

AGREEMENT

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of January, 2019, by and between JIM NASH, OAKLAND COUNTY WATER RESOURCES COMMISSIONER, acting for and on behalf of the IRELAND DRAIN DRAINAGE DISTRICT of the County of Oakland, State of Michigan, a public body corporate, hereinafter referred to as the DISTRICT, whose address is One Public Works Drive, Waterford, Michigan 48328-1907, Party of the First Part and CRESTLINE HOMES, LLC., whose address is 2553 23 Mile Road, Shelby Township, Michigan, 48316, Party of the Second Part, hereinafter referred to as the PROPERTY OWNER.

WITNESSETH:

WHEREAS, the IRELAND DRAIN DRAINAGE DISTRICT pursuant to Act 40 of the Public Acts of 1956, Michigan, as amended, is an established Body Corporate, in the County of Oakland and State of Michigan; and

WHEREAS, JIM NASH, Oakland County Water Resources Commissioner, acting on behalf of the IRELAND DRAIN DRAINAGE DISTRICT, has under his jurisdiction, the IRELAND DRAIN; and

WHEREAS, the COMMISSIONER, through and by the DISTRICT, is in charge of the operation and maintenance of the IRELAND DRAIN to service lands in the IRELAND DRAIN DRAINAGE DISTRICT; and

WHEREAS, the IRELAND DRAIN is a County Drain under the jurisdiction of the Commissioner and is located in THE CITY OF ROCHESTER HILLS; and

WHEREAS, the PROPERTY OWNER pursuant to Act 40 of the Public Acts of 1956, the Michigan Drain Code, as amended, wishes to add lands to the IRELAND DRAIN DRAINAGE DISTRICT; and

WHEREAS, it is the opinion established by the PROPERTY OWNER'S engineers that the existing IRELAND DRAIN is the only reasonable available outlet for the drainage from the lands to be added to the IRELAND DRAIN DRAINAGE DISTRICT and that there is existing capacity in the existing IRELAND DRAIN to serve the lands to be added to the said IRELAND DRAIN DRAINAGE DISTRICT without detriment to or diminution of the drainage service provided.

NOW, THEREFORE, in consideration of the premises and covenants of each, the parties hereto agree to as follows:

1. The DISTRICT agrees to permit the addition of the following described lands to the IRELAND DRAIN DRAINAGE DISTRICT upon the execution of this Agreement by the PROPERTY OWNER:

A parcel of land in the SW ¼ of Section 25, T.3N., R.9E., City of Rochester Hills, Oakland County, Michigan is more particularly described as: Commencing at the SW corner of Section 25, thence N.00°04'45", 1320.00 feet along the west line of Section 25 and the centerline of John R Road; thence N.89°25'45"E., 60 feet to the POINT OF BEGINNING; thence N.00°04'45"E., 330.00 feet along the East line of John R Road (120 feet wide); thence N.89°25'45"E., 270.01 feet; thence S.00°04'45"W., 330.00 feet; thence S.89°25'45"W., 270.01 feet to the POINT OF BEGINNING and containing 2.04 acres.

2. The DISTRICT by Jim Nash, Oakland County Water Resources Commissioner, hereby consents to the addition of said lands in conformity with these Agreements.
3. This Agreement shall become effective upon its execution by the PROPERTY OWNER and by the DISTRICT and shall be binding upon the successors and assigns of each party.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officers as of the day and year first above written.

WITNESSES:

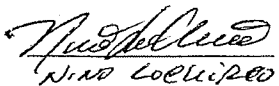
**IRELAND DRAIN DRAINAGE DISTRICT**  
County of Oakland, State of Michigan, acting through its governing body, the Oakland County Water Resources Commissioner

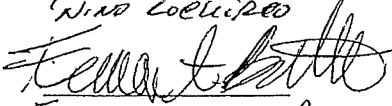
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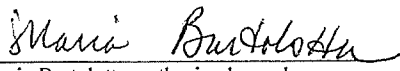
\_\_\_\_\_  
Jim Nash, Oakland County Water Resources  
Commissioner

WITNESSES:

**CRESTLINE HOMES, LLC.**  
2553 23 Mile Road, Shelby Township, Michigan,  
48316

  
\_\_\_\_\_  
Maria Bartolotta, authorized member, manager or agent for Crestline Homes, LLC

  
\_\_\_\_\_  
Francesco A. Bartolotta

  
\_\_\_\_\_  
Maria Bartolotta, authorized member, manager or agent for Crestline Homes, LLC

**ACKNOWLEDGEMENT**

STATE OF MICHIGAN )  
  )SS:  
COUNTY OF OAKLAND )

On this 13<sup>th</sup> day of December, 2018, before me, a Notary Public in and for said County, appeared Maria Bartolotta to me personally known, who being by me duly sworn did say that she is the authorized member, manager or agent for CRESTLINE HOMES, LLC., and who executed the foregoing instrument and acknowledged the same to be her free act and deed.

ANNETTE POWELL  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF MACOMB  
My Commission Expires February 14, 2022  
Notary in the County of MACOMB

*Annette Powell*  
Notary Public  
Macomb County, Michigan  
My Commission Expires: 02/14/22

**ACKNOWLEDGEMENT**

STATE OF MICHIGAN )  
  )SS:  
COUNTY OF OAKLAND )

On this \_\_\_\_\_ day of January, 2019, before me a Notary Public in and for said County appeared JIM NASH, OAKLAND COUNTY WATER RESOURCES COMMISSIONER, to me personally known, who being duly sworn did say the he is the Agent for the IRELAND DRAINAGE DISTRICT, and who executed the foregoing instrument and acknowledged the same to be his free act and deed.

\_\_\_\_\_  
Notary Public  
\_\_\_\_\_  
County, \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

This instrument drafted by:  
Brian Bennett, P.E.  
Office of Oakland County Water Resources Commissioner  
1 Public Works Drive, Building 95 West  
Waterford, MI 48328