

WATERMAIN EASEMENT

Barclay Square, LLC, a Michigan Limited liability company of 380 N. Old Woodward Avenue, #175, Birmingham, MI 48009, grants to the **CITY OF ROCHESTER HILLS**, a Michigan municipal corporation, of 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"
Sidwell #15-26-351-002

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.

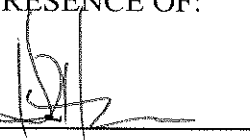
The easement shall be irrevocable and non-exclusive, and Grantor and Grantor's successors and assigns may use and enjoy the easement area in common with the City.

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.

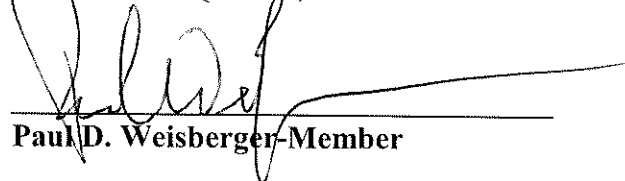
Exempt from Transfer Tax under MCLA 207.526(a); MSA 7.456 (26)(a).


IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 3rd day of October, 2005.

IN THE PRESENCE OF:

Signature 
Helen Kearns

BARCLAY SQUARE, LLC


Paul D. Weisberger - Member

Signature 
Boomi Silverman

STATE OF MICHIGAN
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 3 day of October, 2005 by Paul D. Weisberger, who is a member of Barclay Square, LLC, a Michigan limited liability company, on behalf of the company.

Drafted by:
Paul Weisberger of
Barclay Square, LLC
380 N. Old Woodward Avenue, #175
Birmingham, Michigan 48009

Boomi Silverman
Notary Public
OAKLAND County, Michigan
My Commission Expires: 02/19/2012

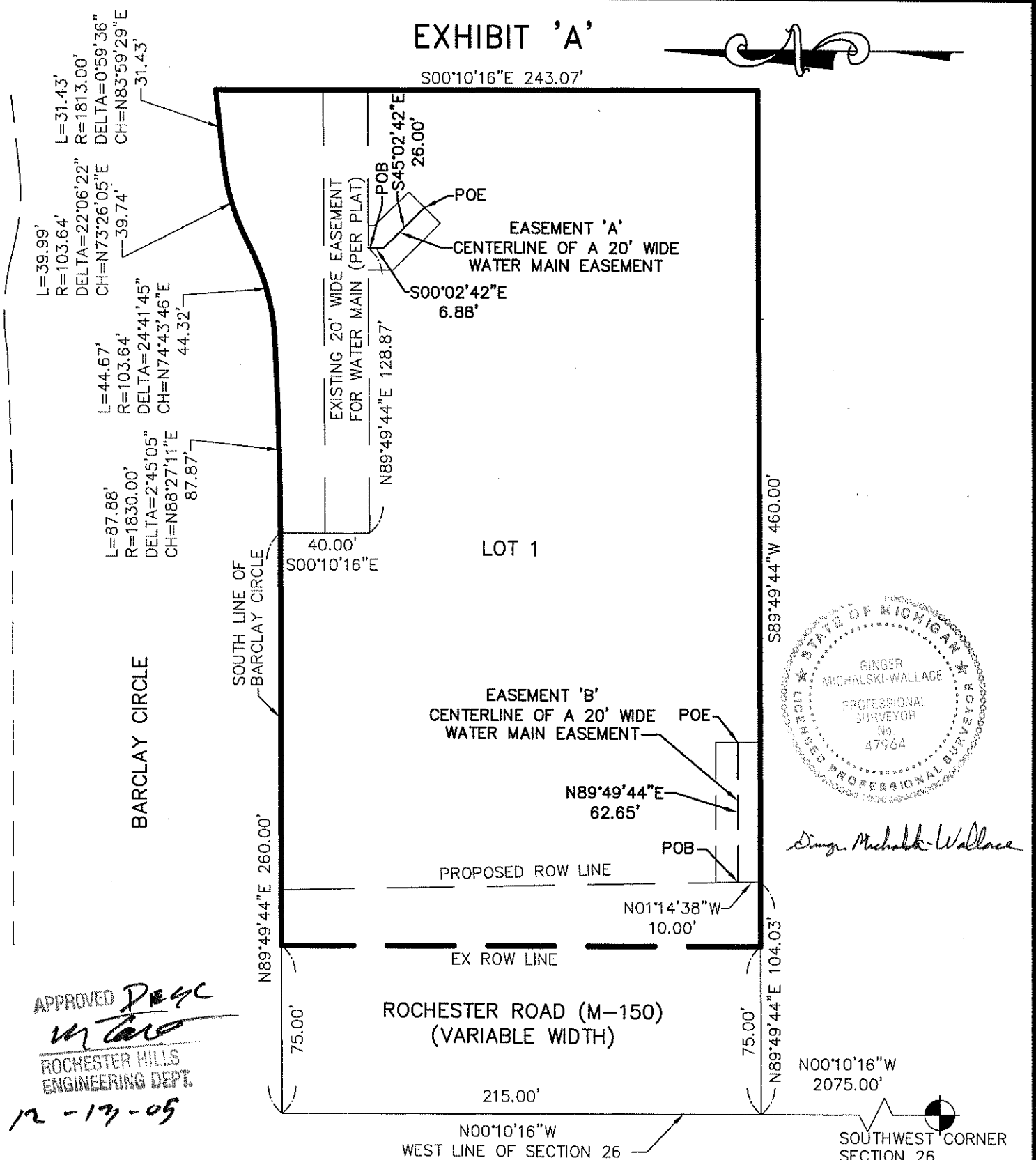
When recorded, return to:
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

