Watermain Easement

G. Evangelista Incorporated, a Michigan corporation, whose address is 29437 Ryan Road, Warren, Michigan 48092, grants to the City of Rochester Hills, a Michigan municipal corporation, whose address is 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:

SEE EXHIBIT "A" PROPERTY DESCRIPTION ATTACHED HERETO AND MADE APART HEREOF

The description of said easement granted is more particularly described as follows.

SEE EXHIBIT "B" EASEMENT DESCRIPTION ATTACHED HERETO AND MADE APART HEREOF, and;

SEE EXHIBIT "C" EASEMENT SKETCH ATTACHED HERETO AND MADE APART HEREOF

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 construction, operation, maintenance, repair and/or replacement of the watermain shall be restored by the City to its immediate prior condition, except to the extent permanent improvements or alterations necessary to the use and exercise of easement rights granted hereunder are made.

This 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)

Dated: 02-02-2005

Witness Christina Costido

Signed by:

G. Evangelista, Incorporated, a Michigan

corporation

MARES JAMES DEVISES

Gerardo Evangelista, President

STATE OF MICHIGAN

) ss.

COUNTY OF MACOMB)

The foregoing instrument was acknowledged before me this 2nd day of February, 2005 by Gerardo Evangelista, President of G. Evangelista Incorporated, a Michigan corporation, on behalf of said corporation.

My commission expires: 07-18-2008

Christina Castillo, Notary Public Macomb County, Michigan

Acting in Macomb County

Drafted by:

Gerardo Evangelista 29437 Ryan Road Warren, Michigan 48092 When recorded, return to

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

EXHIBIT "A"

