

WATERMAIN EASEMENT

Rochester Medical Building, LLC, a Michigan limited liability company of

22039 John R, Hazel Park, Michigan 48030

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 # 70-15-35-226-023

See Exhibit A and B (attached)

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 Tax under MCLA 207.526(a); MSA 7.456 (26) (a).

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

20TH day of June, 2011.

Rochester Medical Building, LLC



Signature

Emad Nakkash

(Print Name)

Managing Member

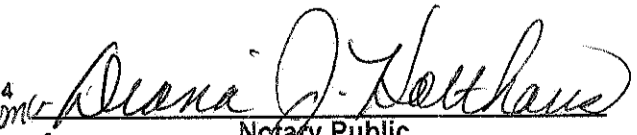
Title

STATE OF MICHIGAN
COUNTY OF MACOMB

The foregoing instrument was acknowledged before me this 20th day of June, 2011, by Emad Nakkash, who is the managing member of Rochester Medical Building, LLC, a Michigan limited liability company, on behalf of the company. *member*

Drafted by:
Kevin M. Brandon
1440 Washington Road
Rochester, MI 48306

DIANA J HOLTHAUS
Notary Public, State of Michigan
County of Saint Clair
My Commission Expires 03-30-2014
Acting in the county of macomb



Notary Public
County, Michigan
My Commission Expires:

March 30, 2014

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

*John Staran
Approved 8/10/11*

EXHIBIT "A"

PROPERTY DESCRIPTION

THE NORTH 100 FEET OF THE SOUTH 300 FEET OF LOT 1, "SUPERVISOR'S AVON TWP. PLAT NO. 7", A RESUBDIVISION OF LOTS 53 AND 54 OF BROOKLANDS, A SUBDIVISION OF PART OF SECTION 35, TOWN 3 NORTH, RANGE 11 EAST, AVON TOWNSHIP (NOW CITY OF ROCHESTER HILLS), OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 12 OF PLATS, PAGE 59 OF OAKLAND COUNTY RECORDS. SUBJECT TO ALL EASEMENTS, RECORDED AND UNRECORDED.

WATER MAIN EASEMENT

A 20 FEET WIDE WATER MAIN EASEMENT COMMENCING AT THE NORTH EAST CORNER OF THE NORTH 100 FEET OF THE SOUTH 300 FEET OF LOT 1, "SUPERVISOR'S AVON TWP. PLAT NO. 7", A RESUBDIVISION OF LOTS 53 AND 54 OF BROOKLANDS, A SUBDIVISION OF PART OF SECTION 35, TOWN 3 NORTH, RANGE 11 EAST, AVON TOWNSHIP (NOW CITY OF ROCHESTER HILLS), OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 12 OF PLATS, PAGE 59 OF OAKLAND COUNTY RECORDS; THENCE $87^{\circ}04'30''$ W.(M) 27 FEET; THENCE $S.02^{\circ}30'00''$ W. 68.50 FEET ALONG 60' RIGHT OF WAY TO THE POINT OF BEGINNING; THENCE ALONG THE CENTERLINE OF SAID 20 FOOT WIDE WATER MAIN EASEMENT $N.87^{\circ}04'29''$ W. 57.56 FEET; THENCE $N.02^{\circ}55'31''$ E. 23.05 FEET; THENCE $S.02^{\circ}55'31''$ W. 23.05 FEET; THENCE $N.87^{\circ}04'29''$ W. 154.49 FEET; THENCE $N.42^{\circ}04'54''$ W. 21.29 FEET TO THE POINT OF ENDING. CONTAINING 0.07 ACRES

*Mike Taunt
approved 8/19/11*

REVISED 7-27-2011

APEX

ENGINEERING GROUP INC.
CIVIL ENGINEERING & LAND PLANNING CONSULTANTS

560 WHIMS LANE
ROCHESTER, MI 48306

PHONE: 586-739-5200
EMAIL: apexengmi@gmail.com

PROJECT:

"NAKKASH EYE CLINIC"
WATER MAIN EASEMENT

PT. OF THE N.E. 1/4 OF SEC. 35, T.3N., R.11E.,
CITY OF ROCHESTER HILLS, OAKLAND CO., MI

CLIENT:

