

AMENDED AND RESTATED WATERMAIN EASEMENT

KNOW ALL BY THESE PRESENTS, that Pulte Homes of Michigan LLC, a Michigan limited liability company, whose address is 2800 Livernois Road, Building D, Suite 320, Troy, Michigan 48083 (hereinafter referred to as "Grantor"), being title holder to the following described parcel of land, to-wit:

See attached and incorporated Exhibit A ("Grantor Property")

for and in consideration of One (\$1.00) Dollar, receipt and sufficiency of which is hereby acknowledged, does hereby grant and convey to the City of Rochester Hills, a Michigan municipal corporation, whose address is 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309, (hereinafter referred to as "Grantee"), a non-exclusive perpetual easement for a water main, over, upon, across, in, through, and under the following described real property, to-wit:

See attached and incorporated Exhibit B ("Watermain Easement Area")

And to enter upon sufficient land adjacent to said water main easement for the purpose of exercising the rights and privileges granted herein. Grantee may install, repair, replace, improve, modify and maintain water main lines, and all necessary appurtenances thereto, within the easement herein granted. Grantor agrees not to build or to convey to others permission to build any permanent structures on, over, across, in, through, or under the above-described easement, except for such structures called for in the approved site plan for the adjacent Rochester University Townhomes Planned Unit Development,

Nothing herein prohibits paved driveways, parking and/or walkways, curbs, landscaping, and other utilities within the Watermain Easement Area, which do not interfere with use, operation, maintenance, repair and replacement of the water main in the Watermain Easement Area.

All portions of the Grantor Property damaged or disturbed by Grantee's exercise of easement rights, shall be reasonably restored by Grantee to the condition that existed prior to the damage or disturbance.

This instrument amends, restates and supersedes in its entirety, that certain Watermain Easement recorded on September 15, 2020 in Liber 54822, Page 441, Oakland County Records. This instrument shall run with the land first described above and shall be binding upon and inure to the benefit of the Grantor, Grantee, and their respective heirs, representatives, successors and assigns. This Easement is exempt from transfer taxes pursuant to MCL 207.505(a) and MCL 207.526(a).

[SIGNATURE OF GRANTOR ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the undersigned Grantor has affixed his signature this 15th day of October, 2020

Pulte Homes of Michigan LLC,
a Michigan limited liability company

By: *Paul Schyck*

Name: Paul Schyck

Its: DIVISION DIRECTOR OF LAND DEVELOPMENT

STATE OF MICHIGAN)
) ss
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 15th day of October 2020, by Paul Schyck, the DIVISION * of Pulte Homes of Michigan LLC, a Michigan limited liability company, on behalf of the company.

* DIRECTOR OF LAND DEVELOPMENT
Gregory J. Gamalski
_____, Notary
Notary Public, _____ County, _____
Acting in _____ County
My Commission expires: _____

THIS INSTRUMENT DRAFTED BY

Alexandra E. Dieck
Bodman PLC
201 S. Division Street, Suite 400
Ann Arbor, Michigan 48104

RETURN TO WHEN RECORDED:

Clerks Department
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

John Starau
Approved 11/3/20

Gregory J. Gamalski
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF OAKLAND
My Commission Expires December 7, 2020
Acting in the County of OAKLAND

**EXHIBIT A
GRANTOR'S PROPERTY**

LAND SITUATED IN THE CITY OF ROCHESTER HILLS, COUNTY OF OAKLAND STATE OF MICHIGAN,
DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST 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, DUE WEST 1793.79 FEET; THENCE NORTH 01°40'04" EAST 600.00 FEET; THENCE DUE EAST 2.50 FEET; THENCE NORTH 01°40'04" EAST 272.83 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 53°54'10" WEST 179.32 FEET; THENCE NORTH 36°05'50" WEST 60.00 FEET; THENCE NORTH 53°54'10" EAST 81.99 FEET; THENCE NORTH 52°53'14" WEST 202.49 FEET; THENCE NORTH 28°45'21" EAST 508.13 FEET; THENCE NORTH 57°20'54" EAST 128.22 FEET; THENCE SOUTH 88°21'57" EAST 336.59 FEET; THENCE SOUTH 01°51'27" WEST 604.32 FEET; THENCE DUE WEST 393.37 FEET; THENCE SOUTH 01°40'04" WEST 14.36 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 7.90 ACRES OF LAND.