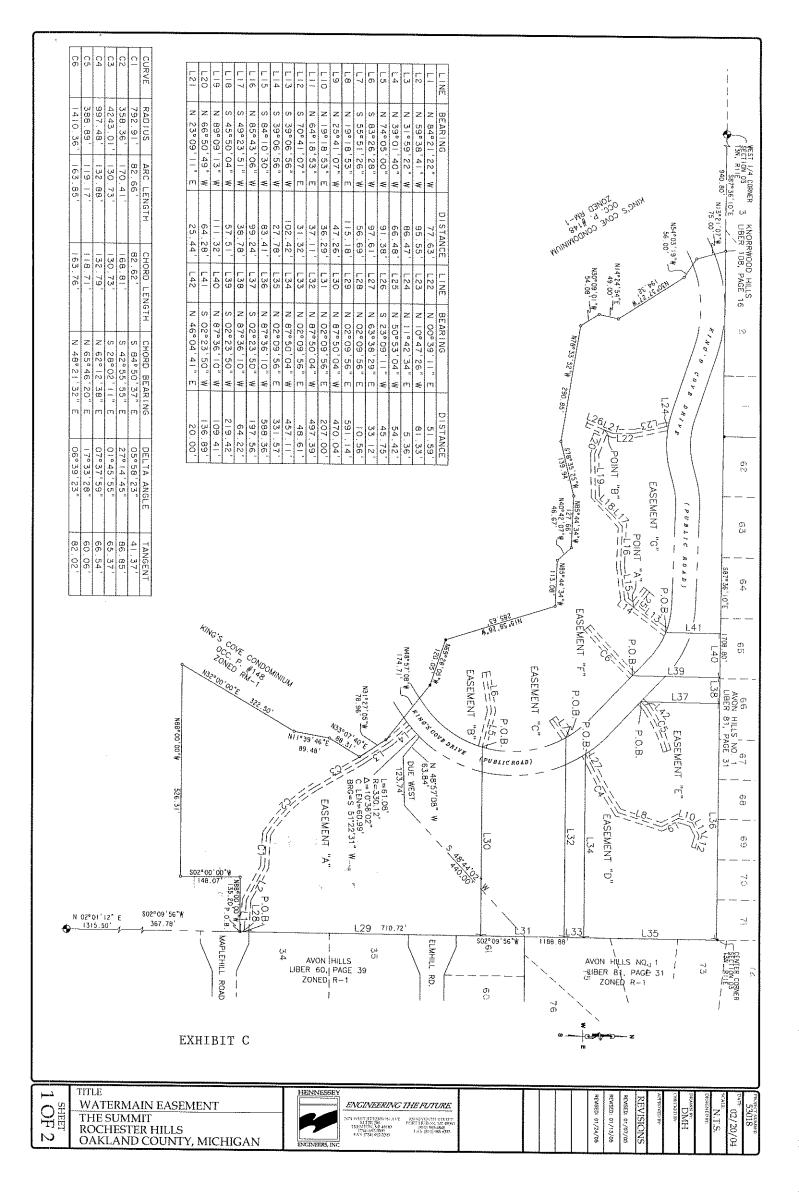
LEGAL DESCRIPTION

Parcel 1 Tax I.D. No.: 15-03-326-016

A parcel of land in the Southwest 1/4 of Section 3, T.3 N., R.11 E., City of Rochester Hills, Oakland County, Michigan, described as beginning at a point on the North and South 1/4 line of said Section 3 distant North 02 degrees 01 minute 12 seconds East, 1,315.50 feet and North 02 degrees 09 minutes 56 seconds East, 1,078.50 feet from the South 1/4 corner of said Section 03, thence South 48 degrees 44 minutes 02 seconds, West 440.00 feet; thence due West 123.74 feet; thence North 48 degrees 57 minutes 08 seconds West 63.84 feet; thence along a curve to the right 61.08 feet on the arc of a 330.12 foot radius curve being subtended by a long chord bearing South 51 degrees 22 minutes 31 seconds West with a distance of 60.99 feet; thence North 48 degrees 57 minutes 08 seconds West, 104.19 feet; thence North 69 degrees 28 minutes 05 seconds West, 120.05 feet; thence North 15 degrees 58 minutes 28 seconds West, 285.63 feet; thence North 85 degrees 44 minutes 34 seconds West, 113.08 feet; thence North 40 degrees 42 minutes 07 seconds West, 46.67 feet; thence North 85 degrees 44 minutes 34 seconds West, 127.66 feet; thence South 78 degrees 35 minutes 25 seconds West, 139.94 feet; thence North 78 degrees, 33 minutes 52 seconds West, 290.85 feet; thence North 30 degrees 09 minutes 01 second West, 54.08 feet; thence North 14 degrees 24 minutes 54 seconds East, 49.00 feet; thence North 30 degrees 37 minutes 27 seconds West, 194.32 feet; thence North 54 degrees 03 minutes 19 seconds West, 56,00 feet; thence North 13 degrees 21 minutes 07 seconds West, 75.00 feet; thence along the East and West 1/4 line of said Section 3 South 87 degrees 36 minutes 10 seconds East, 1,708.80 feet; thence along the North and South 1/4 line of said Section 3 South 02 degrees 09 minutes 56 seconds West, 478.16 feet to the point of beginning. Containing 862,488 square feet or 19.80 acres of land. Reserving easement and right of ways of record.

Parcel 2 Tax I.D. No.: 15-03-326-018

A parcel of land in the Southwest 1/4 of Section 3, T.3 N., R.11 E., City of Rochester Hills, Oakland County, Michigan, described as beginning at a point on the North and South 1/4 line of said Section 3 distant North 02 degrees 01 minute 12 seconds East, 1,315.50 feet and North 02 degrees 09 minutes 56 seconds East, 367.78 feet from the South 1/4 corner of said Section 03; thence North 88 degrees 00 minutes 00 seconds West, 135.20 feet; thence South 02 degrees 00 minutes 00 seconds West 148.07 feet; thence North 88 degrees 00 minutes 00 seconds West, 526.31 feet; thence North 32 degrees 00 minutes 00 seconds East, 322.50 feet; thence North 11 degrees 39 minutes 46 seconds East 89.48 feet; thence North 33 degrees 07 minutes 40 seconds East, 88.31 feet; thence North 31 degrees 27 minutes 05 seconds West, 78.96 feet; thence North 48 degrees 57 minutes 08 seconds West, 70.52 feet; thence along a curve to the left 61.08 feet on the arc of a 330.12 foot radius curve being subtended by a long chord bearing North 51 degrees 22 minutes 31 seconds East with a distance of 60.99 feet; thence South 48 degrees 57 minutes 08 seconds East, 63.84 feet; thence due East, 123.74 feet; thence North 48 degrees 44 minutes 02 seconds East, 440.00 feet; thence South 02 degrees 09 minutes 56 seconds West, 710.72 feet to the point of beginning, containing 325,383.71 square feet or 7.47 acres of land. Reserving easement and right of ways of record.