BOOMI SILVERMAN
NOTARY PUBLIC OAKLAND CO., MI
MY COMMISSION EXPIRES Feb 19, 2012
ACTING IN Oakland County

EXHIBIT 'A'



S00°10'16"E 243.07'



Ginger Michalski-Wallace

APPROVED *[Signature]*
 ROCHESTER HILLS
 ENGINEERING DEPT.

12-17-05

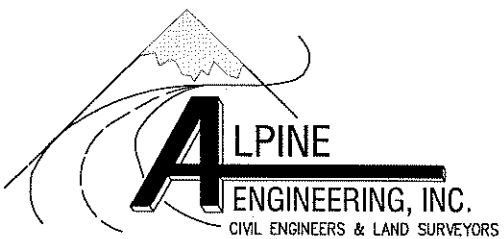
EASEMENT 'A' - DESCRIPTION OF THE CENTERLINE OF A 20' WIDE PROPOSED WATER MAIN EASEMENT

Commencing at the Southwest corner of Section 26, T.3N., R.11E., City of Rochester Hills, Oakland County, Michigan; thence N00°10'16"W 2290.00 feet along the West line of said Section 26; thence N89°49'44"E 260.00 feet along the South line of Barclay Circle; thence S00°10'16"E 40.00 feet; thence N89°49'44"E 128.87 feet to a POINT OF BEGINNING; thence S00°02'42"E 6.88 feet; thence S45°02'42"E 26.00 feet to the Point of Ending, being part of the Southwest 1/4 of said Section 26.

EASEMENT 'B' - DESCRIPTION OF THE CENTERLINE OF A 20' WIDE PROPOSED WATER MAIN EASEMENT

Commencing at the Southwest corner of Section 26, T.3N., R.11E., City of Rochester Hills, Oakland County, Michigan; thence N00°10'16"W 2075.00 feet along the West line of said Section 26; thence N89°49'44"E 104.03 feet; thence N01°14'38"W 10.00 feet to a POINT OF BEGINNING; thence N89°49'44"E 62.65 feet to the Point of Ending, being part of the Southwest 1/4 of said Section 26.

REVISED 6-3-05
 REVISED 5-12-05



ALPINE ENGINEERING, INC.
 CIVIL ENGINEERS & LAND SURVEYORS
 46892 WEST ROAD
 SUITE 109
 NOVI, MICHIGAN 48377
 (248) 926-3701 (BUS)
 (248) 926-3765 (FAX)

CLIENT: BARCLAY SQUARE, LLC	DATE: 4-8-05
WATER MAIN ESMT. SKETCH	DRAWN BY: JPP
	CHECKED BY: GLM
LOT 1 HAMPTON BUSINESS PARK NO. 1 - PHASE 1 SECTION: 26 TOWNSHIP: 3 N RANGE: 11 E CITY OF ROCHESTER HILLS OAKLAND COUNTY MICHIGAN	0 30 60 FBK: -- CHF: --
	1
	SCALE HOR 1"=60 FT. VER 1"= -- FT.

04-117