

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9403510-01

On 7-13-94, 1994, for the consideration of system betterment, Grantor grants to Grantee a permanent underground easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

"Grantor" is:

John Galvin Baenziger II and Audrey J. Baenziger, husband and wife, 3180 Rolling Green, Rochester Hills, Michigan 48309

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
Michigan Bell Telephone Company, a Michigan corporation, 444 Michigan Avenue, Detroit, Michigan 48226
United Artist of Oakland County, Inc., a Michigan corporation, 4500 Delemere, Royal Oak, Michigan 48073

"Grantor's Land" is in Oakland Township, Oakland County, Michigan, described as:

Part of Southwest ¼ of Section 22, T4N, R11E, beginning at point distance North 89°56'00" E 69 feet from Southwest section corner; thence North 298.14 feet; thence along curve to right, radius 560 feet, chord bears North 26°25'43" E 96.04 feet, distance of 96.16 feet; thence North 31°20'53" E 217.69 feet; thence South 69.89 feet; thence North 89°56'00" E 340 feet; thence South 140 feet; thence South 68°37'55" W 178.38 feet; thence South 12°40'46" W 302.66 feet; thence South 89°56'00" W 263.46 feet to beginning. 4.01 acres. Sidwell No: 10-22-300-018

The "Right of Way Area" is a part of Grantor's Land and is described as:

Shown on the attached Appendix "A". The right of way is 10 feet in width.

1. **Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain underground utility line facilities consisting of poles, guys, anchors, wires, manholes, conduits, pipes, cables, transformers and accessories.
2. **Access:** Grantee has the right of access to and from the Right of Way Area.
3. **Buildings or other Permanent Structures:** No buildings or other permanent structures shall be placed in the Right of Way Area without Grantee's prior written consent.
4. **Excavation:** As required by Public Act 53 of 1974, MISS DIG must be called on 1-800-482-7171 before anyone excavates in the Right of Way Area.
5. **Trees, Bushes, Branches, Roots, Structures and Fences:** Grantee may trim, cut down, remove or otherwise control any trees, bushes, branches and roots in the Right of Way Area (or that could grow into the Right of Way Area) and remove structures and fences in the Right of Way Area that Grantee believes could interfere with the safe and reliable construction, operation and maintenance of Grantee's facilities. No trees, plant life, structures and fences shall be planted, grown or installed within 8 feet of the front door and within 2 feet of the other sides of transformers and switching cabinet enclosures. Grantee shall not be responsible to Grantor for damages to or removal of trees, plant life, structures and fences placed in front of transformer doors.
6. **Restoration:** If Grantee's employees, contractors, vehicles or equipment damage Grantor's Land while entering Grantor's Land for the purposes stated in this Right of Way, then Grantee shall restore Grantor's Land as nearly as can be to its original condition.
- 7 **Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors, lessees, licensees and assigns.

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

Kimberly M. O'Malley

KIMBERLY M. O'MALLEY

John Galvin Baenziger II

John Galvin Baenziger II

Lisa W. Nadejnski

LISA W. NADEJNSKI

Audrey J. Baenziger

Audrey J. Baenziger

Acknowledged before me in WAYNE County, Michigan, on 7-13-94, 1994
by John Galvin Baenziger II and Audrey J. Baenziger, husband and wife.

RECORDED RIGHT OF WAY NO. 36667

KIMBERLY M. O'MALLEY

Notary Public, Wayne County, Michigan

Notary's Stamp My Commission Expires October 10, 1995


Notary's Signature *Kimberly M. O'Malley*

(Notary's name, county and date commission expires)

Prepared by and Return to: Terry L. Benedict, 1970 Orchard Lake Road, Sylvan Lake, Michigan 48320/kjk.

CORPORATE REAL ESTATE SERVICES

Project No.: RO3994

Date: September 12, 1994
To: Ava D. Thrower
Records Center
From: John C. Erb 
Subject: Partial Disclaimer of Interest in Recorded Joint Easements.

Attached are papers related to the Partial Disclaimer of Interest in Recorded Joint Easement, dated September 9, 1994. The property in question is located in the SW 1/4 of Section 22, Oakland Township, Oakland County, Michigan. Detroit Edison disclaimed easement rights to John Galvin and Audrey J. Baenziger whose address is 3180 Rolling Green, Rochester Hills, Michigan 48309.

Please incorporate these papers into the appropriate record center file.

