

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

**WATERMAIN EASEMENT**

**Rochester KM Partners LLC a Michigan limited liability company of 6960 Orchard Lake Road, Suite 300, West Bloomfield, MI 48322 grants to the CITY OF ROCHESTER HILLS, a Michigan municipal corporation, of 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309, a non-exclusive easement for the construction, operation, maintenance, repair and/or replacement of a watermain on, under, through and across land (the "Property") more particularly described as:**

**See Attached Exhibit A**

**in the area (the "Easement Area") depicted and legally described as:**

**See Attached Exhibit B**

**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 Area.**

**All property disturbed or altered, now or in the future, by reason of the construction, operation, maintenance, repair and/or replacement of the watermain and necessary ancillary improvements shall be restored by the City to its immediately prior condition, except to the extent Grantor has consented to any permanent improvements or alterations necessary to the use and exercise of easement rights granted hereunder.**

**Except in cases of emergency, Grantee shall provide written notice to Grantor no less than twenty-four (24) hours prior to any entry upon the Property. All work performed by Grantee hereunder shall be performed in a prompt and expeditious manner, and in a manner that minimizes disruption of the operation of the Property. Without the prior written consent of Grantor, Grantee shall not place on or store any materials upon the Easement Area or any other portion of the Property.**

**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 material 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 Area, (b) the right to construct or install surface improvements, including but not limited to paved driveways, roadways, parking and/or walkways, landscaping, fencing, utilities and/or similar improvements over the Easement Area, and (c) the right to grant other non-exclusive easements and rights-of-way across, over, under and through the Easement Area.**

**Exempt from Transfer Taxes under MCL 207.505(a) and 207.526(a).**

**[Remainder of page intentionally left blank; signatures on following page]**

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 7<sup>th</sup> day of AUGUST, 20 18.

Rochester KM Partners LLC

Signature

CRAG H SINGER

(Print Name)

AUTHORIZED REPRESENTATIVE

Title

STATE OF MICHIGAN  
COUNTY OF Oakland

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of August, 20 18, by Craig H. Singer who is a member of Rochester KM Partners LLC of \_\_\_\_\_ a Michigan limited liability company, on behalf of the company.

Drafted by: Emil BUNEK, P.E.  
PEA, Inc.  
2430 Rochester Court, Suite 100  
Troy, MI 48083

SHERI L. DENNIS, Notary Public  
Oakland County, Michigan  
My Commission Expires:

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

SHERI DENNIS  
Notary Public - State of Michigan  
County of Oakland  
My Commission Expires Mar 20, 2024  
Acting in the County of Oakland

John Staraw  
Approved 8/13/18

**EXHIBIT A  
LEGAL DESCRIPTION**

LEGAL DESCRIPTION

(Per PEA ALTA 2001-186, Dated 07-13-01)

Land located in the City of Rochester Hills, County of Oakland, and State of Michigan:

Part of the Northeast 1/4 of Section 22, T.3N., R.11E., City of Rochester Hills, Oakland County, Michigan, more particularly described as follows:

Commencing at the Northeast corner of said Section 22; thence along the North line of said Section 22, N89°05'58"W, 1045.00 feet; thence S00°59'40"W (recorded as S00°59'59"W), 60.00 feet to a point on the South Right-of-Way line of Avon Road, said point also being the **Point of Beginning**; thence along said South Right-of-Way line, S89°05'58"E, 577.00 feet; thence S00°59'40"W (recorded as S00°59'59"W), 180.00 feet; thence S89°05'58"E, 393.00 feet to a point on the West Right-of-Way line of Rochester Road; thence along said West Right-of-Way line, S00°59'40"W (recorded as S00°59'59"W), 475.00 feet; thence N89°05'58"W, 970.00 feet; thence N00°59'40"E (recorded as N00°59'59"E), 655.00 feet to the **Point of Beginning**, containing 12.962 acres and subject to any easements or restrictions of record.

