

SECOND AMENDMENT TO WATER MAIN EASEMENT

THIS SECOND AMENDMENT TO WATERMAIN EASEMENT, is made as of this 18th day of August, 2005, by and between **THRIFTY VAN DYKE, INC.**, a Michigan corporation (hereinafter referred to as "Grantor"), of 2929 Walker Avenue, N.W., Grand Rapids, Michigan 49544, the **CITY OF ROCHESTER HILLS**, a municipal corporation (hereinafter referred to as "City"), of 1000 Rochester Hills Drive, Rochester Hills, Michigan, and **TCF NATIONAL BANK**, a National Banking Association (hereinafter referred to as "TCF"), of 401 East Liberty Street, Ann Arbor, Michigan 48104, as to its leasehold interest in Grantor's Property.

RECITALS:

A. On April 17, 1986, Grantor and the City entered into a Watermain Easement and Conveyance, recorded in Liber 9405, Page 400 of the Oakland County, Michigan Records. The Water Main Easement and Conveyance was amended by Amendment to Watermain Easement on June 15, 1989, which was recorded in Liber 12915, page 128 of the Oakland County Records. The Watermain Easement and Conveyance and the Amendment to Watermain Easement are hereinafter together referred to as the "Easement".

B. Grantor has elected to lease a portion of its property to TCF National Bank, as evidenced by Memorandum of Lease dated April 21, 2005, recorded May 19, 2005 at Liber 35540, Page 237 of the Oakland County Records, for the development of a bank facility.

C. In connection with the development of the bank facility, a portion of the watermain must be relocated and the Easement amended to reflect this modification.

D. At Grantor's request, the City has agreed to amend the Easement.

NOW THEREFORE, in consideration of the foregoing, the execution of this Second Amendment to Watermain Easement by the parties hereto and for other good and valuable consideration, the receipt of which is hereby acknowledged by the parties hereto, it is agreed as follows:

1. Exhibit A of the Easement is hereby deleted and replaced with the water main legally described on **Exhibit A** attached to this Second Amendment to Watermain Easement.

2. Exhibit B of the Easement is hereby deleted and replaced with the watermain depicted on **Exhibit B** attached to this Second Amendment to Watermain Easement.

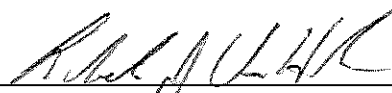
3. The City hereby acknowledges TCF's leasehold interest in a portion of Grantor's property. TCF hereby consents to the amendment of the Easement.


4. In January 1997, Grantor sold a 5.825 acre parcel of Grantor's Property to University Auto Wash (the "UAW Property"). The conveyance of the UAW Property is evidenced by the Warranty Deed dated January 28, 1997, and recorded on February 4, 1997 in Liber 16970, Page 511 of the Oakland County Records. The UAW Property is encumbered by the provisions of the Easement and contains a portion of the water main referred to in the Easement; however, the portion of the water main located on the UAW Property has not been modified in any way.

5. Except as amended hereby, the Easement remains in full force and effect in accordance with its terms and conditions.

IN WITNESS WHEREOF, the parties hereto have executed this Second Amendment to Watermain Easement as of the date set forth above.

THRIFTY VAN DYKE, INC.

By 
Robert J. VerHeulen
Its: **Vice President**

LEGAL 
BUS. RAH

CITY OF ROCHESTER HILLS

By _____
(_____)
Its: _____

TCF NATIONAL BANK

By *Jeff Hansen*
(JEFF HANSEN)

Its: VICE PRESIDENT

STATE OF MICHIGAN)
) ss.
COUNTY OF KENT)

The foregoing instrument was acknowledged before me this 18th day of Aug., 2005, by Robert J. Ver Heulen, the Vice President of Thrifty Van Dyke, Inc., a Michigan corporation, on behalf of said corporation.

LaRae B. Steigenga

Notary Public, State of Michigan, County of Ottawa
My commission expires: 2-17-11
Acting in the County of Kent

LaRAE B. STEIGENGA
Notary Public, Ottawa Co., MI
Acting in Kent Co., MI
My Commission Expires Feb. 17, 2011

STATE OF MICHIGAN)
) ss.
COUNTY OF _____)

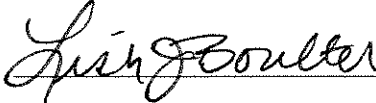
The foregoing instrument was acknowledged before me this _____ day of _____, 2005, by _____, the _____ of City of Rochester Hills, a municipal corporation, on behalf of said corporation.

