

**PEDESTRIAN-BICYCLE PATHWAY EASEMENT**

**KNOW ALL MEN BY THESE PRESENTS**, that **Ronald Mikolaczyk and Brian Mikolaczyk**, Grantors, whose address is **4965 Pointe Tremble Road, Algonac, Michigan 48001-4361** party of the first part, for and in consideration of **\$675.00** (six hundred seventy 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: 1811 E. Hamlin Road  
(Part of) Tax Parcel No.: 15-24-401-036

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: Ronald Mikolaczyk  
Ronald Mikolaczyk

COUNTY OF OAKLAND )  
STATE OF MICHIGAN ) SS

The foregoing instrument was acknowledged before me this 8 day of October, 2014, by **Ronald Mikolaczyk**.

Notary Public: Chris E Starling

\* \_\_\_\_\_  
My commission expires: 12-29-2014  
Oakland County, Michigan  
Acting in the County of ~~Oakland~~  
Macomb



By: Brian Mikolaczyk  
Brian Mikolaczyk

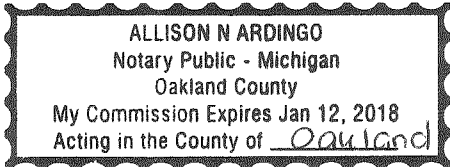
COUNTY OF OAKLAND )  
STATE OF MICHIGAN ) SS

The foregoing instrument was acknowledged before me this 16 day of October, 2014, by **Brian Mikolaczyk**.

Notary Public: Allison N. Ardingo

\* Allison N. Ardingo

My commission expires: 1-12-18  
Oakland County, Michigan  
Acting in the County of Oakland



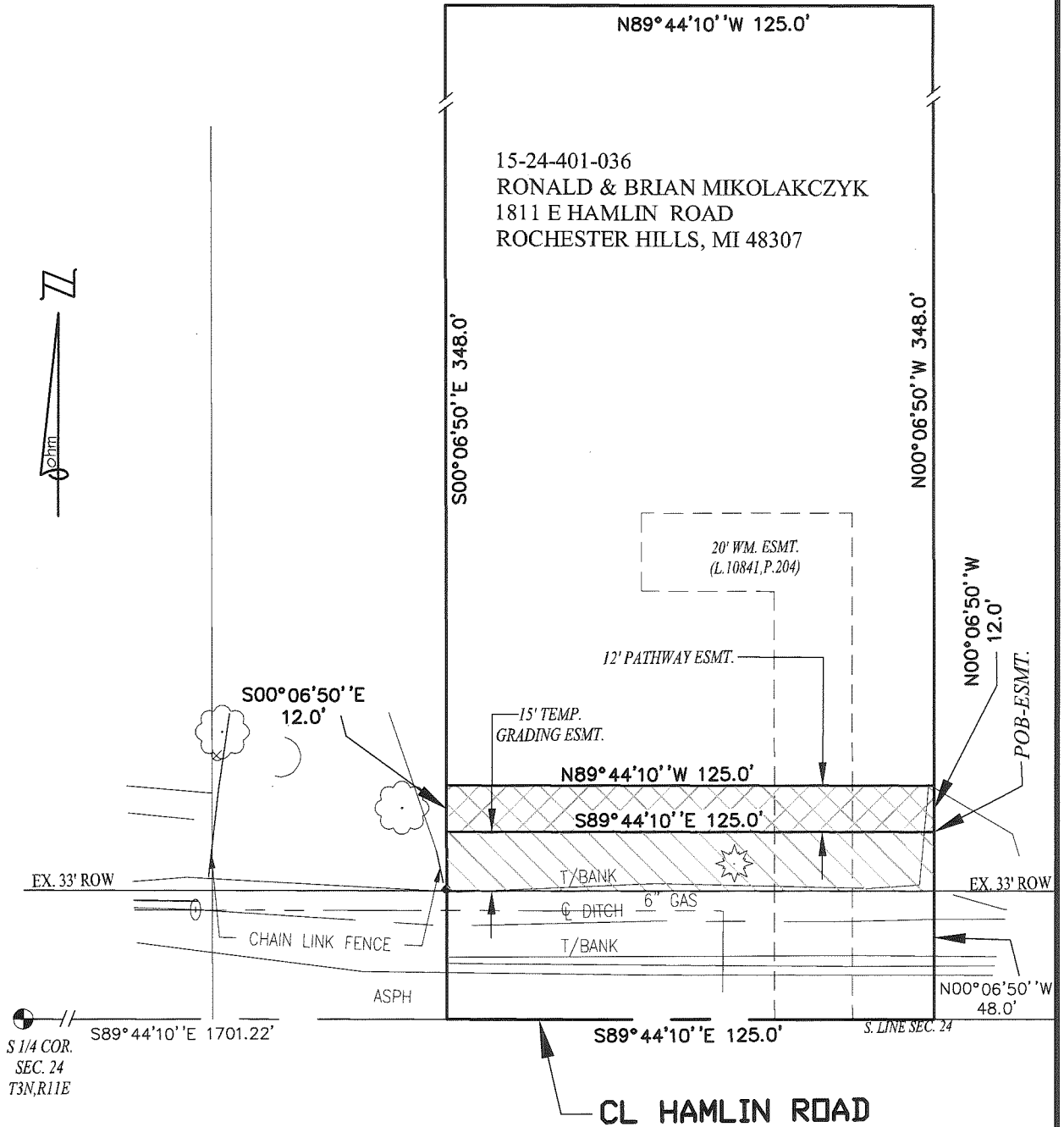
Project Name: Hamlin Road Parcel No. H - 60