Attachments

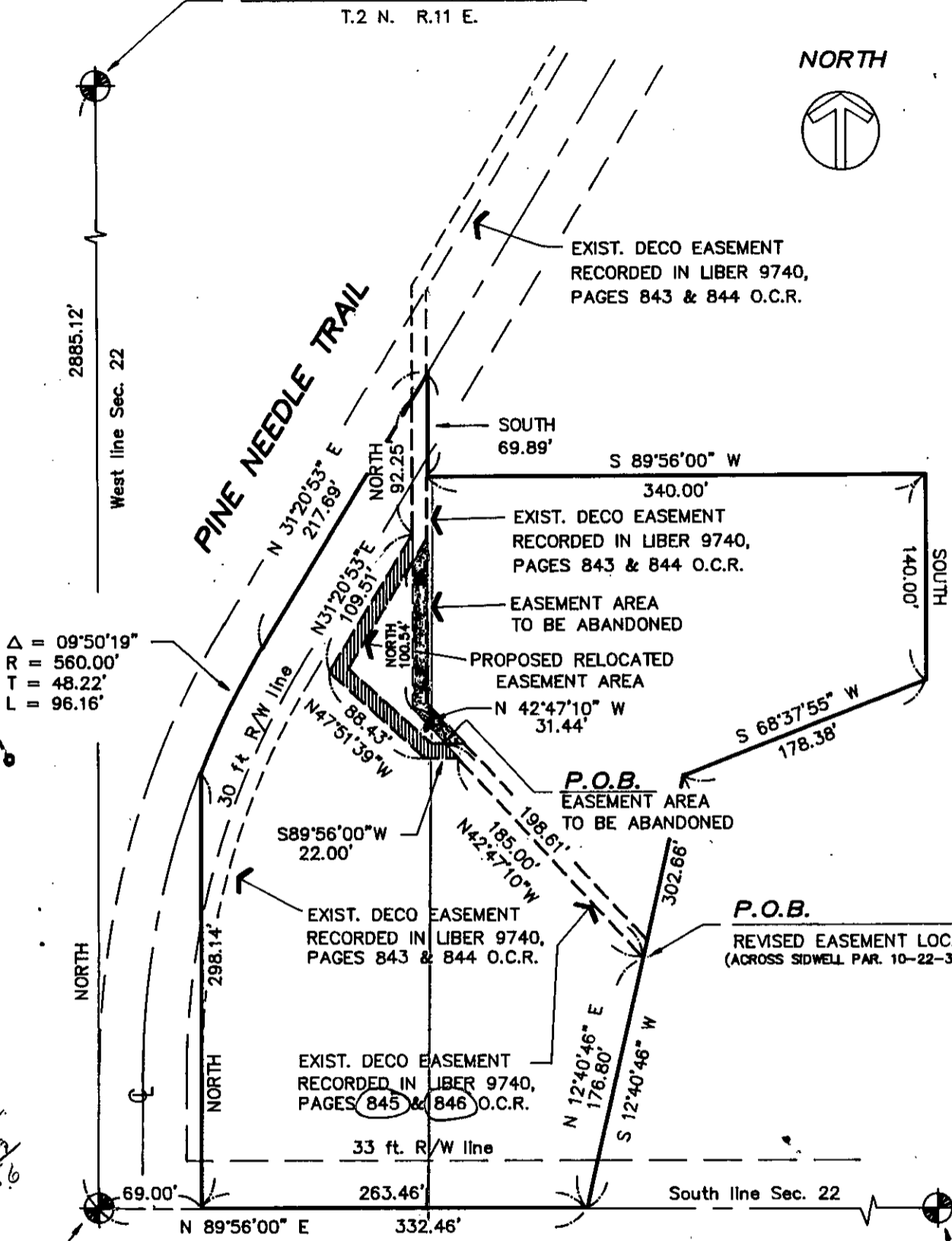
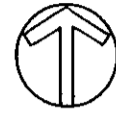
cc: Dennis McLean
G. Sparagowski

RECORDED RIGHT OF WAY NO. 36867
See Also:
RECORDED RIGHT OF WAY NO. 36866

W. 1/4 COR. SECTION 22

T.2 N. R.11 E.

NORTH



Δ = 09°50'19"
R = 560.00'
T = 48.22'
L = 96.16'

2885.12
15.6

RECORDED RIGHT OF WAY NO. 36867

GUNN ROAD (66 ft. wd.)

S.W. COR. SECTION 22

T.2 N. R.11 E.

S. 1/4 COR. SECTION 22

T.2 N. R.11 E.

