

AMENDMENT TO WATERMAIN EASEMENT

Rochester Community Schools, a Public School District within the State of Michigan, of 501 West University, Rochester, Michigan 48307, 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 watermain on, under, through and across land more particularly described as:

Sidwell # 15-16-226-001

See Attached Exhibit A

Subsequent to the creation of the existing watermain easements, Rochester Community Schools has decided to commence construction such that it is now necessary to amend the legal description of the existing watermain easement to describe its new location.

Based on these facts and circumstances, the parties agree to and by this document amend the existing easement so that the legal description set forth herein and attached hereto in Exhibit A shall replace and supersede the legal descriptions of the existing watermain easements as originally recorded by the Oakland County Register of Deeds on September 9, 1996 at Liber 16579, Page 171 ("Watermain Easement"), and on May 31, 2002 at Liber 25790, Page 578 ("Water Main Easement"). The originally recorded legal descriptions for the existing easements shall be of no further force or effect and the City of Rochester Hills, MI, shall have those same easement rights in the following described easement:

See 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 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, which consent shall not be unreasonably withheld.

Exempt from Transfer Taxes under MCL 207.505(a) and 207.526(a).

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the undersigned have hereunto affixed their signatures on this 22 day of January, 2018.

Rochester Community Schools

Signature: Robert Shaner

Print or type name: Robert Shaner, Ph.D.

Title: Superintendent

STATE OF MICHIGAN
COUNTY OF MACOMB
ACTING IN OAKLAND

The foregoing instrument was acknowledged before me this 22 day of January, 2018, by Robert Shaner, Ph.D., who is the Superintendent of Rochester Community Schools, a Public School District, on behalf of the district.

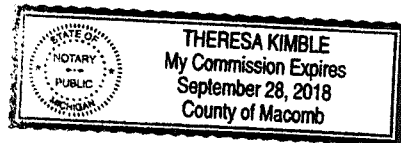
Theresa Kimble

Theresa Kimble, Notary Public
Macomb County, Michigan
Acting in Oakland County, Michigan

My Commission Expires:

Drafted by:

Jacob R. Ensley
Spalding DeDecker Associates, Inc.
905 South Boulevard East
Rochester Hills, MI 48307



