

**CHARTER TOWNSHIP OF WATERFORD
COUNTY OF OAKLAND, MICHIGAN**

RESOLUTION APPROVING DEED AND TERMINATION AGREEMENT

Action at a regular meeting of the Board of Trustees of the Charter Township of Waterford, County of Oakland, State of Michigan, ("Township") held on July 27, 2020, at 6:00 p.m., Eastern Daylight Savings Time.

WHEREAS, the Township and Perry Drug Stores, Inc. ("Perry") entered into a Lease Purchase Contract dated as of February 1, 1979, under which the property at 5400 Perry Drive and described in the Quit Claim Deed and Termination Agreement attached to this Resolution ("Property") was conveyed by Perry to the Township and leased back to Perry by the Township, to provide for development and improvements of the Property funded by the Township's issuance of \$4,750,000.00 of Series A Limited Obligation Industrial Development Bonds ("Bonds"), with Perry's rent obligation having been to pay the amounts necessary to satisfy the principal and interest payments on the Bonds; and,

WHEREAS, the Lease Purchase Contract called for the Township to convey the property back to Perry for the sum of \$100.00, when the Bonds were paid off; and,

WHEREAS, the obligation to pay the holders of the Bonds was evidenced by a note and secured by a mortgage granted by the Township, which were certified as paid in full by the holder of that mortgage in the March 24, 2020, recorded Discharge of Mortgage attached to this Resolution; and

WHEREAS, on March 27, 1979, Perry granted the Township a non-exclusive easement for ingress and egress through and over the Property to other property that was to automatically terminate upon payment of the Bonds in accordance with the Lease Purchase Contract (Easement Agreement); and,

WHEREAS, attached to this Resolution is a Quit Claim Deed to convey the Township's interests in the Property to Perry as provided and required by the Lease Purchase Contract; and,

WHEREAS, attached to this Resolution is a Termination Agreement signed by Perry, confirming termination of the Lease Purchase Contract and Easement Agreement.

IT IS THEREFORE RESOLVED that the Charter Township of Waterford Board of Trustees hereby approves the attached Quit Claim Deed and Termination Agreement and authorizes the Supervisor to sign those documents for and on behalf of the Township.

CERTIFICATION

I hereby certify that this Resolution was adopted by the Board of Trustees of the Charter Township of Waterford, County of Oakland, State of Michigan, at a regular meeting held on July 27, 2020.

Date

Kimberly F. Markee, Township Clerk

QUIT CLAIM DEED

For and in consideration of One Hundred and no/100 Dollars (\$100.00) and other good and valuable consideration, **THE CHARTER TOWNSHIP OF WATERFORD**, a Michigan municipal body corporate, whose address is 5200 Civic Center Drive, Waterford MI 48329 (“**Grantor**”), quitclaims, without warranty, to the **PERRY DRUG STORES, INC.**, a Michigan corporation, whose address is c/o Rite Aid Corporation, 30 Hunter Lane, Camp Hill, Pennsylvania 17011 (“**Grantee**”), any, if any, right, title or interest that Grantor may have in and to the real property situated in the Township of Waterford, County of Oakland, State of Michigan, more particularly described as follows:

See Exhibit A attached hereto and made a part hereof (as described therein, the “**Property**”)

Tax Identification Number: 13-09-251-006

Commonly known as: 5400 Perry Drive, Pontiac, MI 48329

together with any, if any, tenements, hereditaments and appurtenances thereto, under and subject to any and all matters of survey and all applicable building and use restrictions, easements, and zoning ordinances and other matters of record.

This Quit Claim Deed is provided as required by, and in satisfaction of, that certain Lease Purchase Contract between Grantor and Grantee dated as of February 1, 1979, recorded with the Oakland County Register of Deeds on May 1, 1979, in Liber 7497, Page 239, which said Lease Purchase Contract is being terminated as of the date hereof by Grantor and Grantee.

This instrument is exempt from state and county real estate transfer taxes pursuant to MCL 207.526(h)(i) and MCL 207.505(h).

[Signature page follows]

Dated this ___ day of _____, 2020.

