

**WATER MAIN EASEMENT
TO THE CITY OF ROCHESTER HILLS**

(SIGNATURES ON NEXT PAGE)

WATERMAIN EASEMENT

Eitel Dahm Properties, LLC

a Michigan limited liability company of

45550 Dequindre Road, Shelby Township, Michigan 48317

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 watermain on, under through and across land more particularly described as:

See attached Exhibits A and B

Sidwell #15-36-426-006

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

27 day of February, 2017.

Eitel Dahm Properties, LLC

Eitel Dahm
Signature

Eitel Dahm
(Print Name)

Managing Member
Title

STATE OF MICHIGAN
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 27th day of February, 2017, by Eitel Dahm, who is a member of Eitel Dahm Properties, LLC, a Michigan limited liability company, on behalf of the company.

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

Tammy Kozicki
Notary Public
Oakland County, Michigan
My Commission Expires:

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

John Staran
Approved 3/8/17

TAMMY KOZICKI
NOTARY PUBLIC, STATE OF MI
COUNTY OF MACOMB
MY COMMISSION EXPIRES Feb 19, 2023
ACTING IN COUNTY OF Oakland

EXHIBIT "A"
LEGAL DESCRIPTION

LEGAL DESCRIPTION:

LAND SITUATED IN THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN.

PART OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 36, TOWN 3 NORTH, RANGE 11 EAST, AVON TOWNSHIP (NOW THE CITY OF ROCHESTER HILLS), OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS NORTH 01 DEGREES 59 MINUTES 07 SECONDS WEST 1080.33 FEET ALONG THE EAST LINE OF SECTION 36 AND SOUTH 88 DEGREES 00 MINUTES 53 SECONDS WEST 60.00 FEET AND SOUTH 38 DEGREES 00 MINUTES 53 SECONDS WEST 62.23 FEET FROM THE SOUTHEAST CORNER OF SECTION 36, TOWN 3 NORTH, RANGE 11 EAST, AND ALONG THE NORTHERLY LINE OF M-59, SOUTH 38 DEGREES 00 MINUTES 53 SECONDS WEST 187.38 FEET; THENCE SOUTH 78 DEGREES 00 MINUTES 53 SECONDS WEST, 445.41 FEET; THENCE NORTH 02 DEGREES 25 MINUTES 20 SECONDS WEST 521.27 FEET; THENCE NORTH 87 DEGREES 34 MINUTES 41 SECONDS EAST 563.08 FEET; THENCE SOUTH 01 DEGREES 59 MINUTES 07 SECONDS EAST 304.66 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.94 ACRES.

#15-36-426-006

PROPOSED 20' WIDE WATERMAIN EASEMENT:

A 20 FOOT WIDE EASEMENT FOR THE CONSTRUCTION, MAINTENANCE, OPERATION AND REPAIR OF A WATERMAIN OVER PART OF THE SOUTHEAST 1/4 OF SECTION 36, TOWN 03 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 36; THENCE NORTH 01 DEGREES 59 MINUTES 07 SECONDS WEST 1080.33 FEET, THENCE SOUTH 88 DEGREES 00 MINUTES 53 SECONDS WEST 60.00 FEET, THENCE SOUTH 38 DEGREES 00 MINUTES 53 SECONDS WEST 109.03 FEET TO THE POINT OF BEGINNING OF THIS EASEMENT;

THENCE SOUTH 38 DEGREES 00 MINUTES 53 SECONDS WEST 47.83 FEET;

THENCE SOUTH 62 DEGREES 44 MINUTES 02 SECONDS WEST 180.18 FEET;

THENCE NORTH 62 DEGREES 38 MINUTES 22 SECONDS WEST 189.44 FEET;

THENCE NORTH 27 DEGREES 21 MINUTES 38 SECONDS EAST 20.00 FEET;

THENCE SOUTH 62 DEGREES 38 MINUTES 22 SECONDS EAST 179.11 FEET;

THENCE NORTH 62 DEGREES 44 MINUTES 02 SECONDS EAST 213.29 FEET TO THE POINT OF BEGINNING.

Mike Tawt
Approved 3/10/17

AYMAN TAMIMI, PS NO. 55485

FOR EASEMENT SKETCH SEE EXHIBIT B.

LAND SPECIALISTS

LAND SURVEYORS
22070 S. NUNNELEY
CLINTON TWP, MI 48035
PHONE # (586)741-5897
FAX # (586)741-5940
www.landspecialists.us

CLIENT: EITEL DAHM PROPERTY, LLC
45441 DEQUINDRE RD.
ROCHESTER HILLS, MI. 49307

SCALE: 1"= 100'

