

**AMENDMENT TO  
SANITARY SEWER EASEMENT AND CONVEYANCE**

PEACHWOOD CENTER ASSOCIATES, a Michigan co-partnership, now known as PEACHWOOD CENTER ASSOCIATES, L.L.C., a Michigan limited liability company, whose address is 5480 Corporate Drive, Suite 230, Troy, Michigan 48098 (referred to as "Grantor" and/or "Peachwood") and the CITY OF ROCHESTER HILLS, a Michigan municipal corporation, whose address is 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309 (referred to as "Grantee" and/or the "City") were parties to a certain Sanitary Sewer Easement and Conveyance granted by Grantor to Grantee dated March 30, 1987 and recorded in Liber 9878, Page 344, Oakland County Records (hereinafter referred to as the "Existing Easement")

The depiction and the legal description of the Existing Easement is more particularly described in Exhibit "A" attached hereto.

Subsequent to the recording of the Existing Easement, fee title to the underlying parcels upon which the Sanitary Sewer Easement is located have been conveyed to other entities as follows:

PEACHWOOD is the owner of that property more particularly depicted in Exhibit "A" attached hereto as "Unit 1" whose legal description is set forth in Exhibit "B" (the "Peachwood Parcel");

POMKAL ROCHESTER ASSISTED, LLC, a Michigan limited liability company, whose address is 25480 Telegraph Road, Suite 100, Southfield, Michigan 48033 ("Pomkal Assisted") is the Owner of that property located in the City of Rochester Hills, Oakland County, Michigan, as more particularly depicted in Exhibit "A" attached hereto as "Unit 2" whose legal description is set forth in Exhibit "B" (the "Pomkal Assisted Parcel");

POMKAL ROCHESTER, LLC, a Michigan limited liability company, whose address is 25480 Telegraph Road, Suite 100, Southfield, Michigan 48033 ("Pomkal") is the Owner of that property located in the City of Rochester Hills, Oakland County, Michigan, as more particularly depicted in Exhibit "A" attached hereto as "Unit 3" whose legal description is set forth in Exhibit "B" (the "Pomkal Parcel").

John Starau  
Appd. 8/26/13

CONTINUUM CARE CAMPUS ASSOCIATION, a Michigan non-profit corporation, whose address is 25480 Telegraph Road, Suite 100, Southfield, Michigan 48033 ("Condominium Association") is the corporation that operates, administers, manages and maintains Continuum Care Campus ("Condominium") upon which the Peachwood Parcel, the Pomkal Assisted Parcel and the Pomkal Parcel are located.

Peachwood, Pomkal Assisted, Pomkal and Condominium Association are collectively referred to as "Grantor".

During the construction of the improvements to the Peachwood, Pomkal Assisted and the Pomkal Parcels, various portions of the sanitary sewer were relocated from the Existing Easement and Grantor and Grantee now desire to amend the legal description to the Existing Easement to correctly describe the sanitary sewer easement.

Based upon the foregoing facts and circumstances, the parties do hereby amend the Existing Easement to amend the depiction and description set forth in Exhibit "A", which shall be replaced and superceded with the depiction and description set forth in Exhibit "C" attached hereto.

Except as amended hereby, the Existing Easement and all rights granted to Grantee therein are ratified and confirmed.

Exempt from Transfer Tax under MCL 207.526(a); MCL 207.505(a).

The undersigned have affixed their signatures on the 5<sup>th</sup> day of Aug, 2013.

[SIGNATURES ON THE FOLLOWING PAGES]

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures:

GRANTOR:

PEACHWOOD CENTER ASSOCIATES,  
L.L.C.,  
a Michigan limited liability company

By: *Keith Pomeroy*  
Keith Pomeroy  
Its: Manager

STATE OF MICHIGAN  
COUNTY OF OAKLAND

This agreement was acknowledged before me on August 5, 2013, by Keith Pomeroy, who is the Manager of Peachwood Center Associates, L.L.C., a Michigan limited liability company, on behalf of the company.