Tax Parcel: part of 15-15-451-008
(future 15-15-451-012)

EXHIBIT B
WATERMAIN EASEMENT AREA

(see attached)

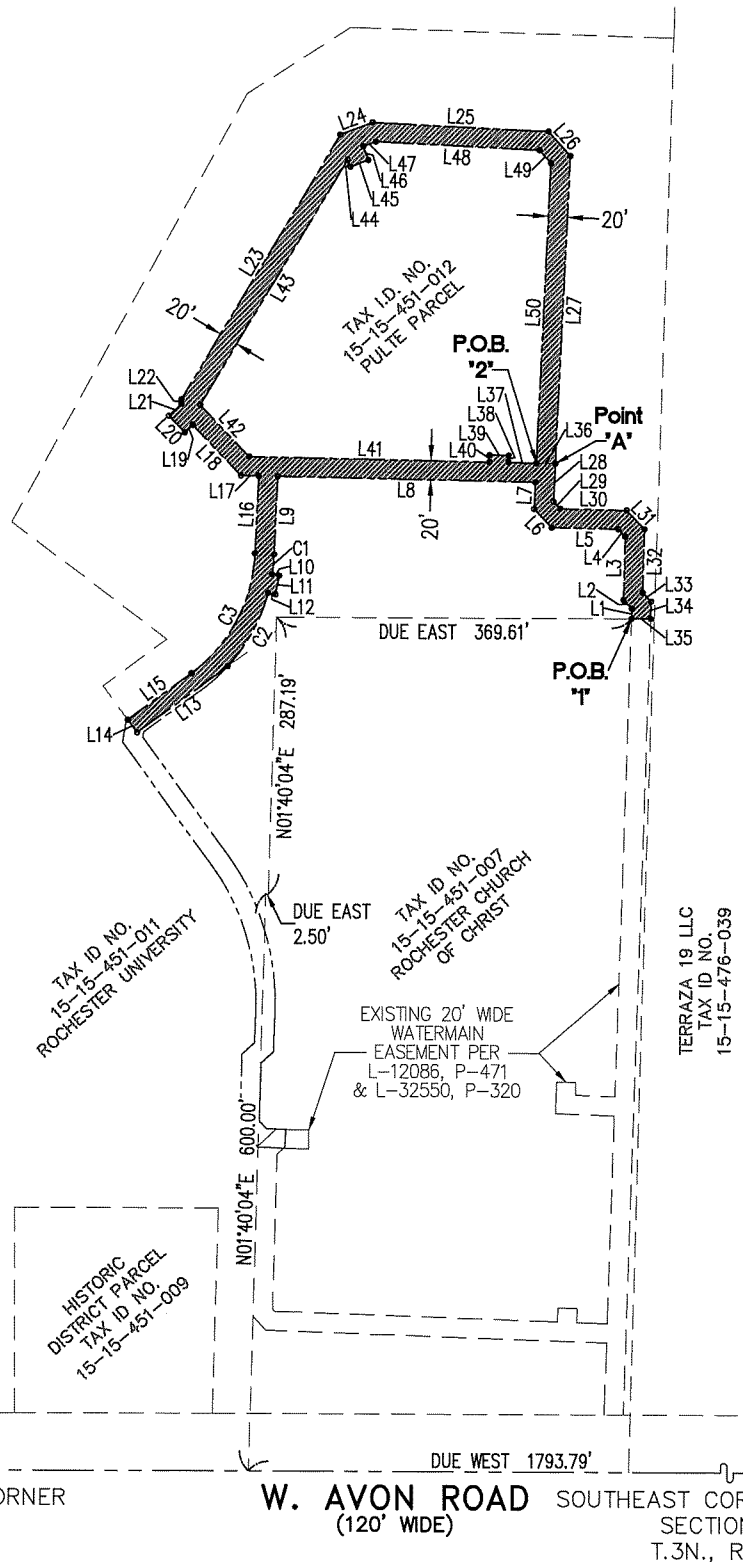
EXHIBIT "B"

