

WATER MAIN EASEMENT

LOMBARDO HOMES OF MICHIGAN LLC, a Michigan limited liability company of 13001 23 Mile Road, Suite 200, Shelby Township, MI 48315

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 water main on, under through and across land more particularly described as:

See attached Exhibits A and B

Parcel ID# 15-16-451-063, -064, -065 and -066

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in the water man, 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 water main 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.

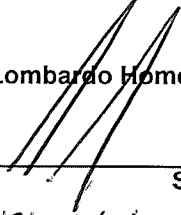
The easement shall be irrevocable and non-exclusive, and Grantor and Grantor's successors and assigns may use and enjoy the easement area in common with the City.

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 water main: (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 Taxes under MCL 207.505(a) and 207.526(a).

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 31<sup>ST</sup> day of JANUARY, 2022.

Lombardo Homes of Michigan LLC



Signature

ANTHONY LOMBARDO  
(Print Name)

AUTHORIZED AGENT  
Title

STATE OF MICHIGAN  
COUNTY OF MACOMB

The foregoing instrument was acknowledged before me this 31<sup>ST</sup> day of JANUARY, 2022,

by ANTHONY LOMBARDO who is a member of Lombardo Homes of Michigan LLC, a Michigan limited liability company, on behalf of the company.  The AUTHORIZED AGENT



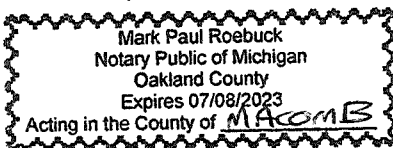
, Notary Public

OAKLAND County, Michigan

My Commission Expires: 7/8/2023

Drafted by:  
Adele Swann  
City of Rochester Hills  
1000 Rochester Hills Drive  
Rochester Hills, MI 48309

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



John Staraw  
Approved 2/18/22

# EXHIBIT A

**Parcel 15-16-451-063**

Part of Lot 51, "Avon Heights Sub.", part of the SE ¼ of Section 16, T.3.N., R.11E., City of Rochester Hills (formally known as Avon Township), Oakland County, Michigan as recorded in Liber 81 of Plats, Page 32 of Oakland County Records described as; Commencing at the SE corner of Lot 51; thence N.11°01'40"E., 44.99 feet along the east line of Lot 51 to the Point of Beginning; thence N.79°33'59"W., 245.03 feet; thence N.49°49'17"E., 6.02 feet; thence N.27°58'30"E., 100.00 feet to the NW corner of Lot 51; thence S.79°33'59"E., 212.00 feet along the north line of Lot 51 to the NE corner; thence along a curve concave to the right of radius 2011.30 feet, arc of 20.86 feet, whose chord bears S.10°43'51"W., 20.86 feet; thence S.11°01'40"W., 79.15 feet to the Point of Beginning and containing 0.522 acres.

**Parcel 15-16-451-064**


Part of Lots 51 and 52, "Avon Heights Sub.", part of the SE ¼ of Section 16, T.3.N., R.11E., City of Rochester Hills (formally known as Avon Township), Oakland County, Michigan as recorded in Liber 81 of Plats, Page 32 of Oakland County Records described as; Beginning at the SE corner of Lot 51 and the NE corner of Lot 52; thence S.11°01'40"W., 55.01 feet; along the east line of Lot 52; thence N.79°33'59"W., 326.09 feet; thence N.49°49'17"E., 129.38 feet; thence S.79°33'59"E., 245.03 feet to a point on the east line of Lot 51; thence along said line S.11°01'40"W., 44.99 feet to the Point of Beginning and containing 0.656 acres.

**Parcel 15-16-451-065**

Part of Lots 52 and 53, "Avon Heights Sub.", part of the SE ¼ of Section 16, T.3.N., R.11E., City of Rochester Hills (formally known as Avon Township), Oakland County, Michigan as recorded in Liber 81 of Plats, Page 32 of Oakland County Records described as; Beginning at the SE corner of Lot 52 and the NE corner of Lot 53; thence S.11°01'40"W., 20.01 feet along the east line of Lot 53; thence N.79°33'59"W., 407.16 feet; thence N.49°49'17"E., 129.38 feet; thence S.79°33'59"E., 326.09 feet to a point on the east line of Lot 52; thence along said line S.11°01'40"W., 79.99 feet to the Point of Beginning and containing 0.842 acres.

