

PEDESTRIAN-BICYCLE PATHWAY EASEMENT

Matthew Thomas and Stephanie Thomas, Husband and Wife of

2925 W Auburn Road, Rochester Hills, MI 48309

For and in consideration of one dollar, (\$1.00), 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, and public use of a pedestrian-bicycle pathway over, on, through and across land more particularly described as:

See Attached Exhibit A
Sidwell No.15-32-101-031

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the pedestrian-bicycle 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-bicycle 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.

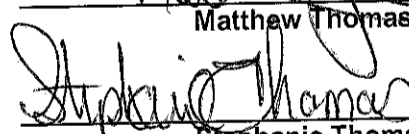
The easement shall be irrevocable and non-exclusive, and Grantor and Grantor's successors and assigns may use and enjoy the easement area in common with the City.

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-bicycle 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 Tax under MCLA 207.526(a).

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 15th day of JUNE, 2011.




Matthew Thomas


Stephanie Thomas

STATE OF MICHIGAN
COUNTY OF Oakland

The foregoing instrument was acknowledged before me this 15th day of June, 2011, by Matthew Thomas and Stephanie Thomas, husband and wife.


JOSY A FOISY
Notary Public, State of Michigan
County of Oakland
My commission expires 09/23/2012
Acting in the county of Oakland

_____, Notary Public
_____, County, Michigan
My Commission Expires: _____
Acting in _____ County, Michigan

Drafted by:
City of Rochester Hills
Keith Depp - Traffic Engineering Division

John Staran
appd 7-1-11

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

EXHIBIT A

LEGAL DESCRIPTION:

(Parcel NO. 15-32-101-031)

As recorded in Liber 42248 Page 504 of Oakland County records:

Part of the Northwest one-quarter of Section 32, Town 3 North, Range 11 East, Avon Township, City of Rochester Hills, Oakland County, Michigan, described as commencing at the Northwest corner of said Section 32; thence due East 240.00 feet to the point of beginning; thence South 00 degrees 21 minutes 00 seconds East 233.00 feet; thence due East 101.00 feet; thence North 00 degrees 21 minutes 00 seconds West 233.00 feet; thence due West 101.00 feet to the point of beginning. Containing 0.54 acres of land, more or less, subject to easements and restrictions of record, in any.

PATHWAY EASEMENT:

Part of the Northwest one-quarter of Section 32, Town 3 North, Range 11 East, Avon Township, City of Rochester Hills, Oakland County, Michigan, described as commencing at the Northwest corner of said Section 32; thence due East 240.00 feet; then South 00 degrees 21 minutes 00 seconds East 33.00 feet to the point of beginning; thence South 00 degrees 21 minutes 00 seconds East 12.00 feet; thence due East 101.00 feet; thence North 00 degrees 21 minutes 00 seconds West 12.00 feet; thence due West 101.00 feet to the point of beginning.