THE CHARTER TOWNSHIP OF WATERFORD,
a Michigan municipal body corporate

By: _____

By: Gary D. Wall

Its: Supervisor

STATE OF MICHIGAN)

COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me on _____, 2020, by Gary D. Wall in his capacity as the Supervisor of The Charter Township of Waterford, a Michigan municipal body corporate, on behalf of such municipal body corporate.

, Notary Public

County of Oakland, State of Michigan

Acting in County of Oakland

My Commission Expires:

Drafted by:
Julia E. Tomec, Esquire
Troutman Pepper
3000 Two Logan Square
Philadelphia, PA 19103

When recorded return to:
Lisa M. Winnick
Vice President, Real Estate Law
Rite Aid Corporation
30 Hunter Lane
Camp Hill, PA 17011

Send subsequent tax bills to:
Rite Aid Corporation
P.O. Box 3165
Harrisburg PA 17105
Attention: Accounts Payable

Recording Fee: \$ 30.00

EXHIBIT A

Land in the Township of Waterford, Oakland County, Michigan, described as follows:

Part of the West 1/2 of the Northeast 1/4 of Section 9, Town 3 North, Range 9 East, Waterford Township, Oakland County, Michigan, described as beginning at a point on the Southwesterly right-of-way of Grand Trunk Western Railroad, located South 15.26 feet and South 54 degrees 45 minutes 04 seconds East 850.95 feet from the North 1/4 corner of Section 9, Town 3 North, Range 9 East, thence from said point of beginning South 54 degrees 45 minutes 04 seconds

East 770.79 feet along the Southwesterly right-of-way line of Grand Trunk Western Railroad, thence South 00 degrees 07 minutes 56 seconds East 1700.93 feet to the East and West 1/4 line of Section 9, thence South 89 degrees 12 minutes 42 seconds West 633.47 feet along said East and West 1/4 line; thence North 2154.48 feet to point of beginning.

Under and Subject to those easements set forth in a Warranty Deed dated March 27, 1979 by Perry Drug Stores, Inc. to the Charter Township of Waterford, recorded April 30, 1979 in Liber 7496, page 548.

TERMINATION AGREEMENT

THIS Termination Agreement, which is for termination of the Lease Purchase Contract and Grant of Easement described herein (this "**Termination**"), is made as of the 28th day of July, 2020, by and among CHARTER TOWNSHIP OF WATERFORD, MICHIGAN, a Michigan municipal body corporate, having an address at 5200 Civic Center Drive, Waterford MI 48329 (the "**Municipality**") and PERRY DRUG STORES, INC., a Michigan corporation, having an address at c/o Rite Aid Corporation, 30 Hunter Lane, Camp Hill, Pennsylvania 17011 (the "**Company**").

RECITALS

WHEREAS, the Municipality and the Company entered into that certain Lease Purchase Contract dated as of February 1, 1979 (the "**Lease Purchase Contract**"), whereby the Company conveyed to the Municipality that certain premises more particularly described in the Lease Purchase Contract, having a street address of 5400 Perry Drive, Pontiac, MI 48329 (the "**Property**"), located in the Township of Waterford, County of Oakland, State of Michigan and which is described in **Exhibit A** attached hereto, as collateral for and for the purpose of the development of the Property and the improvements located thereon (the "**Project**"), through the issuance of Series A Limited Obligation Industrial Development Bonds by the Municipality. Capitalized terms used and not defined herein have the meaning given the same in the Lease Purchase Contract.

WHEREAS, the Lease Purchase Contract was made of public record by the recording of the same in the Office of the Register of Deeds of Oakland County, Michigan in Liber 7497, page 239 on May 1, 1979.

WHEREAS, on March 27, 1979, the Company executed a Grant of Easement whereby the Company granted to the Municipality a non-exclusive easement in, to, through and over the certain property of the Company, as described therein, for ingress and egress in, to, through and over the Property until the fulfillment of certain obligations by the Company under the terms and conditions of the Lease Purchase Contract, at which time Grant of Easement was to automatically terminate.

WHEREAS, the Easement Agreement was made of public record by the recording of the same in the aforesaid office in Liber 7496, page 553 on April 30, 1979.