<p>TRANSMISSION & TECHNICAL SERVICES</p>	<p>LOCATION U.G. EASEMENT</p> <p>PART OF THE S.W. 1/4 OF SECTION 22, T4N, R11E, OAKLAND TWP., OAKLAND CO., MICHIGAN.</p> <p>SIDWELL PARCEL NO. 10-22-300-018</p>	<p>SHEET 1 OF 2</p>
	<p>SCALE 1 INCH = 100 FEET</p>	<p>JOB NUMBER 9408363</p>
<p>DRAWN BY FLV</p>	<p>SURVEY ENGINEER <i>A. Valm</i></p>	<p>DRAWING NO. SE OAK-03</p>
<p>DATE AUG. 26, 1994</p>		

DESCRIPTION

REVISED EASEMENT DESCRIPTION ACROSS SIDWELL PARCEL 10-22-300-018
 A 10 foot wide underground easement across part of the Southwest 1/4 of Section 22, Town 4 North, Range 11 East, Oakland Township, Oakland County, Michigan.

Described by its Southerly and Westerly lines as; Commencing at the Southwest Corner of Section 22; Thence North 89°56'00" East, 332.46 feet along the south line of said Section 22 (Gunn Road 66 ft. wide); Thence North 12°40'46" East, 176.80 feet to the POINT OF BEGINNING;

Thence North 42°47'10" West, 185.00 feet;
 Thence South 89°56'00" West, 22.00 feet;
 Thence North 47°51'39" West, 88.43 feet;
 Thence North 31°20'53" East, 109.51 feet;
 Thence North, 92.25 feet to the point of ending on the centerline of Pine Needle Trail (60 ft. wide).

Subject to all easements of record, if any.


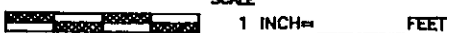

EASEMENT AREA TO BE ABANDONED

A 10 foot wide underground easement across part of the Southwest 1/4 of Section 22, Town 4 North, Range 11 East, Oakland Township, Oakland County, Michigan.

Described by its Southerly and Westerly lines as; Commencing at the Southwest Corner of Section 22; Thence North 89°56'00" East, 332.46 feet along the south line of said Section 22 (Gunn Road 66 ft. wide); Thence North 12°40'46" East, 176.80 feet; Thence North 42°47'10" West, 198.61 feet to the POINT OF BEGINNING;

Thence continuing North 42°47'10" West, 31.44 feet;
 Thence North, 100.54 feet to the point of ending.

RECORDED RIGHT OF WAY NO. 36867

 TRANSMISSION & TECHNICAL SERVICES	LOCATION U.G. EASEMENT PART OF THE S.W. 1/4 OF SECTION 22, T4N, R11E, OAKLAND TWP., OAKLAND CO., MICHIGAN.	SHEET 2 OF 2
	SIDWELL PARCEL NO. 10-22-300-018	JOB NUMBER 9408363
SCALE  1 INCH = 40 FEET	DRAWN BY FLV	SURVEY ENGINEER 
	DATE AUG. 26, 1994	DRAWING NO. SE OAK-03

CORPORATE REAL ESTATE SERVICES

Project: RO3994

Date: July 25, 1994
To: Matt McKinley
From: John Erb *JE*
Subject: Disclaimer of Interest.

The attached request from John Galvin Baenziger II and Audrey J. Baenziger is for a Disclaimer of Interest as it applies to the cross-hatched area on the drawing. The attached right of way, dated July 13, 1994, should supercede the existing right of way.

Please review your requirements for this right of way and send your comments and recommendations to the Supervisor or Senior Real Estate and Right of Way Claims Representative in your Division, before August 8, 1994. The Division Supervisor or Senior Real Estate and Right of Way Claims Representative will compile all the responses and reply to this memorandum.

Additional information:
The right of way is located in the SW 1/4 of Section 22, Oakland Township, Oakland County.

Attachments

DISCLAIMERS,

7-2-94

*ALL PAPER WORK IS COMPLETE &
ACTUAL RELOCATION OF EQUIPMENT
IS IN PROGRESS --- PER TERRY
BENMEDICK & BOB BLACKSHER
DENNIS McLEOD
EST 8682*

For _____

RECORDED RIGHT OF WAY NO. 36867

PARTIAL DISCLAIMER OF INTEREST IN RECORDED JOINT EASEMENTS

On September 9, 1994, Edison disclaims part of its rights in two recorded joint easements ("Easements") on private property.