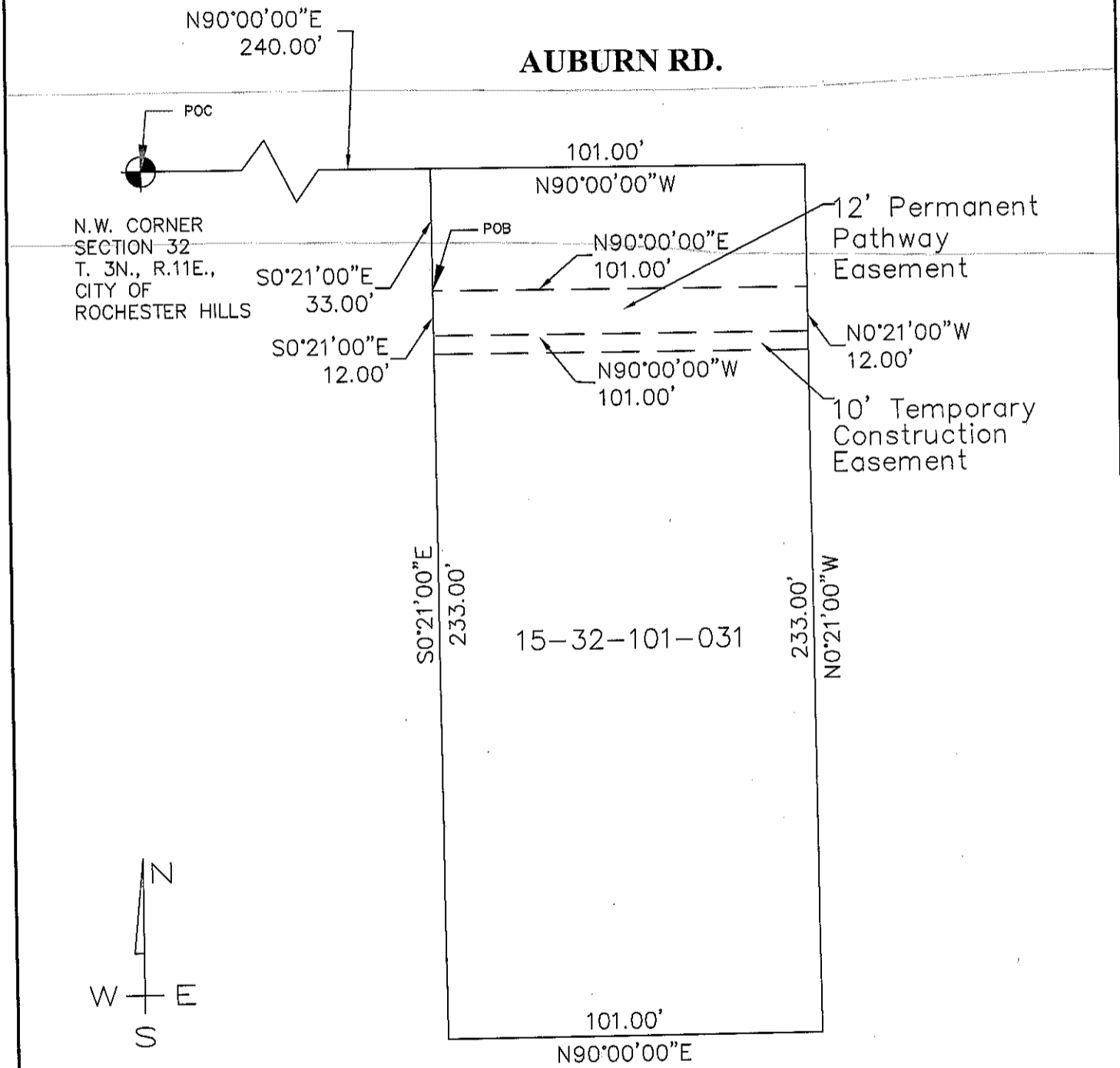
TEMPORARY CONSTRUCTION EASEMENT:

A 10 foot wide temporary easement adjacent to and parallel to the South side of the above described pathway easement.

APPROVED BY DATE: _____ PREPARED BY ENGINEERING SERVICES DEPARTMENT OF PUBLIC SERVICE	City of Rochester Hills <i>1000 Rochester Hills Drive Rochester Hills, Michigan 48309</i>	2925 AUBURN RD PATHWAY EASEMENT EXHIBIT A, PG 1 of 2	SCALE 1" = 40' DATE: 05/09/2011 CITY FILE: E11-008
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EXHIBIT A

A PART OF THE NORTHWEST ¼ OF SECTION 32, T.3N., R.11E.,
CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN



APPROVED BY _____
DATE: _____
PREPARED BY ENGINEERING SERVICES
DEPARTMENT OF PUBLIC SERVICE

City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, Michigan 48309

2925 AUBURN RD
PATHWAY EASEMENT
EXHIBIT A, PG 2 of 2

SCALE
1" = 40'
DATE:
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E11-008