WARRANTY DEED TO THE CITY OF ROCHESTER HILLS

The Grantor: SELECTIVE-DELAWARE, L.L.C., a Delaware limited liability company Whose address is 100 Galleria Officentre, Suite 200, Southfield, Michigan 48034, for the sum of ONE DOUAR (\$ 1.00) Dollars, conveys and warrants to the CITY OF ROCHESTER HILLS, a Michigan municipal corporation, and to its successors in office and assigns, whose address is 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309, the following described real estate situated in the City of Rochester Hills, County of Oakland, State of Michigan, described as: SEE EXHIBIT "A" ATTACHED HERETO. subject only to existing easements, restrictions and/or rights-of-way of record. Dated this ______, 2003. SIGNED BY: SELECTIVE-DELAWARE, L.L.C., a Delaware limited liability company By: CENTEX HOMES, a Nevada general partnership, its sole member By: CENTEX REAL ESTATE CORPORATION, a Nevada corporation, its managing partner APPROVED AS TO FORM By: J. Storan 12/9/3013 illiam T. Stapleton, its **Division President** ROC SEL

STATE OF MICHIGAN)
) ss
COUNTY OF <u>DAKLAND</u>)

The foregoing instrument was acknowledged before me this day of <u>OCTOBER</u>, 2003 by William T. Stapleton, the Division President of Centex Real Estate Corporation, a Nevada corporation, the Managing Partner of Centex Homes, a Nevada general partnership, the sole Member of Selective-Delaware, L.L.C., a Delaware limited liability company, on behalf of the company.

Notary Public County, Michigan My commission expires: 11-22-05

D. MACEACHERN Notary Public, Oakland County, MI My Commission Expires Nov. 22, 2005

Drafted By: Timothy M. Koltun, Esq. Clark Hill PLC 500 Woodward Avenue, Ste. 3500 Detroit, Michigan 48226

When Recorded Return To: City of Rochester Hills 1000 Rochester Hills Drive Rochester Hills, Michigan 48309

EXHIBIT "A"

Legal Description

LEGAL DESCRIPTION OF AN EASEMENT FOR INGRESS/EGRESS, SANITARY SEWER, STORM SEWER & STORM DRAINAGE, WATERMAIN AND PUBLIC UTILITIES LOCATED IN SECTION 35, T3N, R11E, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN.

PROPOSED ROAD RIGHT-OF-WAY PHASE 1

Commencing at the NW corner of Lot 58 of "Brooklands" Subdivsion as recorded in Liber 25 of Plats, Page 10, Oakland County Records thence southerly 1829.75 feet along the west line of said Lot 58 in the arc of a circular curve to the right, radius 3066.82, central angle of 34°11'04", chord S 05°31'16" E 1802.74 feet to the POINT OF BEGINNING

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thence S 78°32'45" E 100.00 feet;
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thence N 56°22'33" E 42.36- feet;

thence S 79°21'07" E 60.00 feet;

thence S 34°25'43" E 41.89 feet;

thence S 80°08'34" E 98.58 feet;

thence S 10°12'10" W 60.00 feet;

thence N 80°08'34" W 100.55 feet;

thence S 56°21'48" W 43.53 feet:

thence southerly 806.13 feet in the arc of a non-tangential curve to the right, radius 3256.82 feet, central angle 14°10′55", and chord S 20°13′28" W 804.07 feet; thence S 62°09′25" E 260.37 feet;

thence southeasterly 197.90 feet in the arc of a circular curve to the right, radius 280.00 feet, central angle 40°29'44", and chord S 41°54'33" E 193.80 feet;

thence southeasterly 39.72 feet in the arc of a circular curve to the left, radius 50.00 feet, central angle 45°31'06", and chord S 44°25'14" E 38.69 feet;

thence westerly 354.78 feet in the arc of a circular curve to the right, radius 73.00 feet, central angle 278°27'13", and chord \$ 72°02'49" W 95.35 feet:

thence northerly 49.25 feet in the arc of a circular curve to the left, radius 50.00 feet, central angle 56°26'23", and chord N 03°03'15" E 47.29 feet;

thence northwesterly 142.04 feet in the arc of a circular curve to the left, radius 220.00 feet, central angle 36°59'28", and chord N 43°39'41" W 139.58 feet; thence N 62°09'25" W 260.37 feet:

thence southwesterly 252.74 feet in the arc of a non-tangential curve to the right, radius 3256.82 feet, central angle 04°26'47", and chord S 30°35'38" W 252.67 feet;

thence S 32°49'02" W 52.16 feet:

thence southerly 398.30 feet in the arc of a circular curve to the left, radius 220.00 feet, central angle 103°43'55", and chord S 19°02'56" E 346.09 feet;

thence S 70°54'53" E 153.72 feet;

thence easterly 84.58 feet in the arc of a circular curve to the left, radius 270.00 feet, central angle 17°56'58", and chord S 79°53'22" E 84.24 feet;

thence S 88°51'51" E 125.63 feet:

thence southwesterly 321.70 feet in the arc of a circular curve to the right, radius 73.00 feet, central angle 252°29'37", and chord S 37°22'57" W 117.75 feet;

thence northwesterly 63.26 feet in the arc of a circular curve to the left, radius 50.00 feet, central angle 72°29'37", and chord N 52°37'03" W 59.13 feet;

thence N 88°51'51" W 8.33 feet;

thence westerly 103.38 feet in the arc of a circular curve to the right, radius 330.00 feet, central angle 17°56'58", and chord N 79°53'22" W 102.96 feet;

thence N 70°54'53" W 47.34 feet:

thence S 19°05'07" W 41.75 feet;

thence southwesterly 317.01 feet in the arc of a circular curve to the right, radius 280.00 feet, central angle 64°52'05", and chord S 51°31'09" W 300.34 feet; thence N 03°41'53" E 61.13 feet:

thence northeasterly 238.73 feet in the arc of a non-tangential curve to the left, radius 220.00 feet, central angle 62°10'21", and chord N 50°10'17" E 227.18 feet; thence N 19°05'07" E 41.75 feet:

thence N 70°54'53" W 46.39 feet;

thence northerly 506.93 feet in the arc of a circular curve to the right, radius 280.00 feet, central angle 103°43'55", and chord N 19°02'56" W 440.48 feet; thence N 32°49'02" E 52.16 feet:

thence northeasterly 1095.69 feet in the arc of a circular curve to the left, radius 3196.82 feet, central angle 19°38'16", and chord N 22°59'51" E 1090.33 feet; thence N 32°49'03" W 41.88 feet:

thence N 78°32'45" W 100.03 feet;

thence northerly 60.01 feet along the west line of said Lot 58 in the arc of a non-tangential curve to the left, radius 3066.82 feet, central angle 01°07'16", and chord N 12°07'53" E 60.01 feet; to the POINT OF BEGINNING, being a part of said Lot 58 and a part Section 35, T3N, R11E, Oakland County, Michigan, and containing 5.07 acres of land, more or less, subject to easements and restrictions of record, if any.

APPROVED PESC

ROCHESTICO HILLS ENGINEERING DEPT. 10-24_03

EXHIBIT A LEGAL DESCRIPTION

LEGAL DESCRIPTION OF A VARIABLE WIDTH EASEMENT FOR DRAINAGE PURPOSES LOCATED IN SECTION 35, T3N, R11E, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN.

GIBSON DRAIN EASEMENT - PHASE 1

Commencing at the NW corner of Lot 58 "Brooklands" Subdivision as recorded in Liber 25 of Plats, Page 10, Oakland County Records thence southerly 1894.26 feet along the west line of said Lot 58 in the arc of a circular curve to the right, radius 3066.82 feet, central angle 35°23'22", chord S 04°55'07" E 1864.29 feet; thence S 80°08'34" E 339.97 feet to the POINT OF BEGINNING,

