

**SANITARY SEWER EASEMENT**

ROCHESTER HILLS ACQUISITION GROUP, <sup>LLC,</sup> a Delaware Limited Liability Company, of 2625 Townsgate Rd, Suite 330, Westlake Village, CA 91362, grants to the CITY OF ROCHESTER HILLS, a Michigan municipal corporation, of 1000 Rochester Hills Drive, Rochester Hills, MI 48309, an easement for the construction, operation, maintenance, repair and/or replacement of a sanitary sewer on, under through and, across land more particularly described as:

See attached Exhibits A and B

Sidwell # 15-09-401-015

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the sanitary sewer, 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 sanitary sewer 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 sanitary sewer: (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 16<sup>th</sup> day of March, 2018.

Drafted By:

Jay Johnson, P.E.  
Nowak & Fraus  
46777 Woodward Ave  
Pontiac, MI 48342

When Recorded Return TO:

Clerks Dept  
City of Rochester Hills  
1000 Rochester Hills Dr  
Rochester Hills, MI 48309

ROCHESTER HILLS ACQUISITION GROUP, LLC.

[Signature]  
Signature

Craig Flashner  
Print Name

Manager  
Title

John Staran  
Approved 3/22/18

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

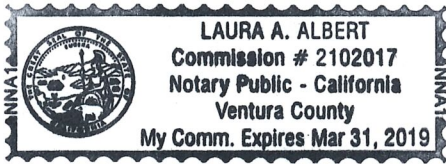
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of Ventura )  
On 3-16-18 before me, Laura A Albert,  
Date Here Insert Name and Title of the Officer  
personally appeared Craig Flashner  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Laura A. Albert  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_ Document Date: \_\_\_\_\_  
Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

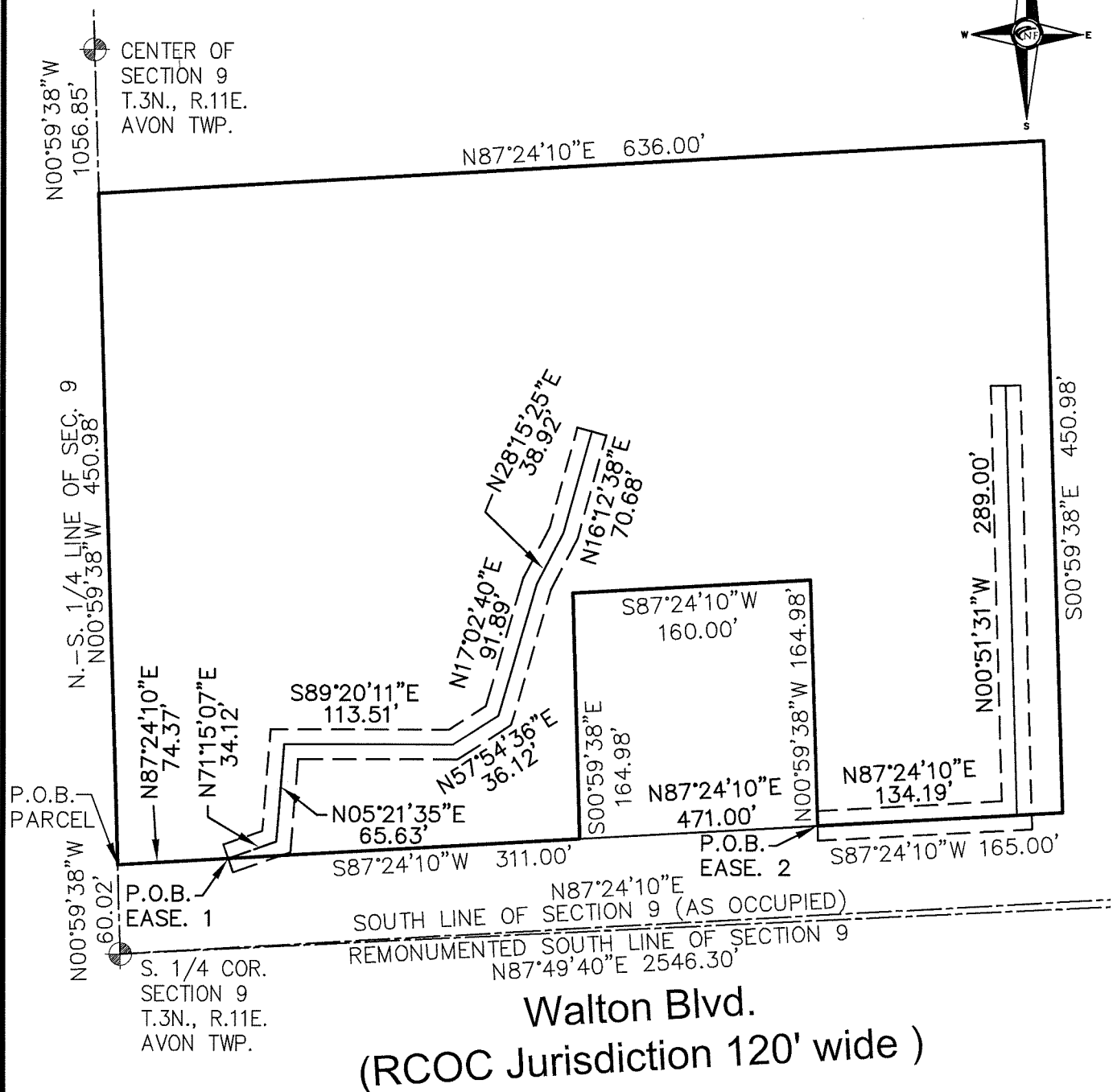
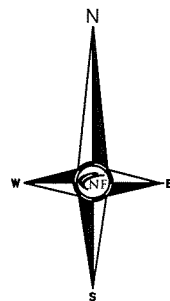
**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_

