

ORDINANCE NO.

AN ORDINANCE TO AMEND CHAPTER 138, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, TO OVERLAY THE PROPERTY DESCRIBED HEREIN WITH PUD (PLANNED UNIT DEVELOPMENT) AND TO PRESCRIBE PENALTIES FOR THE VIOLATION THEREOF (77± acres).

THE CITY OF ROCHESTER HILLS ORDAINS:

Section 1. The zoning classification of the following described property shall be amended as follows:

To overlay two parcels of land totaling approximately 77 acres with PUD (Planned Unit Development).

SITE DESCRIPTION:

MODIFIED HISTORIC DISTRICT PARCEL DESCRIPTION – PARCEL # 15-15-451-009

Legal Description for Land in the City of Rochester Hills, Oakland County, Michigan, described as:

COMMENCING AT THE SOUTH 1/4 CORNER OF SECTION 15, TOWN 3 NORTH, RANGE 11 EAST; THENCE ALONG THE SOUTH LINE OF SAID SECTION 15, DUE EAST 756.99 FEET; THENCE DUE NORTH 60.00 FEET TO THE POINT OF BEGINNING; THENCE DUE NORTH 213.00 FEET; THENCE DUE EAST 212.24 FEET; THENCE SOUTH 01° 40' 04" WEST 213.09 FEET; THENCE ALONG THE NORTHLY 60 FT. RIGHT-OF-WAY LINE OF AVON ROAD, DUE WEST 206.04 FEET BACK TO THE POINT OF BEGINNING. CONTAINING 1.02 ACRES OF LAND SUBJECT TO AND TOGETHER WITH ANY EASEMENTS, RESTRICTIONS, OR RESERVATIONS AFFECTING THIS DESCRIBED PARCEL.

DESCRIPTION OF ROCHESTER COLLEGE PARCEL (REMAINDER) AFTER DEDICATION OF AVON ROAD RIGHT OF WAY AND DIVISION OF MODIFIED HISTORIC DISTRICT PARCEL - PARCEL #15-15-451-008

Land in part of the west half of the southeast ¼ and part of the south ½ of the southwest ¼ of Section 15, Town 3 North, Range 11 east, City of Rochester Hills, Oakland County, Michigan more particularly described by metes and bounds subsequent to a boundary survey by Raymond J. Donnelly & Associates (Project 2005-035) in May 2005:

COMMENCING AT THE SOUTH ¼ CORNER OF SAID SECTION 15 AND PROCEEDING THENCE ALONG THE SOUTH LINE OF SECTION 15 AND CENTERLINE OF AVON ROAD, DUE EAST 756.99 FEET; THENCE DUE NORTH 60.00 FEET TO THE POINT OF

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BEGINNING OF THIS ROCHESTER COLLEGE (REMAINDER) PARCEL; THENCE ALONG THE PROPOSED NORTHERLY R.O.W. LINE OF AVON ROAD (60 FEET NORTH OF THE CENTERLINE OF AVON ROAD), DUE WEST 756.89 FEET, AND NORTH 89° 48' 25" WEST 1309.71 FEET, AND NORTH 88° 25' 10" WEST 390.91 FEET TO THE INTERSECTION OF THE PROPOSED NORTHERLY R.O.W. LINE OF AVON ROAD WITH THE SOUTHEASTERLY LINE OF THE CLINTON RIVER "TRAIL" (FORMERLY KNOWN AS THE GRAND TRUNK WESTERN RAILROAD); THENCE ALONG THE SOUTHEASTERLY LINE OF SAID "TRAIL", NORTH 42° 34' 44" EAST 252.80 FEET TO A POINT OF CURVATURE; THENCE CONTINUING ALONG THE SOUTHEASTERLY LINE OF SAID "TRAIL" NORTHEASTERLY 797.46 FEET ON THE ARC OF A 5524.16 FT. CURVE TO THE RIGHT (CONCAVE TO THE SOUTHEAST), WITH A CENTRAL ANGLE OF 08° 16' 16" AND CHORD BEARING AND DISTANCE OF NORTH 46° 42' 52" EAST 796.77 FEET TO THE END OF SAID CURVE: THENCE CONTINUING ALONG THE SOUTHEASTERLY LINE OF SAID "TRAIL", NORTH 50° 51' 00" EAST 1021.20 FEET TO THE SOUTHWESTERLY CORNER OF A TRIANGULAR SHAPED PARCEL OF LAND OWNED BY LOCHIRCO, et al (TAX ID # 15-15-328-001); THENCE LEAVING THE SOUTHEASTERLY LINE OF SAID "TRAIL", AND FOLLOWING ALONG THE SOUTH LINE OF SAID LOCHIRCO PARCEL, NORTH 89° 39' 41" EAST 244.89 FEET TO THE EAST 1/8 CORNER OF THE SW ¼ OF SECTION 15; THENCE ALONG THE SOUTH LINE OF THE NW ¼ OF SE ¼, NORTH 89° 47' EAST 27 FEET MORE OR LESS TO A POINT IN THE CENTER OF THE CLINTON RIVER; THENCE FOLLOWING ALONG WITH THE CENTER OF THE CLINTON RIVER IN MEANDERING DIRECTIONS, BUT GENERALLY NORTHEASTERLY, A DISTANCE OF 1740 FEET, MORE OR LESS, DOWNSTREAM; THENCE LEAVING THE CENTER OF THE CLINTON RIVER, SOUTH 59° 44' EAST 25 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF LAND OWNED BY ROSE AND WOJAS (TAX ID # 15-15-405-004); THENCE FOLLOWING ALONG WITH THE WESTERLY AND SOUTHERLY BOUNDARY OF SAID ROSE AND WOJAS PARCEL, SOUTH 22° 07' 04" EAST 226.22 FEET AND SOUTH 71° 51' 04" EAST 610.00 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL; THENCE ALONG THE WESTERLY LINE OF THE BZENKO PARCEL (TAX ID # 15-15-429-032), SOUTH 02° 16' 58" WEST 118.03; THENCE ALONG THE WESTERLY LINE, IN PART, OF THE LIFE TIME FITNESS PARCEL, (TAX ID # 15-15-476-039), SOUTH 01° 52' 23" WEST 623.74 FEET TO THE NORTHEAST CORNER OF THE ROCHESTR CHURCH OF CHRIST PARCEL (TAX ID # 15-15-451-007); THENCE ALONG THE NORTHERLY AND WESTERLY BOUNDARY OF SAID CHURCH PARCEL, DUE WEST 393.37 FEET AND SOUTH 01°40' 04" WEST 287.19 FEET, AND DUE WEST 2.50 FET, AND SOUTH 01° 40' 04" WEST 539.97 FEET TO A POINT ON THE PROPOSED NORTHERLY R.O.W. LINE OF AVON ROAD; THENCE ALONG THE PROPOSED NORTHERLY R.O.W. LINE OF AVON ROAD, DUE WEST 39.35 FEET; THENCE ALONG THE EASTERLY, NORTHERLY, AND WESTERLY BOUNDARY OF THE MODIFIED HISTORIC DISTRICT PARCEL, NORTH 01° 40' 04" EAST 213.09 FEET, AND DUE WEST 212.24 FEET, AND DUE SOUTH 213.00 FEET BACK TO THE POINT OF BEGINNING.

THIS DESCRIBED PARCEL CONTAINS 76.23 ACRES OF LAND AS SURVEYED, BEING SUBJECT TO THE RIPARIAN RIGHTS OF OTHERS IN THE CLINTON RIVER, AND

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I hereby certify that the foregoing Ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof held on .

Jane Leslie, City Clerk

Accepted for First Reading: 05/18/05