

HIGHWAY EASEMENT

KNOW ALL PERSONS that SS MITX, L.L.C. ("Grantor(s)"), a Delaware limited liability company, whose address is 2570 Crooks Rd., Rochester Hills Michigan 48309, party of the first part, for and in consideration of the sum of \$ 5,005.00 paid to Grantor(s) by the City of Rochester Hills (A Michigan Municipal Corporation), party of the second part, whose address is 1000 Rochester Hills Drive, Rochester Hills, Michigan, 48309-3033, does hereby grant to the **City of Rochester Hills ("City")**, a Michigan Municipal Corporation, located at 1000 Rochester Hills Drive, Rochester Hills, Michigan, 48309-3033 an easement for all public highway purposes ("Highway Easement") and to construct, operate, maintain, repair, and/or replace roadways, utilities, and other infrastructure improvements in, over, under, upon, and through the following described premises ("Property") situated in the City of Rochester Hills, County of Oakland, State of Michigan,

Commonly known as: 2570 Crooks Rd. (Part of) Tax Parcel No.: 15-29-402-002
15-29-427-017

**SEE PARCEL DRAWING, ATTACHED AS EXHIBIT "A," AND
LEGAL DESCRIPTION, ATTACHED AS EXHIBIT "B,"
BOTH OF WHICH ARE INCORPORATED BY REFERENCE HEREIN**

This Highway Easement includes, but is not limited to, the consent of the Grantor(s) to the removal of any trees, shrubs, and/or vegetation, to grading, to the occupancy of the Property by public utilities, and to other matters which, in the sole discretion of the City, may be necessary in connection with all public highway purposes and the construction, operation, maintenance, repair, and/or replacement of roadways, utilities, and other infrastructure improvements in, over, under, upon, and through the Property. Grantor(s) waive(s) further notice of such actions.

The premises so disturbed by reason of the exercise of any of the foregoing powers shall be restored to substantially the condition that existed prior to construction by the party of the second part.

This Highway Easement runs with the land and shall bind the Grantor(s) and the Grantor(s)'s heirs, representatives, successors, and assigns. This Highway Easement contains the entire understanding of the Grantor(s) and the City, and there are no other verbal promises between the Grantor(s) and the City except as shown herein.

IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures this 13th day of April, A.D. 200 .

By: _____

* SS MITX, LLC by Kurt O'Brien, Manager

* Please print or type name in Black Ink

By: _____

* _____
* Please print or type name in Black Ink

COUNTY OF ORANGE)
) SS
STATE OF FLORIDA)

On this 15th day of APRIL, 2009, KURT O'BRIEN executed the foregoing document before me and, being duly sworn, stated that he/she is the MANAGER of SS MITX, L.L.C., a DELAWARE LIMITED LIABILITY COMPANY, and that he/she executed the foregoing document on behalf of SS MITX, L.L.C. with its full authority and as its free act and deed.

Notary Public: [Signature]
My commission expires: 12/22/09
ORANGE County, FLORIDA
Acting in the County of ORANGE



MARILYN I. LUNA
MY COMMISSION # DD 501554
EXPIRES: December 22, 2009
Bonded Thru Budget Notary Services

COUNTY OF)
) SS
STATE OF)

On this ___ day of ___, 200___, ___ executed the foregoing document before me and, being duly sworn, stated that he/she is the ___ of SS MITX, L.L.C., a DELAWARE LIMITED LIABILITY COMPANY, and that he/she executed the foregoing document on behalf of SS MITX, L.L.C. with its full authority and as its free act and deed.

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

(Corporation)

Parcel No. 1 & 2

Drafted by:
Walter H. Alix, P.E., P.S.
Hubbell, Roth & Clark, Inc.
555 Hulet Drive
P.O. Box 824
Bloomfield Hills, Michigan 48303-0824

When recorded return to:
City Clerk
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, Michigan 48309-3033

Recording Fee _____ Revenue Stamps _____

11-18-08
20080251
15-29-427-017
15-29-402-002

Highway

DESCRIPTION OF PROPERTY (TAKEN FROM RECORD 15-29-427-017)

