

PEDESTRIAN-BICYCLE PATHWAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that H & H Rentals, L.L.C., a Michigan limited liability company Grantors, whose address is 6539 Burroughs Avenue, Sterling Heights, MI 48314-2131 party of the first part, for and in consideration of \$1,085.00 (one thousand eighty five and 00/100) paid to party of the first part by the CITY OF ROCHESTER HILLS, a Michigan Municipal Corporation , party of the second part, located at 1000, Rochester Hills Drive, Rochester Hills Michigan 48309, do hereby grant to the said party of the second part a Permanent 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:

Commonly Known as: 1601 E. Hamlin Road
(Part of) Tax Parcel No.: 15-24-401-021

See parcel drawing and legal description attached as 'Exhibit A'

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.

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. Temporary easement expires at completion of construction. The City shall hold the Grantor harmless from and against any claims, losses, and damages made and/or suffered by reason of, or in relation to, the construction and public use of the pathway on the above described property, unless caused by Grantor's own acts or omissions.

Grantor expressly reserves to 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, and through and across the easement and 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.

By: H & H Rentals, L.L.C.
A Michigan limited liability company

Eugene M Zapczynski
* Please print or type name in Black Ink

Its: Member

COUNTY OF OAKLAND)
) SS
STATE OF MICHIGAN)

On this 21 day of January, 2015, Eugene M Zapczynski executed the foregoing document before me and, being duly sworn, stated that he/she is the Member of H & H Rentals, L.L.C., a Michigan limited liability company and that he/she executed the foregoing document on behalf of H & H Rentals, L.L.C. with its full authority and as its free act and deed.

Notary Public:
* Christy M Skurdner

My commission expires: 3/1/19
Oakland County, Michigan
Acting in the County of Oakland

By: **H & H Rentals, L.L.C.**
A Michigan limited liability company

Eugene M Zapczynski
* Please print or type name in Black Ink
Its: Member

COUNTY OF OAKLAND)
) SS
STATE OF MICHIGAN)

On this 21 day of January 2014, Eugene M Zapczynski⁵ executed the foregoing document before me and, being duly sworn, stated that he/she is the Member of **H & H Rentals, L.L.C., a Michigan limited liability company** and that he/she executed the foregoing document on behalf of **H & H Rentals, L.L.C.** with its full authority and as its free act and deed.

Notary Public:
* Christy M Skundner

My commission expires: 3/1/19
Oakland County, Michigan
Acting in the County of Oakland