*Parcel ID# 15-22-226-014*

*Scott W.  
Approved 9/5/18*



REV: 09-01-18  
REV: ~~08-17-18~~  
REV: ~~07-23-18~~




**PEA, Inc.**

2430 Rochester Ct, Ste 100  
Troy, MI 48063-1872  
t: 248.689.9090  
f: 248.689.1044  
www.peainc.com

CLIENT: FIRST HOLDING MANAGEMENT 6960 ORCHARD LAKE ROAD WEST BLOOMFIELD, MI 48322	SCALE: N/A	JOB No: 2016-367
	DATE: <del>06-27-18</del>	DWG. No: 1 of 2

# EXHIBIT A SKETCH OF PARCEL

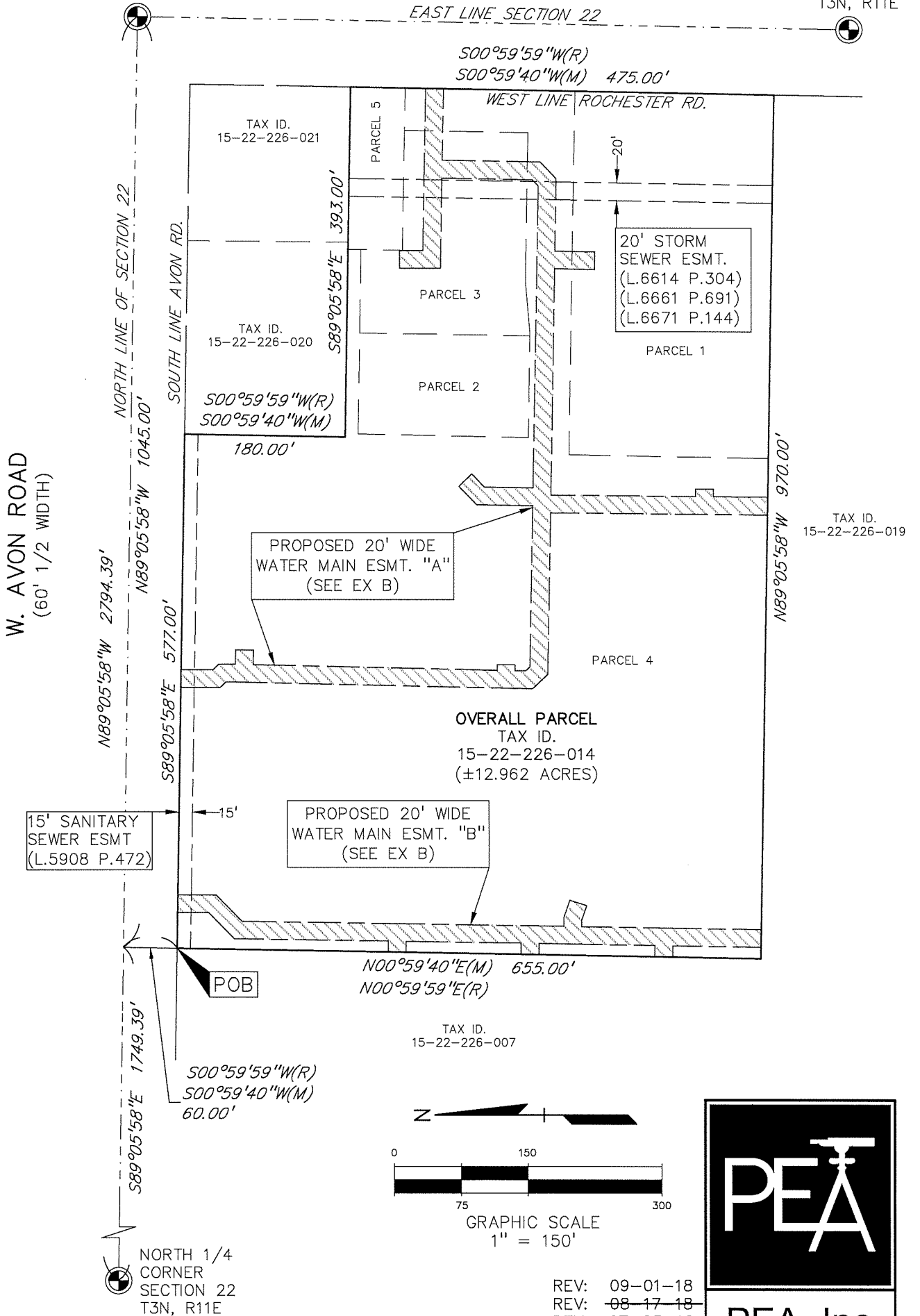
**LEGEND**

-  SECTION CORNER
-  POB
-  POC

POC  
NORTHEAST  
CORNER  
SECTION 22  
T.3N., R.11E.