WHEREAS, the parties hereby agree that: 1) the Lease Purchase Contract, including, but not limited to, any additional rights provided in the Lease Purchase Contract (the "**Rights**") has been terminated as of the date first above written and 2) the Grant of Easement has terminated by and under the terms set forth therein.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Termination. The Municipality and the Company agree and acknowledge that the Lease Purchase Agreement, including, but not limited to, the Rights, if any, and the Easement Agreement, have terminated and in confirmation thereof this Termination is being executed and recorded to give notice of the termination of the same, and to release the same of record. The Lease Purchase Contract, including, but not limited to, the Rights, if any, are of no further force or effect as of the date first above written. The Easement Agreement is of no further force and effect as of the date first above written, if not earlier than such date in accordance with the terms set forth therein.
2. Transfer. The Municipality has not sold, assigned, transferred, conveyed or otherwise disposed of the Project or any portion thereof or interest thereon during the term of the Lease Purchase Contract.
3. Recording. This Termination shall be effective upon execution and shall be recorded in the Office of the Register of Deeds of Oakland County, Michigan.
4. Authority. Each party to this Termination represents and warrants to the other party that the persons executing this Termination are duly authorized to execute and deliver this on behalf of such party.
5. Governing Law. This Termination shall be governed and construed in accordance with the laws of the State of Michigan.
6. Counterparts. This Termination may be executed in multiple counterparts, each of which shall be deemed an original and all of which when taken together shall constitute one and the same document.

[SIGNATURE PAGES FOLLOW]

MUNICIPALITY:

CHARTER TOWNSHIP OF WATERFORD,
MICHIGAN, a Michigan municipal body
corporate

By: _____

Name: Gary D. Wall

Title: Supervisor

STATE OF MICHIGAN)
) ss
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me on July 28, 2020, by Gary D. Wall in his capacity as the Supervisor of the Charter Township of Waterford, a Michigan municipal body corporate, on behalf of such municipal body corporate.

, Notary Public

County of Oakland, State of Michigan
Acting in County of Oakland
My Commission Expires:

Drafted by:
Julia E. Tomec, Esquire
Troutman Pepper
3000 Two Logan Square
Philadelphia, PA 19103

When recorded return to:
Lisa M. Winnick
Vice President
Perry Drug Stores, Inc.
30 Hunter Lane
Camp Hill, PA 17011

Recording Fee: \$ 30.00

Tax Identification Number: 13-09-251-006

EXHIBIT A

Legal Description

LAZ 7497 inst 292

Exhibit A

The Project consists of the following described real property and an industrial building to provide warehouse space (approximately 204,000 square feet), office space (approximately 27,200 square feet) and an enclosed truck dock (approximately 30,000 square feet) located on such real property:

Part of the West 1/2 of the Northeast 1/4 of Section 9, Town 3 North, Range 9 East, Waterford Township, Oakland County, Michigan, described as beginning at a point on the Southwesterly right-of-way of Grand Trunk Western Railroad, located South 15.26 feet and South 54 degrees 45 minutes 04 seconds East 850.95 feet from the North 1/4 corner of Section 9, Town 3 North, Range 9 East, thence from said point of beginning South 54 degrees 45 minutes 04 seconds East 770.79 feet along the Southwesterly right-of-way line of Grand Trunk Western Railroad, thence South 00 degrees 07 minutes 56 seconds East 1700.93 feet to the East and West 1/4 line of Section 9, thence South 09 degrees 12 minutes 42 seconds West 633.47 feet along said East and West 1/4 line; thence North 2154.46 feet to point of beginning. Containing 27.933 acres (hereafter sometimes called "The Premises"). Subject to easements and restrictions of record. Also subject to the following easements in favor of the parcel of land described in Exhibit 1 attached hereto: Easements for the use of the retention basins located on that portion of The Premises described in Exhibits 5 and 6 attached hereto. Also subject to the following easements in favor of the parcel of land described in Exhibit 7 attached hereto: (A) An easement for ingress and egress over that portion of The Premises described in Exhibit 4 attached hereto; (B) Easements for the use of the water mains located on that portion of The Premises described in Exhibits 2 and 3 attached hereto.