*Doris A. Kane*  
Doris A. Kane, notary public  
Wayne, County, Michigan  
Acting in the County of Oakland  
My commission expires: 7-5-2018

DORIS A KANE  
Notary Public, State of Michigan  
County of Wayne  
My Commission Expires Jul. 05, 2018  
Acting in the County of Oakland

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures:

GRANTOR:

POMKAL ROCHESTER ASSISTED, LLC,  
a Michigan limited liability company

By: [Signature]  
Armen Kalaydjian

Its: Manager

By: [Signature]  
Keith Pomeroy

Its: Manager

STATE OF MICHIGAN  
COUNTY OF OAKLAND

This agreement was acknowledged before me on August 5, 2013, by Armen Kalaydjian, who is a Manager of Pomkal Rochester Assisted, LLC, a Michigan limited liability company, on behalf of the company.

[Signature]  
Doris A. Kane, notary public  
Wayne, County, Michigan  
Acting in the County of Oakland  
My commission expires: 7-5-2018

STATE OF MICHIGAN  
COUNTY OF OAKLAND

DORIS A KANE  
Notary Public, State of Michigan  
County of Wayne  
My Commission Expires Jul. 05, 2018  
Acting in the County of Oakland

This agreement was acknowledged before me on August 5, 2013, by Keith Pomeroy, who is a Manager of Pomkal Rochester Assisted, LLC, a Michigan limited liability company, on behalf of the company.

[Signature]  
Doris A. Kane, notary public  
Wayne, County, Michigan  
Acting in the County of Oakland  
My commission expires: 7-5-2018

4  
DORIS A KANE  
Notary Public, State of Michigan  
County of Wayne  
My Commission Expires Jul. 05, 2018  
Acting in the County of Oakland

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures:

GRANTOR:

POMKAL ROCHESTER, LLC,  
a Michigan limited liability company

By: [Signature]  
Armen Kalaydjian

Its: Manager

By: [Signature]  
Keith Pomeroy

Its: Manager

STATE OF MICHIGAN  
COUNTY OF OAKLAND

This agreement was acknowledged before me on August 5, 2013, by Armen Kalaydjian, who is a Manager of Pomkal Rochester, LLC, a Michigan limited liability company, on behalf of the company.

[Signature]  
DORIS A. KANE, notary public  
Wayne, County, Michigan  
Acting in the County of Oakland  
My commission expires: 7-5-2018

DORIS A KANE  
Notary Public, State of Michigan  
County of Wayne  
My Commission Expires Jul. 05, 2018  
Acting in the County of Oakland

STATE OF MICHIGAN  
COUNTY OF OAKLAND

This agreement was acknowledged before me on August 5, 2013, by Keith Pomeroy, who is a Manager of Pomkal Rochester, LLC, a Michigan limited liability company, on behalf of the company.

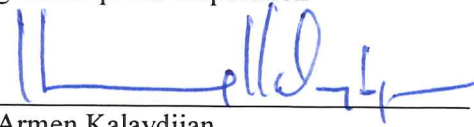
[Signature]  
DORIS A. KANE, notary public  
Wayne, County, Michigan  
Acting in the County of Oakland  
My commission expires: 7-5-2018

DORIS A KANE  
Notary Public, State of Michigan  
County of Wayne  
My Commission Expires Jul. 05, 2018  
Acting in the County of Oakland

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures:


GRANTOR:

CONTINUUM CARE CAMPUS ASSOCIATION,  
a Michigan non-profit corporation

By:   
Armen Kalaydjian  
Title: President

STATE OF MICHIGAN  
COUNTY OF OAKLAND

This agreement was acknowledged before me on August 5, 2013, by Armen Kalaydjian, who is the President of Continuum Care Campus Association, a Michigan non-profit corporation, on behalf of the corporation.

  
Doris A. Kane, notary public  
Wayne, County, Michigan  
Acting in the County of Oakland  
My commission expires: 7-5-2018

DORIS A KANE  
Notary Public, State of Michigan  
County of Wayne  
My Commission Expires Jul. 05, 2018  
Acting in the County of Oakland



IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures:

GRANTEE:  
CITY OF ROCHESTER HILLS,  
a Michigan municipal corporation

By: \_\_\_\_\_  
Bryan K. Barnett, Mayor

By: \_\_\_\_\_  
*Tina Barton*, City Clerk

STATE OF MICHIGAN  
COUNTY OF OAKLAND

This agreement was acknowledged before me on \_\_\_\_\_, 2013, by Bryan K. Barnett, who is the Mayor of the City of Rochester, a Michigan municipal corporation, on behalf of the corporation.