Notary Public, State of Michigan, County of _____
My commission expires: _____
Acting in the County of _____

STATE OF MICHIGAN)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this 19th day of AUGUST, 2005, by JEFF HANSEN, the VICE PRESIDENT of TCF National Bank, a National Banking Association, on behalf of said association.

LISA J. BOULTER
Notary Public, Wayne County, Michigan
Acting in Washtenaw County, Michigan
My Commission Expires April 1, 2007



Notary Public, State of Michigan, County of _____
My commission expires: _____
Acting in the County of _____

**DRAFTED BY AND WHEN
RECORDED RETURN TO:**

Glen M. VanderKooi, Atty.
2929 Walker Avenue, N.W.
Grand Rapids, MI 49544
(616) 791-5055
Y:\le\ Lairde\57\2nd Amdmt to Water Main Esmt.doc



SSOE, INC.
ARCHITECTS • ENGINEERS

July 6, 2005
Revised August 29, 2005

TCF BANK
ROCHESTER HILLS, MI
SSOE #045061-00

20' WIDE WATERMAIN EASEMENT

A 20 FEET WIDE WATERMAIN EASEMENT, LYING 10 FEET ON BOTH SIDES OF AND PARALLEL WITH THE FOLLOWING DESCRIBED CENTERLINES:

LINE 'A'

BEGINNING AT A POINT WHICH IS EAST, 1350.36 FEET AND SOUTH 60.00 FEET FROM THE NORTHWEST CORNER OF SECTION 35, T3N-R11E, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN; THENCE FROM SAID POINT OF BEGINING S 01°21'01"W, 190.19 FEET; THENCE S45°00'00"W, 29.20 FEET; THENCE SOUTH 149.49 FEET; THENCE S42°51'09"E, 23.86 FEET; THENCE S01°21'01"W, 77.45 FEET TO A POINT HEREINAFTER TO BE KNOWN AS POINT 'B'; THENCE S02°27'11"W, 204.43 FEET TO A POINT HEREINAFTER TO BE KNOWN AS POINT 'C'; THENCE S00°19'58"E, 141.57 FEET; THENCE S42°34'27"W, 180.46 FEET TO A POINT HEREINAFTER TO BE KNOWN AS POINT 'D'; THENCE S53°27'22"W, 107.86 FEET; THENCE S42°27'56"W, 68.91 FEET; THENCE S89°34'14"W, 182.76 FEET TO A POINT TO BE KNOWN HEREINAFTER AS POINT 'E'; THENCE CONTINUING S89°34'14"W, 225.39 FEET; THENCE N54°31'57"W, 96.54 FEET; THENCE S88°57'15"W, 34.66 FEET TO A POINT HEREINAFTER TO BE KNOWN AS POINT 'F'; THENCE N85°37'39"W, 77.14 FEET; THENCE N54°53'24"W, 114.64 FEET; THENCE N00°37'29"E, 109.10 FEET TO A POINT HEREINAFTER TO BE KNOWN AS POINT 'G'; THENCE N00°05'45"E, 280.80 FEET; THENCE N33°24'47"E, 28.90 FEET TO A POINT HEREINAFTER TO BE KNOWN AS POINT 'H'; THENCE N33°24'48"E, 43.73 FEET; THENCE S89°35'41"E, 157.91 FEET; THENCE N51°45'59"E, 27.35; THENCE S87°40'16"E, 10.61 FEET TO A POINT HEREINAFTER TO BE KNOWN AS POINT 'I'; THENCE N00°26'41"W, 458.93 FEET TO THE POINT OF ENDING.

LINE 'B'

BEGINNING AT POINT 'B' AS DESCRIBED ABOVE; THENCE S88°27'18"W, 317.85 FEET TO A POINT HEREINAFTER TO BE KNOWN AS POINT 'J'; THENCE N89°52'44"W, 302.11 FEET TO A POINT HEREINAFTER TO BE KNOWN AS POINT 'K'; THENCE N87°40'17"W, 103.90 FEET TO POINT 'I' AS DESCRIBED ABOVE, ALSO BEING THE POINT OF ENDING.

