

AMENDED AND RESTATED PEDESTRIAN PATHWAY EASEMENT

ROCHESTER UNIVERSITY, a Michigan nonprofit corporation, of 800 W. Avon Road, Rochester Hills, Michigan 48307 ("Grantor"), grants to the CITY OF ROCHESTER HILLS, a Michigan municipal corporation, of 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309 ("City"), an easement for the construction, operation, maintenance, repair and/or replacement, and public use of a pedestrian pathway over, on, through and across land more particularly described as:

Parcel ID #: part of 15-15-451-008 (now 15-15-451-011)
See Attached Exhibit A

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the pedestrian pathway, 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 pedestrian pathway 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. This instrument amends, restates and supersedes in its entirety, that certain Pedestrian Pathway Easement recorded on September 15, 2020 in Liber 54822, Page 426, Oakland County Records.

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, and public use of the pedestrian pathway: (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 21 day of October, 2020.

Rochester University, a Michigan nonprofit corporation

Signature: Thomas Kellinger

Print or type name: THOMAS KELLINGER

Title: EXECUTIVE VP & CFO

STATE OF MICHIGAN
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 21 day of October, 2020,
by THOMAS RELLINGEN, who is the EXECUTIVE VP @ CEO
of ROCHESTER UNIVERSITY, a Rochester University, a Michigan nonprofit corporation,
on behalf of the corporation.

Virginia A. May
Virginia A. May, Notary Public
Oakland County, Michigan
My Commission Expires 9-2-2027

Drafted by:
Alexandra E. Dieck
Bodman PLC
201 S. Division Street, Suite 400
Ann Arbor, MI 48104

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

John Staran
Approved 11/3/20

Exhibit A
Legal Description and Depiction of Easement
(see attached)

EXHIBIT "A"

LEGAL DESCRIPTION OF ROCHESTER UNIVERSITY PARCEL
TAX PARCEL I.D. #15-15-451-011:

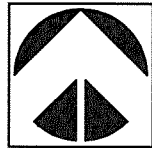
A PARCEL OF LAND LOCATED IN THE WEST 1/2 OF THE SOUTHEAST 1/4 AND PART OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 15, T3N-R11E, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 15, THENCE DUE WEST, ALONG THE SOUTH LINE OF SAID SECTION 15 AND THE CENTERLINE OF W. AVON ROAD, 2794.58 FEET TO THE SOUTH 1/4 CORNER OF SAID SECTION 15; THENCE NORTH 03°26'11" EAST 60.11 FEET ALONG THE NORTH-SOUTH 1/4 LINE TO THE POINT OF BEGINNING AND THE NORTH LINE OF SAID W. AVON ROAD, 60 FOOT HALF WIDTH; THENCE, ALONG THE NORTH LINE OF SAID W. AVON ROAD, NORTH 89°47'56" WEST 1313.10 FEET AND NORTH 88°26'03" WEST 391.01 FEET TO THE SOUTHEASTERLY LINE OF THE CLINTON RIVER "TRAIL" (FORMALLY KNOWN AS THE GRAND TRUNK WESTERN RAILROAD); THENCE, ALONG THE SOUTHEASTERLY LINE OF SAID "TRAIL", NORTH 42°34'57" EAST 252.70 FEET; THENCE CONTINUING ALONG THE SOUTHEASTERLY LINE OF SAID "TRAIL", NORTHEASTERLY 797.44 FEET ON THE ARC OF A 5524.16 FOOT RADIUS CURVE TO THE RIGHT, WITH A DELTA ANGLE OF 08°16'15" AND CHORD BEARING AND DISTANCE OF NORTH 46°42'59" EAST 796.75 FEET; THENCE, CONTINUING ALONG THE SOUTHEASTERLY LINE OF SAID "TRAIL", NORTH 50°51'00" EAST 1021.05 TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15; THENCE, ALONG SAID SOUTH LINE, NORTH 89°38'14" EAST 244.84 FEET TO THE EAST 1/8 CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 15; THENCE, ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15, NORTH 89°45'33" EAST 27 FEET, MORE OR LESS, TO A POINT ON THE CENTER OF THE CLINTON RIVER; THENCE FOLLOWING ALONG 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°41'28" EAST 25 FEET, MORE OR LESS; THENCE SOUTH 22°04'32" EAST 226.40 FEET; THENCE SOUTH 71°53'04" EAST 609.74 FEET; THENCE SOUTH 02°10'13" WEST 118.12 FEET; THENCE SOUTH 01°51'27" WEST 19.46 FEET; THENCE NORTH 88°21'57" WEST 336.59 FEET; THENCE SOUTH 57°20'54" WEST 128.22 FEET; THENCE SOUTH 28°45'21" WEST 508.13 FEET; SOUTH 52°53'14" EAST 202.49 FEET; THENCE SOUTH 53°54'10" WEST 81.99 FEET; THENCE SOUTH 36°05'50" EAST 60.00 FEET; THENCE NORTH 53°54'10" EAST 179.32 FEET TO A POINT ON THE WEST BOUNDARY OF THE ROCHESTER CHURCH OF CHRIST PARCEL AS SURVEYED BY BUCKERFIELD ENGINEERING, RECORDED IN LIBER 10030, PAGES 313 & 314, OAKLAND COUNTY RECORDS; THENCE, ALONG SAID WEST BOUNDARY LINE, SOUTH 01°40'04" WEST 272.83 FEET; THENCE DUE WEST 2.50 FEET; THENCE SOUTH 01°40'04" WEST 539.97 FEET TO THE NORTH LINE OF SAID W. AVON ROAD; THENCE, ALONG SAID NORTH LINE, DUE WEST 39.55 FEET; THENCE NORTH 01°40'04" EAST 213.09 FEET; THENCE DUE WEST 212.24 FEET; THENCE DUE SOUTH 213.00 FEET TO THE NORTH LINE OF SAID W. AVON ROAD; THENCE, ALONG SAID NORTH LINE, DUE WEST 753.34 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 68.36 ACRES OF LAND AND IS SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS WHICH MAY OR MAY NOT BE OF RECORD.