N85'44'34"W 113.08 FEET AND N40'42'07"W 46.67 FEET AND N85'44'34"W 127.56 FEET AND S78'35'25"W 139.94 FEET AND N78'33'52"W 290.85 FEET AND N30'90'01"W 54.08 FEET AND N14'24'54"E 49.00 FEET AND N30'37'27"W 194.32 FEET AND N54'03'19"W 56.00 FEET AND N13'21'07"W 75.00 FEET TO A POINT ON THE EAST AND WEST 1/4 LINE OF SAID SOUTH LINE OF KNORRWOOD HILLS SUBDIVISION AS RECORDED IN LIBER 108, PAGE 16, O.C.R., THENCE ALONG SAID LINE AND SOUTH LINE OF SAID AVON HILLS NO. 1, S87'36'10"E 1708.80 FEET TO A POINT ON THE NORTH AND SOUTH 1/4 SECTION LINE; THENCE ALONG SAID LINE AND WEST LINE OF SAID AVON HILLS SUB., S02'09'56"W 478.16 FEET TO THE POINT OF BEGINNING. CONTAINING 19.80 ACRES OF LAND. RESERVING EASEMENT AND RIGHT OF WAYS OF RECORD. A PARCEL OF LAND IN THE SOUTHWEST 1/4 OF SECTION 3, T.3 N., R.11 E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS BEGINNING AT A POINT ON THE NORTH AND SOUTH 1/4 LINE OF SAID SECTION 3, POINT ALSO BEING ON THE WEST LINE OF AVON HILLS NO.1 AS RECORDED IN LIBER 81, PAGE 31, OAKLAND COUNTY RECORDS AND BEING NO2"01'12"E 1315.50 FEET AND NO2"09'56"E 1078.50 FEET FROM THE SOUTH 1/4 CORNER OF SAID SECTION 03, THENCE SET 848'44'02"W 440.00 FEET; THENCE DUE WEST 123.74 FEET; THENCE ALONG A CURVE TO THE RIGHT 61.08 FEET ON THE ARC OF A 330.12 FOOT RADIUS CURVE BEING SUBTENDED BY A LONG CHORD BEARING S51'22'31"W WITH A DISTANCE OF 60.99 FEET TO A POINT ON THE EAST LINE OF KING'S COVE CONDOMINIUM O.C.C.P.#148; THENCE ALONG SAID EAST LINE NA857'08"W 104.19 FEET AND N69'28'05"W 120.05 FEET AND N.15'-38'28"W 285.63 FEET AND

