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GRANT OF EASEMENT

This grant of easement is from **BRIXMOR HOLDINGS 1 SPE, LLC f/k/a CENTRO NP HOLDINGS 1 SPE, LLC ("Grantor")**, a Delaware limited liability company, whose registered office address is 601 Abbot Road, East Lansing, Michigan 48823, to the **CITY OF ANN ARBOR ("City")**, a Michigan municipal corporation whose address is 301 East Huron Street, Ann Arbor, Michigan 48104.

Grantor is the owner of real property located in the City of Ann Arbor, Washtenaw County, Michigan, commonly known as 155-396 North Maple Road, described at Liber 4641, Page 463 and Liber 5155, page 857, Washtenaw County Records and as described on the attached Exhibit A as "Overall Legal Description."

1. Grantor grants to the City a permanent easement for water mains and appurtenances, including hydrants (collectively, "Public Utilities Systems"), as illustrated on Exhibit A and described as follows:

Maple Village Hydrant #1 Easement Description

Part of the Northeast 1/4 of Section 25, Town 2 South, Range 5 East, City of Ann Arbor, Washtenaw County, Michigan:

Commencing at the Northeast Corner of Section 25; thence South 88°51'38" West 45.00 feet along the Northerly Line of said Section 25, to a point on the West Right-Of-Way line of Maple Road (45' wide West side); thence South 01°38'00" East 971.33 feet along said West Right-Of-Way line; thence South 88°42'47" West 343.82 feet to the Point of Beginning; thence South 01°18'44" East 40.00 feet; thence South 88°42'47" West 304.25 feet; thence North 46°17'13" West 59.97 feet; thence North 43°42'47" East 40.00 feet; thence South 46°17'13" East 43.41 feet; thence North 88°42'47" East 287.68 feet to the Point of Beginning, easement contains 0.32 acres +/-.

Maple Village Hydrant #2 Easement Description

Part of the Northeast 1/4 of Section 25, Town 2 South, Range 5 East, City of Ann Arbor, Washtenaw County, Michigan:

Commencing at the Northeast corner of Section 25; thence South 88°51'38"



West 1050.04 feet along the northerly line of said Section 25; thence South 01°38'00" East 690.73 feet along a line parallel with and 1050 feet westerly of the East Line of Section 25 to the Point Of Beginning; thence North 87°07'32" East 39.40 feet; thence South 02°53'51" East 40.00 feet; thence South 87°07'32" West 40.29 feet to a point; thence North 01°38'00" West 40.01 feet to the Point of Beginning , easement contains 0.03 acres+/-.

2. The City shall have the right to access, construct, maintain, alter, abandon, and remove Public Utilities Systems within the easement, for which purposes the City may use all necessary materials and equipment, including motor vehicles; remove vegetation, including trees, as necessary; and make all necessary excavations.

3. Within the easement, Grantor shall have the right to pave the surface and to park vehicles, but shall not construct any permanent structure nor make any change in the grade without prior notification to and approval by the City. Grantor shall not bury, obstruct, impair, or otherwise make inaccessible any manhole, standpipe, grate, drain, vent, or other surface element of the Public Utilities Systems. The City shall restore or pay for the restoration of any paving, landscaping, or other similar permitted improvement which is removed or disturbed as a result of the City's use of the easement.

4. Grantor shall not grant any other easement for utilities that overlaps this easement without first obtaining approval from the City, which approval shall not be unreasonably withheld.

5. Grantor conveys to the City all Public Utilities Systems that exist within the easement as of the date of this grant and Grantor shall construct and convey any required Public Utilities Systems to the City in accordance with City standards and subject to City approval. Grantor or its predecessor in interest has caused these Public Utilities Systems to be constructed and Grantor agrees that the City accepts these Public Utilities Systems only upon the following conditions:

- a. The City assumes no liability and Grantor shall not seek to hold the City liable for any claim arising from the construction, use, or maintenance of the Public Utilities Systems prior to their acceptance by the City.
- b. The Public Utilities Systems conveyed herein are, or will be, located within the easement as described above and according to plans submitted to and approved by the City's Public Services Area; otherwise Grantor shall pay for relocation.