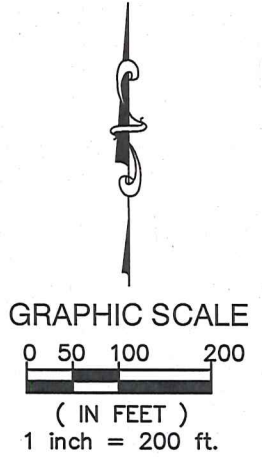
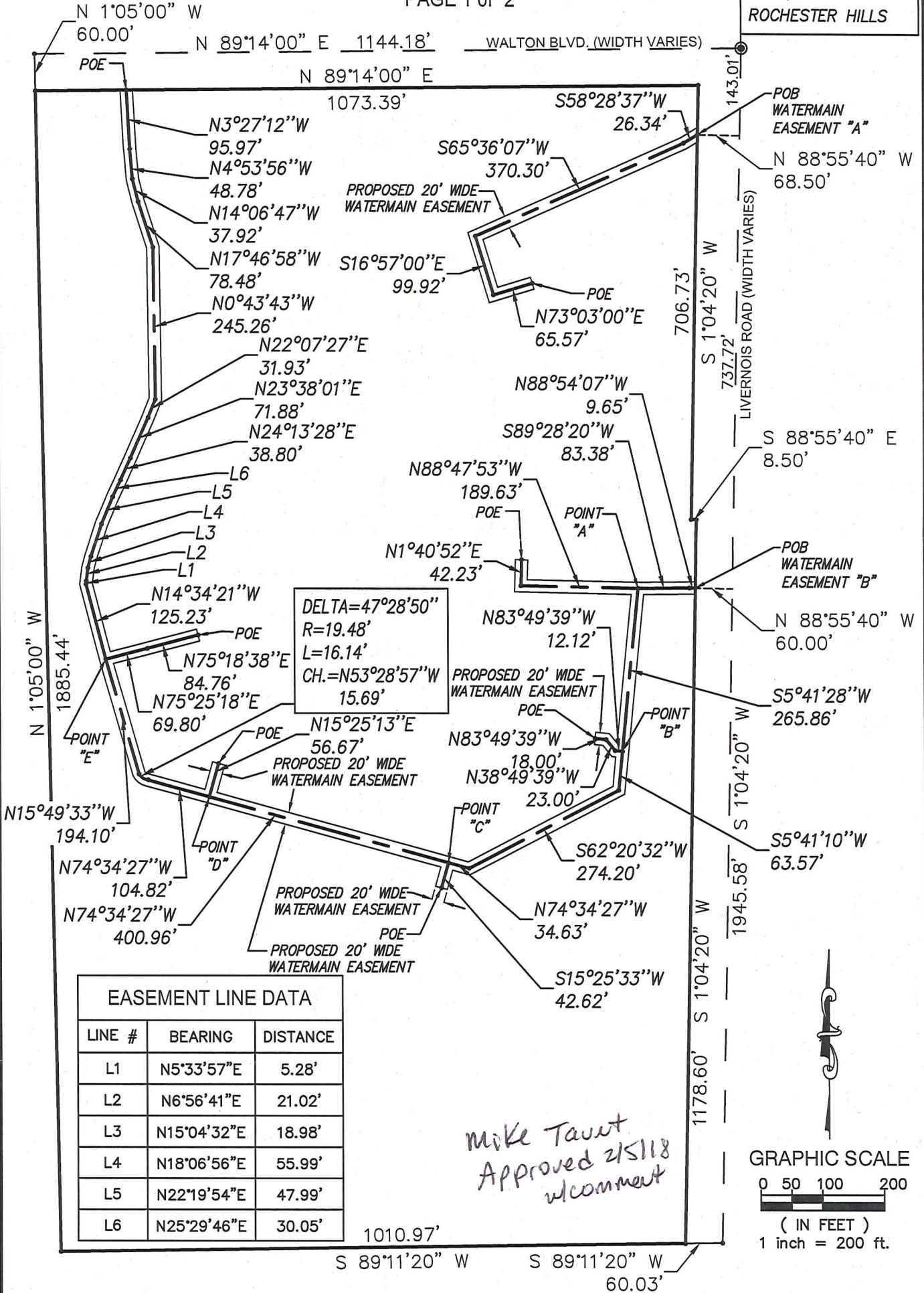
When recorded, return to:
Clerks Dept
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

John Starow
Approved 1/31/18

EASEMENT

EXHIBIT "A"
PAGE 1 OF 2

NORTHEAST CORNER
OF SECTION 16
T.3N., R.11E.
ROCHESTER HILLS



Plotted: May 22, 2017, 12:54 PM by user: 812 - Saved: 5/22/2017 by user: 812
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905 South Blvd. East Phone: (248) 844-5400
Rochester Hills, MI 48307 Fax: (248) 844-5404
www.sda-eng.com

DRAWN: M. TONUCCI	DATE: 11-08-16
CHECKED: J. ENSLEY	DATE: 11-08-16
MANAGER: T. SOVEL	SCALE: 1" = 200'
JOB No. NP16-001	SHEET: 1 OF 2
SECTION 16 TOWN 3 NORTH RANGE 11 EAST	
ROCHESTER HILLS OAKLAND COUNTY, MI	

EASEMENT

EXHIBIT "A"
PAGE 2 OF 2

ROCHESTER HIGH SCHOOL LEGAL DESCRIPTION PER OAKLAND COUNTY EQUALIZATION

TAX PARCEL NO. 15-16-226-001

LAND LOCATED IN AND BEING A PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 16, TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN; SAID LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 16; THENCE S01°04'20"W 1945.58 FEET ALONG THE EAST LINE OF SAID SECTION 16; THENCE S89°11'20"W 1071.00 FEET; THENCE N01°05'00"W TO THE NORTH LINE OF SAID SECTION 16; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SECTION 16 TO THE POINT OF BEGINNING. EXCEPTING THE NORTH 60 FEET AND THE EAST 60 FEET TAKEN FOR ROAD RIGHT OF WAY. ALSO EXCEPTING THE FOLLOWING 8.5 WIDE FOOT STRIP OF LAND THAT BEGINS AT A POINT DISTANT S01°04'20"W 60.03 FEET AND S89°14'00"W 60.03 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 16; THENCE S01°04'20"W 707.00 FEET; THENCE N88°55'40"W 8.50 FEET; THENCE N01°04'20"E 706.73 FEET; THENCE N89°14'00"E 8.50 FEET TO THE POINT OF BEGINNING. CONTAINING 46.71 ACRES.