LINE 'C'

BEGINNING AT POINT 'C' AS DESCRIBED ABOVE, THENCE N87°32'48"W, 80.16 FEET TO THE POINT OF ENDING.

1050 Wilshire Drive Ste. 260
Troy MI 48084-1526
Telephone 248.643.6222
Facsimile 248.643.6225

www.ssoe.com

Page 2 of 2

LINE 'D'

BEGINNING AT POINT 'D' AS DESCRIBED ABOVE; THENCE N36°37'34"W, 20.00 FEET TO THE POINT OF ENDING.

LINE 'E'

BEGINNING AT POINT 'E' AS DESCRIBED ABOVE; THENCE N00°25'46"W, 60.81 FEET TO THE POINT OF ENDING.

LINE 'F'

BEGINNING AT POINT 'F' AS DESCRIBED ABOVE; THENCE N06°52'10"W, 17.23 FEET TO THE POINT OF ENDING.

LINE 'G'

BEGINNING AT POINT 'G' AS DESCRIBED ABOVE; THENCE N89°43'37"E, 26.14 FEET TO THE POINT OF ENDING.

LINE 'H'

BEGINNING AT A POINT 'H' AS DESCRIBED ABOVE; THENCE S56°35'12"E, 17.17 FEET TO THE POINT OF ENDING.

LINE 'J'

BEGINNING AT A POINT 'J' AS DESCRIBED ABOVE; THENCE S06°06'24"W, 13.33 FEET TO THE POINT OF ENDING.

LINE 'K'

BEGINNING AT A POINT 'K' AS DESCRIBED ABOVE; THENCE S13°18'42"W, 16.96 FEET TO THE POINT OF ENDING.

*OK per
John Skarson
9-2-05*

*OK per
Mike Taurer
9-1-05*

LIBER 9116 PAGE 115

85111617

QUITCLAIM DEED

MEIJER REALTY COMPANY, a Michigan corporation, of 2929 Walker, N.W., Grand Rapids, Michigan, CONVEYS AND QUITCLAIMS TO its affiliate, THIRTY VAN DYKE, INC., a Michigan corporation, 2929 Walker, N.W., Grand Rapids, Michigan, as Grantee, the following described property located in the City of Rochester Hills (formerly Avon Township), Oakland County, Michigan:

OCF 2 1036

All that part of the Northwest One-Quarter (NW 1/4) of Section 35, Town 3 North, Range 11 East, City of Rochester Hills (formerly Avon Township), Oakland County, Michigan, described as:

Beginning on the North line of Section 35 which line is also the original centerline of Auburn Road, at a point distant due East Three Hundred Seventy-Eight and Forty-Two Hundredths feet (378.42') along the North section line from the Northwest corner of said Section 35; thence continuing along the North line of said Section 35, due East Fourteen Hundred Thirty-Two and Sixty-Five Hundredths feet (1,432.65'); thence due South Five Hundred feet (500.0'); thence South Forty-Five Degrees Zero Minutes Zero Seconds West (S45°00'00"W) One Hundred Forty-One and Forty-Two Hundredths feet (141.42'); thence due West Six Hundred Sixty-Three and Eleven Hundredths feet (663.11'); thence South Zero Degrees Eleven Minutes Thirty Seconds West (S0°11'30"W) Ten Hundred Fifty-Seven and Two Hundredths feet (1,057.02'); thence South Eighty-Nine Degrees Thirty-Five Minutes Forty-Two Seconds West (S89°35'42"W); Three Hundred feet (300.0'); thence North Zero Degrees Eleven Minutes Thirty Seconds East (N0°11'30"E) Two Hundred Seventy-Eight and Eighty-Six Hundredths feet (278.86'); thence South Eighty-Nine Degrees Thirty-Five Minutes Forty-Two Seconds West (S89°35'42"W) One Hundred Fifty feet (150.0'); thence North Zero Degrees Eleven Minutes Thirty Seconds East (N0°11'30"E) Two Hundred Ninety-Eight and Forty-Two Hundredths feet (298.42'); thence South Eighty-Nine Degrees Fifty-Eight Minutes Seventeen Seconds West (S89°58'17"W) Six Hundred feet (600.0'); thence along the West line of said Section 35, which line is also the original centerline of Rochester Road, North Zero Degrees Eleven Minutes Thirty Seconds East (N0°11'30"E) Seven

3/11/05

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95 SEP 20 14:43

DAVID J. ...