DR. EMAD NAKKASH
22039 JOHN R ROAD
HAZEL PARK, MI 48030
248-336-3937
FAX 248-336-3938

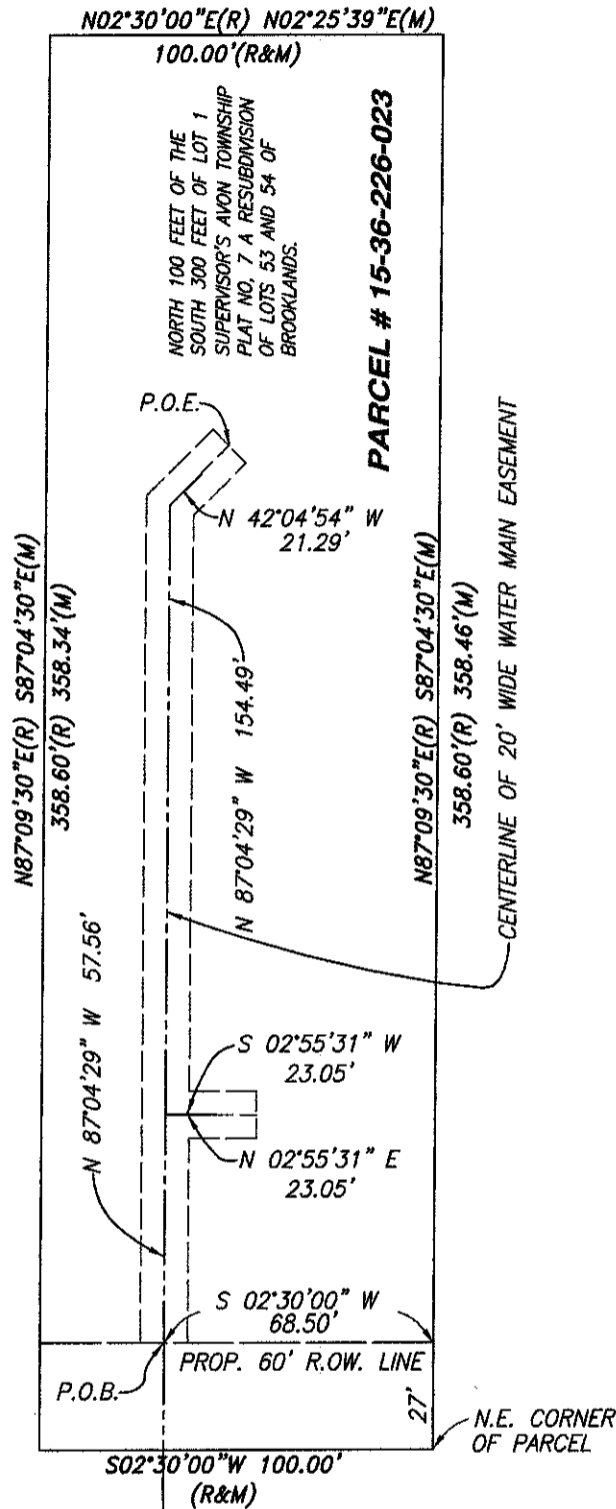
JOB NO: 05-056
DATE: 8-27-10
DRAWN BY: S.R.T
CHECKED BY: W.E.M.

NORTH



EXHIBIT "B"

SCALE: 1"=50'



JOHN R ROAD

EXISTING WATER MAIN

*Mike Tawt
approved 8/9/11*

REVISED 7-27-2011

APEX

ENGINEERING GROUP INC. CIVIL ENGINEERING & LAND PLANNING CONSULTANTS

560 WHIMS LANE
ROCHESTER, MI 48306

PHONE: 586-739-5200
EMAIL: apexengmi@gmail.com

PROJECT:

"NAKKASH EYE CLINIC"
WATER MAIN EASEMENT

PT. OF THE N.E. 1/4 OF SEC. 35, T.3N., R.11E.,
CITY OF ROCHESTER HILLS, OAKLAND CO., MI

CLIENT:

DR. EMAD NAKKASH
22039 JOHN R ROAD
HAZEL PARK, MI 48030
248-336-3937
FAX 248-336-3938

JOB NO: 05-056

DATE: 8-27-10

DRAWN BY: S.R.T

CHECKED BY: W.E.M.