

WATERMAIN EASEMENT

FLAGSTAR BANK, FSB, a FEDERALLY CHARTERED SAVINGS BANK,
of 5751 CORPORATE DR., TROY, MICHIGAN 48098

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:

Sidwell #70-15-30-326-016

See Attached Exhibit "A", pages 1 and 2 for a drawing of the property and watermain easement, and for the property description and watermain easement description.

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 18 day of MARCH, 2013.

Company Name: FLAGSTAR BANK, FSB. A FEDERALLY CHARTERED SAVINGS BANK

Signature: [Signature]

Print or type name: THOMAS DARLING

Title: SENIOR VICE PRESIDENT

Signature: _____

Print or type name: _____

Title: _____

STATE OF MICHIGAN
COUNTY OF Oakland

The foregoing instrument was acknowledged before me this 21st day of March, 2013, by Thomas Darling, who is the Senior Vice President of Flagstar Bank, FSB, a Federally corporation, on behalf of the Chartered Savings Bank corporation.

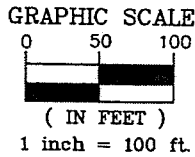
Drafted by:
Michael R. Pifer
Kraft Engineering and Surveying, Inc.
409 West Seventh Street
Flint, MI 48503

John Staran
App'd. 4/5/13


[Signature]
Notary Public
County, Michigan
My Commission Expires: 2-11-2014

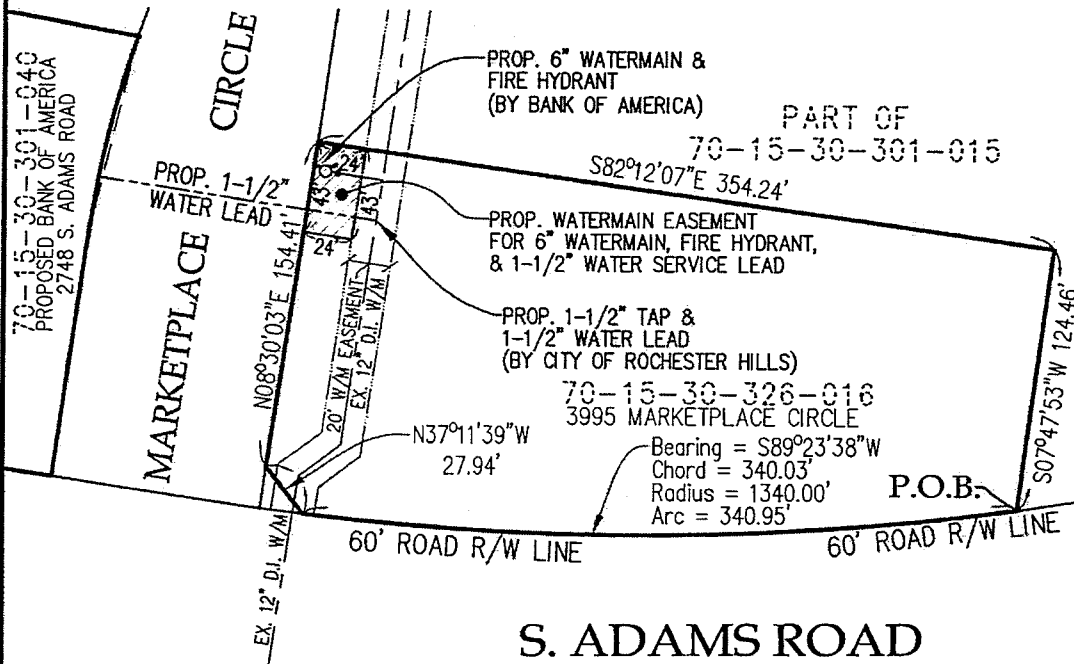
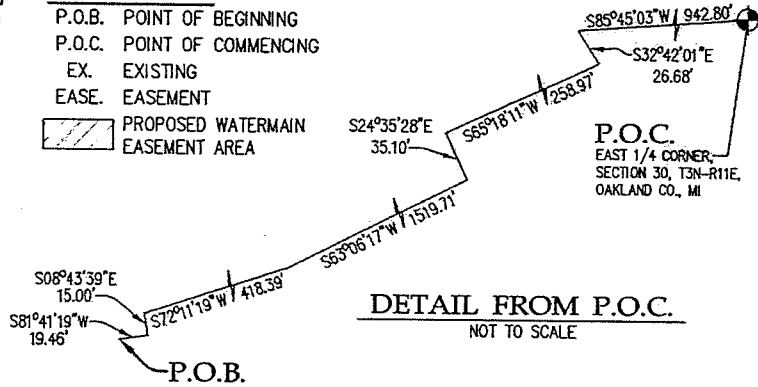
When recorded, return to:
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

