

AMENDMENT TO WATERMAIN EASEMENT

On the 8th day of June, 2000, and on the 13th day of August, 2002, Michael W. Fox Real Estate, L.L.C., a Michigan limited liability company of 755 South Rochester Road, Rochester Hills, Michigan 48307 (MWFRE) granted to the City of Rochester Hills, MI, whose address is 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309 (CITY) an easement for the construction, operation, maintenance, repair and/or replacement of a watermain, on, under, through and across land more particularly described in the WATERMAIN EASEMENTS recorded by the Oakland County Register of Deeds on March 1, 2001 at Liber 22403, Page 727 and on February 13, 2003 at Liber 29507, Page 278 (“the Easements”).

Subsequent to the creation of the Easements, JF Real Estate, L.L.C., a Michigan limited liability company (successor in title to MWFRE) of 755 South Rochester Road, Rochester Hills, Michigan 48307 has decided to undertake renovations to demolish its existing Toyota dealership building and commence construction of an expansion to its existing Volkswagen dealership building, such that it is now necessary to amend the legal description of the easements to describe a new easement location set forth by this document, so that the legal description set forth herein and attached hereto in **Exhibit A** and **Exhibit B** shall replace and supersede the legal description of the existing easement(s) as originally recorded, the originally recorded legal description for the existing easement(s) shall be of no further force or effect and the City of Rochester Hills, MI shall have those same easement rights in the following described easement:

[See attached and incorporated Exhibit A & B]

Tax Identification Number: 15-14-351-060

In all other respects, the original easements are ratified, confirmed and re-declared. The recording of this document is exempt from Transfer Tax under MCLA 207.505(a) and 207.526(a).

[SIGNATURES ON FOLLOWING 2 PAGES]

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 15 day of August, 2017.

GRANTOR:

JF REAL ESTATE, L.L.C.
a Michigan limited liability company

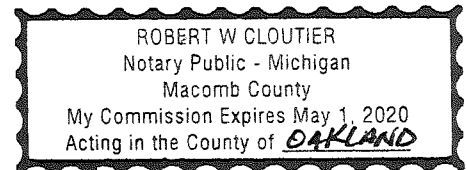
By: [Signature] John Fox
(Print Name: _____)

Its: President

STATE OF MICHIGAN
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me on this 15th day of AUGUST, 2017, by JOHN FOX, the PRESIDENT of JF Real Estate, L.L.C., a Michigan limited liability company, on behalf of the company.

Robert W Cloutier
Notary Public, ROBERT W CLOUTIER
Acting in OAKLAND County, MI
My commission expires: MAY 1, 2020



GRANTEE:

CITY OF ROCHESTER HILLS
a Michigan municipal corporation

By: _____
(Print Name: Bryan K. Barnett)

Its: Mayor

STATE OF MICHIGAN
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me on this _____ day of _____, 2017, by Bryan K. Barnett, the Mayor, of the City of Rochester Hills, a Michigan municipal corporation, on behalf of the corporation.

Notary Public,
Acting in _____ County, MI
My commission expires:

DRAFTED BY: B. Buchholz
Nowak & Fraus Engineers, Job #I678
46777 Woodward Avenue
Pontiac, Michigan 48342

John Staraw
Approved 8/18/17

WHEN RECORDED RETURN TO:
Clerk's Department
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

Exhibit A

PROPERTY AND PROPOSED 20' WIDE WATER MAIN LEGAL DESCRIPTIONS

LEGAL DESCRIPTION: PARCEL I.D. 15-14-351-060

(PER AVAILABLE RECORDS):

TOWN 3 NORTH, RANGE 11 EAST, IN THE SOUTHWEST 1/4 OF SECTION 14, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING FROM THE SOUTHWEST CORNER OF SECTION 14; THENCE NORTH 00 DEGREES 14 MINUTES 16 SECONDS EAST 1043.48 FEET ALONG THE WEST LINE OF SAID SECTION 14; THENCE SOUTH 89 DEGREES 43 MINUTES 10 SECONDS EAST 82.50 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 42 MINUTES 52 SECONDS EAST 517.50 FEET; THENCE NORTH 00 DEGREES 14 MINUTES 16 SECONDS EAST 378.27 FEET; THENCE NORTH 89 DEGREES 42 MINUTES 52 SECONDS WEST 600.00 FEET; THENCE SOUTH 00 DEGREES 14 MINUTES 16 SECONDS WEST 293.20 FEET; THENCE SOUTH 89 DEGREES 42 MINUTES 52 SECONDS EAST 40.00 FEET; THENCE SOUTH 00 DEGREES 14 MINUTES 16 SECONDS WEST 50.00 FEET; THENCE SOUTH 89 DEGREES 42 MINUTES 52 SECONDS EAST 42.50 FEET; THENCE SOUTH 00 DEGREES 14 MINUTES 16 SECONDS WEST 35.07 FEET TO THE POINT OF BEGINNING, EXCLUDING THAT PART LYING WESTERLY OF A LINE 60 FEET EASTERLY OF THE WEST LINE OF SAID SECTION 14 (MEASURED AT RIGHT ANGLES) TAKEN FOR ROCHESTER ROAD.