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N01°31'01"E	10.54'
L2	N43°26'43"W	12.66'
L3	N01°33'17"E	66.46'
L4	N43°44'51"W	10.47'
L5	N88°55'47"W	69.10'
L6	N43°44'51"W	27.08'
L7	N02°43'09"E	27.80'
L8	N88°55'47"W	268.11'
L9	S02°43'11"W	81.44'
L10	S78°09'02"E	7.73'
L11	S11°50'58"W	20.00'
L12	N78°09'02"W	7.73'
L13	S53°54'10"W	116.79'
L14	N36°05'50"W	16.50'
L15	N53°54'12"E	82.12'
L16	N02°43'11"E	80.87'
L17	N88°55'47"W	18.41'
L18	N43°55'47"W	72.62'
L19	S46°04'11"W	11.30'
L20	N43°55'49"W	24.01'
L21	N46°04'11"E	17.82'
L22	N01°04'11"E	4.80'
L23	N30°55'38"E	321.32'
L24	N69°04'32"E	35.99'
L25	S87°16'49"E	183.43'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L26	S42°16'51"E	34.01'
L27	S02°43'09"W	320.00'
L28	S02°43'09"W	39.80'
L29	S43°44'51"E	10.18'
L30	S88°55'47"E	69.10'
L31	S43°44'51"E	27.14'
L32	S01°33'17"W	66.52'
L33	S43°26'43"E	12.65'
L34	S01°31'01"W	18.29'
L35	N90°00'00"W	20.01'
L36	N88°55'47"W	20.01'
L37	N88°55'47"W	28.81'
L38	N01°04'13"E	7.39'
L39	N88°55'47"W	20.00'
L40	S01°04'13"W	7.39'
L41	N88°55'47"W	250.01'
L42	N43°55'47"W	73.75'
L43	N30°55'38"E	298.02'
L44	S20°55'28"E	7.69'
L45	N69°04'32"E	20.00'
L46	N20°55'28"W	14.70'
L47	N69°04'32"E	13.81'
L48	S87°16'49"E	170.96'
L49	S42°16'51"E	17.45'
L50	S02°43'09"W	312.29'



0 50 100 200
 (IN FEET)
 1 inch = 200 ft.



CURVE TABLE					
CURVE #	ARC LENGTH	RADIUS	CENTRAL ANGLE	CHORD DIRECTION	CHORD LENGTH
C1	21.10'	182.85'	6°36'44"	S05°24'30"W	21.09'
C2	88.33'	182.85'	27°40'41"	S28°49'25"W	87.47'
C3	146.48'	162.85'	51°32'07"	N27°47'43"E	141.59'

The UMLOR Group
 LAND DEVELOPMENT SERVICES

Approved JM 10/29/20

WATERMAIN EASEMENT - PULTE PORTION	
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: 09-29-2020 SHT. NO.: 1 OF 2

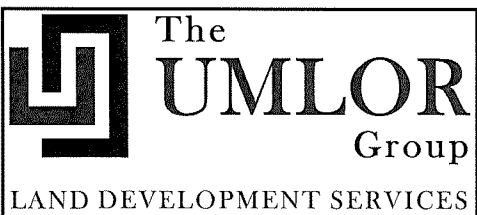
EXHIBIT "B"