\_\_\_\_\_, notary public  
\_\_\_\_\_, County, Michigan  
Acting in the County of \_\_\_\_\_  
My commission expires: \_\_\_\_\_

STATE OF MICHIGAN  
COUNTY OF OAKLAND

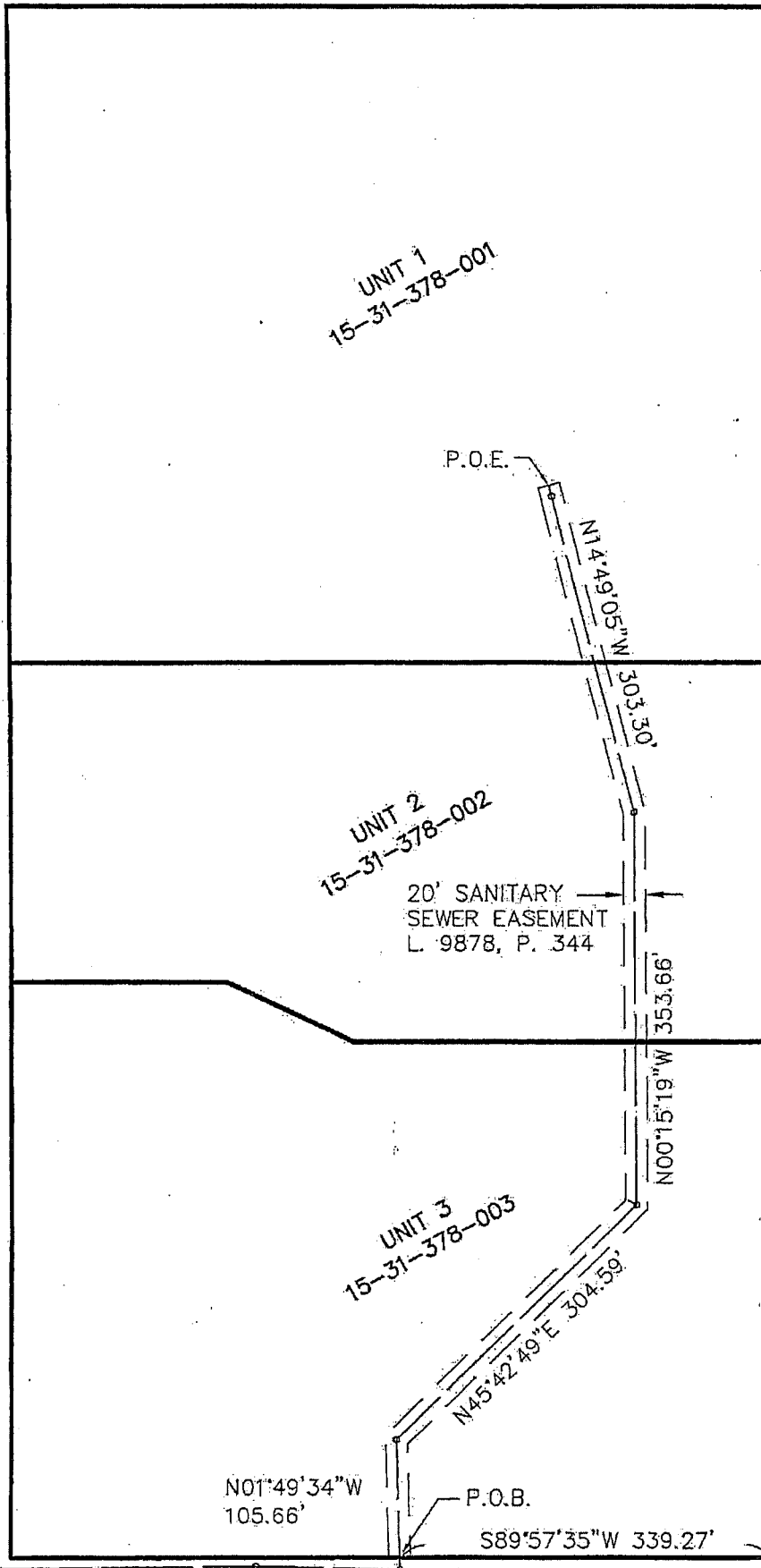
This agreement was acknowledged before me on \_\_\_\_\_, 2013, by *Tina Barton*, who is the City Clerk of the City of Rochester, a Michigan municipal corporation, on behalf of the corporation.