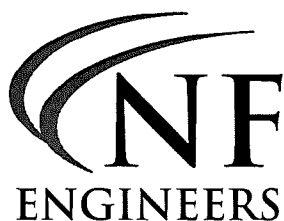
LEGAL DESCRIPTION: 20' WIDE WATER MAIN EASEMENT

AN EASEMENT FOR PUBLIC WATER MAIN ACROSS THE PREVIOUSLY DESCRIBED PARCEL 15-14-351-060, MEASURING 20- FEET IN WIDTH AND CENTERED ON THE WATER MAIN AS CONSTRUCTED. THE CENTERLINE OF SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE ABOVE DESCRIBED PARCEL P.O.B.; THENCE SOUTH 89 DEGREES 42 MINUTES 52 SECONDS EAST 396.24 FEET ALONG THE SOUTH PROPERTY LINE TO THE POINT OF BEGINNING FOR THE CENTERLINE OF EASEMENT; THENCE ALONG SAID CENTERLINE NORTH 00 DEGREES 16 MINUTES 27 SECONDS EAST 17.67 FEET; THENCE NORTH 44 DEGREES 43 MINUTES 33 SECONDS WEST 13.87 FEET; THENCE NORTH 89 DEGREES 42 MINUTES 52 SECONDS WEST 79.54 FEET TO POINT "A"; THENCE ALONG HYDRANT LEAD BRANCH "A" SOUTH 00 DEGREES 16 MINUTES 27 SECONDS WEST 24.06 FEET TO POINT OF ENDING OF SAID BRANCH; THENCE REVERSING ALONG PREVIOUS COURSE TO SAID POINT "A" AND CONTINUING ALONG SAID CENTERLINE NORTH 89 DEGREES 42 MINUTES 52 SECONDS WEST 254.91 FEET; THENCE NORTH 44 DEGREES 43 MINUTES 33 SECONDS WEST 14.11 FEET; THENCE NORTH 00 DEGREES 19 MINUTES 24 SECONDS EAST 80.99 FEET; THENCE NORTH 44 DEGREES 43 MINUTES 33 SECONDS WEST 6.79 FEET; THENCE NORTH 89 DEGREES 40 MINUTES 36 SECONDS WEST 6.46 FEET; THENCE NORTH 00 DEGREES 24 MINUTES 46 SECONDS WEST 65.81 FEET; THENCE NORTH 44 DEGREES 45 MINUTES 11 SECONDS WEST 4.94 FEET; THENCE SOUTH 89 DEGREES 36 MINUTES 48 SECONDS WEST 2.85 FEET TO POINT "B"; THENCE ALONG HYDRANT LEAD BRANCH "B" NORTH 00 DEGREES 23 MINUTES 53 SECONDS WEST 12.63 FEET; THENCE NORTH 45 DEGREES 14 MINUTES 49 SECONDS EAST 26.00 FEET; THENCE SOUTH 89 DEGREES 45 MINUTES 11 SECONDS EAST 43.00 FEET TO POINT OF ENDING OF SAID BRANCH; THENCE REVERSING ALONG 3 PREVIOUS COURSES TO SAID POINT "B" AND CONTINUING ALONG SAID CENTERLINE SOUTH 89 DEGREES 36 MINUTES 48 SECONDS WEST 46.04 FEET TO THE EXISTING 60 FOOT R.O.W. LINE OF ROCHESTER ROAD AND POINT OF ENDING FOR THE CENTERLINE OF EASEMENT.

SAID EASEMENT CONTAINS 13594.54 SQUARE FEET OR 0.31 ACRES.