N31'27'05"W 78.96 FEET AND N48'57'08"W 70.52 FEET; THENCE 61.08 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 330.12 FEET AND BEING SUBTENDED BY A LONG CHORD BEARING N51'22'31"E 60.99 FEET; THENCE S48'57'08"E 63.84 FEET; THENCE DUE EAST 123.74 FEET; THENCE N48'44'02"E 440.00 FEET TO A POINT ON THE WORTH AND SOUTH 1/4 SECTION LINE AND THE WEST LINE OF SAID AVON HILLS SUB.; THENCE ALONG SAID LINE S02'09'56"W 710.72 FEET TO THE POINT OF BEGINNING, CONTAINING 7.47 ACRES OF LAND. RESERVING EASEMENT AND RIGHT OF WAYS OF RECORD. A PARCEL OF LAND IN THE SOUTHWEST 1/4 OF SECTION 3, 1.3 N., R.11 EAST., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS BEGINNING AT A POINT ON THE NORTH AND SOUTH 1/4 LINE OF SAID SECTION 3 AND THE WEST LINE OF AVON HILLS SUBDIVISION AS RECORDED IN LIBER 60, PAGE 39, O.C.R. AND BEING NOZ'D1'12"E 1315.50 FEET AND NOZ'D9'56"E 367.78 FEET FROM THE SOUTH 1/4 CORNER OF SAID SECTION 03; THENCE NB8'D0'00"W 526.31 FEET TO THE EAST LINE OF KING'S COVE CONDOMINUM, O.C.C.P.#148; THENCE ALONG SAID LINE N3Z'D0'00"E 322.50 FEET AND N1739'46"E 89.48 FEET AND N33'D7'40"E 88.31 FEET AND REWSED: 01/24/05

EASEMENT A

A 20 FT. WIDE WATERMAIN EASEMENT LOCATED IN SECTION 3, T. 3 N., R. 11 E., ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, CENTERLINE DESCRIBED AS BEGINNING AT A POINT BEING NO2'01'12"E 1315.50 FEET AND NO2'09'56"E 378.34 FEET FROM THE SOUTH 1/2 CORNER OF SAID SECTION 3 AND PROCEEDING THENCE N84'21'22"W 77.63 FEET; THENCE N59'38'41"W 95.55 FEET; THENCE ALONG A CURVE TO THE RIGHT AN ARC LENGTH OF 82.66 FEET, A RADIUS OF 792.91 FEET, A CHORD BEARING OF N84'50'37"W, A CHORD LENGTH OF 182.62 FEET, THENCE ALONG A CURVE TO THE RIGHT AN ARC LENGTH OF 130.73 FEET, A RADIUS OF 4243.01 FEET, A CHORD BEARING OF N28'02'11"W, A CHORD LENGTH OF 130.73 FEET, THENCE N39'01'40"W 66.48 FEET TO THE POINT OF ENDING.

A 20 FT. WIDE WATERMAIN EASEMENT LOCATED IN SECTION 3, T. 3 N., R. 11 E., ROCHESTER HILLS, DAKLAND COUNTY, MICHIGAN, CENTERLINE DESCRIBED AS BEGINNING AT A POINT BEING NO2'01'12"E 1315.50 FEET NB7'50'04"W 470.04 FEET FROM THE SOUTH 1/2 CORNER OF SAID SECTION 3 AND PROCEEDING THENCE N74'05'00"W 91.38 FEET; THENCE S83'26'28"W 97.61 FEET TO THE POINT OF ENDING. AND N02"09"56"E 969.48 FEET ₽

A 20 FT. WIDE WATERMAIN EASEMENT LOCATED IN SECTION 3, T. 3 N., R. 11 E., ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, CENTERLINE DESCRIBED AS BEGINNING AT A POINT BEING NOZ'001'12"E 1315.50 FEET AND NOZ'09'65"E 1225.09 FEET AND N87'50'04"W 457.11 FEET FROM THE SOUTH ¼ CORNER OF SAID SECTION 3 AND PROCEEDING THE LOCATION THE NEET ALONG A CURVE TO THE LEFT AN ARC LENGTH OF 132.88 FEET, A RADIUS OF 997.48 FEET, A CHORD BEARING OF N6212'38"E, A CHORD LENGTH OF 132.79 FEET, THENCE N19'18'53"E 115.18 FEET; N25'41'07"W 47.26 FEET; THENCE N19'18'53"E 36.29 FEET; THENCE N64'18'53"E 37.11 FEET; THENCE S70'41'17"E 31.32 FEET TO THE POINT OF A 20 FT. WIDE WATERWAIN EASEMENT LOCATED IN SECTION 3, T. 3 N., R. 11 E., ROCHESTER HILLS, OAKLAND COUNTY, MICHICAN, CENTERLINE DESCRIBED AS BEGINNING AT A POINT BEING NO2'01'12"E 1315.50 FEET AND NO2'09'56"E 1176.48 FEET AND N87'50'04"W 497.39 FEET FROM THE SOUTH 1/4 CORNER OF SAID SECTION 3 AND PROCEEDING THENCE S55'51'26"W 56.69 FEET TO THE POINT OF ENDING. EASEMENT D