EXHIBIT "A"
PROPOSED WATERMAIN EASEMENT FOR:
PROPOSED BANK OF AMERICA
2748 S. ADAMS ROAD, ROCHESTER HILLS, MI 48309



LEGEND

P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
EX.	EXISTING
EASE.	EASEMENT
	PROPOSED WATERMAIN EASEMENT AREA



*Mike Tauxt
 Appd -
 3/21/13*

PREPARED FOR:		JONES LANG LASALLE/BANK OF AMERICA 135 S. LASALLE, SUITE 1225, CHICAGO, IL 60601	
PROPERTY LOCATION:		PART OF THE SOUTHWEST 1/4, SECTION 30, T3N-R11E, OAKLAND COUNTY, MI 3995 MARKETPLACE CIRCLE, ROCHESTER HILLS, 48309	
SCALE: 1"=100'	DRAWING NO: 201103-WE	DRN BY: RADO	DATE: 02.14.2013
PAGE: 1 of 2		CKD BY: M.R.P.	REV: 02.28.2013
PREPARED BY: KRAFT ENGINEERING & SURVEYING, INC. <small>engineers - surveyors - planners</small> 409 WEST SEVENTH STREET FLINT, MICHIGAN 48503 PHONE: 810.234.2694 or 810.234.2695 FAX: 810.234.2696 E-MAIL: MAIL@KRAFTENGINEERING.COM			



EXHIBIT "A"
PROPOSED WATERMAIN EASEMENT FOR:
PROPOSED BANK OF AMERICA
2748 S. ADAMS ROAD, ROCHESTER HILLS, MI 48309

PROPERTY ADDRESS:

3995 MARKETPLACE CIRCLE
 ROCHESTER HILLS, MI 48309
 PARCEL ID NO. 70-15-30-326-016

TAX DESCRIPTION:

T3N, R11E, SEC 30 PART OF SW 1/4 BEG AT PT DIST S 85-45-03 W 942.80 FT & S 32-42-01 E 26.68 FT & S 65-18-11 W 258.97 FT & S 24-35-28 E 35.10 FT & S 63-06-17 W 1519.71 FT & S 72-11-19 W 418.39 FT & S 08-43-39 E 15 FT & S 81-41-19 W 19.46 FT FROM E 1/4 COR, TH ALG CURVE TO RIGHT, RAD 1340 FT, CHORD BEARS S 89-23-38 W 340.03 FT, DIST OF 340.95 FT, TH N 37-11-39 W 27.94 FT, TH N 08-30-03 E 154.41 FT, TH S 82-12-07 E, 354.24 FT, TH S 07-47-53 W 124.46 FT TO BEG 1.28 A 4-13-07 FR 008.

WATERMAIN EASEMENT DESCRIPTION:


THE NORTH 43.00 FEET OF THE WEST 24.00 FEET OF THE ABOVE DESCRIBED PARCEL OF LAND.

ENGINEER'S CERTIFICATE:

WE HEREBY CERTIFY THAT THE EASEMENT DESCRIPTION ACCURATELY DEPICTS THE LOCATION AND AREA REQUIRED FOR THE PROPOSED FIRE HYDRANT AND 1-1/2" WATER SERVICE LINE, BASED ON THE INFORMATION CONTAINED HEREIN, AS SHOWN ON PAGE 1 OF THIS EXHIBIT "A" AND AS DESCRIBED ABOVE.

Michael R. Pifer

MICHAEL R. PIFER, PE NO. 52154

	PREPARED FOR: JONES LANG LASALLE/BANK OF AMERICA <small>135 S. LASALLE, SUITE 1225, CHICAGO, IL 60601</small>			
	PROPERTY LOCATION: PART OF THE SOUTHWEST 1/4, SECTION 30, T3N-R11E, OAKLAND COUNTY, MI <small>3995 MARKETPLACE CIRCLE, ROCHESTER HILLS, 48309</small>			
	SCALE: NONE	DRAWING NO: 201103-WE	DRN BY: RADO	DATE: 02.14.2013
	PAGE: 2 of 2		CKD BY: M.R.P.	REV: 02.28.2013
	PREPARED BY: KRAFT ENGINEERING & SURVEYING, INC. <small>engineers - surveyors - planners</small> 409 WEST SEVENTH STREET FLINT, MICHIGAN 48503 PHONE: 810.234.2694 or 810.234.2695 FAX: 810.234.2696 E-MAIL: MAIL@KRAFTENGINEERING.COM			