

PEDESTRIAN-BICYCLE PATHWAY EASEMENT

Santia Family-Crooks Corner, LLC a Michigan limited liability company of

17477 Iris Circle, Clinton Township, Michigan 48036

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 pedestrian-bicycle pathway on, under, through and across land more particularly described as:

Sidwell # 15-29-228-004

See attached 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.

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 pedestrian-bicycle pathway: (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.

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 9th day of May, 2014.

Santia Family-Crooks Corner, LLC

Signature:

Albert M. Santia

Print or Type Name:

Albert M. Santia

Title:

Member

STATE OF MICHIGAN

COUNTY OF Macomb

The foregoing instrument was acknowledged before me this 9th day of May, 2014, by Albert M. Santia, who is a member of Santia Family-Crooks Corner LLC a Michigan limited liability company, on behalf of the company.

Drafted by:

Thomas F. Kibbey, Esq.
4150 Tuller Rd, Ste. #236
Dublin, OH 43017

When recorded, return to:

City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

Rachel Rutan

County, Michigan
My Commission Expires:

Notary Public
RACHEL RUTAN
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF WAYNE
MY COMMISSION EXPIRES 01/07/2015
Acting in the County of Macomb

John Staraw
Approved 6/24/14

EXHIBIT 'A'

LEGAL DESCRIPTION (AS SURVEYED)

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 29, TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 29, AND PROCEEDING N. 01°41'08" W. 1616.58 FEET ALONG THE EAST LINE OF SAID SECTION 29; THENCE S. 88°18'52" W. 68.02 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE NORTH RIGHT OF WAY OF AVON INDUSTRIAL DRIVE (100 FEET WIDE) 234.70 FEET ALONG THE ARC OF A CURVE TO THE LEFT, RADIUS 1552.84 FEET, CENTRAL ANGLE 08°39'37" AND A CHORD THAT BEARS S. 83°58'58" W. 234.48 FEET; THENCE N. 24°13'06" W. 105.00 FEET; THENCE N. 65°42'49" E. 251.44 FEET TO THE WEST RIGHT OF WAY LINE OF CROOKS ROAD (120.00 FEET WIDE); THENCE ALONG SAID RIGHT OF WAY LINE 181.14 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS 901.75 FEET, CENTRAL ANGLE 11°30'34" AND A CHORD THAT BEARS S. 15°05'22" E. 180.83 FEET TO THE POINT OF BEGINNING.