"Edison" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226

The "Easements" are:

- a) Documents titled "Joint Underground Easement" granted to Edison and Michigan Bell Telephone by Douglas A. and Lorna Sue Engler, husband and wife and Walter and Arlene Wenger, husband and wife on August 1, 1986 and May 27, 1986.
- b) Recorded in Liber 9740, Pages 843 - 846 of Oakland County Records.
- c) Concern land in the SW 1/4 of Section 22, Oakland Township, Town 4 North, Range 11 East, Oakland County, Michigan.

The part of the easements that Edison disclaims any interest in is as follows:

A 10 foot wide underground easement across part of the Southwest 1/4 of Section 22, Town 4 North, Range 11 East, Oakland Township, Oakland County, Michigan. Described by its Southerly and Westerly lines as commencing at the Southwest corner of Section 22, then North 89°56'00" East, 332.46 feet along the South line of said Section 22 (Gunn Road 66 feet wide), then North 12°40'46" East, 176.80 feet, then North 42°47'10" West, 198.61 feet to the Point of Beginning, then continuing North 42°47'10" West, 31.44 feet, then North 100.54 feet to the point of ending.

Witnessed by:(type or print name under signature)

John C. Erb
John C. Erb

Heather R. Korson
Heather R. Korson

The Detroit Edison Company

By: Paul W. Potter
Paul W. Potter
Director, Corporate Real Estate Services

RECORDED RIGHT OF WAY NO. 36867

Acknowledged before me in Wayne County, Michigan, on September 9, 1994,
by Paul W. Potter the Director of Corporate Real Estate Services of The Detroit Edison Company, a Michigan corporation,
for the corporation.

Notary's Stamp: **MICHAEL C. VENETIS**
Notary Public, Macomb County, MI
My Commission Expires Dec. 5, 1995

Notary's Signature: Michael C. Venetis

(Notary's name, county, and date commission expires)

Prepared by: George Hathaway, 2000 Second Avenue, Detroit, Michigan 48226

APPROVED AS TO FORM DATE
LEGAL DEPARTMENT

APPROVED AS TO FORM 9/8/07 DATE
LEGAL DEPARTMENT [Signature]

Date: August 15, 1994

To: J. Erb
Real Estate Analyst

From: G. Sparagowski, Principal Area Leader *MS*
Substation Projects/Design

Subject: Disclaimer of Interest on
Joint Public Utility Rights
SW 1/4 of Section 22
Oakland Township, Oakland County

The inquiry from Mr. & Mrs. J. Baenziger, requesting a disclaimer of interest for the public utility rights of Edison across the area shown on Exhibit "A" , has been reviewed.

There are no transmission facilities at this location, therefore, System Projects and Engineering has no objections to granting this request.

DB/

attachments

cc: File RO 3994

RECORDED RIGHT OF WAY NO. 36867

APPLICATION FOR RIGHT OF WAY

DE 963-0811 3-7455 (MS-80)

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

MARCH 12, 1986

LOCATION GUNN, E. OF COLLINS

DATE _____

APPLICATION NO. 0-8196

CITY OR VILLAGE _____

DEPT. ORDER NO. _____

TOWNSHIP OAKLAND COUNTY OAKLAND

O. F. W. NO. _____

BUDGET ITEM NO. _____

DATE BY WHICH RIGHT OF WAY IS WANTED _____

INQUIRY NO. _____

THIS R/W IS 100 % OF TOTAL PROJECT NO. _____ ACCUM. _____ %.

JOINT RIGHT OF WAY REQUIRED YES NO

MEMO 0-2669 TO LINDA
JENSEN - MBT METRO N.

NOTE: Identify on print or sketch the subdivisions as to section location and liber and page.

KIND AND DESCRIPTION OF RIGHT OF WAY REQUESTED _____

10' RECORDED UNDERGROUND EASEMENT FOR D.E. CO. AND M.B.T. CO.
PER ATTACHED SKETCH.

PURPOSE OF RIGHT OF WAY TO SERVE PINE NEEDLE BLUFF PARCELS.

SIGNED John Thomas /SUPERVISOR
OAKLAND DIV. HEADQUARTERS SERVICE PLANNING
OFFICE DEPARTMENT

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

Joint Underground easement secured as requested per attached sketch. Contacts
made by John C. Greenlee, Representative, Real Estate, Rights of Way & Claims - Oakland.