The Project also includes a non-exclusive easement for ingress and egress over the following described parcel:

Part of the Northwest 1/4 and part of the Northeast 1/4 of Section 9, Town 3 North, Range 9 East, Waterford Township, Oakland County, Michigan, described as beginning at a point on the North and South 1/4 line of Section 9, located South 182.73 feet from the North 1/4 corner of Section 9, Town 3 North, Range 9 East, thence from said point of beginning along a curve to the right (Delta = 35 degrees 14 minutes 56 seconds, Radius = 407.96 feet, Long Chord = South 72 degrees 22 minutes 32 seconds East 365.15 feet) an arc distance of 374.02 feet; thence South 54 degrees 45 minutes 04 seconds East 402.24 feet; thence South 2154.46 feet; thence South 09 degrees 12 minutes 42 seconds West 281.72 feet; thence North 1.76 feet; thence West 45.31 feet; thence along a curve to the right (Delta = 45 degrees 00 minutes 00 seconds, Radius = 264.18 feet, Long Chord = North 57 degrees 30 minutes 00 seconds West 202.19 feet) an arc distance of 207.49 feet; thence North 45 degrees 00 minutes 00 seconds West 50.36 feet; thence along a curve to the left (Delta = 45 degrees 00 minutes 00 seconds, Radius = 194.18 feet, Long Chord = North 07 degrees 30 minutes 00 seconds West 146.82 feet) an arc distance of 152.51 feet; thence East 5.07 feet to the East line of "Murlingham Lake Park Subdivision" recorded in Liber 47, Page 13 of plats of Oakland County Records; thence along the East line of

said subdivision North 70.00 feet; thence along a curve to
 the right (Delta = 45 degrees 00 minutes 00 seconds, Radius
 = 264.18 feet, Long Chord = South 57 degrees 30 minutes 00
 seconds East 202.19 feet) an arc distance of 207.49 feet;
 thence South 45 degrees 00 minutes 00 seconds East 50.56
 feet; thence along a curve to the left (Delta = 45 degrees
 00 minutes 00 seconds, Radius = 194.18 feet, Long Chord =
 South 67 degrees 30 minutes 00 seconds East 148.62 feet)
 an arc distance of 152.51 feet; thence East 195.07 feet;
 thence along a curve to the left (Delta = 90 degrees 00
 minutes 00 seconds, Radius = 65.00 feet, Long Chord = North
 45 degrees 00 minutes 00 seconds East 91.92 feet) an arc
 distance of 102.10 feet; thence North 1706.79 feet; thence
 along a curve to the left (Delta = 54 degrees 45 minutes 04
 seconds, Radius = 537.96 feet, Long Chord = North 27 degrees
 22 minutes 32 seconds West 494.72 feet) an arc distance of
 514.07 feet; thence North 54 degrees 45 minutes 04 seconds
 West 87.48 feet; thence along a curve to the left (Delta =
 35 degrees 14 minutes 56 seconds, Radius = 537.96 feet, Long
 Chord = North 72 degrees 22 minutes 32 seconds West 325.76
 feet) an arc distance of 330.96 feet; thence West 15.53
 feet to the East line of "Burlingham Lake Park Subdivision";
 thence North 89 degrees 53 minutes 30 seconds West 145.00
 feet to the East right of way line of Van Zandt Road; thence
 along the East right of way line of Van Zandt Road North
 70.00 feet; thence East 145.00 feet to the point of beginning.
 Containing 6.247 acres. Subject to easements and restrictions
 of record.

Exhibit 1 PARCEL OF LAND TO THE WEST

Part of the West 1/2 of the Northeast 1/4 of Section 9, T3N, R9E, Waterford Township, Oakland County, Michigan, described as beginning at a point on the East line of "Burlingham Lake Park Subdivision" as recorded in Liber 47, Page 13 of Flats of Oakland County Records, located South 232.73 feet from the North 1/4 corner of Section 9, T3N, R9E; thence from said point of beginning East 15.53 feet; thence on a curve to the right (R = 537.96 feet, Delta = 35°14'56", LC = S 72°22'32" E 325.76 feet) an arc distance of 330.96 feet; thence S 54°45'04" E 87.48 feet; thence on a curve to the right (R = 537.96 feet, Delta = 54°45'04", LC = S 27°22'32" E 494.73 feet) an arc distance of 514.07 feet; thence South 1706.79 feet; thence on a curve to the right (R = 65.00 feet, Delta = 90°00'00", LC = S 45°00'00" W 91.92 feet) an arc distance of 102.10 feet; thence West 195.07 feet; thence on a curve to the right (R = 194.18 feet, Delta = 45°00'00", LC = N 67°30'00" W 148.62 feet) an arc distance of 152.51 feet; thence N 45°00'00" W 50.56 feet; thence on a curve to the left (R = 264.18 feet, Delta = 45°00'00", LC = N 67°30'00" W 202.19 feet) an arc distance of 207.49 feet; thence West 5.07 feet to the East line of "Burlingham Lake Park Subdivision"; thence North 2190.24 feet along said subdivision to point of beginning. Containing 31.186 acres.