LEGAL DESCRIPTION FOR WATERMAIN EASEMENT

EASEMENT SITUATED IN THE CITY OF ROCHESTER HILLS, COUNTY OF OAKLAND, STATE OF MICHIGAN, BEING PART OF THE SOUTHEAST 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 AVON ROAD, DUE WEST 1793.79 FEET TO THE WEST BOUNDARY LINE OF THE ROCHESTER CHURCH OF CHRIST PARCEL; THENCE ALONG SAID WEST BOUNDARY LINE, NORTH 01°40'04" EAST 600.00 FEET AND DUE EAST 2.50 FEET AND NORTH 01°40'04" EAST 287.19 FEET TO THE NORTHWEST CORNER OF SAID CHURCH PARCEL; THENCE ALONG THE NORTH LINE OF SAID CHURCH PARCEL, DUE EAST 369.61 FEET TO POINT OF BEGINNING #1; THENCE NORTH 01°31'01" EAST 10.54 FEET; THENCE NORTH 43°26'43" WEST 12.66 FEET; THENCE NORTH 01°33'17" EAST 66.46 FEET; THENCE NORTH 43°44'51" WEST 10.47 FEET; THENCE NORTH 88°55'47" WEST 69.10 FEET; THENCE NORTH 43°44'51" WEST 27.08 FEET; THENCE NORTH 02°43'09" EAST 27.80 FEET; THENCE NORTH 88°55'47" WEST 268.11 FEET; THENCE SOUTH 02°43'11" WEST 81.44 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 182.85 FEET, AN ARC LENGTH OF 21.10 FEET, A CENTRAL ANGLE OF 06°36'44", AND A CHORD BEARING AND DISTANCE OF SOUTH 05°24'30" WEST 21.09 FEET; THENCE SOUTH 78°09'02" EAST 7.73 FEET; THENCE SOUTH 11°50'58" WEST 20.00 FEET; THENCE NORTH 78°09'02" WEST 7.73 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 182.85 FEET, AN ARC LENGTH OF 88.33 FEET, A CENTRAL ANGLE OF 27°40'41", AND A CHORD BEARING AND DISTANCE OF SOUTH 28°49'25" WEST 87.47 FEET; THENCE SOUTH 53°54'10" WEST 116.79 FEET; THENCE NORTH 36°05'50" WEST 16.50 FEET; THENCE NORTH 53°54'12" EAST 82.12 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 162.85 FEET, AN ARC LENGTH OF 146.48 FEET, A CENTRAL ANGLE OF 51°32'07", AND A CHORD BEARING AND DISTANCE OF NORTH 27°47'43" EAST 141.59 FEET; THENCE NORTH 02°43'11" EAST 80.87 FEET; THENCE NORTH 88°55'47" WEST 18.41 FEET; THENCE NORTH 43°55'47" WEST 72.62 FEET; THENCE SOUTH 46°04'11" WEST 11.30 FEET; THENCE NORTH 43°55'49" WEST 24.01 FEET; THENCE NORTH 46°04'11" EAST 17.82 FEET; THENCE NORTH 01°04'11" EAST 4.80 FEET; THENCE NORTH 30°55'38" EAST 321.32 FEET; THENCE NORTH 69°04'32" EAST 35.99 FEET; THENCE SOUTH 87°16'49" EAST 183.43 FEET; THENCE SOUTH 42°16'51" EAST 34.01 FEET; THENCE SOUTH 02°43'09" WEST, 320.00 FEET TO POINT "A"; THENCE CONTINUING SOUTH 02°43'09" WEST 39.80 FEET; THENCE SOUTH 43°44'51" EAST 10.18 FEET; THENCE SOUTH 88°55'47" EAST 69.10 FEET; THENCE SOUTH 43°44'51" EAST 27.14 FEET; THENCE SOUTH 01°33'17" WEST 66.52 FEET; THENCE SOUTH 43°26'43" EAST 12.65 FEET; THENCE SOUTH 01°31'01" WEST 18.29 FEET TO THE NORTH LINE OF SAID CHURCH PARCEL; THENCE, ALONG SAID NORTH LINE OF CHURCH PARCEL, DUE WEST 20.01 FEET TO POINT OF BEGINNING #1.

THENCE FROM SAID POINT "A"; NORTH 88°55'47" WEST 20.01 FEET TO POINT OF BEGINNING #2; THENCE NORTH 88°55'47" WEST 28.81 FEET; THENCE NORTH 01°04'13" EAST 7.39 FEET; THENCE NORTH 88°55'47" WEST 20.00 FEET; THENCE SOUTH 01°04'13" WEST 7.39 FEET; THENCE NORTH 88°55'47" WEST 250.01 FEET; THENCE NORTH 43°55'47" WEST 73.75 FEET; THENCE NORTH 30°55'38" EAST 298.02 FEET; THENCE SOUTH 20°55'28" EAST 7.69 FEET; THENCE NORTH 69°04'32" EAST 20.00 FEET; THENCE NORTH 20°55'28" WEST 14.70 FEET; THENCE NORTH 69°04'32" EAST 13.81 FEET; THENCE SOUTH 87°16'49" EAST 170.96 FEET; THENCE SOUTH 42°16'51" EAST 17.45 FEET; THENCE SOUTH 02°43'09" WEST 312.29 FEET TO POINT OF BEGINNING #2.



WATERMAIN EASEMENT – PULTE PORTION	
FOR: ROCHESTER UNIVERSITY CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN	
<i>The Umlor Group</i> 49287 West Road Wixom, Michigan 48393 Tel. (248) 773-7656 Fax. (866) 690-4307	DRAWN BY: JOC CHKD BY: TO DATE: 09-29-2020 SHT. NO.: 2 OF 2