\_\_\_\_\_, notary public  
\_\_\_\_\_, County, Michigan  
Acting in the County of \_\_\_\_\_  
My commission expires: \_\_\_\_\_

Drafted By:  
Sheryl K. Silberstein, Esq.  
Maddin, Hauser, Wartell, Roth & Heller, PC  
28400 Northwestern Highway  
Third Floor – Essex Centre  
Southfield, Michigan 48034

When Recorded Return to:  
Clerks Department  
City of Rochester Hills  
1000 Rochester Hills Drive  
Rochester Hills, Michigan 48309

EXHIBIT "A"  
EXISTING SANITARY SEWER EASEMENT AND DESCRIPTION



SCALE: 1" = 150'

**LEGEND**

- P.O.B. POINT OF BEGINNING
- P.O.E. POINT OF ENDING

S. 1/4 CORNER  
SECTION 31  
T. 3 N., R. 11 E.  
ROCHESTER HILLS

C/L SOUTH BOULEVARD (60' WD, 1/2 WIDTH)

*Mike Taunt  
Approved 8/12/13*

REVISIONS			EXISTING SANITARY SEWER EASEMENT	DATE	SCALE HOR: 1" = 150'	
ITEM	DATE	BY			FIELD BOOK NO.	
			<b>Z E I M E T W O Z N I A K</b> & ASSOCIATES Civil Engineers & Land Surveyors 55800 GRAND RIVER AVE, SUITE 100 NEW HUDSON, MICHIGAN 48165 P: (248) 437-5099 F: (248) 437-5222 www.zeimerwozniak.com	DESIGNED BY	JOB NO.	© COPYRIGHT 2013
				JJW	06158	
				DRAWN BY	SHEET NO.	
				PTG	1/2	



EXHIBIT "A"

EXISTING SANITARY SEWER DESCRIPTION:

A CENTERLINE DESCRIPTION OF A 20 FOOT WIDE SANITARY SEWER EASEMENT LOCATED IN SOUTHWEST 1/4 OF SECTION 31, T. 3 N., R 11 E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 31 AND PROCEEDING ALONG THE SOUTH LINE OF SAID SECTION 31, ALSO BEING THE CENTERLINE OF SOUTH BOULEVARD (60 FEET WIDE, 1/2 WIDTH) S. 89°57'35" W. 621.00 FEET; THENCE N. 00°08'37" W. 60.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID SOUTH BOULEVARD; THENCE S. 89°57'35" W. 339.27 FEET TO THE POINT OF BEGINNING OF SAID SANITARY SEWER EASEMENT; THENCE FROM SAID POINT OF BEGINNING N. 01°49'34" W. 105.66 FEET; THENCE N. 45°42'49" E. 304.59 FEET; THENCE N. 00°15'19" W. 353.66 FEET; THENCE N. 14°49'05" W. 303.30 FEET TO THE POINT OF ENDING OF SAID EASEMENT CENTERLINE.

REVISIONS			EXISTING SANITARY SEWER EASEMENT	DATE	SCALE
ITEM	DATE	BY		7-11-13	HOR: 1" = 150'
					FIELD BOOK NO.
			<p><b>Z EIMET W OZNIAK</b>                  &amp; ASSOCIATES                  Civil Engineers &amp; Land Surveyors                  55800 GRAND RIVER AVE, SUITE 100                  NEW HUDSON, MICHIGAN 48165                  P: (248) 437-5099 F: (248) 437-5222 www.zeimietwozniak.com</p>	DESIGNED BY	JOB NO.
				JJW	06158
				DRAWN BY	SHEET NO.
				PTG	2/2
					© COPYRIGHT 2013

EXHIBIT "B"

GRANTOR LEGAL DESCRIPTIONS

**PEACHWOOD PARCEL**

**Unit 1**, Continuum Care Campus, a condominium according to the Master Deed thereof as recorded in Liber 42345, page 179, Oakland County Records, and designated as Oakland County Condominium Subdivision Plan No. 2004 and any amendments thereto, together with an undivided interest in the common elements of said condominium as set forth in said Master Deed, and any amendments thereto, as described in Act 59 of the Public Acts of Michigan of 1978, as amended