EASEMENT E

ENDING

A 20 FT. WIDE WATERMAIN EASEMENT LOCATED IN SECTION 3, T. 3 N., R. 11 E., ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, CENTERLINE DESCRIBED AS BEGINNING AT A POINT BEING N02'01'12"E 1315.50 FEET AND N02'09'65"E 155.6.6 FEET AND N87'36'10"W 588.36 FEET AND S02'23'50"W 197.56 FEET FROM THE SOUTH 1/4 CORNER OF SAID SECTION 03, AND PROCEEDING THENCE N46'04'41"E 20.00 FEET; THENCE ALONG A CURVE TO THE RIGHT AN ARC LENGTH OF 119.17 FEET, A RADIUS OF 388.89 FEET, A CHORD BEARING OF N65'46'20"E, A CHORD LENGTH OF 118.71 FEET TO THE POINT OF ENDING.

A 20 FT. WIDE WATERMAIN EASEMENT LOCATED IN SECTION 3, T. 3 N., R. 11 E., ROCHESTER HILLS, DAKLAND COUNTY, MICHIGAN, CENTERLINE DESCRIBED AS BEGINNING AT A POINT BEING NO2'01'12"E 1315.50 FEET AND NO2'09'56"E 1556.66 FEET AND NB7'36'10"W 552.58 FEET AND SO2'23'50"W 219.42 FEET FROM THE SOUTH 1/4 CORNER OF SAID SECTION 03, AND PROCEEDING THENCE ALONG A CURVE TO THE RIGHT AN ARC LENGTH OF 163.85 FEET, A RADIUS OF 1410.36 FEET, A CHORD BEARING OF S48'21'32"W, A CHORD LENGTH OF 163.76 FEET TO THE POINT OF ENDING. WATERMAIN EASEMENT
THE SUMMIT
ROCHESTER HILLS
OAKLAND COUNTY, MICHIGAN

NOO'39'11"E 51.59 FEET; THENCE N10'47'26"W 81.33 FEET; THENCE N11'42'34"E 5.36 FEET TO THE POINT OF ENDING, ALSO BEGINNING AT POINT "A" AND PROCEEDING THENCE N50'53'04"W 54.42 FEET TO THE POINT OF ENDING, AND ALSO BEGINNING AT POINT "B" AND PROCEEDING THENCE S23'09'11"W 45.75 FEET TO THE POINT OF ENDING. A 20 FT. WIDE WATERMAIN EASEMENT LOCATED IN SECTION 3, T. 3 N., R. 11 E., ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, CENTERLINE DESCRIBED AS BEGINNING AT A POINT BEING NO270112"E 1315.50 FEET AND NO270956"E 1556.66 FEET AND NO270956"E 1556.66 FEET AND NO2736"O"W 761.99 FEET AND S02723"50"W 136.89 FEET FROM THE SOUTH 1/4 CORNER OF SAID SECTION 03, AND PROCEEDING THENCE S39706'56"W 102.42 FEET TO POINT "A"; THENCE S49723'51"W 38.78 FEET; THENCE S4550"04"W 57.51 FEET; THENCE N89793"13"W 111.32 FEET; THENCE N8650"49"W 64.28 FEET TO POINT "B"; THENCE THENCE N23709"11"E 25.44 FEET; THENCE

OF 2 SHEET ENGINEERING THE FUTURE

emgineering dem 02-19-2009

REVISED: 01/13/05 REVISED: 01/07/05

REVISIONS

HMG

02/20/04