23 through 27, both inclusive, of SUPERVISOR'S PLAT #5, according to the plat thereof recorded in Liber 6 of Plats, Page 55 of Oakland County Records.

Tax Parcel Numbers (formerly): 15-34-101-009, 15-34-101-010, 15-34-101-011, 15-34-101-045 and 15-34-101-059.

Tax Parcel Number new: 15-34-101-076

Commonly known as 879 W Auburn Road, Rochester Hills, MI 48307

The Watermain Easement is described in the attached Exhibit A.

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, within a reasonable time thereafter weather permitting, 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, grantees and assigns may use and enjoy the easement area in common with the City.

Grantor expressly reserves to Grantor and Grantor's successors, grantees 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 which consent shall not be unreasonably withheld.

Exempt from Transfer Tax under MCLA 207.505(a) and 207.526(a)

OWNER:

ISLAMIC ASSOCIATION OF GREATER DETROIT
a Michigan Ecclesiastical Corporation

Dated: _____, 2016

By: *Ghaus M. Malik*
GHAUS M. MALIK
Chairman of the Board of Trustees

State of Michigan)
) §§
County of Oakland)

This agreement was acknowledged before me on 26 August, 2016, by Ghaus M. Malik, Chairman of the Board of Trustees of the Islamic Association of Greater Detroit, a Michigan Ecclesiastical Corporation, on behalf of the corporation.

Christie Soderling
Christie Soderling, Notary Public
Oakland County, Michigan
My Commission Expires: 7/17/2020

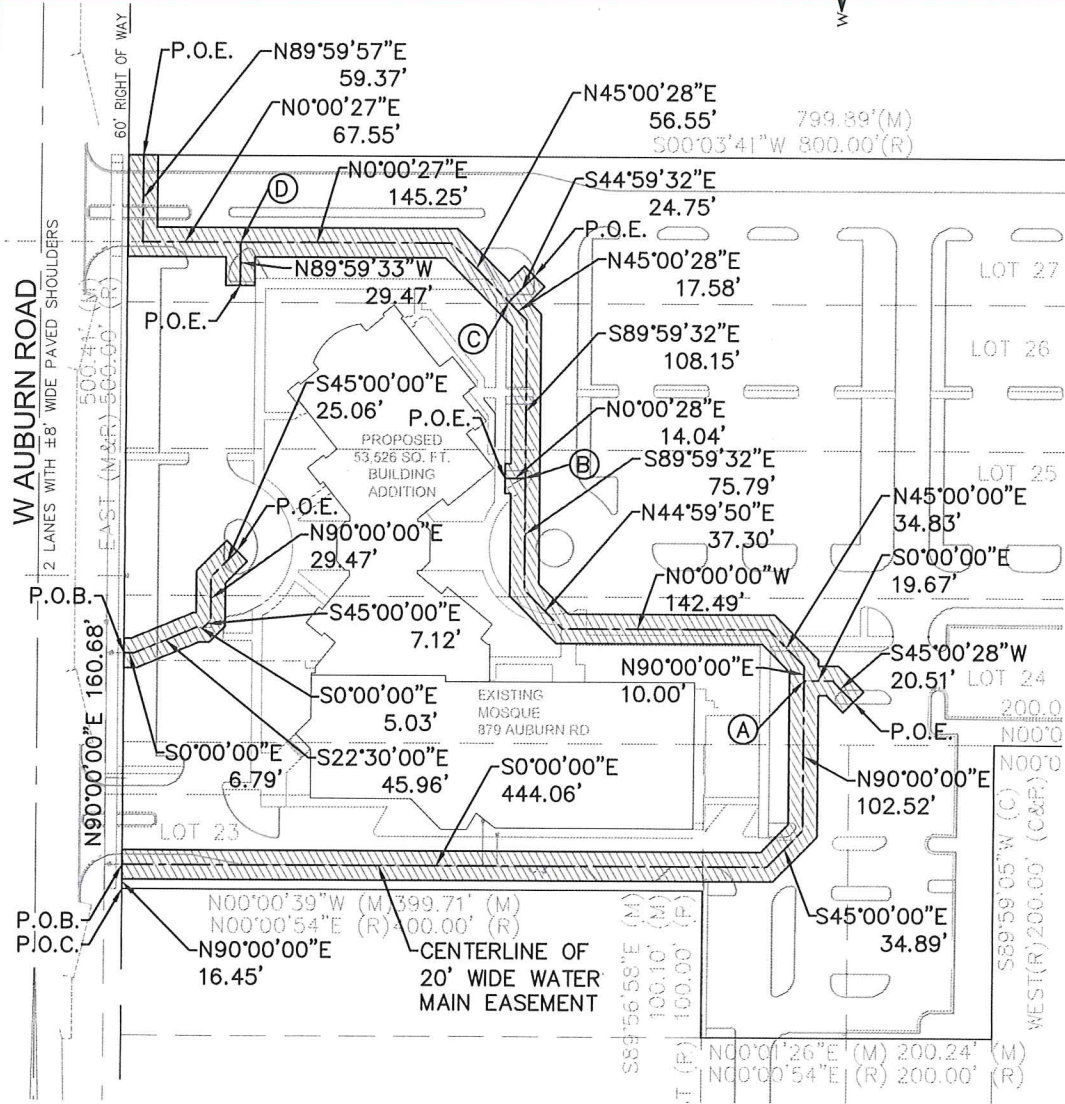
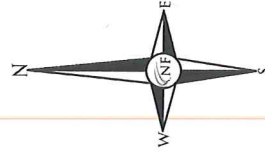
Drafted by: Douglas A. Tull, Attorney at Law,
44841 Van Dyke Avenue,
P.O. Box 180912,
Utica, Michigan 48318-0912

