

SANITARY SEWER EASEMENT

The Marketplace of Rochester Hills LLC, a Michigan Limited Liability Company, of 28470 Thirteen Mile Road, Suite 220, Farmington Hills, MI 48334

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 sanitary sewer on, under through and across land more particularly described as:

See Attached Exhibits A,B, & C  
Sidwell # 15-30-326-008d  
15-30-178-001

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.

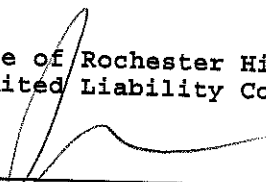
All property disturbed or altered, now or in the future, by reason of the construction, operation, maintenance, repair and/or replacement of the sanitary sewer shall be restored by the City to its immediately prior condition, except to the extent permanent improvements or alterations necessary to the 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 sanitary sewer: (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)

The Marketplace of Rochester Hills LLC  
a Michigan Limited Liability Company

  
\_\_\_\_\_  
Signature

Gary Sakwa  
\_\_\_\_\_  
(Print Name)

Authorized Representative  
\_\_\_\_\_  
Title

  
\_\_\_\_\_  
Signature


Gary N. Cooper  
\_\_\_\_\_  
(Print Name)

Authorized Representative  
\_\_\_\_\_  
Title

STATE OF MICHIGAN  
COUNTY OF Oakland

The foregoing instrument was acknowledged before me this 4 day of April, 2007, by Gary Sakwa and Gary N. Cooper who is the Authorized Representative, of The Marketplace of Rochester Hills LLC, a Michigan Limited Liability Company, on behalf of the company.

Drafted by: Chris Corden  
Grand Sakwa Properties LLC  
28740 Thirteen Mile Rd., Ste 220  
Farmington Hills, MI 48334

  
\_\_\_\_\_  
Joyce S. Phelan, Notary Public  
Oakland County, Michigan  
Commission Expires: 2-11-2014  
Acting in Oakland County