Now 15-15-451-011

Sheet 1 of 2

Jm
10/29/20

EXHIBIT "A" - PEDESTRIAN PATHWAY EASEMENT AREA



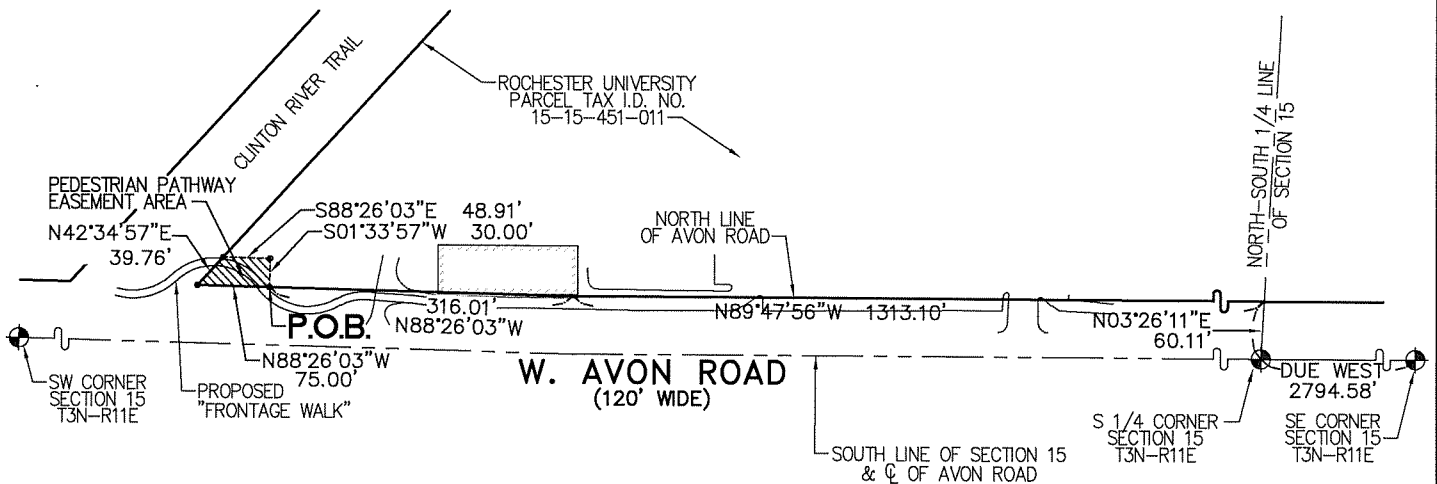
NORTH

0 50 100 200



(IN FEET)

1 inch = 200 ft.



LEGAL DESCRIPTION FOR PEDESTRIAN PATHWAY EASEMENT AREA

LAND SITUATED IN THE CITY OF ROCHESTER HILLS, COUNTY OF OAKLAND STATE OF MICHIGAN, BEING PART OF THE SW 1/4 OF SECTION 15, TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 15, THENCE, ALONG THE SOUTH LINE OF SAID SECTION 15 AND THE CENTERLINE OF W. AVON ROAD, DUE WEST 2794.58 FEET TO THE SOUTH 1/4 CORNER OF SAID SECTION 15; THENCE, ALONG THE NORTH-SOUTH 1/4 LINE OF SAID SECTION 15, NORTH 03°26'11" EAST 60.11 FEET TO A POINT ON THE NORTH LINE OF SAID W. AVON ROAD; THENCE, ALONG SAID NORTH LINE OF W. AVON ROAD, NORTH 89°47'56" WEST 1313.10 FEET AND NORTH 88°26'03" WEST 316.01 FEET TO THE POINT OF BEGINNING; THENCE, CONTINUING ALONG THE NORTH LINE OF SAID W. AVON ROAD, NORTH 88°26'03" WEST 75.00 FEET TO THE SOUTHWEST CORNER OF THE ROCHESTER UNIVERSITY PARCEL; THENCE, ALONG THE WEST LINE OF SAID ROCHESTER UNIVERSITY PARCEL AND THE EAST LINE OF THE CLINTON RIVER TRAIL, NORTH 42°34'57" EAST 39.76 FEET; THENCE SOUTH 88°26'03" EAST 48.91 FEET; THENCE SOUTH 01°33'57" WEST 30.00 FEET TO A POINT ON THE NORTH LINE OF SAID W. AVON ROAD AND THE POINT OF BEGINNING.

The UMLOR Group
LAND DEVELOPMENT SERVICES

Approved jm

PEDESTRIAN PATHWAY EASEMENT AREA	
FOR: ROCHESTER UNIVERSITY CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN	
The Umlor Group 49287 West Road Wixom, Michigan 48393 Tel. (248) 773-7656 Fax. (866) 690-4307	DRAWN BY: JOC CHKD BY: TO DATE: 10-13-2020 SHT. NO.: 2 OF 2