6. Grantor waives all claims against the City that accrue after the date of this grant for damage to any structure located on Grantor's property when such claims arise from water escaping from a water main within the easement, the structure is within 20 feet of the main, and the footings of the structure are not at least two feet below the bottom of the main.

7. Grantor shall hold the City harmless from all claims by third parties which arise as a result of water escaping from a water main under conditions set forth in section 6.

8. This grant of easement shall run with the land and shall be binding on and inure to the benefit of Grantor, the City, and their respective successors, heirs, executors, and assigns.

9. This grant of easement is made for consideration less than \$100.00.

10. The undersigned state that they have the authority to execute this grant of easement on behalf of Grantor.

(Signatures on following page)

BRIXMOR HOLDINGS 1 SPE, LLC (F/K/A CENTRO NP HOLDINGS 1 SPE, LLC)

By: *David Vender*
David Vender
Its: Executive Vice President

Signed on: 10/5, 2016 in:
State of ~~Michigan~~ PA
County of Delaware

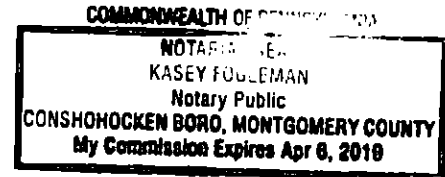
This instrument was acknowledged before me on October 5, 2016
by David Vender, Executive Vice President of Brixmor Holdings 1 SPE, LLC, f/k/a Centro NP Holdings 1 SPE, LLC.

Kasey Fogleman
KASEY FOGLEMAN Notary Public
County of MONTGOMERY, Michigan PENNSYLVANIA
Acting in County of MONTGOMERY
My Commission Expires: 4/6/19

Prepared by and when recorded return to:

Christopher Frost
Assistant City Attorney
Office of the City Attorney
City of Ann Arbor
301 E. Huron Street
Ann Arbor, MI, 48104

✓



Tax ID Nos.:

- 09-08-25-102-009
- 09-08-25-102-010
- 09-08-25-102-013
- 09-08-25-102-014
- 09-08-25-102-016
- 09-08-25-102-020

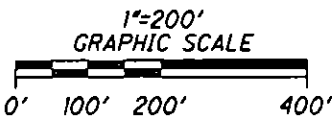
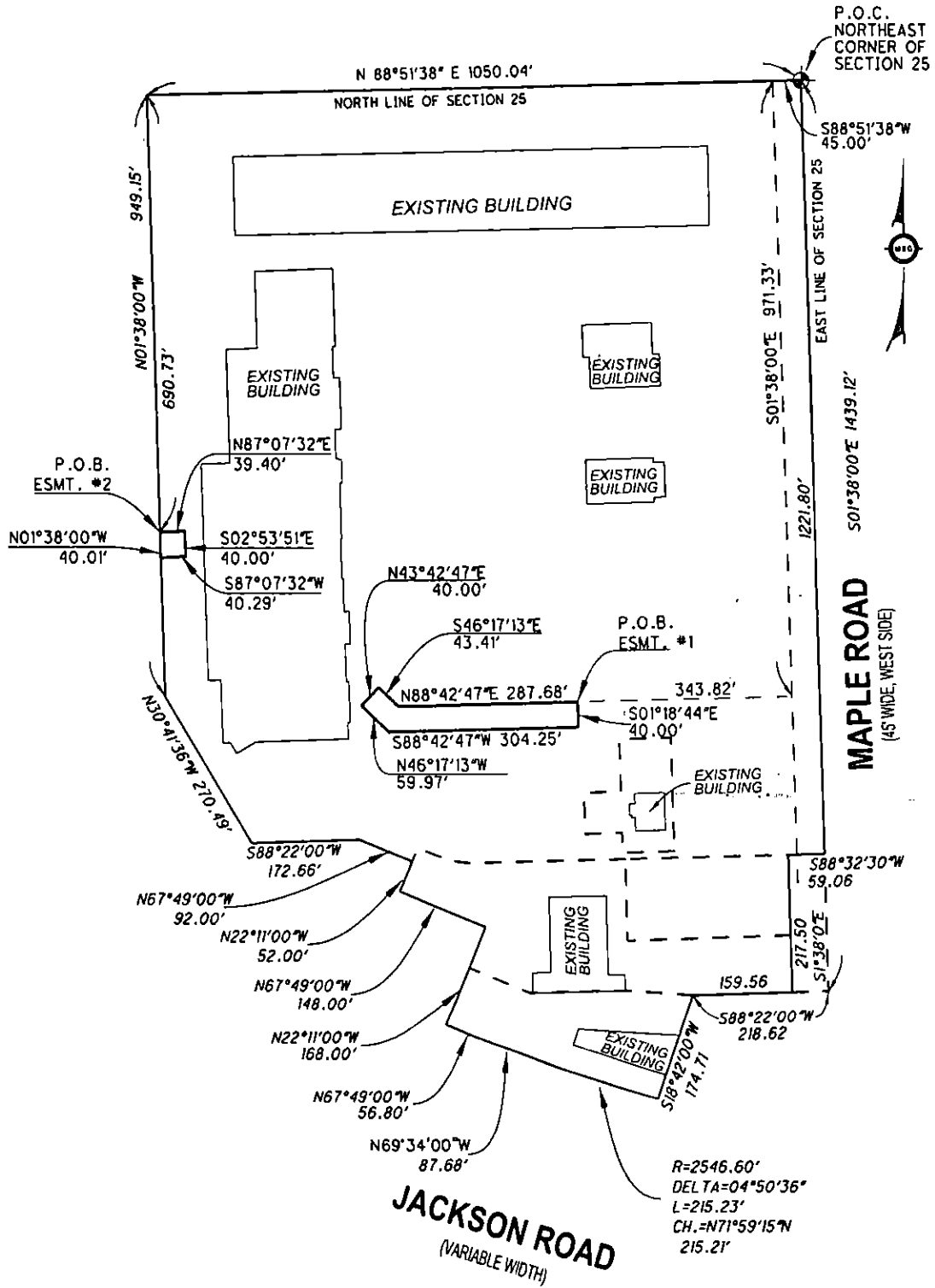
EXHIBIT A