**S. ROCHESTER ROAD**  
(VARIABLE WIDTH)

EAST 1/4  
CORNER  
SECTION 22  
T3N, R11E



REV: 09-01-18  
REV: ~~08-17-18~~  
REV: ~~07-23-18~~

<b>CLIENT:</b> <b>FIRST HOLDING MANAGEMENT</b> 6960 ORCHARD LAKE ROAD WEST BLOOMFIELD, MI 48322	SCALE: 1"=150'	JOB No: 2016-367	<b>PEA, Inc.</b> 2430 Rochester Ct, Ste 100 Troy, MI 48083-1872 t: 248.689.9090 f: 248.689.1044 www.peainc.com
	DATE: <del>06-27-18</del>	DWG. No: 2 of 2	

## EXHIBIT B LEGAL DESCRIPTION

### LEGAL DESCRIPTION – 20 FOOT WIDE WATER MAIN EASEMENT A:

(Per PEA Inc.)

A 20 foot wide water main easement over the previously described Parcel, being part of the Northeast 1/4 of Section 22, Town 3 North, Range 11 East, Rochester Hills, Oakland County, Michigan, the Centerline of said easement being more particularly described as:

Commencing at the Northeast corner of said Section 22; thence N89°05'58"W, 468.00 feet along the North line of said Section 22; thence S00°59'40"W, 60.00 feet to the South line of Avon Road (60 feet 1/2 width); thence N89°05'58"W along said South line, 274.19 feet to the POINT OF BEGINNING;

thence along said easement centerline the following thirty (30) courses;

- 1) S00°28'29"W, 39.72 feet; 2) S43°42'53"E, 9.52 feet; 3) S01°17'07"W, 24.24 feet;
- 4) S88°42'53"E, 26.47 feet; 5) N88°42'53"W, 26.47feet; 6) S01°17'07"W, 293.17 feet;
- 7) S88°42'53"E, 26.47 feet; 8) N88°42'53"W, 26.47 feet; 9) S01°17'07"W, 26.14 feet;
- 10) S44°00'20"E, 15.04 feet; 11) S89°00'20"E, 187.52 feet; 12) S00°31'52"W, 182.26 feet;
- 13) S89°00'20"E, 18.34 feet; 14) N89°00'20"W, 18.34 feet;
- 15) S00°31'52"W, 71.20 feet to the South line of said Parcel; 16) N00°31'52"E, 253.46 feet;
- 17) S89°00'20"E, 7.69 feet; 18) N00°59'40"E, 68.80 feet; 19) N45°59'40"E, 24.50 feet;
- 20) S45°59'40"W, 24.50 feet; 21) S00°59'40"W, 68.80 feet; 22) S89°00'20"E, 266.47 feet;
- 23) S00°59'40"W, 54.81 feet; 24) N00°59'40"E, 54.81 feet; 25) S89°00'20"E, 87.23 feet;
- 26) N45°59'40"E, 17.51 feet; 27) N00°59'40"E, 115.72 feet;
- 28) S89°00'20"E, 89.95 feet to the West line of Rochester Road (variable width);
- 29) N89°00'20"W, 191.29 feet and; 30) N00°00'00"E, 35.71 feet to the POINT OF ENDING.

Sidelines of said easement to lengthen or shorten as to begin or end at the South line of Avon Road, the South parcel line and the West line of Rochester Road.

Containing ±34,408 square feet or ±0.790 acres.

### LEGAL DESCRIPTION – 20 FOOT WIDE WATER MAIN EASEMENT B:

(Per PEA Inc.)