*Mike Tavant
Approved 8/17/17*



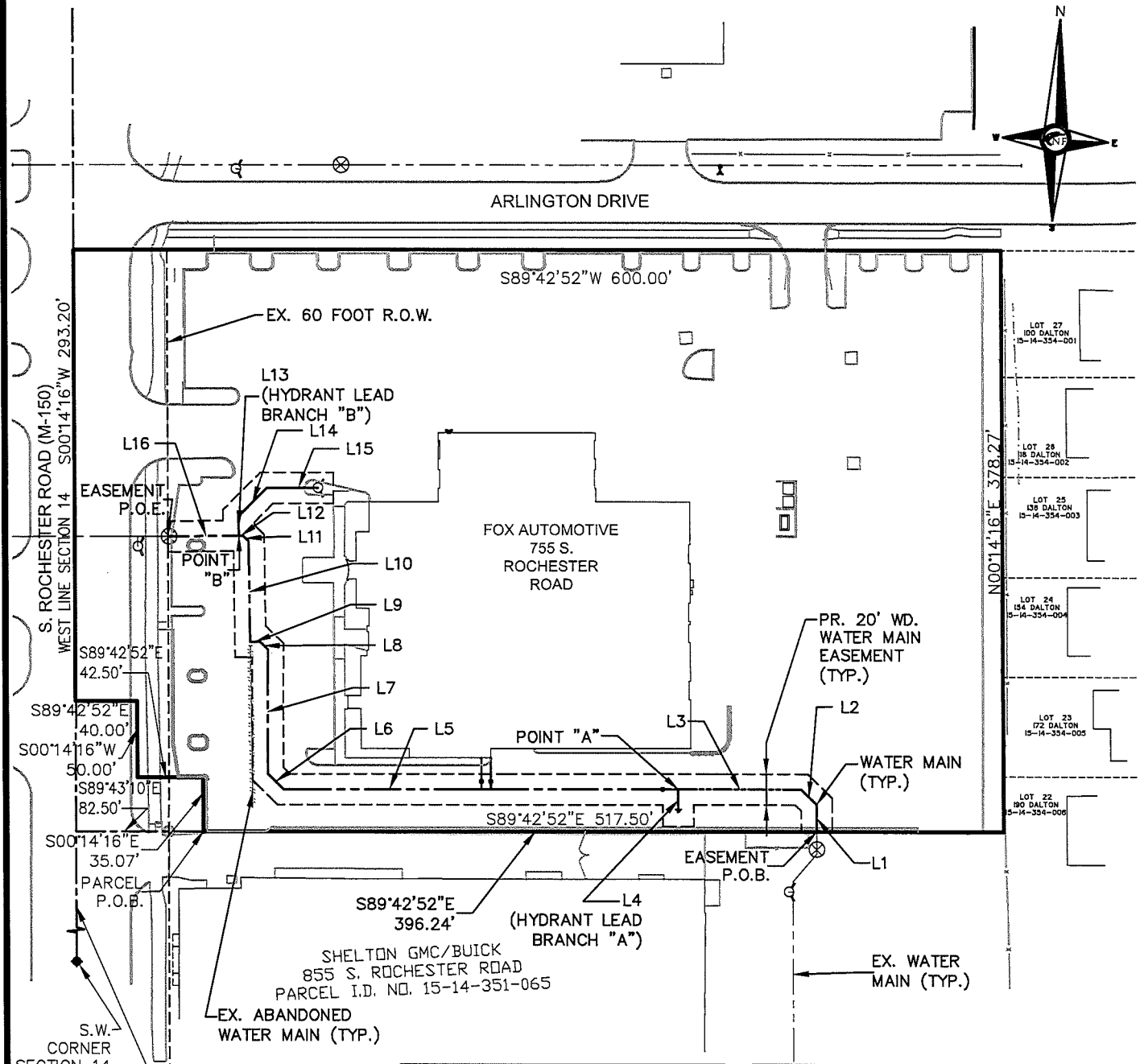
NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
FAX. (248) 332-8257

PREPARED FOR:
FOX AUTOMOTIVE.

SCALE	DATE	DRAWN	JOB NO.	SHEET
N.T.S.	08-17-2017	CD	1678	1 of 1

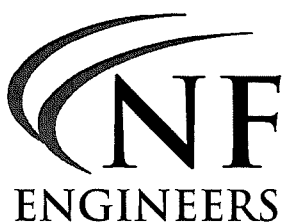
Exhibit B

PROPOSED 20' WIDE WATER MAIN EASEMENT SKETCH



Line Table		
Line #	Direction	Length
L1	N00°16'27"E	17.67
L2	N44°43'33"W	13.87
L3	N89°42'52"W	79.54'
L4	S00°16'27"W	24.06
L5	N89°42'52"W	254.91
L6	N44°43'33"W	14.11
L7	N00°19'24"E	80.99
L8	N44°43'33"W	6.79

Line Table		
Line #	Direction	Length
L9	N89°40'36"W	12.93
L10	N00°24'46"W	65.81
L11	N44°45'11"W	4.94
L12	S89°36'48"W	2.85
L13	N00°23'53"W	12.63
L14	N45°14'49"E	26.00
L15	S89°45'11"E	43.00
L16	S89°36'48"W	46.04



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PREPARED FOR:
 FOX AUTOMOTIVE.

SCALE DATE
 1" = 100' 08-17-2017

DRAWN JOB NO. SHEET
 CD I678 1 of 1