#15-29-228-004

Mike Tawn +
Approved 5/14/14

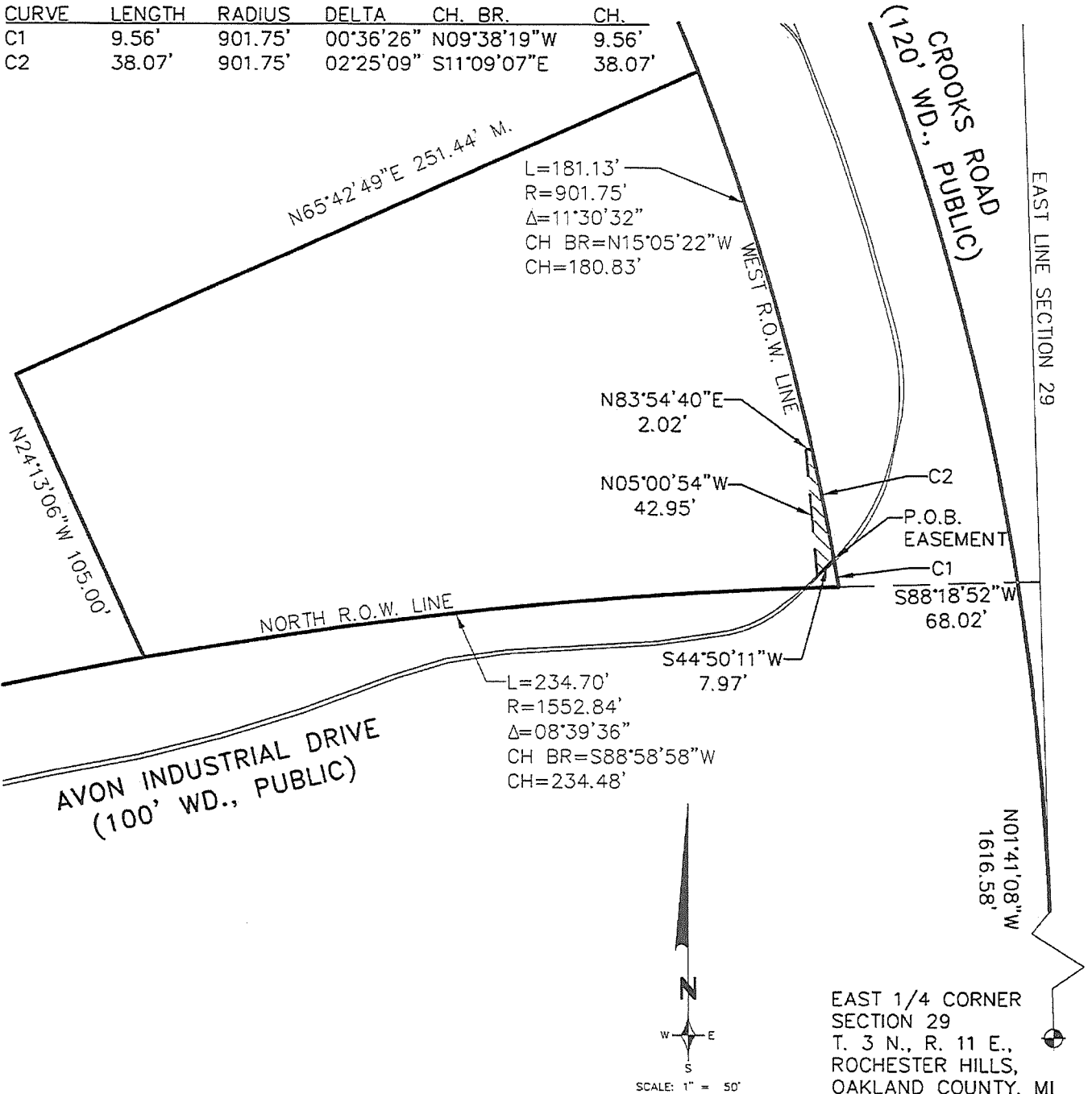
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<p align="center">REVISIONS</p> <table border="1"> <thead> <tr> <th>ITEM</th> <th>DATE</th> <th>BY</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>			ITEM	DATE	BY																															<p align="center"> PARCEL DESCRIPTION TIM HORTONS ROCHESTER HILLS, MICHIGAN  Civil Engineers & Land Surveyors 40024 GRAND RIVER AVE, SUITE 100 NOVI, MICHIGAN 48375 P: (248) 442-1101 F: (248) 442-1241 www.zeimetwozniak.com </p>		<p>DATE 3/7/14</p>	<p>SCALE HOR: 1" = NA FIELD BOOK NO.</p>	<p>DESIGNED BY SRB</p> <p>JOB NO. 13160</p>	<p>DRAWN BY SRB</p> <p>SHEET NO. 1/2</p>	<p>© COPYRIGHT 2007</p>
ITEM	DATE	BY																																								

EXHIBIT 'A'

CURVE TABLE:

CURVE	LENGTH	RADIUS	DELTA	CH. BR.	CH.
C1	9.56'	901.75'	00°36'26"	N09°38'19"W	9.56'
C2	38.07'	901.75'	02°25'09"	S11°09'07"E	38.07'



DESCRIPTION

DESCRIPTION FOR A PATHWAY EASEMENT LOCATED IN THE NORTHEAST 1/4 OF SECTION 29, TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 29, AND PROCEEDING N. 01°41'08" W. 1616.58 FEET ALONG THE EAST LINE OF SAID SECTION 29; THENCE S. 88°18'52" W. 68.02 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF CROOKS ROAD (120.00 FEET WIDE); THENCE ALONG SAID RIGHT OF WAY LINE 9.56 FEET ALONG THE ARC OF A CURVE TO THE LEFT, RADIUS 901.75 FEET, CENTRAL ANGLE 00°36'26", AND A CHORD THAT BEARS N. 09°38'19" W. 9.56 FEET TO THE POINT OF BEGINNING; THENCE S. 44°50'11" W. 7.97 FEET; THENCE N. 05°00'54" W. 42.95; THENCE N. 83°54'40" E. 2.02 FEET TO SAID RIGHT OF WAY LINE; THENCE ALONG SAID RIGHT OF WAY LINE 38.07 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS 901.75 FEET, CENTRAL ANGLE 02°25'09" AND A CHORD THAT BEARS S. 11°09'07" E. 38.07 FEET TO THE POINT OF BEGINNING.

EAST 1/4 CORNER
SECTION 29
T. 3 N., R. 11 E.,
ROCHESTER HILLS,
OAKLAND COUNTY, MI

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REVISIONS			PATHWAY EASEMENT TIM HORTONS ROCHESTER HILLS, MICHIGAN		DATE	SCALE
ITEM	DATE	BY			3/7/14	HOR: 1" = 50'
						FIELD BOOK NO.
					DESIGNED BY	JOB NO.
					SRB	13160
					DRAWN BY	SHEET NO.
					SRB	2/2

Z E I M E T W O Z N I A K
& ASSOCIATES
Civil Engineers & Land Surveyors
40024 GRAND RIVER AVE, SUITE 100
NOVI, MICHIGAN 48375
P: (248) 442-1101 F: (248) 442-1241 www.zeimetwozniak.com

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