PERMITS IN RECORD CENTER 2 R.E. & R/W DEPT. FILE 2 GRANTOR W. Wenger
D. Engler

NO. OF PERMITS 2 NO. OF STRUCTURES _____ NO. OF MILES _____ PERMITS TO MBT 2

DATE January 12, 1987 SIGNED James D. McDonald

James D. McDonald, Sr. Representative

3-18-86 WD-4-18-86

RECORDED HEIGHT OF FAX NO. 36866

For good and valuable considerations, the right is hereby granted to THE DETROIT EDISON COMPANY, 2000 Second Ave. Detroit, Michigan, and the MICHIGAN BELL TELEPHONE COMPANY, 1365 Cass Avenue, Detroit, Michigan, their licensees, lessees, successors and assigns, to construct aerial and/or underground line facilities for the purpose of providing electric service and communication service including necessary poles, guys, anchors, conduits, wires, cables, manholes, transformers and equipment in, under, upon, over and across the property located in the _____ Township of _____

Oakland, County of Oakland, State of Michigan, further described as follows:

See Appendix "A"

#①

with full right of ingress and egress upon the said premises to employes or appointees of the said grantees to construct, reconstruct, repair, operate and maintain said line facilities, and to trim or cut down any trees which in the opinion of the grantees at any time interfere or threaten to interfere with the construction and operation of said line facilities.

~~XX~~

OAKLAND COUNTY REGISTERED
 JUN 27 12 14

Underground lines are to be located in accordance with attached drawing which is made a part hereof and underground easements are ~~xxx~~ feet in width unless otherwise noted on said drawing. DE. DRAWING NO. 28196 DATED 3-12-86

Ten

This grant is hereby binding upon the heirs, successors and assigns of the undersigned grantor S.

IN WITNESS WHERE OF we have hereunto set our hand S and seal this 1st day of AUG, 1986.

WITNESS:

John C. Greenlee
 JOHN C. GREENLEE
Gerald S. Misarik
 GERALD S. MISARIK

Douglas A. Engler
 Douglas A. Engler

Lorna Sue Engler
 Lorna Sue Engler, His Wife

RECORDED RIGHT OF WAY NO. 36867

PREPARED BY: John C. Greenlee
The Detroit Edison Company
30400 Telegraph Road, #264
Birmingham, MI 48010

ADDRESS 920 Gunn Road
Rochester, MI 48063

STATE OF MICHIGAN }
 County of OAKLAND } s.s.

On this 25th day of July A.D. 1986, before me, the undersigned, a Notary Public in and for said county, personally appeared Douglas A. Engler and Lorna Sue Engler, His Wife

_____ known to me to be the person S named in and who executed the foregoing instrument as grantor S and acknowledged the same to be their free act and deed.

Cora E. Kuhn 15th
 Notary Public, OAKLAND County, Michigan

My commission expires: June 10, 1989

APPROVED AS TO FORM 1/8/86 DATE
 LEGAL DEPARTMENT

CORA E. KUHN
 Notary Public, Oakland County, Michigan
 My Commission Expires June 10, 1989

DECO

RETURN TO
J. D. McDONALD
THE DETROIT EDISON COMPANY
30400 TELEGRAPH ROAD, 264 OAKDH
BIRMINGHAM, MICHIGAN 48010



Appendix "A"

Commencing at a point 225 ft. East of the section post at the Southwest section corner of Section 22, said point of beginning being in the center of Gunn Road; thence N 0°0' 500 ft. in a Northerly direction parallel to the section line on the West side of Section 22; thence North 89°56' in an Easterly direction 475 ft. parallel to the South line of Section 22; thence South 0°0' 500 ft. and parallel to the West line of said Section 22 to the center of Gunn Road; thence South 89°56' in a Westerly direction 475 ft. along the center of Gunn Road and the South line of Section 22 to the point of beginning, all of said property being in Section 22, T4N., R11E., in the West one-half of the Southwest one-quarter of said Section 22.

Oakland

Sidwell #10-22-300-006

RECORDED RIGHT OF WAY NO. 36867

Detroit Edison Co.

30400 TELEGRAPH ROAD, 264 OAKDALE

RETURN TO
J. D. McDONALD
THE DETROIT EDISON COMPANY
30400 TELEGRAPH ROAD, 264 OAKDALE
BIRMINGHAM, MICHIGAN 48010

RECORDED RIGHT OF WAY NO. 36867

PREPARED FOR

Mr. Walt Wenger
5752 Paint Valley Drive
Rochester, Michigan 48064

BUCKERFIELD ENGINEERING

CIVIL ENGINEERING • LAND SURVEYING
118 WEST THIRD STREET • ROCHESTER, MICHIGAN 48063
TELEPHONE (313) 651-4330

July 15, 1985
revised September 3, 1985

DESCRIPTION FOR ROADWAY EASEMENT:

An easement for roadway purposes and public utilities, 60 feet in perpendicular width, the centerline of which is described as follows:

Beginning at a point on the South line of said Section 22 distant N.89°56'00"E., 30.00 feet from the Southwest corner of said Section 22; thence North 92.86 feet; thence along a curve to the right of radius 560.00 feet (long chord bears N.15°41'33"E., 302.58 feet); thence N.31°20'53"E., 529.94 feet; thence along a curve to the right of radius 300.00 feet (long chord bears N.60°38'27"E., 293.56 feet); thence N.89°56'00"E., 151.70 feet to the center of a 60 foot radius circle which is the Eastern terminus of this easement for roadway purposes and public utilities, said 60 foot circle is also part of the above easement.

I hereby certify that I have surveyed and mapped the land above platted and/or described on August 31, 1985, and that the ratio of closure on the unadjusted field observations was 1 in 10,000, and that all the requirements of P.A. 132, 1970, have been complied with.

James H. Buckerfield
James H. Buckerfield, R.L.S. #10,868

Sheet 2 of 8

FILE NO. RE-918

RECORDED RIGHT OF WAY NO. 36867

PREPARED FOR

Mr. Walt Wenger
5752 Paint Valley Drive
Rochester, Michigan 48063

BULLERFIELD ENGINEERING

CIVIL ENGINEERING • LAND SURVEYING
118 WEST THIRD STREET • ROCHESTER, MICHIGAN 48063
TELEPHONE (313) 651-4330

July 15, 1985
Revised July 19, 1985
Revised October 1, 1985
Revised November 5, 1985

Appendix "A"

DESCRIPTION OF EASEMENT FOR PUBLIC UTILITIES:

An easement for public utilities 10 foot in width, the Eastern edge of which is described as follows:

Commencing at the Southwest corner of Section 22, T.4 N., R.11 E., thence S.89°56'00"W., 225.00 feet; thence due North, 330.64 feet to a point called "A", also the point of beginning; thence due North 296.91 feet; thence N.31°20'53"E., 263.00 feet; thence along a curve to the right of radius 830.00 feet (long chord bears N.60°40'27"E., 322.92 feet) an arc distance of 337.43 feet; thence N.89°56'00"E., 16.70 feet to a point called "B"; thence N.89°56'00"E., 83.04 feet; thence along a curve to the right of radius 60.00 feet (chord bears S.00°04'00"E., 60.00 feet, Delta=300.00°, Arc=314.16 feet); thence S.89°56'00"W., 43.04 feet, to a point called "C"; thence due South, 80.00 feet to the point of ending.

Also the following easment 10 feet in width the Southerly edge of which is described as follows:

Beginning at the said point "A" above, thence S.42°47'10"E., 214.36 feet to the point of ending.

Also the following easement 10 feet in width the Eastern edge of which is described as follows:

Beginning at the said point "B" above, thence due North, 400.00 feet to the point of ending.

Also the following easement 10 feet in width, the Northern edge of which is described as follows:

Commencing at the Southwest corner of Section 22, thence due North, 1010.00 feet to the point of beginning; thence N.89°56'00"E., 426.30 feet; thence S.34°39'48"E., 65.25 feet to the point of ending.

Also the following easement 10 feet in width, the Northern edge of which is described as follows:

Beginning at the said point "C" above, thence S.89°56'00"W., 40.00 feet to the point of ending.

Also the following easement 10 feet in width, the Westerly edge of which is described as follows:

Commencing at the above mentioned point "C", thence due North, 30.00 feet; thence N.89°56'00"E., 95.00 feet, thence N.31°14'27"E., 60.00 feet to the point of beginning; thence N.31°14'27"E., 210.00 feet to the point of ending.

Also an easement 10 feet in width, described as: The easterly 10 feet of the easterly 40 feet of a parcel of land, the westerly edge of which parcel is described as:

Beginning at a point on the south line of said Section 22, distant N.89°56'00"E., 30.00 feet from the southwest corner of said Section 22; thence north, 92.86 feet; thence along a curve to the right of radius 560.00 feet (long chord bears N.15°41'33"E., 302.58 feet) an arc distance of 306.39 feet, thence N.31°20'53"E., 168.44 feet to the point of ending.

Sheet 3 of 8

FILE NO.