Hamlin Road H-54

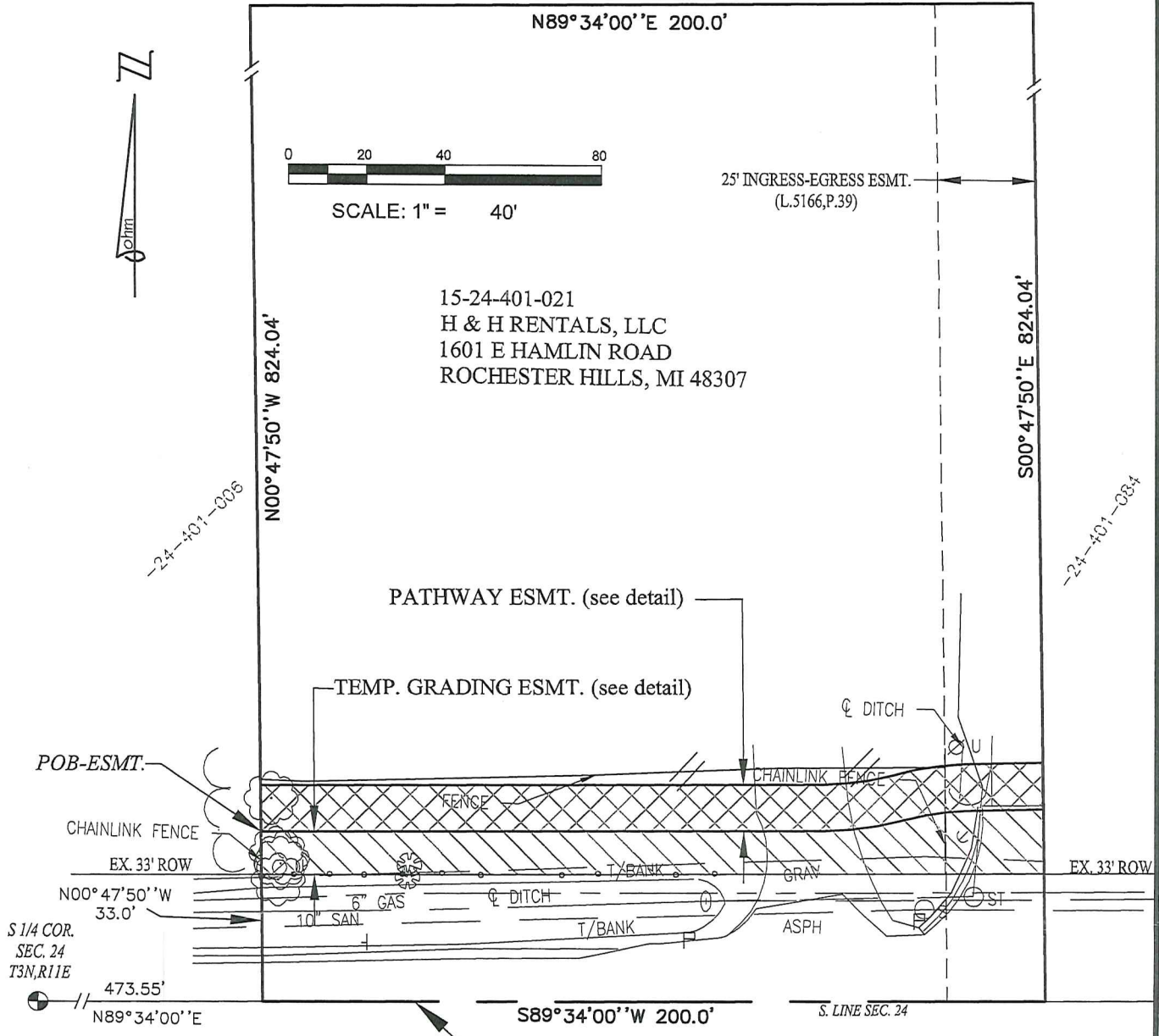
Prepared by:
City of Rochester Hills
Assistance by
Hubbell, Roth & Clark, Inc.
555 Hulet Dr. P.O. Box 824
Bloomfield Hills, Michigan 48303-0824

Return to:
City of Rochester Hills
1000 Rochester Hills, Dr.
Rochester Hills, Michigan 48309

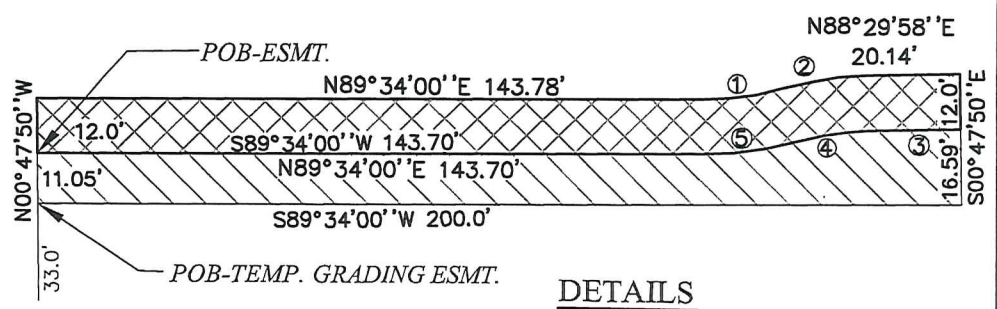


PATHWAY EASEMENT SKETCH

Exhibit "A"



- 1) 68.0' L=18.10'
Δ=15°25'13"
CH=N81°56'28"E 18.05'
- 2) 80.0' L=18.41'
Δ=13°19'00"
CH=S80°54'30"W 18.37'
- 3) S88°29'58"W 19.89'
N88°29'58"E 19.89'
- 4) 68.0' L=15.55'
Δ=13°10'15"
CH=S80°51'58"W 15.52'
N80°51'58"E 15.52'
- 5) 80.0' L=21.30'
Δ=15°25'13"
CH=S81°56'28"W 21.23'
N81°56'28"E 21.23'



LEGEND

- ROW RIGHT-OF-WAY
- ⊙ PUBLIC LAND CORNER
- POB POINT OF BEGINNING
- ▨ PATHWAY EASEMENT
- ▨ TEMPORARY GRADING EASEMENT

LAND AREAS

- PARENT PARCEL = 3.783 ACRES (164,793 SQ. FEET)
- PATHWAY EASEMENT = 0.055 ACRES (2,405 SQ. FEET)
- TEMPORARY GRADING EASEMENT = 0.055 ACRES (2,402 SQ. FEET)

