

WATERMAIN EASEMENT

GREAT OAKS MANAGEMENT COMPANY, L.L.C., a Michigan Limited Liability Company, of 22725 Greater Mack, Suite 206A, St. Clair Shores, Michigan 48080 ("Grantor"), 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 on and depicted on Exhibit "A", attached hereto.

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 Tax under MCLA 207.526(a)

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 5th day of May, 2005.

GREAT OAKS MANAGEMENT COMPANY, L.L.C.
A Michigan Limited Liability Company
By: [Signature]
James M. Vogt, Authorized Member

STATE OF MICHIGAN)
COUNTY OF Oakland)

The foregoing instrument was acknowledged before me this 5th day of May, 2005, by James M. Vogt, the Authorized Member of GREAT OAKS MANAGEMENT COMPANY, L.L.C., a Michigan Limited Liability Company who executed the foregoing on behalf of such limited liability company.

[Signature]
Notary Public, Oakland County
State of Michigan
Acting in _____ County, Michigan
My Commission Expires: 12-12-05

DEBRA ANN LIS
NOTARY PUBLIC OAKLAND CO., MI
MY COMMISSION EXPIRES 12-12-2005

OK'd by J. S. [unclear]
6-14-05

CONSENT OF LENDER

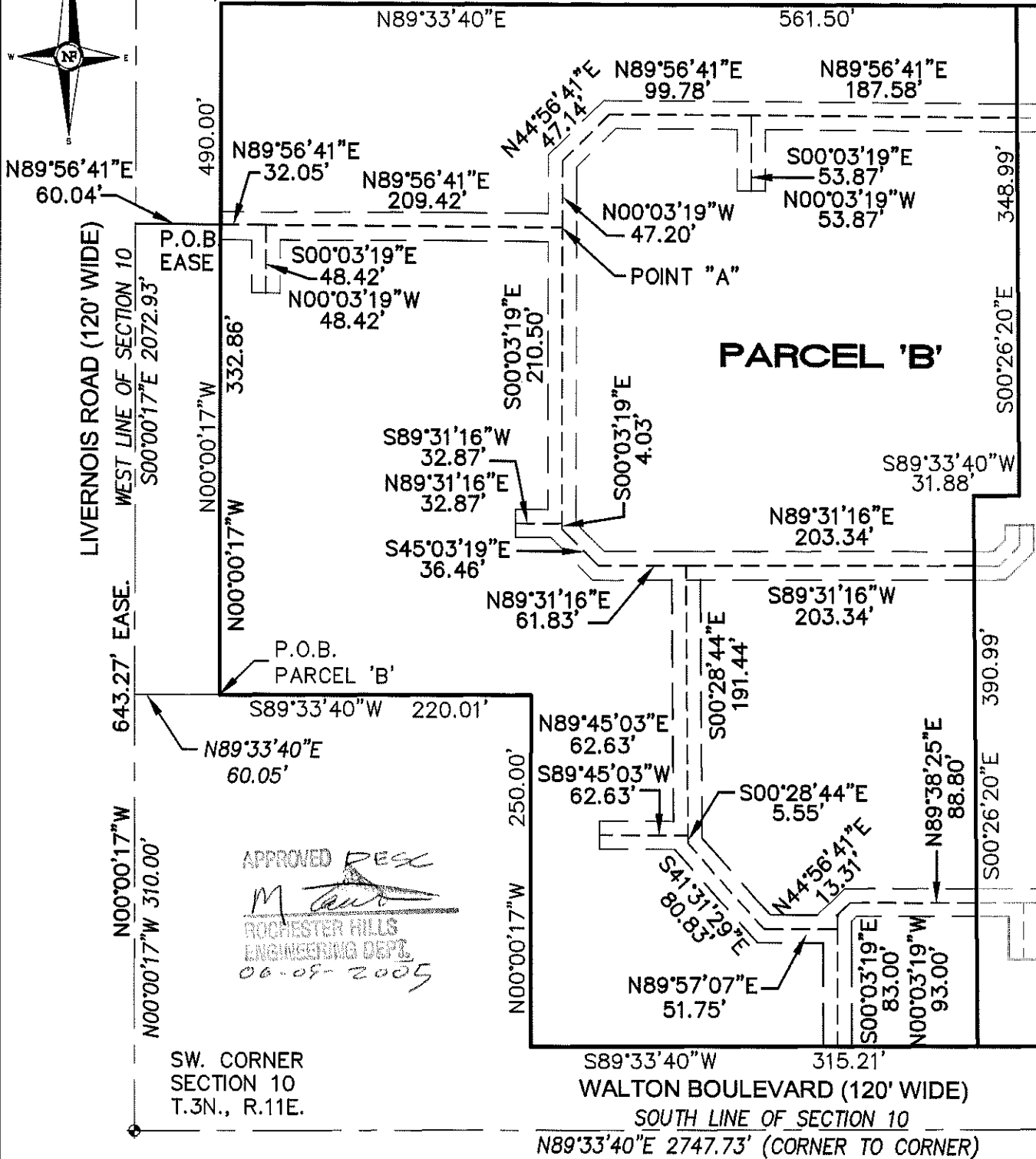
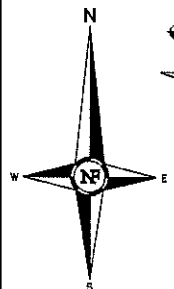
Independent Bank hereby consents to the execution of this Watermain Easement by and between Great Oaks Management Company, L.L.C. and the City of Rochester Hills, and agrees to be bound by the terms and conditions contained

