WATERMAIN EASEMENT

Walnut Brook Estates Association, a Michigan non-profit corporation, of 2529 Elm Brook Ct., Rochester Hills, Michigan 48309, 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 as:

A 5.00 foot wide easement for the installation and maintenance of watermain in the Southwest ¼ of Section 32, T3N, R11E, City of Rochester Hills, Oakland County, Michigan described as: Commencing at the South ¼ corner of said Section 32; thence o 7 59 41 W 60.23 feet along the East line of "Supervisor's Plat of Messmore Farms Subdivision", as recorded in Liber 66 of Plats, Page 16, Oakland County Records to the Northerly right-of-way line of South Boulevard (120.00 feet wide); thence N89°56'37"W 535.68 feet along the Northerly right-of-way line of South Boulevard to the Easterly right-of-way line of Walnut Brook Drive (variable width); thence N00°03'25"E 50.12 feet along the Easterly right-of-way line of Walnut Brook Drive to the Point of Beginning; thence continuing along the Easterly right-of-way line of Walnut Brook Drive the following 2 courses:

- A) N00°03'23"E 16.88 feet and
- B) 29.63 feet along the arc of a 76.00 foot radius tangent curve to the left having a central angle of 22°20'14" and a chord bearing N11°06'44"W 29.44 feet;
- C) thence N67°43'09"E 5.00 feet;
- D) thence 31.58 feet along the arc of a 81.00 foot radius non-tangent curve to the right having a central angle of 22°20'14" and a chord bearing S11°06'44"E 31.38 feet;
- E) thence S00°03"23"W 16.88 feet;
- F) thence N89°56'37"W 5.00 feet to the Point of Beginning, containing 237 square feet of land, more or less.

Sidwell

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); MSA 7.456(26)(a).

IN WITNESS WHEREOF, the undersigned have hereunto affixed their signatures on this 21 day of August, 2006.

Gary R. Chopp

President of the Board of Directors, Walnut Brook Estates Association

STATE OF MICHIGAN)

COUNTY OF Livingston

The foregoing instrument was acknowledged before me this 21^r day of August, 2006, by Gary R. Chopp, who is the President of the Board of Directors of Walnut Brook Estates Association, a Michigan non-profit corporation.

LISA A. VLIET

, Notary Public

State of Michigan, County of Livings for

My commission expires: 5-4-67

Acting in the County of OAKLAAC

DRAFTED BY:

EDWARD J. ZELMANSKI (P30530) ALEXANDER, ZELMANSKI & LEE, PLLC 44670 ANN ARBOR RD., STE. 170 PLYMOUTH, MI 48170

WHEN RECORDED, RETURN TO:

City of Rochester Hills 1000 Rochester Hills Drive Rochester Hills, MI 48309

DESCRIPTIONS

WATERMAIN EASEMENT DESCRIPTION

A 5.00 foot wide easement for the installation and maintenance of watermain in the Southwest 1/4 of Section 32, T3N, R11E, City of Rochester Hills, Oakland County, Michigan, described as: Commencing at the South 1/4 corner of said Section 32; thence N04°59'41"W 60.23 feet along the East line of "Supervisor's Plat of Messmore Farms Subdivision", as recorded in Liber 66 of Plats, Page 16, Oakland County Records to the Northerly right—of—way line of South Boulevard (120.00 feet wide); thence N89°56'37"W 535.68 feet along the Northerly right—of—way line of South Boulevard to the Easterly right—of—way line of Walnut Brook Drive (variable width); thence N00°03'23"E 50.12 feet along the Easterly right—of—way line of Walnut Brook Drive to the Point of Beginning: thence continuing along the Easterly right—of—way line of Walnut Brook Drive A 5.00 foot wide easement for the installation and maintenance of watermain in the Beginning; thence continuing along the Easterly right—of—way line of Walnut Brook Drive the following 2 courses: N00°03'23" E 16.88 feet and

B) 29.63 feet along the arc of a 76.00 foot radius tangent curve to the left having a central angle of 22°20'14" and a chord bearing N11°06'44"W 29.44 feet;
C) thence N67°43'09"E 5.00 feet;

D) thence 31.58 feet along the arc of a 81.00 foot radius non-tangent curve to the right having a central angle of 22°20'14" and a chord bearing S11°06'44"E 31.38 feet;
E) thence S00°03'23"W 16.88 feet;
F) thence N89°56'37"W 5.00 feet to the Point of Beginning, containing 237 square feet of

land, more or less.