# Exhibit A

## TWENTY FOOT WIDE SANITARY SEWER EASEMENT



**NF ENGINEERS**  
 NOWAK & FRAUS ENGINEERS  
 46777 WOODWARD AVENUE  
 PONTIAC, MI 46342  
 TEL. (248) 332-7931  
 FAX. (248) 332-8257

*Scott W.*  
*Approved 3/26/18*

3-22-2018 REVISED PER CITY COMMENTS

SCALE	DATE	DRAWN	JOB NO.	SHEET
1" = 100'	02-01-2018	N.N.	I981	1 of 2

# Exhibit B

## LEGAL DESCRIPTIONS

### LEGAL DESCRIPTION:

#### TWENTY FOOT WIDE SANITARY SEWER EASEMENT

THE CENTERLINE OF A TWENTY (20.00) FOOT WIDE SANITARY SEWER EASEMENT, BEING PART OF THE SOUTHWEST 1/4 OF SECTION 9, TOWN 3 NORTH, RANGE 11, EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 9; THENCE ALONG THE NORTH AND SOUTH 1/4 LINE OF SAID SECTION 9, N. 00° 59' 38" W., 60.02 FEET; THENCE N. 87° 24' 10" E., 74.37 FEET TO THE POINT OF BEGINNING OF EASEMENT 1; THENCE N. 71° 15' 07" E., 34.12 FEET; THENCE N. 05° 21' 35" E., 65.63 FEET; THENCE S. 89° 20' 11" E., 113.51 FEET; THENCE N. 57° 54' 36" E., 36.12 FEET; THENCE N. 17° 02' 40" E., 91.89 FEET; THENCE N. 28° 15' 25" E., 38.92 FEET; THENCE N. 16° 12' 38" E., 70.68 FEET TO THE POINT OF ENDING.

ALSO THE CENTERLINE OF A TWENTY (20.00) FOOT WIDE SANITARY SEWER EASEMENT, BEING PART OF THE SOUTHWEST 1/4 OF SECTION 9, TOWN 3 NORTH, RANGE 11, EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 9; THENCE ALONG THE NORTH AND SOUTH 1/4 LINE OF SAID SECTION 9, N. 00° 59' 38" W., 60.02 FEET; THENCE N. 87° 24' 10" E., 471.00 FEET TO THE POINT OF BEGINNING OF EASEMENT 2; THENCE N. 87° 24' 10" E., 134.19 FEET; THENCE N. 00° 51' 31" W., 289.00 FEET TO THE POINT OF ENDING.

### LEGAL DESCRIPTION: PARCEL

LAND SITUATED IN THE CITY OF ROCHESTER HILLS, COUNTY OF OAKLAND, AND STATE OF MICHIGAN, DESCRIBED AS: PART OF THE SOUTHEAST 1/4 OF SECTION 9, TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 9; THENCE ALONG THE NORTH AND SOUTH 1/4 LINE OF SAID SECTION 9, N. 00° 59' 38" W., 60.02 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N. 00° 59' 38" W. 450.98 FEET; THENCE N. 87° 24' 10" E., 636.00 FEET; THENCE S. 00° 59' 38" E., 450.98 FEET TO THE NORTH RIGHT OF WAY OF WALTON BOULEVARD (120 FEET WIDE); THENCE S. 87° 24' 10" W. ALONG THE NORTH RIGHT OF WAY OF WALTON BOULEVARD, 165.00 FEET; THENCE N. 00° 59' 38" W., 164.98 FEET; THENCE S. 87° 24' 10" W., 160.00 FEET; THENCE S. 00° 59' 38" E., 164.98 FEET TO THE NORTH RIGHT OF WAY OF WALTON BOULEVARD (120 FEET WIDE); THENCE S. 87° 24' 10" W. 311.00 FEET ALONG THE NORTH RIGHT OF WAY OF WALTON BOULEVARD TO THE POINT OF BEGINNING. CONTAINING 260,323 SQUARE FEET OR 5.976 ACRES.

(PARCEL I.D. # 15-09-401-015)



**ENGINEERS**

NOWAK & FRAUS ENGINEERS  
46777 WOODWARD AVENUE  
PONTIAC, MI 46342  
TEL. (248) 332-7931  
FAX. (248) 332-8257

3-22-2018 REVISED PER CITY COMMENTS

SCALE	DATE	DRAWN	JOB NO.	SHEET
NONE	02-01-2018	N.N.	I981	2 of 2