LEGAL DESCRIPTION OF WATERMAIN EASEMENT "A" (20 FEET WIDE)

A 20 FOOT WIDE EASEMENT WHICH IS PART OF THE PARCEL DESCRIBED ABOVE, THE CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 16; THENCE S01°04'20"W 143.01 FEET ALONG THE EAST LINE OF SAID SECTION 16; THENCE N88°55'40"W 68.50 FEET TO THE POINT OF BEGINNING OF WATERMAIN EASEMENT; THENCE S58°28'37"W 26.34 FEET; THENCE S65°36'07"W 370.30 FEET; THENCE S16°57'00"E 99.92 FEET; THENCE N73°03'00"E 65.57 FEET TO THE POINT OF ENDING.

LEGAL DESCRIPTION OF WATERMAIN EASEMENT "B" (20 FEET WIDE)

A 20 FOOT WIDE EASEMENT WHICH IS PART OF THE PARCEL DESCRIBED ABOVE, THE CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 16; THENCE S01°04'20"W 143.01 FEET AND 737.72 FEET ALONG THE EAST LINE OF SAID SECTION 16; THENCE N88°55'40"W 60.00 FEET TO THE POINT OF BEGINNING OF 20 FOOT WIDE WATERMAIN EASEMENT; THENCE N88°54'07"W 9.65 FEET; THENCE S89°28'20"W 83.38 FEET TO A POINT "A"; THENCE N88°47'53"W 189.63 FEET; THENCE N01°40'52"E 42.23 FEET TO THE POINT OF ENDING. ALSO BEGINNING AT THE ABOVE REFERENCED POINT "A"; THENCE EXTENDING S05°41'28"W 265.86 FEET TO A POINT "B"; THENCE S05°41'10"W 63.57 FEET; THENCE S62°20'32"W 274.20 FEET; THENCE N74°34'27"W 34.63 FEET TO A POINT "C"; THENCE N74°34'27"W 400.96 FEET TO A POINT "D"; THENCE N74°34'27"W 104.82 FEET; THENCE 16.14 FEET ALONG AN ARC OF A CURVE CONCAVE TO THE NORTH, R=19.48 FEET, DELTA 47°28'50" WHOSE CHORD BEARS N53°28'57"W 15.69 FEET; THENCE N15°49'33"W 194.10 FEET TO A POINT "E"; THENCE N14°34'21"W 125.23 FEET; THENCE N05°33'57"E 5.28 FEET; THENCE N06°56'41"E 21.02 FEET; THENCE N15°04'32"E 18.98 FEET; THENCE N18°06'56"E 55.99 FEET; THENCE N22°19'54"E 47.99 FEET; THENCE N25°29'46"E 30.05 FEET; THENCE N24°13'28"E 38.80 FEET; THENCE N23°38'01"E 71.88 FEET; THENCE N22°07'27"E 31.93 FEET; THENCE N00°43'43"W 245.26 FEET; THENCE N17°46'58"W 78.48 FEET; THENCE N14°06'47"W 37.92 FEET; THENCE N04°53'56"W 48.78 FEET; THENCE N03°27'12"W 95.97 FEET TO THE POINT OF ENDING. ALSO BEGINNING AT THE ABOVE REFERENCED POINT "E"; THENCE EXTENDING N75°25'18"E 69.80 FEET; THENCE N75°18'38"E 84.76 FEET TO THE POINT OF ENDING.

ALSO A 20 FOOT WIDE WATERMAIN EASEMENT BEGINNING AT THE ABOVE REFERENCED POINT "B"; THENCE EXTENDING N83°49'39"W 12.12 FEET; THENCE N38°49'39"W 23.00 FEET; THENCE N83°49'39"W 18.00 FEET TO THE POINT OF ENDING. ALSO BEGINNING AT THE ABOVE REFERENCED POINT "C"; THENCE EXTENDING S15°25'33"W 42.62 FEET TO THE POINT OF ENDING. ALSO BEGINNING AT THE ABOVE REFERENCED POINT "D"; THENCE EXTENDING N15°25'13"E 56.67 FEET TO THE POINT OF ENDING.

Mike - Appd - 2-6-18



SPALDING DEDECKER
Engineers | Surveyors

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