Exhibit A

20 FOOT WIDE WATER MAIN EASEMENT

Parcel # 15-10-351-078
OAKWOOD DRIVE (60' WIDE)

W. 1/4 COR.
OF SECTION 10
T.3N., R.11E.



APPROVED RESC
M. Naum
ROCHESTER HILLS
ENGINEERING DEPT.
06-09-2005

SW. CORNER
SECTION 10
T.3N., R.11E.

NF NOWAK & FRAUS

Consulting Engineers • Land Surveyors • Land Planners

1310 N. Stephenson Highway
Royal Oak, Michigan 48067-1508

Tel. (248) 399-0886
Fax. (248) 399-0805

GREAT OAKS MANAGEMENT COMPANY
22725 GREATER MACK
STE. 206-A
ST. CLAIR SHORES, MI 48080

SCALE DATE DRAWN JOB No. SHEET
1" = 100' 03-09-2005 N. Naum C730 1 of 2

Exhibit A

20 FOOT WIDE WATER MAIN EASEMENT

LEGAL DESCRIPTION - PARCEL B

Part of the Southwest $\frac{1}{4}$ of Section 10, T.3N., R.11E., City of Rochester Hills, Oakland County, Michigan, being more particularly described as follows: Beginning at a point which is N. 00° 00' 17" W., 310.00 feet along the West line of Section 10 and N. 89° 33' 40" E., 60.05 feet from the Southwest corner of Section 10, T.3N., R.11E.; thence N. 00° 00' 17" W., 490.00 feet along the East right-of-way line of Livernois road (120.00 feet wide); thence N. 89° 33' 40" E., 561.50 feet; thence S. 00° 26' 20" E., 348.99 feet; thence S. 89° 33' 40" W., 31.88 feet; thence S. 00° 26' 20" E., 390.99 feet; thence S. 89° 33' 40" W., 315.21 feet; thence N. 00° 00' 17" W., 250.00 feet; thence S. 89° 33' 40" W., 220.01 feet to the point of beginning. Containing 350,105 square feet or 8.04 acres of land.

LEGAL DESCRIPTION - 20' WIDE WATER MAIN EASEMENT

A twenty (20.00) foot wide easement for Water Main, the centerline of which is described as being part of the Southwest $\frac{1}{4}$ of Section 10, T. 3N., R. 11E., City of Rochester Hills, Oakland County, Michigan, being more particularly described as: commencing at the Southwest corner of said Section 10; thence N. 00° 00' 17" W., 643.27 feet; thence N. 89° 56' 41" E., 60.04 feet to the point of beginning; thence N. 89° 56' 41" E., 32.05 feet; thence S. 00° 03' 19" E., 48.42 feet; thence N. 00° 03' 19" W., 48.42 feet; thence N. 89° 56' 41" E., 209.42 feet to Point "A"; thence S. 00° 03' 19" E., 210.50 feet; thence S. 89° 31' 16" W., 32.87 feet; thence N. 89° 31' 16" E., 32.87 feet; thence S. 00° 03' 19" E., 4.03 feet; thence S. 45° 03' 19" E., 36.46 feet; thence N. 89° 31' 16" E., 61.83 feet; thence N. 89° 31' 16" E., 203.34 feet; thence S. 89° 31' 16" W., 203.34 feet; thence S. 00° 28' 44" E., 191.44 feet; thence S. 89° 45' 03" W., 62.63 feet; thence N. 89° 45' 03" E., 62.63 feet; thence S. 00° 28' 44" E., 5.55 feet; thence S. 41° 31' 29" E., 80.83 feet; thence N. 89° 57' 07" E., 51.75 feet; thence S. 00° 03' 19" E., 83.00 feet; thence N. 00° 03' 19" W., 93.00 feet; thence N. 44° 56' 41" E., 13.31 feet; thence N. 89° 38' 25" E., 88.80 feet to the point of ending.

Also A twenty (20.00) foot wide easement for Water Main, the centerline of which is described as being part of the Southwest $\frac{1}{4}$ of Section 10, T. 3N., R. 11E., City of Rochester Hills, Oakland County, Michigan, being more particularly described as: beginning at Point "A"; thence N. 00° 03' 19" W., 47.20 feet; thence N. 44° 56' 41" E., 47.14 feet; thence N. 89° 56' 41" E., 99.78 feet; thence S. 00° 03' 19" E., 53.87 feet; thence N. 00° 03' 19" W., 53.87 feet; thence N. 89° 56' 41" E., 187.58 feet to the point of ending.

APPROVED *PESC*

M. T. ...

ROCHESTER HILLS
ENGINEERING DEPT.

06-09-2005

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