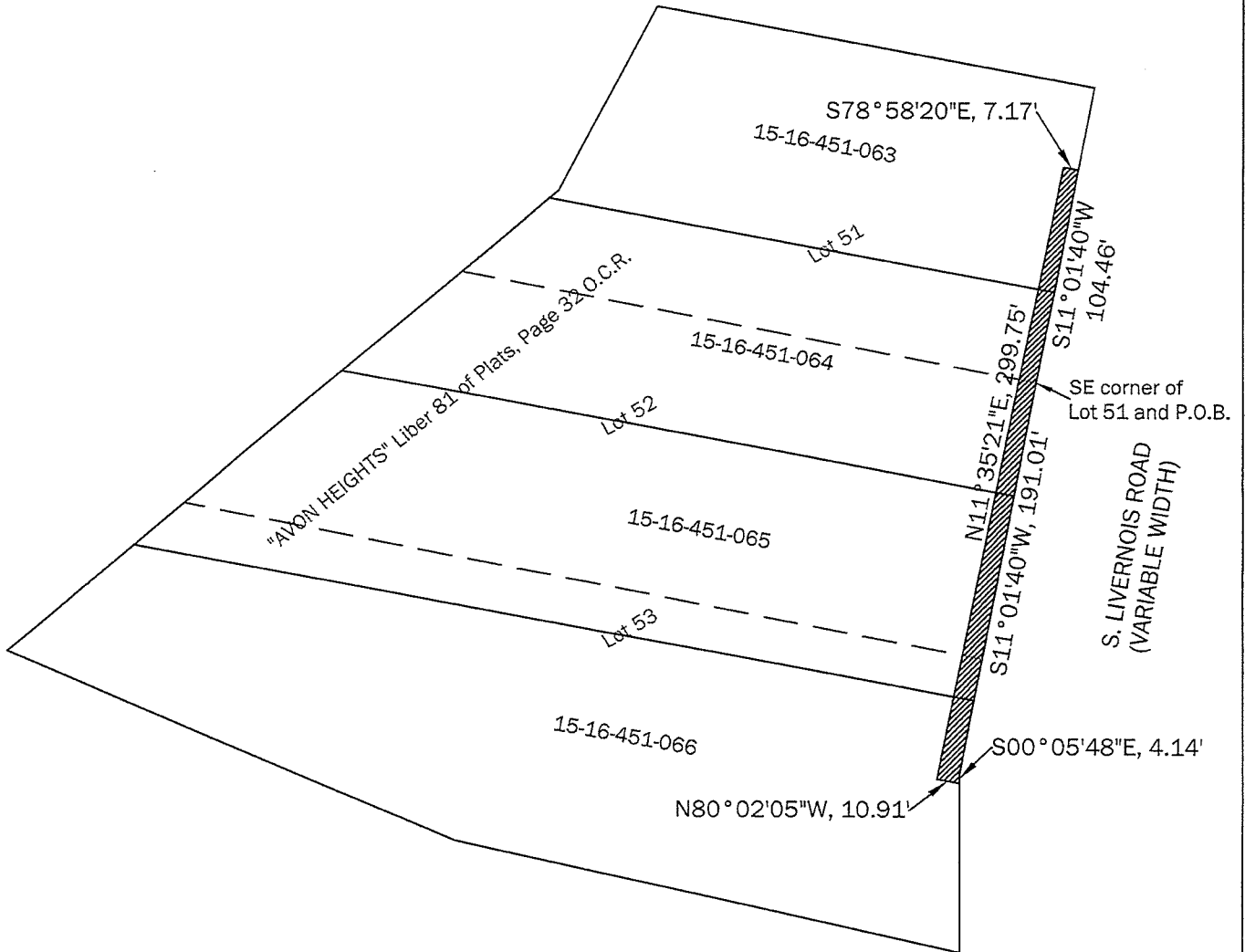
**Parcel 15-16-451-066**

Part of Lot 53, "Avon Heights Sub.", part of the SE ¼ of Section 16, T.3.N., R.11E., City of Rochester Hills (formally known as Avon Township), Oakland County, Michigan as recorded in Liber 81 of Plats, Page 32 of Oakland County Records together with part of the SE ¼ of Section 16 described as; Commencing at the NE corner of Lot 53; thence S.11°01'40"W., 20.01 feet along the east line of Lot 53 to the Point of Beginning; thence continuing along said line S.11°01'40"W., 36.01 feet; thence S.00°05'48"E., 86.05 feet along the westerly right of way of Livernois Road (variable width); thence N.77°24'56"W., 246.50 feet along the south line of Lot 53 and the north line of Lot 54 to the NW corner of Lot 54; thence N.67°00'51"W., 231.79 feet along the south line of Lot 53 to the SW corner of Lot 53; thence N.49°49'17"E., 78.91 feet; thence S.79°33'59"E., 407.16 feet to the Point of Beginning and containing 1.040 acres.

REVISIONS		APPROVED BY CITY COUNCIL DATE:	<b>City of Rochester Hills</b> 1000 Rochester Hills Drive Rochester Hills, Michigan 48309	
DATE	COMMENT			
		PREPARED BY DEPARTMENT OF PUBLIC SERVICES ENGINEERING DIVISION	Avon/Livernois Lot Split	DATE: 01/25/2022
			Parcel Descriptions	SHEET 1 OF 2

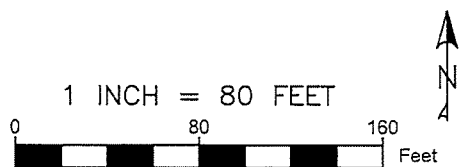


# EXHIBIT B



**Water Main Easement:**

Beginning at the southeast corner of Lot 51 of "Avon Heights Sub.", part of the SE 1/4 of Section 16, T.3N., R.11E., City of Rochester Hills (formally Avon Township), Oakland County, Michigan as recorded in Liber 81 of Plats, page 32 Oakland County Records; thence S11°01'40"W, 191.01 feet along the west right of way line of S. Livernois Road (variable width); thence continuing along said right of way line, S00°05'48"E, 4.14 feet; thence N80°02'05"W, 10.91 feet; thence N11°35'21"E, 299.75 feet; thence S78°58'20"E, 7.17 feet to the west right of way line of S. Livernois Road; thence S11°01'40"W, 104.46 feet along said right of way line to the Point of Beginning.



REVISIONS		APPROVED BY CITY COUNCIL		<b>City of Rochester Hills</b> 1000 Rochester Hills Drive Rochester Hills, Michigan 48309		
DATE	COMMENT	DATE:				
		PREPARED BY DEPARTMENT OF PUBLIC SERVICES ENGINEERING DIVISION		Avon/Livernois Lot Split	DATE: 01/24/2022	SHEET 1 OF 1
				Water Main Easement		