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

APPROVED AS TO FORM

J. Staron 4/15/07

ROCHESTER HILLS COUNSEL

**SANITARY SEWER EASEMENT**

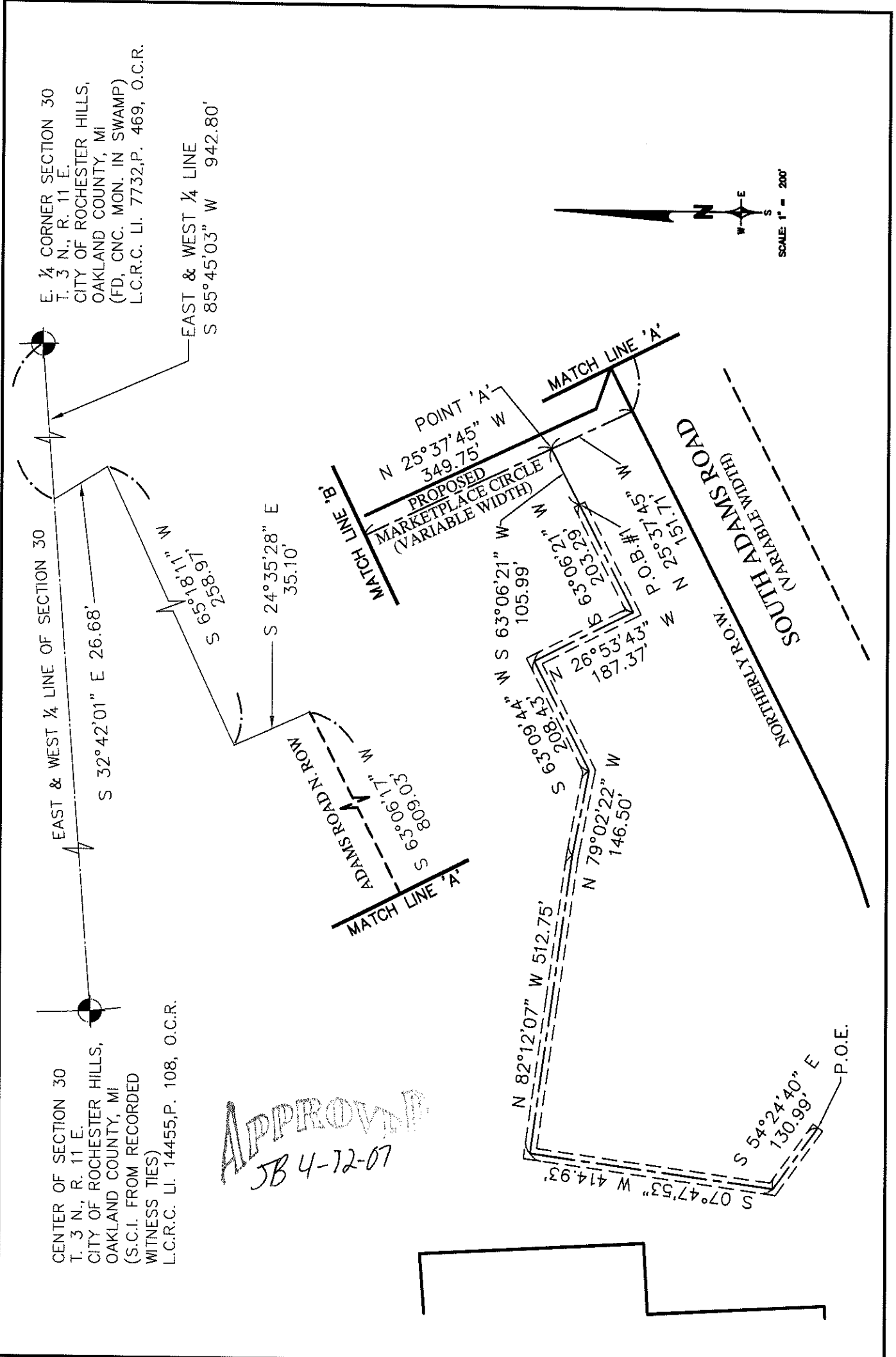
A SANITARY SEWER EASEMENT LOCATED IN SECTION 30, T. 3 N., R. 11 E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE EAST 1/4 CORNER OF SECTION 30 AND PROCEEDING ALONG THE EAST AND WEST 1/4 LINE OF SECTION 30 S. 85°45'03" W. 942.80 FEET AND S. 32°42'01" E. 26.68 FEET AND S. 65°18'11" W. 258.97 FEET AND S. 24°35'28" E. 35.10 FEET TO A POINT ALONG THE NORTHERLY RIGHT-OF-WAY OF SOUTH ADAMS ROAD (VARIABLE WIDTH) AND ALONG SAID RIGHT-OF-WAY S. 63°06'17" W. 809.03 FEET TO A POINT ON THE CENTERLINE OF PROPOSED MARKETPLACE CIRCLE, VARIABLE WIDTH ROAD RIGHT-OF-WAY AND ALONG SAID CENTERLINE N. 25°37'45" W. 151.71 FEET TO A POINT "A" AND S. 63°06'21" W. 105.99 FEET TO A POINT OF BEGINNING #1 OF THE CENTERLINE OF A 20 FOOT WIDE SANITARY SEWER EASEMENT; THENCE ALONG SAID EASEMENT CENTERLINE S. 63°06'21" W. 203.29 FEET; THENCE N. 26°53'43" W. 187.37 FEET; THENCE S. 63°09'44" W. 208.43 FEET; THENCE N. 79°02'22" W. 146.50 FEET; THENCE N. 82°12'07" W. 512.75 FEET; THENCE S. 07°47'53" W. 414.93 FEET; THENCE S. 54°24'40" E. 130.99 FEET TO A POINT OF ENDING; THENCE CONTINUING FROM SAID POINT 'A' ALONG SAID CENTERLINE OF PROPOSED MARKETPLACE CIRCLE RIGHT-OF-WAY N. 25°37'45" W. 349.75 FEET AND 252.72 FEET ALONG THE ARC OF A CURVE TO THE LEFT, RADIUS 510.00 FEET, CENTRAL ANGLE 28°23'30", AND A CHORD THAT BEARS N. 39°49'30" W. 250.14 FEET AND N. 54°01'15" W. 214.73 FEET AND 33.75 FEET ALONG THE ARC OF A CURVE TO THE LEFT, RADIUS 268.00 FEET, CENTRAL ANGLE 7°12'56", AND A CHORD THAT BEARS N. 57°37'43" W. 33.73 FEET AND N. 18°01'13" E. 30.48 FEET TO A POINT OF BEGINNING #2 OF THE CENTERLINE OF A 20 FOOT WIDE SANITARY SEWER EASEMENT ON THE PROPOSED EASTERLY RIGHT-OF-WAY LINE OF SAID MARKETPLACE CIRCLE; THENCE ALONG SAID EASEMENT CENTERLINE N. 18°01'13" E. 76.21 FEET; THENCE N. 03°44'33" W. 226.01 FEET TO A POINT 'B'; THENCE N. 86°15'27" E. 122.69 FEET TO A POINT OF ENDING; THENCE FROM SAID POINT 'B' S. 86°15'27" W. 409.60 FEET; THENCE S. 83°44'35" W. 250.00 FEET; THENCE S. 83°45'35" W. 214.98 FEET TO A POINT 'C'; THENCE S. 06°13'53" E. 372.63 FEET; THENCE S. 33°40'44" W. 80.96 FEET; THENCE S. 83°46'07" W. 245.96 FEET TO A POINT OF ENDING; THENCE FROM SAID POINT 'C' S. 83°47'25" W. 344.53 FEET TO A POINT OF ENDING.