RE918

RECORDED RIGHT OF WAY NO. 36867

PREPARED FOR
Mr. Walt Wenger
5852 Paint Valley Drive
Rochester, Michigan 48063

BU KERFIELD ENGINEERING

CIVIL ENGINEERING • LAND SURVEYING
118 WEST THIRD STREET • ROCHESTER, MICHIGAN 48063
TELEPHONE (313) 851-4330

September 3, 1985
Revised October 1, 1985

WITNESSES

South 1/4 corner of Section 22
Found 5/8" pipe
North 29.62' to P.K. Nail West Side 15" Cherry
N.75°E. 70.90 to P.K. Nail South Side 54" Oak
S.45°E. 34.89 to P.K. Nail N.E. Side 36" Oak

Southwest corner Section 22
Found 5/8" pipe
N.15°E. 36.05' to Face of 4" Steel Post
East 49.95' to P.K. Nail South side 12" Oak
S.05°W. 22.70 to P.K. Nail West Side 4" Elm

LEGAL DESCRIPTION: ENTIRE PARCEL TO NORTH FENCE LINE
Land in the Township of Oakland, Oakland County, Michigan,
part of the South-West 1/4 of Section 22, T.4 N., R.11 E.,
described as follows:

Beginning at the South-West corner of said Section 22;
thence North, along the West line of said Section 1599.52
feet; thence N.88°52'11"E., 1366.78 feet; thence
S.00°04'04"E., 1624.89 feet to the South line of said Section
22, thence S.89°56'00"W., along said line, 102.00 feet;
thence N.00°42'59"W., 500.03 feet; thence S.89°56'00"W.,
266.33 feet; thence S.00°04'00"E., 500.00 feet; thence
S.89°56'00"W., along the South line of said Section 22,
294.45 feet; thence North, 500.00 feet; thence S.89°56'00"W.,
475.00 feet; thence South, 500.00 feet to the South line of
said Section 22; thence S.89°56'00"W., along said line,
225.00 feet to the point of beginning, containing 42.071
acres, more or less.

LEGAL DESCRIPTION: ENTIRE PARCEL 122 FEET NORTH OF NORTH
FENCE LINE

Land in the Township of Oakland, Oakland County, Michigan,
part of the South-West 1/4 of Section 22, T.4 N., R.11 E.,
described as follows:

Beginning at the South-West corner of said Section 22;
thence North, along the West line of said Section 1728.72
feet; thence N.88°52'11"E., 1366.62 feet; thence
S.00°04'04"E., 1754.09 feet to the South line of said Section
22, thence S.89°56'00"W., along said line, 102.00 feet;
thence N.00°42'59"W., 500.03 feet; thence S.89°56'00"W.,
266.33 feet; thence S.00°04'00"E., 500.00 feet; thence
S.89°56'00"W., along the South line of said Section 22,
294.45 feet; thence North, 500.00 feet; thence S.89°56'00"W.,
475.00 feet; thence South, 500.00 feet to the South line of
said Section 22; thence S.89°56'00"W., along said line,
225.00 feet to the point of beginning, containing 46.125
acres, more or less.

Sheet 4 of 8

FILE NO. RE 918

RECORDED RIGHT OF WAY NO. 36867

PREPARED FOR

Mr. Walt Wenger
5752 Paint Valley Drive
Rochester, Michigan 48063

BUJCKERFIELD ENGINEERING

CIVIL ENGINEERING • LAND SURVEYING
118 WEST THIRD STREET • ROCHESTER, MICHIGAN 48063
TELEPHONE (313) 651-4330

September 3, 1985

LEGAL DESCRIPTION: PARCEL 1

Land in the Township of Oakland, Oakland County, Michigan,
part of the South-West 1/4 of Section 22, T.4 N., R.11 E.,
described as follows:

Commencing at the South-West corner of said Section 22,
thence North, along the West line of said Section 22, 1599.52
feet; thence N.88°52'11"E., 985.07 feet to the point of
beginning of the lands herein described, thence
N.88°52'11"E., 381.71 feet; thence S.00°04'04"E., 1624.89
feet; thence S.89°56'00"W., along the South line of said
Section 22, 102.00 feet; thence N.00°42'59"W., 500.03 feet;
thence S.89°56'00"W., 100.00 feet; thence North, 245.00 feet;
thence N.57°17'11"W., 434.05 feet to the center of an
easement for roadway of radius 60.00 feet; thence
N.32°14'27"E., 366.12 feet; thence North, 325.00 feet to the
point of beginning, and containing 10.77 acres, more or less.

