

WATERMAIN EASEMENT

AGE OF ROCHESTER HILLS, INC., a MICHIGAN corporation, of 1245 E. GRAND BLANC ROAD, GRAND BLANC, MICHIGAN 48439 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 water main on, under, through and across land more particularly described as:

Sidwell #70-15-34-352-035

See Attached Exhibits A and B

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 Taxes under MCL 207.505(a) and 207.526(a).

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 14th day of April, 2016.

AGE OF ROCHESTER HILLS, INC.

Signature:



Print or type name:

Michael A. Jablonski

Title:

Vice-President

STATE OF MICHIGAN)
COUNTY OF GENESEE)

The foregoing instrument was acknowledged before me this 14th day of April, 2016, by Michael A. Jablonski, who is the Vice-President of AGE OF ROCHESTER HILLS, INC., a Michigan corporation, on behalf of the corporation.



Jeanne Rose Reiter, Notary Public
Genesee County, Michigan
My Commission Expires: 02-22-2022
Acting in Genesee County

Drafted By:
Kevin Cook
CHMP, Inc.
5198 Territorial Road
Grand Blanc, MI 48439

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

John Staran
Approved 5/20/16

EXHIBIT A – LEGAL DESCRIPTION

PARCEL NUMBER: 70-15-34-352-035

LEGAL DESCRIPTION:

LAND SITUATED IN THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 34, TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT A POINT ON THE SOUTH SECTION LINE LOCATED NORTH 88 DEGREES 35 MINUTES 00 SECONDS EAST, 325.71 FEET (EAST, 331.28 FEET RECORD) FROM THE SOUTHWEST CORNER OF SAID SECTION; THENCE NORTH 04 DEGREES 48 MINUTES 00 SECONDS WEST, 337.99 FEET; THENCE NORTH 88 DEGREES 35 MINUTES 00 SECONDS EAST, 500.00 FEET; THENCE SOUTH 04 DEGREES 48 MINUTES 00 SECONDS EAST, 337.99 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION; THENCE SOUTH 88 DEGREES 35 MINUTES 00 SECONDS WEST, 500.00 FEET ALONG SAID LINE TO THE POINT OF BEGINNING. CONTAINING 3.87 ACRES AND IS SUBJECT TO THE ANY EASEMENTS, RESTRICTIONS OF RECORD AND THE RIGHTS OF THE PUBLIC IN SOUTH BOULEVARD (60 FEET WIDE-HALF R.O.W.).

CENTERLINE OF PROPOSED 20 FOOTWIDE WATERMAIN EASEMENT:

A 20 FOOT WIDE EASEMENT FOR THE CONSTRUCTION, MAINTENANCE, OPERATION AND REPAIR OF A WATERMAIN OVER PART OF THE SOUTHWEST 1/4 OF SECTION 34, T03N-R11E, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, WHICH CENTERLINE IS MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SECTION 34; THENCE ALONG THE SOUTH LINE OF SECTION 34, N 88°35'00" E, 335.73 FEET; THENCE N 04°48'00" W, 60.10 FEET TO THE POINT OF BEGINNING; THENCE N 04°48'00" W, 234.88 FEET; THENCE N 40°12'00" E, 44.05 FEET; THENCE N 88°35'00" E, 195.94 FEET; THENCE S 48°11'53" E, 64.78 FEET; THENCE N 88°35'00" E, 129.43 FEET; THENCE S 48°11'53" E, 35.19 FEET; THENCE S 04°48'00" E, 62.22 FEET; THENCE S 49°48'00" E, 44.85 FEET; THENCE S 04°48'00" E, 95.79 FEET; THENCE S 49°48'00" E, 17.21 FEET TO THE POINT OF ENDING.