*ALP...  
JB 4-12-07*

H:\Projects\97144\dwg\Eng\97144 SAN ESMT SAN Extension.dwg, Sanitary Ease (Sheet 1), 4/12/2007 10:19:01 AM, DBirmbyer

<b>REVISIONS</b>			<b>SANITARY SEWER EASEMENT ADAMS MARKETPLACE ROCHESTER HILLS, MICHIGAN</b>	<b>DATE</b>	<b>SCALE</b>
ITEM	DATE	BY		02/06/07	HOR: 1" = N/A FIELD BOOK NO.
PLAN UPDATE	3/21/07	JMB	<b>Z EIMET W OZ NIAK</b> & ASSOCIATES Civil Engineers & Land Surveyors 40024 GRAND RIVER AVE, SUITE 100 NOVI, MICHIGAN 48375 P: (248) 442-1101 F: (248) 442-1241 www.zeimetwozniak.com	<b>DESIGNED BY</b>	<b>JOB NO.</b>
PER CITY	4/12/07	DAB		SRB	97144
			<b>DRAWN BY</b>	<b>SHEET NO.</b>	
			DAB	1	



E. ¼ CORNER SECTION 30  
 T. 3 N., R. 11 E.  
 CITY OF ROCHESTER HILLS,  
 OAKLAND COUNTY, MI  
 (FD, CNC. MON. IN SWAMP)  
 L.C.R.C. LI. 7732, P. 469, O.C.R.

EAST & WEST ¼ LINE OF SECTION 30  
 S 32°42'01" E 26.68'  
 S 65°18'11" W 258.97'  
 S 24°35'28" E 35.10'

CENTER OF SECTION 30  
 T. 3 N., R. 11 E.  
 CITY OF ROCHESTER HILLS,  
 OAKLAND COUNTY, MI  
 (S.C.I. FROM RECORDED  
 WITNESS TIES)  
 L.C.R.C. LI. 14455, P. 108, O.C.R.

