

GRANT OF EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS: That Metropolitan Life Insurance Company, a New York corporation, with its address at 2021 Spring Road, Oak Brook, IL 60521, hereinafter called Grantor, grants and conveys to the CITY OF ANN ARBOR, a Michigan municipal corporation, with its address at 100 North Fifth Avenue, Ann Arbor, Michigan 48107, hereinafter called City, a permanent easement for the construction and maintenance of water mains, storm sewers, sanitary sewers and appurtenances thereto, all of which are hereinafter referred to as a public utilities system, along with the public utilities system presently in place, in, on or over the following described premises, situated in the City of Ann Arbor, County of Washtenaw, and State of Michigan, being more fully described as:

A 40 foot wide strip of land having a centerline described as follows: Commencing at the SW 1/4 corner of Section 4, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N01° 53' 00" W 250.00 feet along the West line of said Section; thence N87° 09' 00" E 51.25 feet to a point on the Easterly right-of-way line of State Street; thence N02° 03' 20" W 619.05 feet along said right-of-way line to the POINT OF BEGINNING; thence continuing N02° 03' 20" W 40.00 feet along said right-of-way line; thence N87° 01' 00" E 268.68 feet; thence N02° 59' 00" W 204.17 feet; thence N03° 42' 50" E 2.85 feet; thence N87° 01' 00" E 49.47 feet; thence N42° 01' 00" E 36.39 feet; thence S86° 17' 10" E 8.31 feet; thence S03° 42' 50" W 40.00 feet; thence N86° 17' 10" W 39.39 feet; thence S02° 59' 00" E 196.63 feet; thence N87° 01' 00" E 28.00 feet; thence S02° 59' 00" E 40.00 feet; thence S87° 01' 00" W 28.00 feet; thence S02° 59' 00" E 5.00 feet; thence S87° 01' 00" W 40.00 feet; thence N02° 59' 00" W 5.00 feet; thence S87° 01' 00" W 269.32 feet to the POINT OF BEGINNING.

RECORDED
WASHTENAW COUNTY, MI

DEC 28 38 AM '96

PEGGY L. HAINES
COUNTY CLERK/REGISTER

for ONE (\$1.00) DOLLAR and other valuable consideration.

This grant is subject to the following terms and conditions:

1. The City shall have the right to locate part of its public utilities system in and on said easement and to use said easement for access for construction and maintenance of such part of its public utilities system as is presently in place or is constructed in the future. In said construction and maintenance, City may use all necessary materials and equipment including motor vehicles; remove vegetation including trees, as necessary; and make all necessary excavations on the above-described easement.

2. Grantor shall have the right to pave the surface of the above-described easement and to park motor vehicles, but shall not construct any building thereon, nor make any change in the grade of the surface within the easement without prior notification to and approval by the City. City shall properly restore or pay for the restoration of any paving, landscaping or other similar improvement which is removed or disturbed as a result of the maintenance, repair or construction activities of City.

3. The Grantor shall grant no further easements for other utilities in, on, or over the above-described easement without first obtaining approval therefor from the City, which approval will not be unreasonably withheld.

4. Grantor has caused the public utilities system conveyed herein to be constructed and agrees that City accepts this conveyance only upon the following conditions:

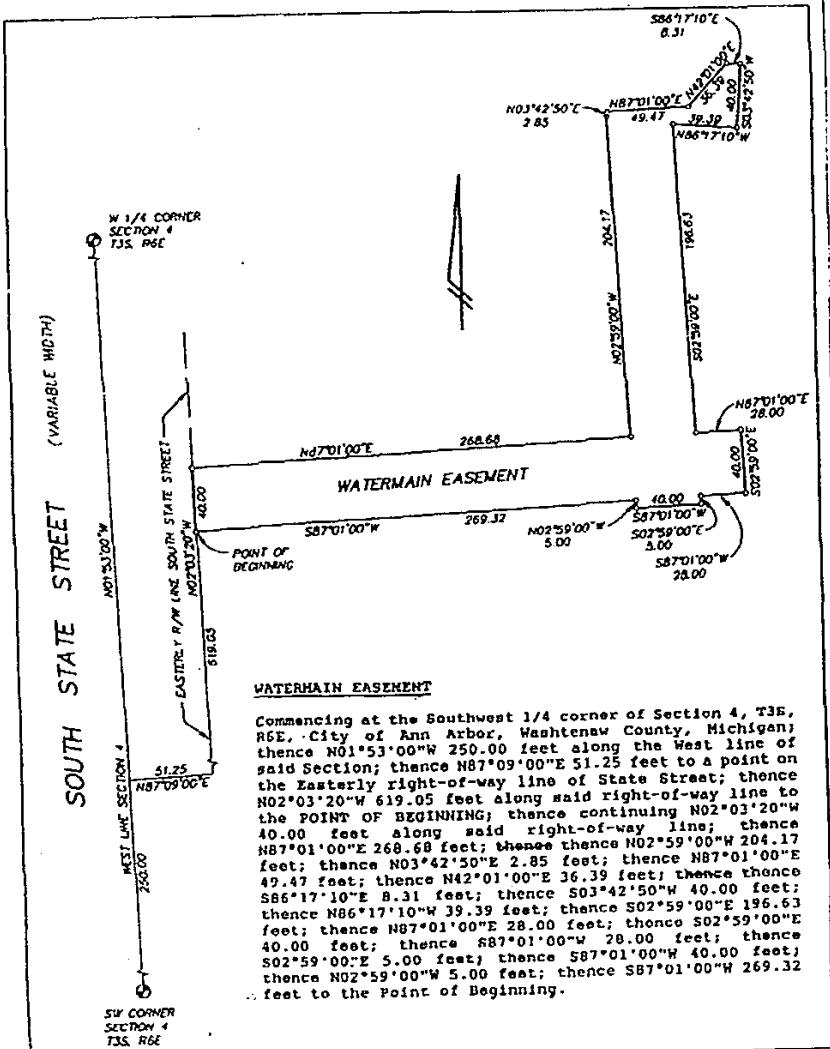
(a) City assumes no liability for any claim, of any nature whatsoever, arising from the construction or maintenance of the public utilities system conveyed herein prior to the date hereof.

(b) Grantor warrants that the public utilities system conveyed herein is located within the easement as described above and according to the plans submitted to and approved by the Ann Arbor Utilities Department. Any relocation of any part of said system by Grantor other than as described in said plans shall be at the expense of the Grantor.

(c) Grantor, their successors and assigns, waive any claim which may accrue for any damages which may occur after the date hereof, when said damage occurs to any structure located on the premises from which this conveyance is made, by water escaping from any water main conveyed herein, when said structure is located so that the bottom of the main is less than two (2) feet above the footings of the structure and the structure is located within twenty (20) feet of the main.


(d) Grantor agrees to hold City harmless from all claims, made by persons not a party to this agreement, when said claims occur or accrue to said persons as a result of water escaping from water mains under conditions set forth in paragraph 4(c).

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WATERMAIN EASEMENT

Commencing at the Southwest 1/4 corner of Section 4, T35, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N01°53'00"W 250.00 feet along the West line of said Section; thence N87°09'00"E 51.25 feet to a point on the Easterly right-of-way line of State Street; thence N02°03'20"W 619.05 feet along said right-of-way line to the POINT OF BEGINNING; thence continuing N02°03'20"W 40.00 feet along said right-of-way line; thence N87°01'00"E 268.68 feet; thence thence N02°59'00"W 204.17 feet; thence N03°42'50"E 2.85 feet; thence N87°01'00"E 49.47 feet; thence N42°01'00"E 36.39 feet; thence thence S86°17'10"E 8.31 feet; thence S03°42'50"W 40.00 feet; thence N86°17'10"W 39.39 feet; thence S02°59'00"E 196.63 feet; thence N87°01'00"E 28.00 feet; thence S02°59'00"E 40.00 feet; thence S87°01'00"W 28.00 feet; thence S02°59'00"E 5.00 feet; thence S87°01'00"W 40.00 feet; thence N02°59'00"W 5.00 feet; thence S87°01'00"W 269.32 feet to the Point of Beginning.

SCALE - 1 INCH = 60 FEET		REGISTERED LAND SURVEYOR NO. 17620	
LEGEND F = FOUND IRON PIPE S = SET IRON PIPE		CLIENT: PM REALTY	
 <p>WASHTENAW ENGINEERING CO. CIVIL ENGINEERS - PLANNERS SURVEYORS 909 1204 - ANN ARBOR, MICHIGAN 48108 313 - 781-8800</p>		SECTION <u>4</u> TOWN <u>3</u> SOUTH - RANGE <u>6</u> EAST <u>CITY OF ANN ARBOR</u> WASHTENAW COUNTY - MICHIGAN	
		DATE <u>9-27-96</u>	REV.
DRAWN <u>SJB</u>	JOB <u>26384</u>		
CHECK <u>NNF</u>	F.B. <u>NONE</u>		
SHEET <u>1</u> OF <u>1</u>	FILE NO. <u>R-7252</u>		

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