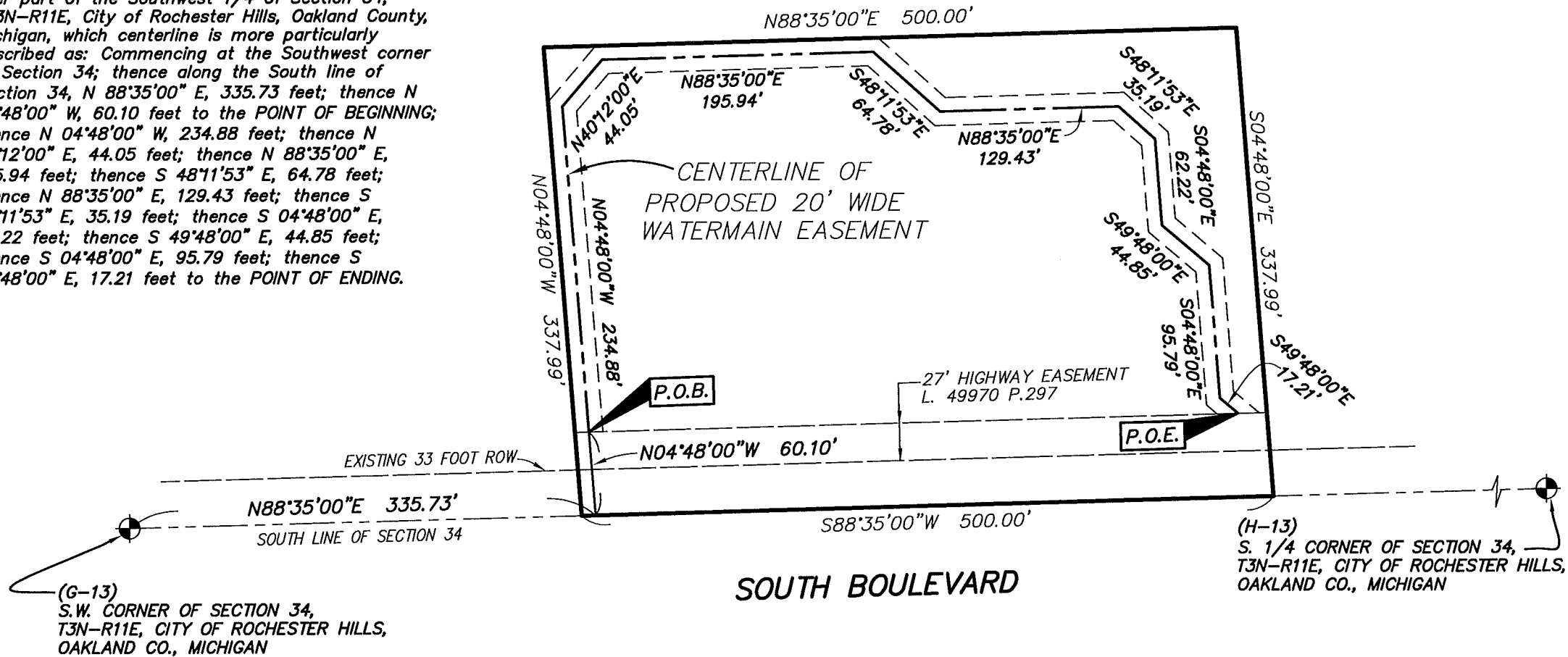
mike Tawnt
Approved 3/27/17

EXHIBIT 'B' – EASEMENT SKETCH

SOUTHWEST 1/4 OF SECTION 34, T3N-R11E
CITY OF ROCHESTER HILLS TOWNSHIP, OAKLAND COUNTY, MICHIGAN

LEGAL DESCRIPTION: CENTERLINE OF PROPOSED 20 FOOT WIDE WATERMAIN EASEMENT

A 20 Foot Wide Easement for the construction, maintenance, operation and repair of a watermain over part of the Southwest 1/4 of Section 34, T03N-R11E, City of Rochester Hills, Oakland County, Michigan, which centerline is more particularly described as: Commencing at the Southwest corner of Section 34; thence along the South line of Section 34, N 88°35'00" E, 335.73 feet; thence N 04°48'00" W, 60.10 feet to the POINT OF BEGINNING; thence N 04°48'00" W, 234.88 feet; thence N 40°12'00" E, 44.05 feet; thence N 88°35'00" E, 195.94 feet; thence S 48°11'53" E, 64.78 feet; thence N 88°35'00" E, 129.43 feet; thence S 48°11'53" E, 35.19 feet; thence S 04°48'00" E, 62.22 feet; thence S 49°48'00" E, 44.85 feet; thence S 04°48'00" E, 95.79 feet; thence S 49°48'00" E, 17.21 feet to the POINT OF ENDING.



LEGEND

- O – IRON SET
- – IRON FOUND
- (M) – MEASURED
- (R) – RECORDED



0 50 100
SCALE: 1" = 100'

MERIDIAN
LAND SURVEYING

300 E. FIRST ST. - STE 200
FLINT, MI 48502
TEL: 810-339-6605
gmcandle@meridianls.com

DATE: 03-24-2017

FLD/OFCE: GMM/DSS

JOB No. 2014129

SHEET: 1 of 1