15-35-100-029

15-35-100-029
Shan

(2005.10.15)

LIBER 9116 PAGE 116

Hundred Twenty and Seventy-Seven Hundredths Feet (720.77'); thence due East Three Hundred Eighty-Two and Sixteen Hundredths feet (382.16'); thence North Zero Degrees Twenty-Three Minutes Fifty-Nine Seconds West (N0°23'59"W) Three Hundred Sixty-Two and Forty-Six Hundredths feet (362.46') to the point of beginning; EXCEPT the Westerly 87.00 feet thereof conveyed to the Michigan Highway Department by deed recorded August 25, 1972 in Liber 5932, Page 642 at the Oakland County Register of Deeds and SUBJECT TO the rights of the public over the Northerly Thirty-Three feet (33') used for Auburn Road.

TOGETHER WITH the following described property:

All that part of the Northwest One-Quarter (NW 1/4) of Section 35, Town 3 North (T3N), Range 11 East (R11E), City of Rochester Hills, (formerly Avon Township), Oakland County, Michigan, described as: Beginning at a point Due East One Thousand Eight Hundred Eleven and Seven Hundredths feet (1811.07') along the North Section line and Due South Five Hundred feet (500.00') and South Forty-Five Degrees Zero Minutes West (S 45°00'00" W) One Hundred Forty-One and Forty-Two Hundredths feet (141.42') from the Northwest corner of said Section 35; thence South Thirty-Two Degrees Fourteen Minutes Twenty-One Seconds West (S 32°14'21" W), One Thousand Two Hundred Forty-Nine and Sixty-Eight Hundredths feet (1249.68'); thence North Zero Degrees Eleven Minutes Thirty Seconds East (N 0°11'30" E), One Thousand Fifty-Seven and Two Hundredths feet (1057.02'); thence Due East Six Hundred Sixty-Three and Eleven Hundredths feet (663.11') to the point of beginning.

The previously described property is also described as follows:

All that part of the Northwest 1/4 of Section 35, T3N-R11E, City of Rochester Hills (formerly Avon Township), Oakland County, Michigan, described as: Beginning on the North line of Section 35, which line is also the original centerline of Auburn Rd. at a point distant due East, 378.42 feet along the North section line from the Northwest corner of said Section 35; thence continuing along the north line of said Section 35 due East 1432.65 feet; thence due South 500.00 feet; thence S45°00'00"W, 141.42 feet; thence

LIBER 9116 PAGE 117

S32°14'21"W, 1249.68 feet; thence S89°35'42"W, 300.00 feet; thence N00°11'30"E, 278.86 feet; thence S89°35'42"W, 150.00 feet; thence N00°11'30"E, 298.42 feet; thence S89°58'17"W, 513.00 feet; thence N00°11'30"E, 720.72 feet; thence due East, 295.16 feet; thence N00°23'59"W, 362.46 feet to the point of beginning; containing a total of 44.95 acres of gross land and subject to the rights of the public over the northerly 33 feet used for Auburn Road.

TOGETHER WITH the rights and obligations and subject to the terms, covenants and conditions of a certain Nonexclusive Drainage Easement from Zahav Investment Company, a Michigan limited partnership, to Meijer Realty Company dated June 28, 1985 and recorded August 13, 1985 in Liber 9072, p. 819-21 at the Oakland County Register of Deeds;

SUBJECT TO the easements and restrictions of record including, without limiting the generality of the foregoing, the rights reserved to Grantor in the August 22, 1977 Warranty Deed from Aaron H. Gershenson and William Gershenson, as Trustees, to Meijer Realty Company, which deed is recorded in Liber 7000, Page 668 at the Oakland County Register of Deeds, to have a buffer separating the property conveyed by such deed from the adjoining property on the southeasterly and easterly side and to permit access to the property conveyed by such deed from the adjoining property on the southeasterly and easterly side for emergency vehicles or such other vehicles as Grantee may permit; and FURTHER SUBJECT TO a nonexclusive sanitary sewer easement and a nonexclusive water main easement over, under and across the following described property:

EASEMENT #1 - SANITARY SEWER EASEMENT

A 20 feet wide sanitary sewer easement lying 10 feet on both sides of and parallel with the following described centerlines:

Line 'A'

Beginning at a point which is East, 1110.00 feet and South, 33.00 feet from the Northwest corner of Section 35, T3N-R11E, City of Rochester Hills (formerly Avon Township), Oakland County, Michigan; thence from said point of beginning South, 9.00 feet; thence S09°49'01"E, 478.00 feet to a point hereinafter to be known as point 'B'; thence South, 306.25 feet; thence S04°52'42"W, 176.39 feet; thence West, 230.00 feet to the point of ending.