A 20 foot wide water main easement over the previously described Parcel, being part of the Northeast 1/4 of Section 22, Town 3 North, Range 11 East, Rochester Hills, Oakland County, Michigan, the Centerline of said easement being more particularly described as:

Commencing at the Northeast corner of said Section 22; thence N89°05'58"W, 995.40 feet along the North line of said Section 22; thence S00°00'00"E, 60.01 feet to a point on the South line of Avon Road (60 feet 1/2 width) also being the POINT OF BEGINNING;

thence along said easement centerline the following seventeen (17) courses;

- 1) continuing S00°00'00"E, 38.77 feet; 2) S45°54'07"W, 41.71 feet; 3) S00°54'07"W, 178.53 feet;
- 4) N89°05'53"W, 22.18 feet to the West line of said Parcel; 5) S89°05'53"E, 22.18 feet;
- 6) S00°54'07"W, 148.60 feet; 7) N90°00'00"W, 22.40 feet to the West line of said Parcel;
- 8) N90°00'00"E, 22.40 feet; 9) S00°54'07"W, 47.87 feet; 10) S89°14'26"E, 18.37 feet;
- 11) S71°38'09"E, 19.43 feet; 12) N71°38'09"W, 19.43 feet; 13) N89°14'26"W, 18.37 feet;
- 14) S00°54'07"W, 102.59 feet; 15) N89°05'53"W, 22.64 feet to the West line of said Parcel;
- 16) S89°05'53"E, 22.64 feet and; 17) S00°54'07"W, 109.14 feet to the South line of said Parcel and the POINT OF ENDING.

Sidelines of said easement to lengthen or shorten as to begin or end at the South line of Avon Road, the West parcel line and the South parcel line.

Containing ±14,645 square feet or ±0.336 acres.

Line Table			Line Table			Line Table			Line Table		
Line #	Direction	Length	Line #	Direction	Length	Line #	Direction	Length	Line #	Direction	Length
L1	S00°28'29"W	39.72'	L14	N00°31'52"E	253.46'	L27	N00°00'00"E	35.71'	L40	N89°14'26"W	18.37'
L2	S43°42'53"E	9.52'	L15	S89°00'20"E	7.69'	L28	S00°00'00"E	38.77'	L41	S00°54'07"W	102.59'
L3	S01°17'07"W	24.24'	L16	N00°59'40"E	68.80'	L29	S45°54'07"W	41.71'	L42	N89°05'53"W	22.64'
L4	S88°42'53"E	26.47'	L17	N45°59'40"E	24.50'	L30	S00°54'07"W	178.53'	L43	S89°05'53"E	22.64'
L5	N88°42'53"W	26.47'	L18	S45°59'40"W	24.50'	L31	N89°05'53"W	22.18'	L44	S00°54'07"W	109.14'
L6	S88°42'53"E	26.47'	L19	S00°59'40"W	68.80'	L32	S89°05'53"E	22.18'			
L7	N88°42'53"W	26.47'	L20	S00°59'40"W	54.81'	L33	S00°54'07"W	148.60'			
L8	S01°17'07"W	26.14'	L21	N00°59'40"E	54.81'	L34	N90°00'00"W	22.40'			
L9	S44°00'20"E	15.04'	L22	S89°00'20"E	87.23'	L35	N90°00'00"E	22.40'			
L10	S00°31'52"W	182.26'	L23	N45°59'40"E	17.51'	L36	S00°54'07"W	47.87'			
L11	S89°00'20"E	18.34'	L24	N00°59'40"E	115.72'	L37	S89°14'26"E	18.37'			
L12	N89°00'20"W	18.34'	L25	S89°00'20"E	89.95'	L38	S71°38'09"E	19.43'			
L13	S00°31'52"W	71.20'	L26	N89°00'20"W	191.29'	L39	N71°38'09"W	19.43'			



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REV: 09-01-18  
REV: ~~08-17-18~~  
REV: ~~07-23-18~~