**HYDRANT EASEMENT
MAPLE VILLAGE
CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN
SECTION 25, T.2S R.5E**

1 OF 2

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2365 HAGGERTY ROAD S.
CANTON, MICHIGAN 48188
TEL: (734) 397-3100
FAX: (734) 397-3131

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EXHIBIT A**HYDRANT EASEMENT
MAPLE VILLAGE**

2 OF 2

**CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN
SECTION 25, T.2S R.5E****HYDRANT EASEMENT #1**

Part of the Northeast 1/4 of Section 25, Town 2 South, Range 5 East, City of Ann Arbor, Washtenaw County, Michigan;
Commencing at the Northeast Corner of Section 25; thence South 88°51'38" West 45.00 feet along the Northerly Line of said Section 25, to a point on the West Right-Of-Way line of Maple Road (45' wide West side); thence South 01°38'00" East 971.33 feet along said West Right-Of-Way line; thence South 88°42'47" West 343.82 feet to the Point of Beginning; thence South 01°18'44" East 40.00 feet; thence South 88°42'47" West 304.25 feet; thence North 46°17'13" West 59.97 feet; thence North 43°42'47" East 40.00 feet; thence South 46°17'13" East 43.41 feet; thence North 88°42'47" East 287.68 feet to the point of beginning, easement contains 0.32 acres.

HYDRANT EASEMENT #2

Part of the Northeast 1/4 of Section 25, Town 2 South, Range 5 East, City of Ann Arbor, Washtenaw County, Michigan;
Commencing at the Northeast corner of Section 25; thence South 88°51'38" West 1050.04 feet along the northerly line of said Section 25; thence South 01°38'00" East 690.73 feet along a line parallel with and 1050 feet westerly of the East Line of Section 25 to the Point Of Beginning; thence North 87°07'32" East 39.40 feet; thence South 02°53'51" East 40.00 feet; thence South 87°07'32" West 40.29 feet to a point; thence North 01°38'00" West 40.01 feet to the Point Of Beginning, easement contains 0.03 acres.