Description - Walnut Brook Estates

Part of Lots 1 thru 10 of "Messmore Farms Subdivision" of part of the Southwest Quartet of Section 32, Town 3 North, Range 11 East, Avon Township (now City of Rochester Hills), Oakland County, Michigan as recorded in liber 66 of Plats, page 16, Oakland County records described as:

Beginning on the North and South, Quarter line of Section 32, N.04°59'41"W. 60.23 feet from the South Quarter corner of Section 32, said point being the Southeast corner of Lot 10; thence N.89°59'10"W. 1646.81 feet along the South line of Lots 1 thru 10 to the Southwest corner of Lot 1, also being the North right of way line of South Boulevard (120.0 feet wide); thence N.08°15'05"W. 1255.28 feet along the West line of Lot 1 to the Northwest corner of Lot 1; thence N.89°36'05"E. 686.24 feet along the North line of Lots 1 thru 4 to the Northeast corner of Lot 4; thence S.06°58'51"E. 768.74 feet along the East line of Lot 4; thence N.83°22'49"E. 306.71 feet; thence 108.96 feet along a nontangent curve to the left having a central angle of 05°40'31", a radius of 1100.00 feet and a chord is S.18°34'43"E. 108.92 feet; thence S.21°24'59"E.70.12 feet; thence N.68°35'01"E. 60.00 feet; thence 74.49 feet along a nontangent curve to the right having a central angle of 23°43'36", a radius of 179.88 feet and a chord of N.85°42'36"E. 73.96 feet; thence S.82°25'36"E. 49.03 feet; thence 91.66 feet along a curve to the left having a central angle of 23°19'16", a radius of 225.18 feet and a chord of N.85°54'46"E. 91.02 feet; thence N.74°15'08"E. 47.18 feet to the West line of Lot 9; thence N.05°37'45"W. 864.89 feet along the West line of Lot 9 to the Northwest corner of Lot 9; thence N.89°36'05"E. 343.12 feet along the North line of Lots 9 and 10 to the Northeast corner of Lot 10; thence S.04°59'41"E. 1259.42 feet along the East line of Lot 10 and the North and South Quarter line to the point of beginning. Containing 35.55 acres, more or less.

Desc **APPROVED CONSTRUCTION PLANS** Rochester Hills Engineering **>>>>>>>>** By 11/200 Date 8-31-06

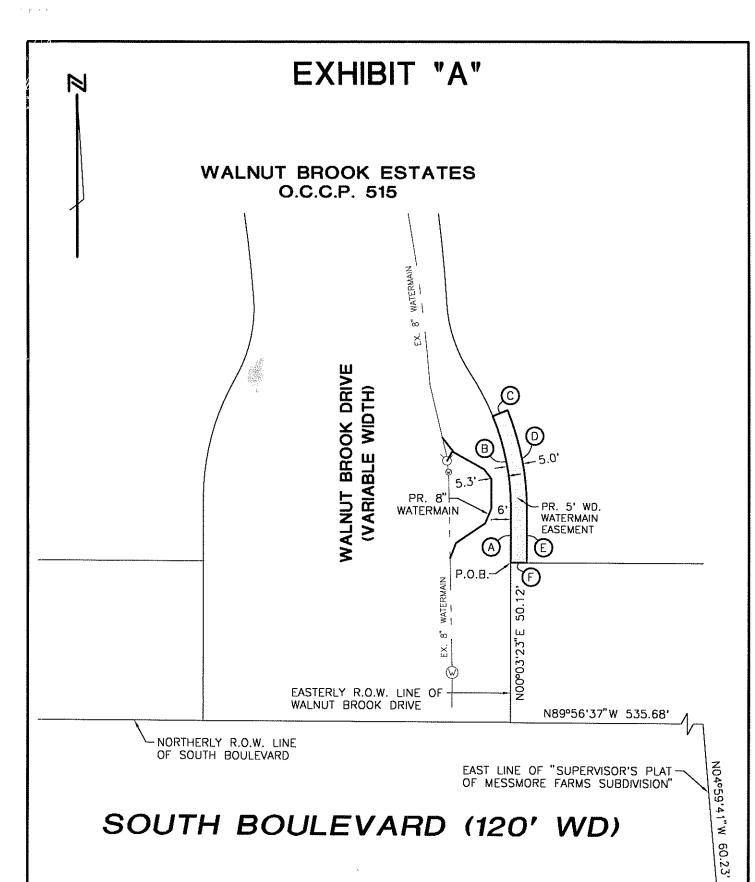
13399 West Star Drive Shelby Township, SSOCIATES, INC., Michigan 48315 LAND SURVEYORS AND CIVIL ENGINEERS PH: 586.254.9577 FX: 586.254.9020

www.fennsurveying.com e-mail: surveying@fennsurveying.com

CLIENT: DENNIS M. GLICK CO.

DATE 07/28/06 DRAWN D.B. D6-02307 DRAWN

SCALE = 30' CHECK R.E.H., P.S. 2 OF 2 SHEET



SOUTH BOULEVARD (120' WD)

SOUTH 1/4 CORNER SECTION 32 T3N, R11E

* SEE ATTACHED RIDER FOR DESCRIPTIONS *

1" = 30' SCALE: 15' 60'

APPROVED CONSTRUCTION PLANS Rochester Hills Engineering >>>>>>>>>>>>>>>

By Marce

13399 West Star Drive Shelby Township, SSOCIATES, INC., Michigan 48315

LAND SURVEYORS AND CIVIL ENGINEERS

PH: 586.254.9577 FX: 586.254.9020 www.fennsurveying.com e-mail: surveying@fennsurveying.com

CLIENT: DENNIS M. GLICK CO.

DATE 07/28/06 DRAWN D.B. JOB NO. 06-02307

SCALE CHECK SHEET

= 30' R.E.H., P.S. 1 OF 2