CLIENT:  
**FIRST HOLDING MANAGEMENT**  
6960 ORCHARD LAKE ROAD  
WEST BLOOMFIELD, MI 48322

SCALE: N/A

JOB No: 2016-367

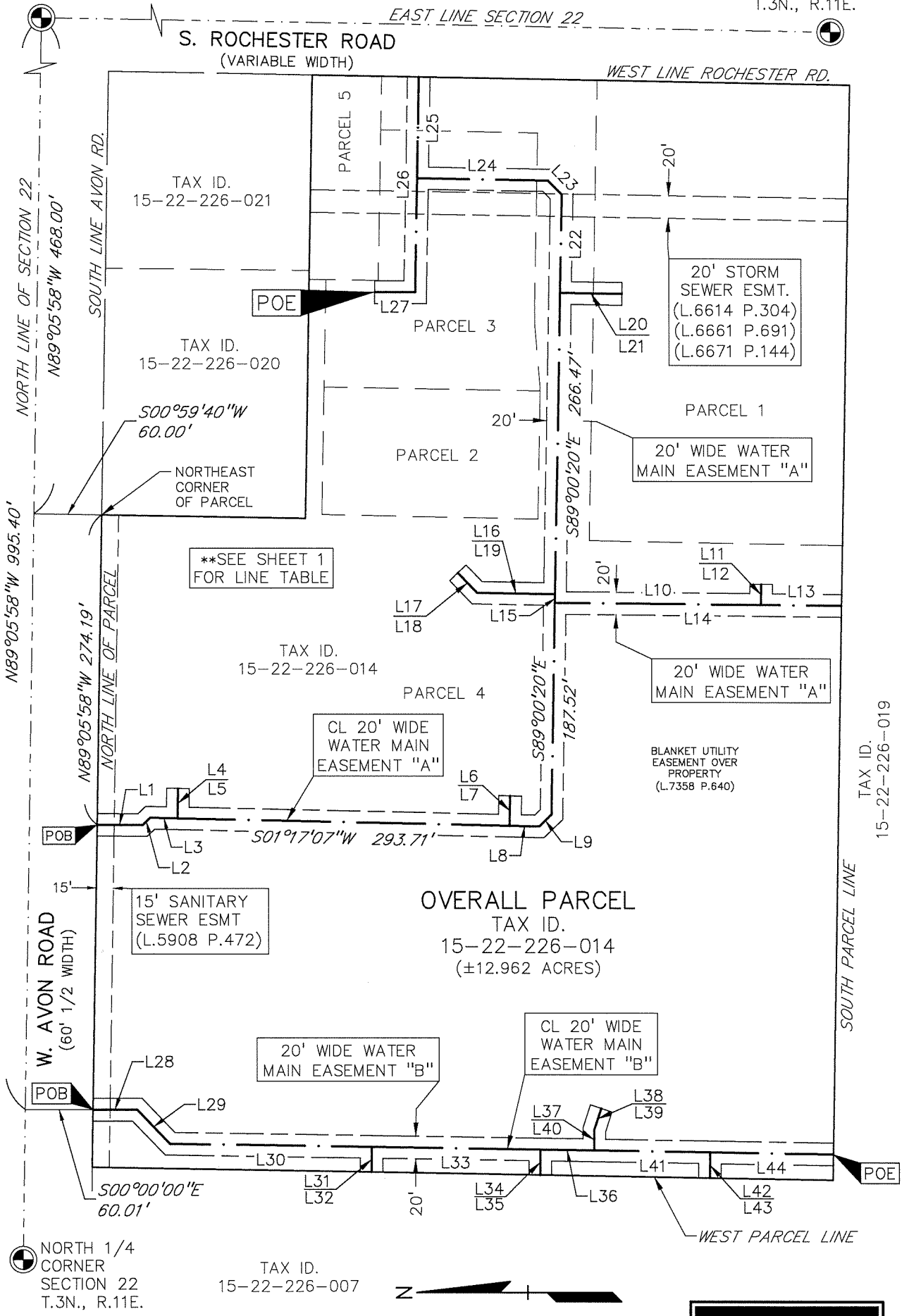
DATE: ~~06-27-18~~

DWG. No: 1 of 2





P.O.C.  
NE CORNER  
SECTION 22  
T.3N., R.11E.

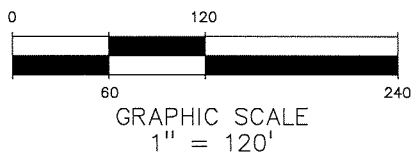
### EXHIBIT B SKETCH OF EASEMENT

EAST 1/4 COR.  
SECTION 22  
T.3N., R.11E.



**LEGEND**

-  SECTION CORNER
-  POB POINT OF BEGINNING
-  POE POINT OF ENDING
-  POC POINT OF COMMENCEMENT



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REV: 09-01-18  
REV: ~~08-17-18~~  
REV: ~~07-23-18~~

CLIENT:  
**FIRST HOLDING MANAGEMENT**  
6960 ORCHARD LAKE ROAD  
WEST BLOOMFIELD, MI 48322

SCALE: 1" = 120'

JOB No: 2016-367

DATE: ~~06-27-18~~

DWG. No: 2 of 2