A part of the Southeast ¼ of Section 29 and part of Lot 4 of "Supervisor's Plat No. 9" a subdivision of part of the West ½ of the Southeast ¼ of Section 29, T3N, R11E, Avon Township (now City of Rochester Hills), Oakland County, Michigan, as recorded in Liber 59 of Plats, Page 13, Oakland County Records, more particularly described as: Commencing at the East ¼ corner of Section 29; thence Due South 915.65 feet along the East line of said Section 29 and following Crooks Road and S87°56'57"W 750.48 feet to the Point Of Beginning; thence continuing S87°56'57"W 732.14 feet to the point on the East line of said "Supervisor's Plat No. 9"; thence along the East line of said "Supervisor's Plat No. 9"; N02°31'06"E 734.37 feet; thence S87°55'06"W 806.78 feet; thence N01°56'43"E 182.69 feet to a point on the East-West ¼ line of said Section 29, said point also being the Southerly line of M-59; thence the following four courses being along said Southerly line of M-59 and the Eastbound M-59 Exit Ramp to Crooks Road; (1) N87°55'06"E 808.61 feet and (2) S80°57'53"E 360.07 feet, and (3) S63°24'41"E 300.00 feet, and (4) S49°36'20"E 88.62 feet; thence Due South 641.86 feet to the Point Of Beginning.

Subject to reservations, restrictions, and easements of record, if any.

Also known as Sidwell No. 15-29-427-017.

DESCRIPTION OF HIGHWAY EASEMENT

The East 5.00 feet of the West 35.00 feet of the Lot 4, Except the South 125.00 feet of Lot 4 of "Supervisor's Plat No. 9" a subdivision of part of the West ½ of the Southeast ¼ of Section 29, T3N, R11E, Avon Township (now City of Rochester Hills), Oakland County, Michigan, as recorded in Liber 59 of Plats, Page 13, Oakland County Records.

Said easement contains 914 square feet, or 0.021 acres, more or less.

DESCRIPTION OF PROPERTY (TAKEN FROM RECORD 15-29-402-002)

The South 125.00 feet of Lot 4 of "Supervisor's Plat No. 9" a subdivision of part of the West ½ of the Southeast ¼ of Section 29, T3N, R11E, Avon Township (now City of Rochester Hills), Oakland County, Michigan, as recorded in Liber 59 of Plats, Page 13, Oakland County Records.

Subject to reservations, restrictions, and easements of record, if any.

Also known as Sidwell No. 15-29-402-002.

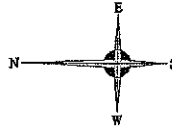
DESCRIPTION OF HIGHWAY EASEMENT

The East 5.00 feet of the West 35.00 feet of the South 125.00 feet of Lot 4 of "Supervisor's Plat No. 9" a subdivision of part of the West ½ of the Southeast ¼ of Section 29, T3N, R11E, Avon Township (now City of Rochester Hills), Oakland County, Michigan, as recorded in Liber 59 of Plats, Page 13, Oakland County Records.

Said easement contains 626 square feet, or 0.014 acres, more or less.

SKETCH OF EASEMENT

NOTE: NO FIELD WORK PERFORMED.
DESCRIPTION TAKEN FROM RECORD.
ONLY PORTION OF PROPERTY SHOWN.



SCALE: 1" = 60'

$N02^{\circ}31'06"E$ 734.37'

TIME: 2-10-08 08:20

FEN TEL: FAX: 483-0824

CLERK TEL: FAX: 483-0824

DESIGN FILE: 20080251_001_00.dwg

USER NAME: phs001

M-59 HIGHWAY

SOUTHERLY LINE M-59

$N87^{\circ}55'06"E$ 808.61'

SUPERVISOR'S PLAT NO. 9
L. 59, P. 13, O.C.R.

PARCEL 1
15-29-427-017
2570 CROOKS
SS MITX, LLC
PART OF LOT 4

SUB. LINE

125.00'

$S87^{\circ}55'06"W$ 806.78'

PARCEL 2
15-29-402-002
NO ADDRESS
AVAILABLE
SS MITX, LLC.
PART OF LOT 4

805.52'

SOUTH LINE LOT 4

$S01^{\circ}56'43"W$ 20.00'
DRAINAGE EASEMENT
 $S62^{\circ}12'14"W$ 40.21'
 $N01^{\circ}56'43"E$ 37.49'

5' WIDE HIGHWAY EASEMENT

5' WIDE HIGHWAY EASEMENT

N.W. COR. LOT 4

$N01^{\circ}56'43"E$ 182.69'

DEVONDALE ROAD

S.W. COR. LOT 4

60' EASEMENT FOR ROAD

JOB NO.
20080251
DATE
11-18-08

HUBBELL, ROTH & CLARK, INC.
CONSULTING ENGINEERS
555 HULET DRIVE
BLOOMFIELD HILLS, MICH.

P.O. BOX 824
48303-0824

SHEET NO.
1
OF 2