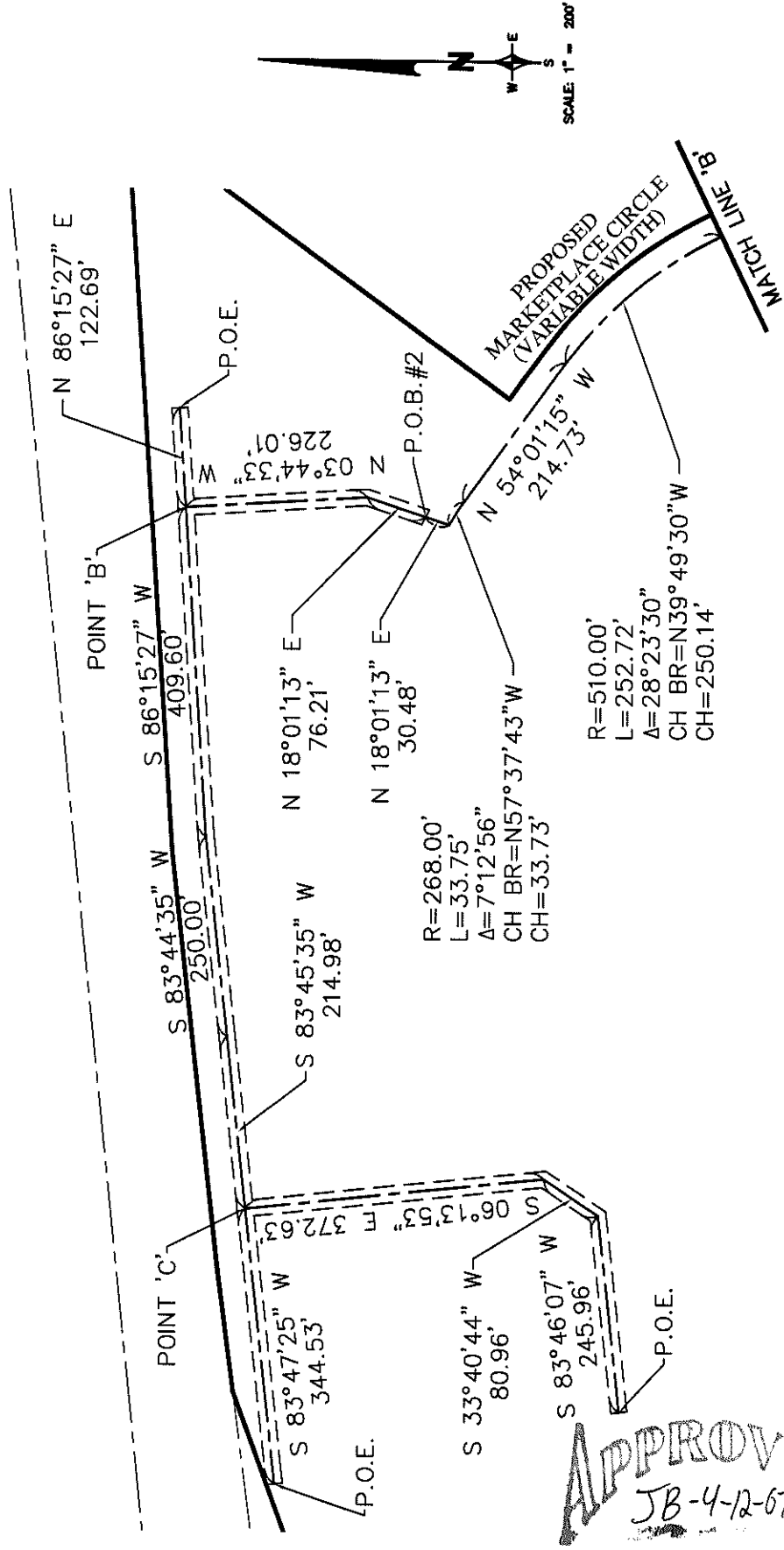
**APPROVED**  
 JB 4-12-07

REVISIONS		
ITEM	DATE	BY
PLAN UPDATE	3/21/07	JMB
PER CITY	4/12/07	DAB

**SANITARY SEWER EASEMENT  
 ADAMS MARKETPLACE  
 ROCHESTER HILLS, MICHIGAN**

**ZEIMET WOZNAK**  
 & ASSOCIATES  
 Civil Engineers & Land Surveyors  
 40024 GRAND RIVER AVE, SUITE 100  
 NOVI, MICHIGAN 48375  
 P: (248) 442-1101 F: (248) 442-1241 www.zeimetwozniak.com

DATE	02/06/07	SCALE HOR: 1" = 200'
DESIGNED BY	SRB	JOB NO. <b>97144</b>
DRAWN BY	DAB	SHEET NO. <b>2</b>



**APPROVED**  
JB-4-12-07

REVISIONS		
ITEM	DATE	BY
PLAN UPDATE	3/21/07	JMB
PER CITY	4/12/07	DAB

**SANITARY SEWER EASEMENT**  
**ADAMS MARKETPLACE**  
 ROCHESTER HILLS, MICHIGAN  
  
**Civil Engineers & Land Surveyors**  
 40024 GRAND RIVER AVE, SUITE 100  
 NOVI, MICHIGAN 48375  
 P: (248) 442-1101 F: (248) 442-1241 www.zeimetwozniak.com

DATE	02/06/07	SCALE	HOR: 1" = 200'
DESIGNED BY	SRB	JOB NO.	97144
DRAWN BY	DAB	SHEET NO.	3