USER 9116 PAGE 118

Line 'B'

Beginning at point 'B' as described above; thence West, 516.00 feet to the point of ending.

EASEMENT #2 - WATER MAIN EASEMENT

A 20 feet wide water main easement, lying 10 feet on both sides of and parallel with the following described centerlines:

Line 'A'

Beginning at a point which is East, 1328.00 feet and South, 33.00 feet from the Northwest corner of Section 35, T3N-R1E, City of Rochester Hills (formerly Avon Township), Oakland County, Michigan; thence from said point of beginning South, 450.00 feet to a point hereinafter to be know as point 'B'; thence continuing South, 227.00 feet to a point hereinafter to be know as point 'C'; thence continuing South, 165.50 feet; thence S 45°16'36" W, 171.00 feet to a point hereinafter to be know as point 'D'; thence continuing S 45°16'36" W, 121.75 feet; thence West, 226.00 feet to a point hereinafter to be know as point 'E'; thence continuing West, 244.00 feet; thence N 47°56'08" W, 52.00 feet to a point hereinafter to be known as point 'F'; thence continuing N 47°56'08" W, 127.34 feet to a point hereinafter to be known as point 'G'.

Line 'B'

Beginning at point 'B' as described above; thence West, 313.00 feet to a point hereinafter to be known as point 'H'; thence continuing West, 305.00 feet to a point hereinafter to be known as point 'I'; thence continuing West, 80.00 feet to a point hereinafter to be known as point 'J'; thence continuing West, 17.00 feet; thence S 45°20'21" W, 119.50 feet; thence South, 380.00 feet; thence S 42°03'52" W, 16.63 feet to point 'G' as described above, also being the point of ending.

Line 'C'

Beginning at point 'C' as described above; thence West, 79.00 feet to the point of ending.

Line 'D'

Beginning at point 'D' as described above; thence N 44°43'24" W, 38.00 feet to the point of ending.

Line 'E'

Beginning at point 'E' as described above; thence North, 46.00 feet to the point of ending.

Line 'F'

Beginning at point 'F' as described above; thence N 42°03'52" E, 38.00 feet to the point of ending.

Line 'H'

Beginning at point 'H' as described above; thence South, 60.00 feet to the point of ending.

Line 'I'

Beginning at point 'I' as described above; thence South, 60.00 feet to the point of ending.

Line 'J'

Beginning at point 'J' as described above; thence North, 450.00 feet to the point of ending.

Dated this 19th day of September, 1985.

WITNESSES:

Robert A. Parker
Robert A. Parker
Julie A. Dreyer
Julie A. Dreyer

MEIJER REALTY COMPANY

BY Frederick D. Kolk
Frederick D. Kolk

Its Senior Vice President -
Administration and Finance

THIS INSTRUMENT IS EXEMPT FROM
TRANSFER TAXES BY REASON OF
MCLA 207.505(a).

STATE OF MICHIGAN)
) ss.
 COUNTY OF KENT)

The foregoing instrument was acknowledged before me this 19th day of September, 1985, by Frederick D. Kolk, Senior Vice President-Administration & Finance of Meijer Realty Company on behalf of said corporation.

Pamela C. Patton
 Pamela C. Patton
 Notary Public, Kent County, MI.
 My commission expires: 2-1-86

Drafted by and Return to:
 Robert A. Parker, Esq.
 2929 Walker, N.W.
 Grand Rapids, MI 49504
 (616) 453-6711, Ext. 6005

DECLARATION OF TERMINATION OF EASEMENT 80137207

This instrument, dated this 3rd day of November, 1986, being a Declaration of Termination of certain easements, and being made by Meijer Realty Company, A Michigan corporation of 2929 Walker, N.W., Grand Rapids, Michigan 49504 ("Meijer Realty").