Tax Parcel No. 15-31-378-001

**POMKAL ASSISTED PARCEL**

**Unit 2**, Continuum Care Campus, a condominium according to the Master Deed thereof as recorded in Liber 42345, page 179, Oakland County Records, and designated as Oakland County Condominium Subdivision Plan No. 2004 and any amendments thereto, together with an undivided interest in the common elements of said condominium as set forth in said Master Deed, and any amendments thereto, as described in Act 59 of the Public Acts of Michigan of 1978, as amended

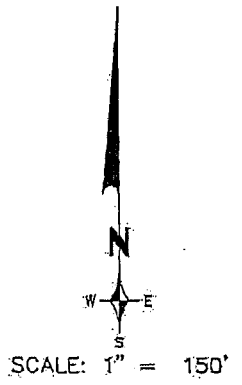
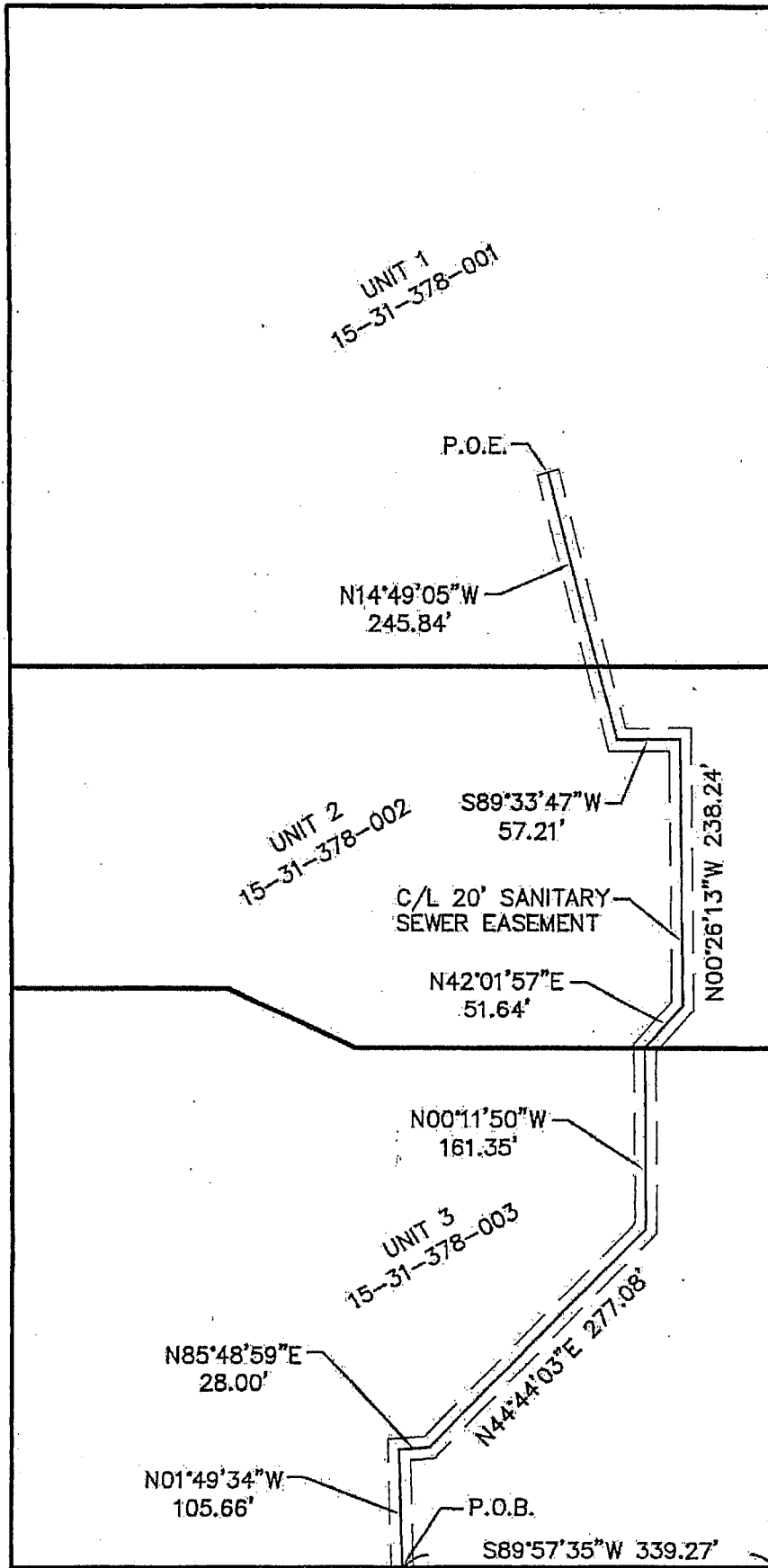
Tax Parcel No. 15-31-378-002