JOB No: 15-097

DATE: 3-08-17

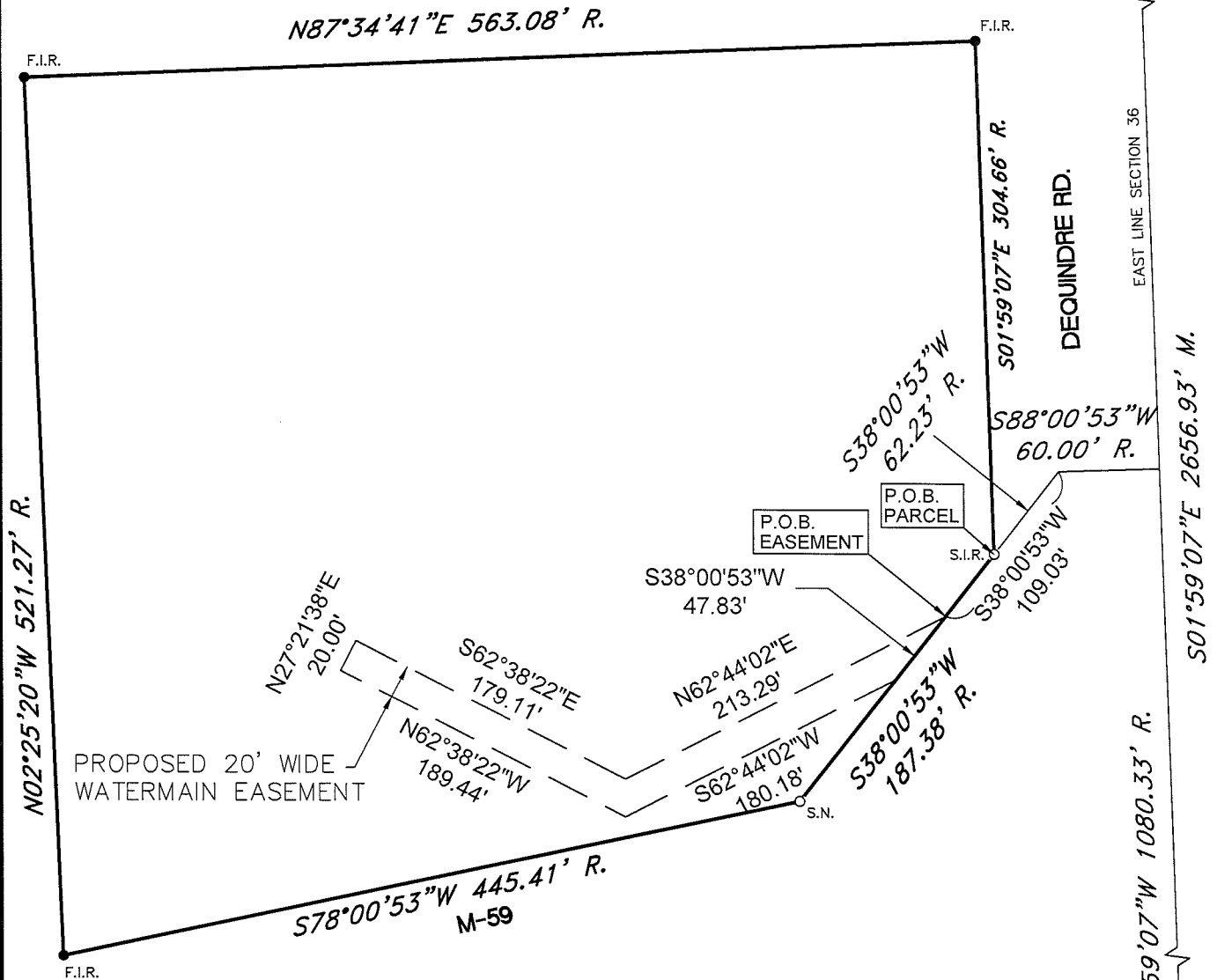
BK-15 PG-10

DRAWN: M.T.

PAGE 1 OF 1

EXHIBIT "B"
WATERMAIN EASEMENT SKETCH

E. ¼ COR. SEC. 36
T-03N, R-11E
FD. DISK IN MON. BOX.
L. 15907, P. 730 O.C.R.

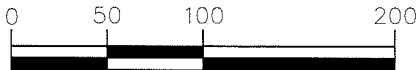


PROPOSED 20' WIDE
WATERMAIN EASEMENT

LEGEND

- R. — RECORD
- M. — MEASURED
- F.I.R. — FOUND IRON ROD
- S.I.R. — SET IRON ROD #55485
- S.N. — SET PK NAIL
- ⊙ — SECTION CORNER
- [P.O.B.] — POINT OF BEGINNING

GRAPHIC SCALE



(IN FEET)
1 INCH = 100 FT.

SE COR. SEC. 36
T-03N, R-11E
FD. DISK IN MON. BOX.
L. 14992, P. 117 O.C.R.

AYMAN TAMIMI, PS NO. 55485

LEGAL DESCRIPTION

LAND SITUATED IN THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN. SEE EXHIBIT A.

LAND SPECIALISTS

LAND SURVEYORS
22070 S. NUNNELEY
CLINTON TWP, MI 48035
PHONE # (586)741-5897
FAX # (586)741-5940
www.landspecialists.us

CLIENT: EITEL DAHM PROPERTY, LLC
45441 DEQUINDRE RD.
ROCHESTER HILLS, MI. 49307

SCALE: 1"= 100' JOB No: 15-097
DATE: 03-08-17 BK-15 PG-10

DRAWN: M.T.

PAGE 1 OF 1