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thence continuing S 80°08'34" E 70.46 feet;
thence S 00°13'54" W 124.74 feet;
thence S 04°00'36" W 84.00 feet:
thence S 02°04'13" W 87.89 feet:
thence S 88°33'21" E 24.64 feet;
thence S 17°54'51" E 26.23 feet:
thence S 05°06'10" E 312.97 feet:
thence S 03°43'07" W 69.23 feet;
thence S 76°03'01" W 18.62 feet;
thence S 15°03'52" E 79.05 feet;
thence S 17°08'18" E 0.88 feet;
thence S 09°03'14" E 280.71 feet:
thence S 00°24'12" E 95.80 feet;
thence S 19°27'18" E 215.37 feet:
thence S 03°15'40" E 86.08 feet;
thence S 27°52'33" E 201.63 feet;
thence S 09°40'58" E 155.24 feet;
thence along the southerly line of said Lot 58 in the following two(2) courses:
  westerly 15.03 feet in the arc of a non-tangential curve to the right, radius 537.34
     feet, central angle 01°36'09", and chord N 84°29'45" W 15.03 feet;
  N 80°31'33" W 20.04 feet;
thence S 13°32'29" E 136.03 feet;
thence N 88°09'57" W 65.39 feet along the north line of the M-59 Expressway;
thence N 01°12'04" W 133.49 feet;
thence N 19°34'55" W 257.49 feet;
thence N 12°43'59" W 239.48 feet:
thence N 14°59'56" W 8.44 feet;
thence N 24°57'05" W 111.00 feet:
thence N 16°33'13" W 40.25 feet;
thence N 03°06'34" W 23.25 feet:
thence N 25°08'18" E 48.16 feet;
thence N 12°14'40" W 26.17 feet;
thence N 08°50'49" W 20.23 feet;
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thence N 07°53'53" W 243.17 feet; thence N 06°02'11" W 261.08 feet; thence N 07°13'02" W 240.03 feet; thence N 88°33'21" W 20.70 feet; thence N 02°06'11" E 306.85 feet to the POINT OF BEGINNING. Being subject to easements and restrictions of record, if any.

MAND PESC

M Taud
ROOMESTER HULS
ENGINEERING DEPT.
10-24-03

EXHIBIT A LEGAL DESCRIPTION

LEGAL DESCRIPTION OF A 3 FOOT WIDE PRIVATE EASEMENT FOR SIDEWALK LOCATED IN SECTION 35, T3N, R11E, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN.

SIDEWALK EASEMENT NO. 1

Commencing at the NW corner of Lot 58 "Brooklands" Subdivision as recorded in Liber 25 of Plats, Page 10, Oakland County Records thence southerly 2487.38 feet along the west line of said Lot 58 in the arc of a circular curve to the right, radius 3066.82 feet, central angle 46°28'14", chord S 00°37'19" W 2419.77 feet; thence S 66°08'35" E 127.00 feet to the POINT OF BEGINNING.

thence continuing S 66°08'35" E 3.00 feet;

thence southwesterly 151.18 feet in the arc of a non-tangential curve to the right, radius 3196.82 feet, central angle 02°42'35", and chord S 25°12'43" W 151.17 feet:

thence N 63°26'00" W 3.00 feet;

thence northeasterly 151.04 feet in the arc of a non-tangential curve to the left, radius 3193.82 feet, central angle 02°42'35", and chord N 25°12'43" E 151.03 feet to the POINT OF BEGINNING. Being subject to easements and restrictions of record, if any.

ATTOMO DESC

MONESTER HOLDS MIGNETINE DEST 10-24-03

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EXHIBIT A LEGAL DESCRIPTION

LEGAL DESCRIPTION OF A 3 FOOT WIDE PRIVATE EASEMENT FOR SIDEWALK LOCATED IN SECTION 35, T3N, R11E, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN.

SIDEWALK EASEMENT NO. 2

Commencing at the NW corner of Lot 58 "Brooklands" Subdivision as recorded in Liber 25 of Plats, Page 10, Oakland County Records thence southerly 2467.15 feet along the west line of said Lot 58 in the arc of a circular curve to the right, radius 3066.82 feet, central angle 46°05'33", chord S 00°25'59" W 2401.16 feet; thence S 66°31'15" E 190.00 feet to the POINT OF BEGINNING,

thence continuing S 66°31'15" E 3.00 feet;

thence southwesterly 218.29 feet in the arc of a non-tangential curve to the right, radius 3259.82 feet, central angle 03°50'12", and chord S 25°23'51" W 218.24 feet;

thence N 62°09'25" W 3.00 feet:

thence northeasterly 218.05 feet in the arc of a non-tangential curve to the left, radius 3256.82 feet, central angle 03°50'10", and chord N 25°23'50" E 218.01 feet to the POINT OF BEGINNING. Being subject to easements and restrictions of record, if any.

REDESTRA DELLA