Exhibit 2 12 FEET WIDE PUBLIC WATERMAIN EASEMENT (NORTH)

Part of the W 1/2 of the NE 1/4 of Section 9, T3N, R9E, Waterford Township, Oakland County, Michigan, the centerline of which is described as beginning at a point located South 15.26 feet and S 54°45'04" E 850.95 feet and South 632.45 feet from the N 1/4 corner Section 9, T3N, R9E; thence from said point of beginning along the centerline of said 12 foot easement East 629.92 feet to the end of said easement.

Exhibit 3 12 FEET WIDE PUBLIC WATERMAIN EASEMENT (SOUTH)

Part of the W 1/2 of the NE 1/4 of Section 9, T3N, R9E, Waterford Township, Oakland County, Michigan, the centerline of which is described as beginning at a point located South 15.26 feet and S 54°45'04" E 850.95 feet and South 1769.08 feet from the N 1/4 corner of Section 9, T3N, R9E; thence from said point of beginning along the centerline of said 12 foot easement East 632.54 feet to the end of said easement.

Exhibit 4 NORTHERLY 70 FEET

Part of the W 1/2 of the NE 1/4 of Section 9, T3N, R9E, Waterford Township, Oakland County, Michigan described as beginning at a point on the Southwesterly right of way of Grand Trunk Western Railroad, located South 15.26 feet and S 54°45'04" E 850.95 feet from the N 1/4 corner of Section 9, T3N, R9E; thence from said point of beginning S 54°45'04" E 770.79 feet along the Southwesterly right of way line of Grand Trunk Western Railroad; thence S 00°07'56" E 85.87 feet; thence N 54°45'04" W 633.26 feet; thence on a curve to the left (radius = 195.00 feet, Delta = 35°14'56", Long Chord = N 72°22'32" W 118.08 feet) an arc distance of 119.97 feet; thence North 129.49 feet to point of beginning. Containing 1.279 acres.

Exhibit 5 NORTH RETENTION BASIN EASEMENT

Part of the W 1/2 of the NE 1/4 of Section 9, T3N, R9E, Waterford Township, Oakland County, Michigan, described as beginning at a point, located South 15.26 feet and S 54°45'04" E 850.95 feet and South 129.49 feet from the N 1/4 corner of Section 9, T3N, R9E; thence from said point of beginning on a curve to the right (Radius = 195.00 feet, Delta = 35°14'56", Long Chord = S 72°22'32" E 118.08 feet) an arc distance of 119.97 feet; thence S 54°45'04" E 633.26 feet; thence S 00°07'56" E 79.13 feet; thence West 629.87 feet; thence North 480.35 feet to point of beginning. Containing 4.32 acres.

Exhibit 6 SOUTH RETENTION BASIN

Part of the W 1/2 of the NE 1/4 of Section 9, T3N, R9E, Waterford Township, Oakland County, Michigan, described as beginning at a point located South 15.26 feet and S 54°45'04" E 1621.74 feet and S 0°07'56" E 1700.93 feet and S 89°12'42" W 185.54 feet from the N 1/4 corner of Section 9, T3N, R9E; thence from said point of beginning S 89°12'42" W 447.93 feet; thence North 176.00 feet; thence East 447.50 feet; thence S 00°07'56" E 169.84 feet to the point of beginning. Containing 1.777 acres.

Exhibit 7 PARCEL OF LAND TO THE EAST

Part of the NE 1/4 of Section 9, T3N, R9E, Waterford Township, described as that part of the E 1/2 of the NE 1/4 of Section 9, lying Southerly of the Grand Trunk Western Railroad.