W I T N E S S E T H;

WHEREAS, Meijer Realty was the owner of the property legally described on Exhibit A attached hereto (hereafter referred to as the "Property"); and

WHEREAS, by Quitclaim Deed dated September 19, 1985 and recorded in the Oakland County records on September 20, 1985, in Liber 9116, Page 115, Meijer Realty conveyed the Property to Thrifty Van Dyke, Inc., a Michigan corporation ("Van Dyke"), subject, however, to several easements and restrictions; and

WHEREAS, the following two easements were among those created by said Quitclaim Deed:

EASEMENT #1 - SANITARY SEWER EASEMENT

A 20 feet wide sanitary sewer easement lying 10 feet on both sides of and parallel with the following described centerlines:

Line 'A'

Beginning at a point which is East, 1110.00 feet and South, 33.00 feet from the Northwest corner of Section 35, T3N-R11E, City of Rochester Hills (formerly Avon Township), Oakland County, Michigan; thence from said point of beginning South, 9.00 feet; thence S09°49'01"E, 478.00 feet to a point hereinafter to be known as point 'B'; thence South, 306.25 feet; thence S04°52'42"W, 176.39 feet; thence West, 230.00 feet to the point of ending.

Line 'B'

Beginning at point 'B' as described above; thence West, 516.00 feet to the point of ending.

EASEMENT #2 - WATER MAIN EASEMENT

A 20 feet wide water main easement, lying 10 feet on both sides of and parallel with the following described centerlines:

15-35-100-029-NE 1/4, Sec 35

Avon

133
EHL

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15-35-100-029-033

Line 'A'

LIBER 9663 PAGE 355

Beginning at a point which is East, 1328.00 feet and South, 33.00 feet from the Northwest corner of Section 35, T3N-R11E, City of Rochester Hills (formerly Avon Township), Oakland County, Michigan; thence from said point of beginning South, 450.00 feet to a point hereinafter to be know as point 'B'; thence continuing South, 227.00 feet to a point hereinafter to be know as point 'C'; thence continuing South, 165.50 feet; thence S 45°16'36" W, 171.00 feet to a point hereinafter to be know as point 'D'; thence continuing S 45°16'36" W, 121.75 feet; thence West, 226.00 feet to a point hereinafter to be know as point 'E'; thence continuing West, 244.00 feet; thence N 47°56'08" W, 52.00 feet to a point hereinafter to be known as point 'F'; thence continuing N 47°56'08" W, 127.34 feet to a point hereinafter to be known as point 'G'.

Line 'B'

Beginning at point 'B' as described above; thence West, 313.00 feet to a point hereinafter to be known as point 'E'; thence continuing West, 305.00 feet to a point hereinafter to be known as point 'I'; thence continuing West, 80.00 feet to a point hereinafter to be known as point 'J'; thence continuing West, 17.00 feet; thence S 45°20'21" W, 119.50 feet; thence South, 380.00 feet; thence S 42°03'52" W, 16.63 feet to point 'G' as described above, also being the point of ending.

Line 'C'

Beginning at point 'C' as described above; thence West, 79.00 feet to the point of ending.

Line 'D'

Beginning at point 'D' as described above; thence N 44°43'24" W, 38.00 feet to the point of ending.

Line 'E'

Beginning at point 'E' as described above; thence North, 46.00 feet to the point of ending.

Line 'F'

Beginning at point 'F' as described above; thence N 42°03'52" E, 38.00 feet to the point of ending.

Line 'H'

Beginning at point 'B' as described above; thence South, 60.00 feet to the point of ending.

Property Description

All that part of the Northwest One-Quarter (NW 1/4) of Section 35, Town 3 North, Range 11 East, City of Rochester Hills (formerly Avon Township), Oakland County, Michigan, described as:

Beginning on the North line of Section 35 which line is also the original centerline of Auburn Road, at a point distant due East Three Hundred Seventy-Eight and Forty-Two Hundredths feet (378.42') along the North section line from the Northwest corner of said Section 35; thence continuing along the North line of said Section 35, due East Fourteen Hundred Thirty-Two and Sixty-Five Hundredths feet (1,432.65'); thence due South Five Hundred feet (500.0'); thence South Forty-Five Degrees Zero Minutes Zero Seconds West ($S45^{\circ}00'00''W$) One Hundred Forty-One and Forty-Two Hundredths feet (141.42'); thence due West Six Hundred Sixty-Three and Eleven Hundredths feet (663.11'); thence South Zero Degrees Eleven Minutes Thirty Seconds West ($S0^{\circ}11'30''W$) Ten Hundred Fifty-Seven and Two Hundredths feet (1,057.02'); thence South Eighty-Nine Degrees Thirty-Five Minutes Forty-Two Seconds West ($S89^{\circ}35'42''W$), Three Hundred feet (300.0'); thence North Zero Degrees Eleven Minutes Thirty Seconds East ($N0^{\circ}11'30''E$) Two Hundred Seventy-Eight and Eighty-Six Hundredths feet (278.86'); thence South Eighty-Nine Degrees Thirty-Five Minutes Forty-Two Seconds West ($S89^{\circ}35'42''W$) One Hundred Fifty feet (150.0'); thence North Zero Degrees Eleven Minutes Thirty Seconds East ($N0^{\circ}11'30''E$) Two Hundred Ninety-Eight and Forty-Two Hundredths feet (298.42'); thence South Eighty-Nine Degrees Fifty-Eight Minutes Seventeen Seconds West ($S89^{\circ}58'17''W$) Six Hundred feet (600.0'); thence along the West line of said Section 35, which line is also the original centerline of Rochester Road, North Zero Degrees Eleven Minutes Thirty Seconds East ($N0^{\circ}11'30''E$) Seven Hundred Twenty and Seventy-Seven Hundredths feet (720.77'); thence due East Three Hundred Eighty-Two and Sixteen Hundredths feet (382.16'); thence North Zero Degrees Twenty-Three Minutes Fifty-Nine Seconds West ($N0^{\circ}23'59''W$) Three Hundred Sixty-Two and Forty-Six Hundredths feet (362.46') to the point of beginning; EXCEPT the Westerly 87.00 feet thereof conveyed to the Michigan Highway Department by deed recorded August 25, 1972 in Liber 5932, Page 642 at the Oakland County Register of Deeds and SUBJECT TO the rights of the public over the Northerly Thirty-Three feet (33') used for Auburn Road.

EXHIBIT A

DO NOT INPUT

(i)

TOGETHER WITH the following described property:

All that part of the Northwest One-Quarter (NW 1/4) of Section 35, Town 3 North (T3N), Range 1 East (R1E), City of Rochester Hills, (formerly Avon Township), Oakland County, Michigan, described as: Beginning at a point Due East One Thousand Eight Hundred Eleven and Seven Hundredths feet (1811.07') along the North Section line and Due South Five Hundred feet (500.00') and South Forty-Five Degrees Zero Minutes West (S 45°00'00" W) One Hundred Forty-One and Forty-Two Hundredths feet (141.42') from the Northwest corner of said Section 35; thence South Thirty-Two Degrees Fourteen Minutes Twenty-One Seconds West (S 32°14'21" W), One Thousand Two Hundred Forty-Nine and Sixty-Eight Hundredths feet (1249.68'); thence North Zero Degrees Eleven Minutes Thirty Seconds East (N 0°11'30" E), One Thousand Fifty-Seven and Two Hundredths feet (1057.02'); thence Due East Six Hundred Sixty-Three and Eleven Hundredths feet (663.11') to the point of beginning.

The previously described property is also described as follows:

All that part of the Northwest 1/4 of Section 35, T3N-R1E, City of Rochester Hills (formerly Avon Township), Oakland County, Michigan, described as: Beginning on the North line of Section 35, which line is also the original centerline of Auburn Rd. at a point distant due East, 378.42 feet along the North section line from the Northwest corner of said Section 35; thence continuing along the north line of said Section 35 due East 1432.65 feet; thence due South 500.00 feet; thence S45°00'00"W, 141.42 feet; thence S32°14'21"W, 1249.68 feet; thence S89°35'42"W, 300.00 feet; thence N00°11'30"E, 278.86 feet; thence S89°35'42"W, 150.00 feet; thence N00°11'30"E, 298.42 feet; thence S89°58'17"W, 513.00 feet; thence N00°11'30"E, 720.72 feet; thence due East, 295.16 feet; thence N00°23'59"W, 362.46 feet to the point of beginning; containing a total of 44.95 acres of gross land and subject to the rights of the public over the northerly 33 feet used for Auburn Road.