OVERALL LEGAL DESCRIPTION

As Surveyed Description of Parcel 1:

Land Situated in the City of Ann Arbor, County of Washtenaw, State of Michigan: Beginning at the Northeast corner of Section 25, Town 2 South, Range 5 East, City of Ann Arbor, Washtenaw County, Michigan; thence South 1 degree 38 minutes East 1439.12 feet along the East line of said section and the centerline of Maple Road; thence South 88 degrees 22 minutes West 218.62 feet; thence South 18 degrees 42 minutes West 174.71 feet; thence 215.23 feet along the Northerly line of Jackson Avenue and along the arc of a circular curve to the right, radius 2546.60 feet, chord North 71 degrees 59 minutes 15 seconds West 215.21 feet; thence continuing along said Northerly line North 69 degrees 34 minutes West 87.68 feet; thence continuing along said Northerly line North 67 degrees 49 minutes West 56.80 feet; thence North 22 degrees 11 minutes East 168.0 feet; thence North 67 degrees 49 minutes West 148.0 feet; thence North 22 degrees 11 minutes East 52.0 feet; thence North 67 degrees 49 minutes West 92.0 feet; thence South 88 degrees 22 minutes West 172.66 feet; thence North 30 degrees 41 minutes 36 seconds West 270.49 feet; thence North 1 degree 38 minutes West 949.15 feet along a line parallel with and 1050 feet westerly of the East line of the section; thence North 88 degrees 51 minutes 38 seconds East 1050.04 feet along the North line of said section to the place of beginning, being a part of the Northeast 1/4 of said Section 25, but Excepting the West 12 feet of the East 45 feet thereof conveyed to the City of Ann Arbor, a Michigan municipal corporation, for highway purposes, as more particularly described in Deeds recorded in Liber 1013, Page 138 and in Liber 1016, Page 34, Washtenaw County Records. Subject to a non-exclusive rights of ingress and egress as contained in Declaration of Easement recorded in Liber 1700, Page 137.

LESS AND EXCEPT the following:

Ports deeded to Michigan Department of Transportation as evidenced by deed recorded in Liber 4058, Page 747, and described as: The Easterly 14.06 feet of the following described parcel of land:

Commencing at the Northeast corner of Section 25; thence South 01 degrees 38 minutes East, 1439.12 feet; thence South 88 degrees 22 minutes West, 218.62 feet; thence North 85 degrees 39 minutes 25 seconds West, 109.18 feet; thence South 88 degrees 45 minutes West, 152.33 feet; thence North 67 degrees 49 minutes West, 104.77 feet; thence North 22 degrees 11 minutes East, 69.31 feet; thence North 67 degrees 49 minutes West, 148.00 feet; thence North 22 degrees 11 minutes East, 75.00 feet; thence South 67 degrees 49 minutes East, 30.95 feet; thence 67.46 feet along arc of 165.00 foot radius to left, chord South 79 degrees 31 minutes 45 seconds East, 67.00 feet; thence North 88 degrees 45 minutes 30 seconds East, 238.89 feet; thence South 01 degree 14 minutes 30 seconds East, 128.30 feet; thence North 88 degrees 22 minutes East, 320.66 feet; thence South 01 degree 38 minutes East, 90 feet to the Point of Beginning. EXCEPT the Easterly 45 feet for road, being a part of the Northeast 1/4 of Section 25, Town 2 South, Range 5 East, City of Ann Arbor, Washtenaw County, Michigan.

ALSO

The Easterly 14.06 feet of the following described parcel of land described as:

Commencing at the Northeast corner of Section 25; thence South 01 degree 38 minutes East, 1221.80 feet to the point of beginning; thence South 88 degrees 32 minutes 30 seconds West, 319.79 feet; thence South 01 degree 14 minutes 30 seconds East, 128.30 feet; thence North 88 degrees 22 minutes East, 320.66 feet; thence North 01 degree 38 minutes West, 127.32 feet to the Point of Beginning. EXCEPT East 45 feet for the road. And also that portion of lands as described in the document entitled "Declaration of Taking" recorded January 31, 2002 in Liber 4091, Page 617.

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Beth A. Braun 9/29/16
BETH A. BRAUN, P.S.
LICENSED PROFESSIONAL SURVEYOR
MICHIGAN LICENSE NO. 52461
DATE: 09/29/16
JOB NUMBER: B3130001



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