LIBER 53985 PAGE 1
\$21.00 MISC RECORDING
\$4.00 REMONUMENTATION
\$5.00 AUTOMATION
03/24/2020 07:59:49 PM RECEIPT# 44473
PAID RECORDED - Oakland County, MI
Lisa Brown, Clerk/Register of Deeds

Discharge of Mortgage

Document Prepared by:
The Huntington National Bank
Wendy Lewis
5555 Cleveland Avenue, GW1W37
Columbus, OH 43231

Parcel Tax ID: 1309251006

When RECORDED return to:
The Huntington National Bank
5555 Cleveland Avenue, GW1W37
Columbus, OH 43231

THE UNDERSIGNED, **The Huntington National Bank, Successor by Merger to Citizens Commercial and Savings Bank**, the present mortgagee of the Mortgage described below does hereby certify that same has been paid in full and in consideration thereof, does hereby cancel and discharge said Mortgage:

Original Grantor(S): **Charter Township of Waterford, Michigan**

Original Grantee: **Citizens Commercial and Savings Bank, N.A.**

Amount of Note: \$ **4,750,000.00** Date of Note: **02/01/1979**

Original Recording Date: **04/30/1979** Original Deed Book: **7496** Original Page: **559**

and RECORDED in the records of the Register of Deeds Office of the City or County of **Oakland**, State of **Michigan** affecting Real Property and more particularly described on said Mortgage referred to herein.

Legal Description: **See Exhibit**

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed on this date of **03/23/2020**.

The Huntington National Bank, Successor by Merger to Citizens Commercial and Savings Bank



Name: **Tim Kennedy**
Title: **Authorized Signer**
STATE OF OH } s.s.
COUNTY OF **Franklin**

On **03/23/2020**, before me, **Tracy Charlton**, Notary Public, personally appeared **Tim Kennedy, Authorized Signer of The Huntington National Bank, Successor by Merger to Citizens Commercial and Savings Bank**, personally known to me (or proved to me the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she/he/they executed the same in her/his/their authorized capacity(ies), and that by her/his/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal.



TRACY R. CHARLTON
Notary Public, State of Ohio
My Comm. Expires Sept. 1, 2020

Notary Public: **Tracy Charlton**
My Commission Expires: **09/01/2020**
Commission #: **2015-RE-539160**

Exhibit A

The Project consists of the following described real property and an industrial building to provide warehouse space (approximately 204,000 square feet), office space (approximately 27,200 square feet) and an enclosed truck dock (approximately 20,000 square feet) located on such real property:

Part of the West 1/2 of the Northeast 1/4 of Section 9, Town 3 North, Range 9 East, Waterford Township, Oakland County, Michigan, described as beginning at a point on the Southwesterly right-of-way of Grand Trunk Western Railroad, located South 15.26 feet and South 54 degrees 45 minutes 04 seconds East 850.95 feet from the North 1/4 corner of Section 9, Town 3 North, Range 9 East, thence from said point of beginning South 54 degrees 45 minutes 04 seconds East 770.79 feet along the Southwesterly right-of-way line of Grand Trunk Western Railroad, thence South 00 degrees 07 minutes 56 seconds East 1700.93 feet to the East and West 1/4 line of Section 9, thence South 89 degrees 12 minutes 42 seconds West 633.47 feet along said East and West 1/4 line; thence North 2154.48 feet to point of beginning. Containing 27.933 acres (hereafter sometimes called "The Premises"). Subject to easements and restrictions of record. Also subject to the following easements in favor of the parcel of land described in Exhibit 1 attached hereto: Easements for the use of the retention basins located on that portion of The Premises described in Exhibits 5 and 6 attached hereto. Also subject to the following easements in favor of the parcel of land described in Exhibit 7 attached hereto: (A) An easement for ingress and egress over that portion of The Premises described in Exhibit 4 attached hereto; (B) Easements for the use of the water mains located on that portion of The Premises described in Exhibits 2 and 3 attached hereto.