Prepared by:  
Walter H. Alix, P.E., P.S.  
Hubbell, Roth & Clark, Inc.  
555 Hulet Drive  
P.O. Box 824  
Bloomfield Hills, MI 48303-0824

When recorded, return to:  
City Clerk  
City of Rochester Hills  
1000 Rochester Hills Drive,  
Rochester Hills, Michigan, 48309-3033

# PATHWAY EASEMENT SKETCH

Exhibit "A"



## LEGEND

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



SCALE: 1" = 40'

## LAND AREAS

- PARENT PARCEL = 1.000 ACRES (43,499 SQ. FEET)
- PATHWAY EASEMENT = 0.034 ACRES (1,500 SQ. FEET)
- TEMPORARY GRADING EASEMENT = 0.043 ACRES (1,875 SQ. FEET)

REVISED 07-07-14

## H-60 PATHWAY EASEMENT

PART OF THE SE 1/4 OF SECTION 24  
T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY  
**TAX ID NO.: 15-24-401-036**

CLIENT: CITY OF ROCHESTER HILLS



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

Advancing Communities

DATE:	04-10-14	SHEET	JOB NO.
DRAWN BY:	SH	1 OF 2	0190-13-0010
DWG:	24-401-036		

# PATHWAY EASEMENT DESCRIPTION

Exhibit "A"

## PARCEL DESCRIPTION (15-24-401-036)

(COMMITMENT No.: 63-14358370-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 S 89°44'10" E (recorded as East) 1701.22 feet along the South line of said Section 24 from the South 1/4 corner of said Section 24; thence S 89°44'10" E (recorded as N88°00'00"E) 125.0 feet; thence N 00°06'50" W (recorded as N01°00'00"E) 348.0 feet; thence N 89°44'10" W (recorded as S88°00'00"E) 125.0 feet; thence S 00°06'50" E (recorded as S01°00'00"W) 348.0 feet to the Point of Beginning.

Contains 43,499 square feet or 1.000 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 S 89°44'10" E 1701.22 feet to a point; thence S 89°44'10" E 125.0 feet along the South line of said Section 24; thence N 00°06'50" W 48.0 feet from the South 1/4 corner of said Section 24; thence N 00°06'50" W 12.0 feet along the East line of said parent parcel; thence N 89°44'10" W 125.0 feet; thence S 00°06'50" E 12.0 feet along the West line of said parent parcel; thence S 89°44'10" E 125.0 feet to the Point of Beginning.

Contains 1,500 square feet or 0.034 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:

The North 15 feet of the South 48 feet of the above described parent parcel.

Contains 1,875 square feet or 0.043 acres of land. Subject to all easements and restrictions of record, if any.

REVISED 07-07-14

<b>H-60</b> <b>PATHWAY EASEMENT</b>		 <b>OHM</b> <i>Advancing Communities</i> 34000 Plymouth Road   Livonia, MI 48150 p (734) 522-6711   f (734) 522-6427		
PART OF THE SE 1/4 OF SECTION 24 T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY <b>TAX ID NO.: 15-24-401-036</b>				
<b>CLIENT:</b>	CITY OF ROCHESTER HILLS	<b>DATE:</b> 04-10-14 <b>DRAWN BY:</b> SH <b>DWG:</b> 24-401-036	<b>SHEET</b> <b>2 OF 2</b>	<b>JOB NO.</b> <b>0190-13-0010</b>