

WATERMAIN EASEMENT

The Pointe Group, Inc., a Michigan corporation, whose address is 2185 Crooks Road, Rochester Hills, MI 48309, the owner of land situated in the City of Rochester Hills, Oakland County, Michigan, and more particularly described on Exhibit A, attached hereto, hereby 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 situated in the City of Rochester Hills, Oakland County, Michigan, more particularly described on Exhibit A, attached hereto

Sidwell No. 15-34-477-016

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the sanitary sewer, 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: Ca) 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); MSA 7.456 (26) (a).

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 1st day of May, 2002

Witnesses:

Signed by:

Jill Farber The Pointe Group, Inc., a Michigan Corporation
Jill Farber

Charles E. Hand By: [Signature] Gary Pionkowski President

State of Michigan)
) ss
County of Oakland)

This agreement was acknowledged before me on May 1, 2002, by Gary Pionkowski as President of The Pointe Group, Inc. a Michigan Corporation, on behalf of the corporation.

[Signature]
Larry J. Mills, Notary Public
Oakland County, Michigan
My Commission Expires 7/6/2005

Drafted by: Douglas A. Tull, Attorney at Law,
44841 Van Dyke Avenue,
P.O. Box 180912,
Utica, Michigan 48318-0912

Return to: City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

OK per John
Stran
5-16-02

NOTARY PUBLIC OAKLAND CO., MI
MY COMMISSION EXPIRES JUL 6, 2005

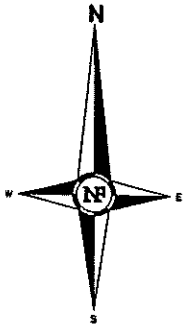
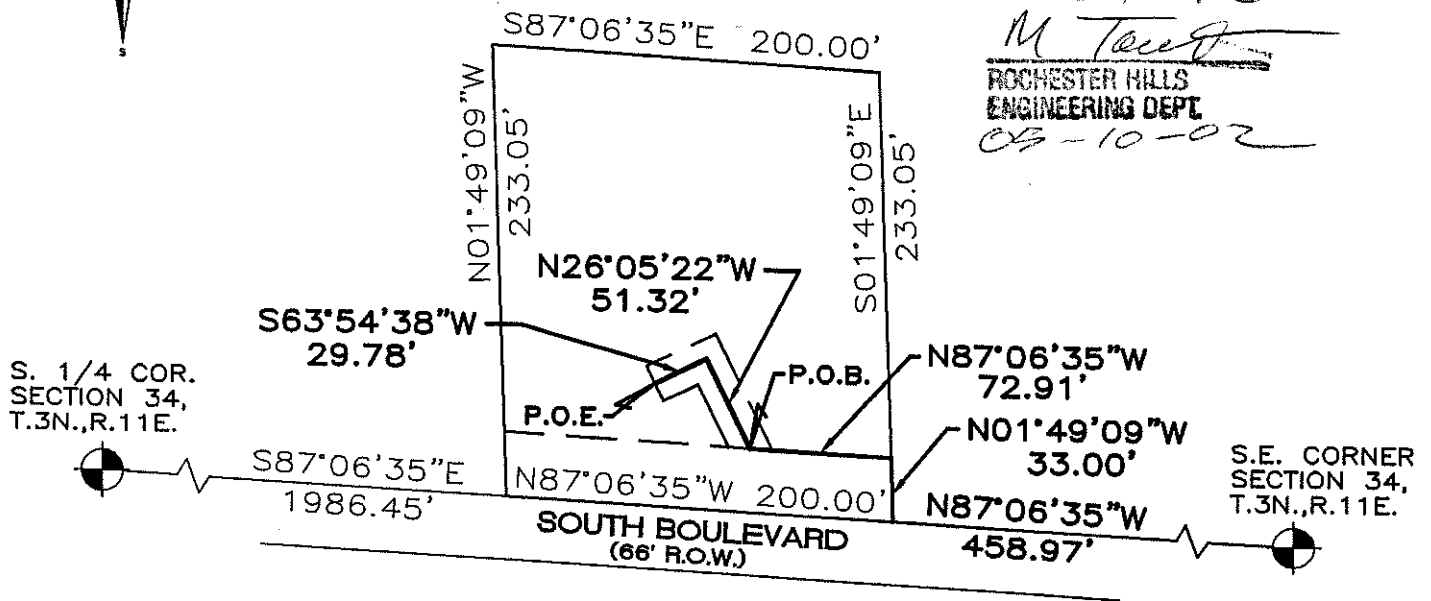


Exhibit A

20 FOOT WIDE WATER MAIN EASEMENT



Legal Description - Parcel

Part of the East 1/2 of the East 1/2 of the Southeast 1/4 of Section 34, T.3N., R.11E., City of Rochester Hills, Oakland County, Michigan, being more particularly described as: Beginning at a point on the South line of said Section 34, N. 87° 06' 35" W., 458.97 feet from the S.E. corner of Section 34; thence N. 87° 06' 35" W., 200.00 feet along the South section line to the S.E. corner of "Martin Farms Subdivision"; thence N. 01° 49' 09" W., 233.05 feet along the east line of "Martin Farms Subdivision;" thence S. 87° 06' 35" E., 200.00 feet; thence S. 01° 49' 09" E., 233.05 feet to the Point of Beginning.

Subject to the rights of the public in South Boulevard Road. Containing 46,456 square feet or 1.066 acres.

Legal Description - Water Main Easement

Land in the aforementioned parcel for the purpose of a 20.00 foot wide watermain easement, the centerline of which is more particularly described as follows:

Commencing at the Southeast corner of aforementioned parcel, thence N. 01° 49' 09" W., 33.00 feet; thence N. 87° 06' 35" W., 72.91 feet to the Point of Beginning; thence N. 26° 05' 22" W., 51.32 feet; thence S. 63° 54' 38" W., 29.78 feet to the Point of Ending.

NF NOWAK & FRAUS

Consulting Engineers • Land Surveyors • Land Planners

46777 Woodward Avenue
Pontiac, Michigan 48342

Tel. (248) 332-7931
Fax. (248) 332-8257

S.E. 1/4 of Section 34
T. 3 N., R. 11 E., City of
Rochester Hills, Oakland Co., MI

SCALE DATE DRAWN JOB No. SHEET
1" = 100' 05-09-02 JMR 5-A381-01 1 of 1