The Project also includes a non-exclusive easement for ingress and egress over the following described parcel:

Part of the Northwest 1/4 and part of the Northeast 1/4 of Section 9, Town 3 North, Range 9 East, Waterford Township, Oakland County, Michigan, described as beginning at a point on the North and South 1/4 line of Section 9, located South 162.73 feet from the North 1/4 corner of Section 9, Town 3 North, Range 9 East, thence from said point of beginning along a curve to the right (Delta = 35 degrees 14 minutes 56 seconds, Radius = 607.96 feet, Long Chord = South 72 degrees 22 minutes 32 seconds East 368.15 feet) an arc distance of 374.02 feet; thence South 54 degrees 45 minutes 04 seconds East 402.24 feet; thence South 2154.48 feet; thence South 89 degrees 12 minutes 42 seconds West 281.72 feet; thence North 1.76 feet; thence West 48.31 feet; thence along a curve to the right (Delta = 45 degrees 00 minutes 00 seconds, Radius = 264.18 feet, Long Chord = North 67 degrees 30 minutes 00 seconds West 202.19 feet) an arc distance of 207.49 feet; thence North 45 degrees 00 minutes 00 seconds West 50.56 feet; thence along a curve to the left (Delta = 45 degrees 00 minutes 00 seconds, Radius = 194.18 feet; Long Chord = North 67 degrees 30 minutes 00 seconds West 148.62 feet) an arc distance of 152.51 feet; thence East 5.07 feet to the East line of "Burlingham Lake Park Subdivision" recorded in Liber 47, Page 13 of Plats of Oakland County Records; thence along the East line of

said subdivision North 70.00 feet; thence along a curve to the right (Delta = 45 degrees 00 minutes 00 seconds, Radius = 264.18 feet, Long Chord = South 67 degrees 30 minutes 00 seconds East 202.19 feet) an arc distance of 207.49 feet; thence South 45 degrees 00 minutes 00 seconds East 50.56 feet; thence along a curve to the left (Delta = 45 degrees 00 minutes 00 seconds, Radius = 194.18 feet, Long Chord = South 67 degrees 30 minutes 00 seconds East 148.62 feet) an arc distance of 152.51 feet; thence East 195.07 feet; thence along a curve to the left (Delta = 90 degrees 00 minutes 00 seconds, Radius = 65.00 feet, Long Chord = North 45 degrees 00 minutes 00 seconds East 91.92 feet) an arc distance of 102.10 feet; thence North 1706.79 feet; thence along a curve to the left (Delta = 54 degrees 45 minutes 04 seconds, Radius = 537.96 feet, Long Chord = North 27 degrees 22 minutes 32 seconds West 494.73 feet) an arc distance of 514.07 feet; thence North 54 degrees 45 minutes 04 seconds West 87.48 feet; thence along a curve to the left (Delta = 35 degrees 14 minutes 56 seconds, Radius = 537.96 feet, Long Chord = North 72 degrees 22 minutes 32 seconds West 325.76 feet) an arc distance of 330.96 feet; thence West 15.53 feet to the East line of "Burlingham Lake Park Subdivision"; thence North 89 degrees 53 minutes 30 seconds West 145.00 feet to the East right of way line of Van Zandt Road; thence along the East right of way line of Van Zandt Road North 70.00 feet; thence East 145.00 feet to the point of beginning. Containing 6.247 acres. Subject to easements and restrictions of record.

Exhibit 1 PARCEL OF LAND TO THE WEST

Part of the West 1/2 of the Northeast 1/4 of Section 9, T3N, R9E, Waterford Township, Oakland County, Michigan, described as beginning at a point on the East line of "Burlingham Lake Park Subdivision" as recorded in Liber 47, Page 13 of Plats of Oakland County Records, located South 232.73 feet from the North 1/4 corner of Section 9, T3N, R9E; thence from said point of beginning East 15.53 feet; thence on a curve to the right (R = 537.96 feet, Delta = 35°14'56", LC = S 72°22'32" E 325.76 feet) an arc distance of 330.96 feet; thence S 54°45'04" E 87.48 feet; thence on a curve to the right (R = 537.96 feet, Delta = 54°45'04", LC = S 27°22'32" E 494.73 feet) an arc distance of 514.07 feet; thence South 1706.79 feet; thence on a curve to the right (R = 65.00 feet, Delta = 90°00'00", LC = S 45°00'00" W 91.92 feet) an arc distance of 102.10 feet; thence West 195.07 feet; thence on a curve to the right (R = 194.18 feet, Delta = 45°00'00", LC = N 67°30'00" W 148.62 feet) an arc distance of 152.51 feet; thence N 45°00'00" W 50.56 feet; thence on a curve to the left (R = 264.18 feet, Delta = 45°00'00", LC = N 67°30'00" W 202.19 feet) an arc distance of 207.49 feet; thence West 5.07 feet to the East line of "Burlingham Lake Park Subdivision"; thence North 2190.24 feet along said subdivision to point of beginning. Containing 31.186 acres.