Return to: City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

John Staraw
Approved 9/8/16

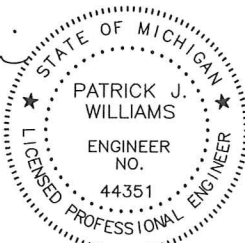
EXHIBIT A

20' WIDE WATER MAIN EASEMENT (SKETCH)



Patrick J. Williams

NOWAK & FRAUS ENGINEERS
 46777 WOODWARD AVE.
 PONTIAC, MI 48342-5032
 TEL. (248) 332-7931
 FAX. (248) 332-8257



SCALE: 1" = 100'

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EXHIBIT A

20' WIDE WATER MAIN EASEMENT (LEGAL DESCRIPTION)

LEGAL DESCRIPTION - 20' WIDE WATER MAIN EASEMENT

PART OF THE NORTHWEST 1/4 OF SECTION 34, T3N-R11E, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN; DESCRIBED AS PART OF SUPERVISOR'S PLAT NO. 5, A RECORDED PLAT, IN LIBER 6 PAGE 53, OAKLAND COUNTY RECORDS, BEING THE EAST 500 FEET OF LOTS 9 AND 10, ALSO THE EAST 200 FEET OF LOTS 13 AND 14 AND ALL OF LOTS 23 THROUGH 27 OF SAID PLAT.

A 20' WIDE CENTERLINE EASEMENT BEING MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 23 THENCE EAST ALONG THE NORTH LINE OF SAID LOT 23 ALSO BEING THE SOUTH LINE OF AUBURN ROAD (120' WIDE) A DISTANCE OF 16.45 FEET, THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 444.06 FEET; THENCE SOUTH 45 DEGREES 00 MINUTES 00 SECONDS EAST, 34.89 FEET; THENCE EAST, 102.52 FEET TO A POINT "A"; THENCE SOUTH, 19.67 FEET; THENCE SOUTH 45 DEGREES 00 MINUTES 28 SECONDS WEST, 20.51 FEET TO A POINT OF ENDING; THENCE FROM POINT "A" EAST, 10.00 FEET; THENCE NORTH 45 DEGREES 00 MINUTES 00 SECONDS EAST, 34.83 FEET; THENCE NORTH, 142.49 FEET; THENCE NORTH 44 DEGREES 59 MINUTES 50 SECONDS EAST; 37.30 FEET; THENCE SOUTH 89 DEGREES 59 MINUTES 32 SECONDS EAST, 75.79 FEET TO A POINT "B"; THENCE NORTH 00 DEGREES 00 MINUTES 28 SECONDS EAST, 14.04 FEET TO A POINT OF ENDING; THENCE FROM POINT "B" SOUTH 89 DEGREES 59 MINUTES 32 SECONDS EAST, 108.15 FEET; THENCE NORTH 45 DEGREES 00 MINUTES 28 SECONDS EAST, 17.58 FEET TO A POINT "C"; THENCE SOUTH 44 DEGREES 59 MINUTES 32 SECONDS EAST, 24.75 FEET TO A POINT OF ENDING; THENCE FROM POINT "C" NORTH 45 DEGREES 00 MINUTES 28 SECONDS EAST, 56.55 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 27 SECONDS EAST, 145.25 FEET TO A POINT "D"; THENCE NORTH 89 DEGREES 59 MINUTES 33 SECONDS WEST, 29.47 FEET TO A POINT OF ENDING; THENCE FROM POINT "D" NORTH 00 DEGREES 00 MINUTES 27 SECONDS EAST, 67.55 FEET; THENCE NORTH 89 DEGREES 59 MINUTES 57 SECONDS EAST, 59.37 FEET TO A POINT OF ENDING LYING ON THE EAST LINE OF SAID LOT 27.

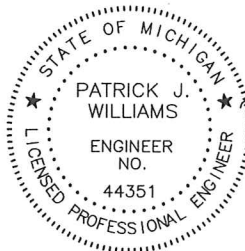
CONTAINING: 28,095.44 FEET OR 0.645 ACRES.

AND ALSO A 20' WIDE CENTERLINE EASEMENT COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 23; THENCE ALONG THE NORTH LINES OF SAID LOTS 23 AND 24 ALSO BEING THE SOUTH LINE OF AUBURN ROAD (120' WIDE), 160.68 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 6.79 FEET; THENCE SOUTH 22 DEGREES 30 MINUTES 00 SECONDS EAST, 45.96 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 5.03 FEET; THENCE SOUTH 45 DEGREES 00 MINUTES 00 SECONDS EAST, 7.12 FEET; THENCE EAST, 29.47 FEET; THENCE SOUTH 45 DEGREES 00 MINUTES 00 SECONDS EAST, 25.06 FEET TO A POINT OF ENDING.

CONTAINING: 2,388.21 FEET OR 0.055 ACRES.

Mike Taunt
Approved 9/2/16

NOWAK & FRAUS ENGINEERS
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A handwritten signature in black ink that reads "Patrick J. Williams".

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