REVISED 07-07-14

H-54 PATHWAY EASEMENT

PART OF THE SE 1/4 OF SECTION 24
T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY
TAX ID NO.: 15-24-401-021

CLIENT: CITY OF ROCHESTER HILLS



34000 Plymouth Road | Livonia, MI 48150
p (734) 522-6711 | f (734) 522-6427

Advancing Communities

DATE: 03-31-14	SHEET: 1 OF 2	JOB NO.: 0190-13-0010
DRAWN BY: SH		
DWG: 24-401-021		

PATHWAY EASEMENT DESCRIPTION

Exhibit "A"

PARCEL DESCRIPTION (15-24-401-021)

(COMMITMENT No.: 63-14358448-SGP, ISSUED BY GRECO TITLE AGENCY)

A parcel of land situated in the SE 1/4 of Section 24, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, described as follows:

Beginning at a point distant N 89°34'00" E 473.55 feet from the South 1/4 corner of said Section 24; thence N 00°47'50" W 824.04 feet; thence N 89°34'00" E 200.0 feet; thence S 00°47'50" E 824.04 feet; thence S 89°34'00" W 200.0 feet to the Point of Beginning.

Contains 164,793 square feet or 3.783 acres of land, more or less. Subject to all easements and restrictions of record, if any.

PATHWAY EASEMENT

A parcel of land situated in the SE 1/4 of Section 24, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, described as follows:

Beginning at a point distant N 89°34'00" E 473.55 feet along the South line of said Section 24 and N 00°47'50" W 41.05 feet from the South 1/4 corner of said Section 24; thence N 00°47'50" W 12.0 feet along the West line of said parent parcel; thence N 89°34'00" E 143.78 feet; thence 18.10 feet along a curve to the left having a radius 68.0 feet, central angle 15°25'13", chord bears N 81°56'28" E 18.05 feet; thence 18.41 feet along a curve to the right having a radius 80.0 feet, central angle 13°19'00", chord bears S 80°54'30" W 18.37 feet; thence N 88°29'58" E 20.14 feet; thence S 00°47'50" E 12.0 feet along the East line of said parent parcel; thence S 88°29'58" W 19.89 feet; thence 15.55 feet along a curve to the left having a radius 68.0 feet, central angle 13°10'15", chord bears S 80°51'58" W 15.52 feet; thence 21.30 feet along a curve to the right having a radius 80.0 feet, central angle 15°25'13", chord bears S 81°56'28" W 21.23 feet; thence S 89°34'00" W 143.70 feet to the Point of Beginning.

Contains 2,405 square feet or 0.055 acres of land. Subject to all easements and restrictions of record, if any.

TEMPORARY GRADING EASEMENT

A parcel of land situated in the SE 1/4 of Section 24, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, described as follows:

Beginning at a point distant N 89°34'00" E 473.55 feet along the South line of said Section 24 and N 00°47'50" W 33.0 feet from the South 1/4 corner of said Section 24; thence N 00°47'50" W 11.05 feet along the West line of said parent parcel; thence N 89°34'00" E 143.70 feet; thence 21.30 feet along a curve to the left having a radius 80.0 feet, central angle 15°25'13", chord bears N 81°56'28" E 21.23 feet; thence 15.55 feet along a curve to the right having a radius 68.0 feet, central angle 13°10'15", chord bears N 80°51'58" E 15.52 feet; thence N 88°29'58" E 19.89 feet; thence S 00°47'50" E 16.59 feet along the East line of said parent parcel; thence S 89°34'00" W 200.0 along the North right of way line of Hamlin Road to the Point of Beginning.

Contains 2,402 square feet or 0.055 acres of land. Subject to all easements and restrictions of record, if any.

REVISED 07-07-14

H-54 PATHWAY EASEMENT

PART OF THE SE 1/4 OF SECTION 24
T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY
TAX ID NO.: 15-24-401-021

CLIENT: CITY OF ROCHESTER HILLS



34000 Plymouth Road | Livonia, MI 48150
p (734) 522-6711 | f (734) 522-6427

Advancing Communities

DATE: 03-31-14
DRAWN BY: SH
DWG: 24-401-021

SHEET
2 OF 2

JOB NO.
0190-13-0010