Exhibit 2 12 FEET WIDE PUBLIC WATERMAIN EASEMENT (NORTH)

Part of the W 1/2 of the NE 1/4 of Section 9, T3N, R9E, Waterford Township, Oakland County, Michigan, the centerline of which is described as beginning at a point located South 15.26 feet and S 54°45'04" E 850.95 feet and South 632.45 feet from the N 1/4 corner Section 9, T3N, R9E; thence from said point of beginning along the centerline of said 12 foot easement East 629.92 feet to the end of said easement.

Exhibit 3 12 FEET WIDE PUBLIC WATERMAIN EASEMENT (SOUTH)

Part of the W 1/2 of the NE 1/4 of Section 9, T3N, R9E, Waterford Township, Oakland County, Michigan, the centerline of which is described as beginning at a point located South 15.26 feet and S 54°45'04" E 850.95 feet and South 1769.08 feet from the N 1/4 corner of Section 9, T3N, R9E; thence from said point of beginning along the centerline of said 12 foot easement East 632.54 feet to the end of said easement.

Exhibit 4 NORTHERLY 70 FEET

Part of the W 1/2 of the NE 1/4 of Section 9, T3N, R9E, Waterford Township, Oakland County, Michigan described as beginning at a point on the Southwesterly right of way of Grand Trunk Western Railroad, located South 15.26 feet and S 54°45'04" E 850.95 feet from the N 1/4 corner of Section 9, T3N, R9E; thence from said point of beginning S 54°45'04" E 770.79 feet along the Southwesterly right of way line of Grand Trunk Western Railroad; thence S 00°07'56" E 85.87 feet; thence N 54°45'04" W 633.26 feet; thence on a curve to the left (Radius = 195.00 feet, Delta = 35°14'56", Long Chord = N 72°22'32" W 118.08 feet) an arc distance of 119.97 feet; thence North 129.49 feet to point of beginning. Containing 1.279 acres.

Exhibit 5 NORTH RETENTION BASIN EASEMENT

Part of the W 1/2 of the NE 1/4 of Section 9, T3N, R9E, Waterford Township, Oakland County, Michigan, described as beginning at a point, located South 15.26 feet and S 54°45'04" E 850.95 feet and South 129.49 feet from the N 1/4 corner of Section 9, T3N, R9E; thence from said point of beginning on a curve to the right (Radius = 195.00 feet, Delta = 35°14'56", Long Chord = S 72°22'32" E 118.08 feet) an arc distance of 119.97 feet; thence S 54°45'04" E 633.26 feet; thence S 00°07'56" E 79.13 feet; thence West 629.87 feet; thence North 480.35 feet to point of beginning. Containing 4.32 acres.

Exhibit 6 SOUTH RETENTION BASIN

Part of the W 1/2 of the NE 1/4 of Section 9, T3N, R9E, Waterford Township, Oakland County, Michigan, described as beginning at a point located South 15.26 feet and S 54°45'04" E 1621.74 feet and S 0°07'56" E 1700.93 feet and S 89°12'42" W 185.54 feet from the N 1/4 corner of Section 9, T3N, R9E; thence from said point of beginning S 89°12'42" W 447.93 feet; thence North 176.00 feet; thence East 447.50 feet; thence S 00°07'56" E 169.84 feet to the point of beginning. Containing 1.777 acres.

Exhibit 7 PARCEL OF LAND TO THE EAST

Part of the NE 1/4 of Section 9, T3N, R9E, Waterford Township, described as that part of the E 1/2 of the NE 1/4 of Section 9, lying Southerly of the Grand Trunk Western Railroad.