**POMKAL PARCEL**

**Unit 3**, Continuum Care Campus, a condominium according to the Master Deed thereof as recorded in Liber 42345, page 179, Oakland County Records, and designated as Oakland County Condominium Subdivision Plan No. 2004 and any amendments thereto, together with an undivided interest in the common elements of said condominium as set forth in said Master Deed, and any amendments thereto, as described in Act 59 of the Public Acts of Michigan of 1978, as amended

Tax Parcel No. 15-31-378-003

EXHIBIT "C"  
 AMENDED SANITARY SEWER EASEMENT AND DESCRIPTION



LEGEND

- P.O.B. POINT OF BEGINNING
- P.O.E. POINT OF ENDING

S. 1/4 CORNER  
 SECTION 31  
 T. 3 N., R. 11 E.  
 ROCHESTER HILLS

C/L SOUTH BOULEVARD (60' WD, 1/2 WIDTH)

REVISIONS		
ITEM	DATE	BY

AMENDED SANITARY SEWER EASEMENT

**Z E I M E T W O Z N I A K**  
 & ASSOCIATES  
 Civil Engineers & Land Surveyors  
 55800 GRAND RIVER AVE, SUITE 100  
 NEW HUDSON, MICHIGAN 48165  
 P: (248) 437-5099 F: (248) 437-5222 www.zeimetwozniak.com

DATE	7-11-13	SCALE HOR: 1" = 150'
DESIGNED BY	JJW	FIELD BOOK NO.
DRAWN BY	DAB	JOB NO. 06158
		SHEET NO. 1/2

© COPYRIGHT 2013

EXHIBIT "C"

SANITARY SEWER DESCRIPTION:

A CENTERLINE DESCRIPTION OF A 20 FOOT WIDE SANITARY SEWER EASEMENT LOCATED IN SOUTHWEST 1/4 OF SECTION 31, T. 3 N., R. 11 E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 31 AND PROCEEDING ALONG THE SOUTH LINE OF SAID SECTION 31, ALSO BEING THE CENTERLINE OF SOUTH BOULEVARD (60 FEET WIDE, 1/2 WIDTH) S. 89°57'35" W. 621.00 FEET; THENCE N. 00°08'37" W. 60.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID SOUTH BOULEVARD; THENCE S. 89°57'35" W. 339.27 FEET TO THE POINT OF BEGINNING OF SAID SANITARY SEWER EASEMENT; THENCE FROM SAID POINT OF BEGINNING N. 01°49'34" W. 105.66 FEET; THENCE N. 85°48'59" E. 28.00 FEET; THENCE N. 44°44'03" E. 277.08 FEET; THENCE N. 00°11'50" W. 161.35 FEET; THENCE N. 42°01'57" E. 51.64 FEET; THENCE N. 00°26'13" W. 238.24 FEET; THENCE S. 89°33'47" W. 57.21 FEET; THENCE N. 14°49'05" W. 245.84 FEET TO THE POINT OF ENDING OF SAID EASEMENT CENTERLINE.

REVISIONS			AMENDED SANITARY SEWER EASEMENT	DATE	SCALE HOR. 1" = 150'	
ITEM	DATE	BY.		7-11-13	FIELD BOOK NO.	
			<b>Z EIMET W OZNIAK</b> & ASSOCIATES Civil Engineers & Land Surveyors 55800 GRAND RIVER AVE, SUITE 100 NEW HUDSON, MICHIGAN 48165 P: (248) 437-5099 F: (248) 437-5222 www.zeimetwozniak.com	DESIGNED BY	JOB NO.	© COPYRIGHT 2013
				JJW	06158	
				DRAWN BY	SHEET NO.	
				DAB	2/2	