

GRANT OF EASEMENT

This grant of easement is from **1654 SOUTH MAPLE ROAD LLC ("Grantor")**, a Michigan limited liability company, whose registered office address is 202 East Madison, Ann Arbor, MI 48104, 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 developer of real property located in the City of Ann Arbor, Washtenaw County, Michigan, commonly known as Banyan Court, a condominium according to the Master Deed recorded in Liber 5157, Page 731, Washtenaw County Records, and designated as Washtenaw County Subdivision Plan No. 640 ("Grantor's Property").

1. Grantor grants to the City a permanent easement for solid waste collection over Grantor's Property. All rights granted to the City under this easement shall also apply to the City's contractors, agents, and solid waste franchisees. For purposes of this easement, "solid waste" means refuse, rubbish, recyclables, and compostables discarded by residents or commercial establishments and which qualify for removal by the City of Ann Arbor under applicable law.

2. This easement grants the City the right to enter, collect, and remove solid waste on Grantor's Property in accordance with applicable laws, for which purposes the City may use all necessary materials and equipment, including motor vehicles. The City's activities under this easement shall be limited to areas of Grantor's Property that are reasonably necessary for the City to access, collect, or remove solid waste, including areas paved for vehicular travel and areas containing solid waste receptacles. The City may designate times for its activities under this easement.

3. Grantor shall comply with City solid waste requirements at all times. Grantor shall maintain paved surfaces in good repair at solid waste load requirements set by the City. Grantor shall maintain sanitary conditions at all times. Grantor shall ensure that access routes, turnarounds, and storage areas for solid waste are clear of snow, ice, parked vehicles, and other hazards or obstructions at collection times. Grantor acknowledges that the City provides solid waste collection on Grantor's Property as a public service and that the City may require Grantor to deposit solid waste

at a public right-of-way for collection if Grantor does not comply with City solid waste requirements or the conditions of this easement. Grantor waives all claims for damages against the City, its contractors, agents, or franchisees that result from Grantor's failure to comply with City solid waste requirements or the conditions of this easement.

4. 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 and assigns.

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

(Signatures on the following page)

1654 SOUTH MAPLE ROAD LLC

By: Alex de Parry
Alex de Parry
Its: Manager

Signed on: August 4th, 2017 in:
State of Michigan
County of Washtenaw

This instrument was acknowledged before me on August 4th, 2017,
by Alex de Parry, Manager of 1654 South Maple Road LLC, a Michigan limited liability
company.

Darryl A. Poth, Notary Public
County of Livingston, Michigan
Acting in County of Washtenaw
My Commission Expires: 1/1/19

Prepared by and when recorded return to:

Christopher Frost (P70380)
Assistant City Attorney
Office of the City Attorney
City of Ann Arbor
301 E. Huron Street, POB 8647
Ann Arbor, MI, 48104-8647

Tax Parcel No. 09-08-36-400-001, as to Common Area
Tax Parcel No. 09-08-36-400-062, as to Unit 1
Tax Parcel No. 09-08-36-400-063, as to Unit 2
Tax Parcel No. 09-08-36-400-064, as to Unit 3
Tax Parcel No. 09-08-36-400-065, as to Unit 4
Tax Parcel No. 09-08-36-400-066, as to Unit 5
Tax Parcel No. 09-08-36-400-067, as to Unit 6
Tax Parcel No. 09-08-36-400-068, as to Unit 7
Tax Parcel No. 09-08-36-400-069, as to Unit 8