Subject to and together with an easment for roadway
purposes and access and public utilities over a strip of land
60 feet wide, described as follows:
(see attached legal description)

LEGAL DESCRIPTION: PARCEL 7

Land in the Township of Oakland, Oakland County, Michigan,
part of the South-West 1/4 of Section 22, T.4 N., R.11 E.,
described as follows:

Beginning at a point on the South line of said Section
22, distant N.89°56'00"E., 700.00 feet from the South-West
corner of said Section 22, thence North, 500.00 feet; thence
N.89°56'00"E., 293.87 feet thence S.00°04'00"E., 500 feet to
a point on the South line of Section 22; thence
S.89°56'00"W., along said line, 294.45 feet to the point of
beginning, and containing 3.376 acres, more or less.

LEGAL DESCRIPTION: PARCEL NORTH OF EAST-WEST FENCE, 1600 FEET
NORTH OF GUNN ROAD

Land in the Township of Oakland, Oakland County, Michigan,
part of the South-West 1/4 of Section 22, T.4 N., R.11 E.,
described as follows:

Beginning at a point on the West line of said Section 22,
located North 1599.52 feet from the South-West corner of said
Section 22; thence North, along said line, 129.20 feet;
thence N.88°52'11"E., 1366.62 feet; thence S.00°04'04"E.,
129.20 feet; thence S.88°52'11"W., 1366.78 feet to the point
of beginning and containing 4.054 acres, more or less.

Sheet 5 of 8

FILE NO. RE-918

RECORDED RIGHT OF WAY NO. 36867

PREPARED FOR

Mr. Walter Wenger
5752 Paint Valley Drive
Rochester, Michigan 48063

BUCKERFIELD ENGINEERING

CIVIL ENGINEERING • LAND SURVEYING
118 WEST THIRD STREET • ROCHESTER, MICHIGAN 48063
TELEPHONE (313) 661-4330

September 5, 1985

LEGAL DESCRIPTION: PARCEL 2

Land in the Township of Oakland, Oakland County, Michigan, part of the South-West 1/4 of Section 22, T.4 N., R.11 E., described as follows:

Commencing at the South-West corner of said Section 22, thence N.89°56'00"E., along the South line of said Section 22, 700.00 feet; thence North 500.00 feet; thence N.89°56'00"E., 5.00 feet to the point of beginning of the lands herein described; thence North 480.00 feet; thence N.89°56'00"E., 90.00 feet to the center of an easement for roadway of radius 60.00 feet; thence S.57°17'11"E., 434.05 feet; thence South 245.00 feet; thence S.89°56'00"W., 455.20 feet to the point of beginning and containing 4.031 acres more or less.

Subject to and together with an easment for roadway purposes and access and public utilities over a strip of land 60 feet wide, described as follows:
(see attached legal description).

LEGAL DESCRIPTION: PARCEL 3

Land in the Township of Oakland, Oakland County, Michigan, part of the South-West 1/4 of Section 22, T.4 N., R.11 E., described as follows:

Commencing at the South-West corner of said Section 22, thence North, along the West line of said Section 22, 1599.52 feet; thence N.88°52'11"E., 660.07 feet to the point of beginning of lands herein described; thence N.88°52'11"E., 325.00 feet; thence South, 325.00 feet; thence S.31°14'27"W., 366.12 feet to the center of an easement for roadway of radius 60.00 feet; thence S.89°56'00"W., 135.00 feet to the point of beginning and containing 4.053 acres more or less.

Subject to and together with an easement for roadway purposes and access and public utilities over a strip of land 60 feet wide, described as follows:
(see attached legal description).

LEGAL DESCRIPTION: PARCEL 4

Land in the Township of Oakland, Oakland County, Michigan, part of the South-West 1/4 of Section 22, T.4 N., R.11 E., described as follows:

Commencing at the South-West corner of said Section 22, thence N.89°56'00"E., along the South line of said Section 22, 225.00 feet; thence North, 500.00 feet to the point of beginning of the lands herein described; thence North, 69.89 feet to the centerline of an easement for road 60 feet wide; thence along said line, N.31°20'53"E., 312.25 feet; and along a curve to the right of radius 300.00 feet; (long chord bears N.60°38'27"E., 293.56 feet) an arc distance of 306.75 feet; and N.89°56'00"E., 61.70 feet; thence South, 480.00 feet; thence S.89°56'00"W., 480.00 feet to the point of beginning and containing 4.010 acres more or less.

Subject to and together with an easement for roadway purposes and access and public utilities over a strip of land 60 feet wide, described as follows:
(see attached legal description).

Sheet 6 of 8

FILE NO. RE-918

RECORDED RIGHT OF WAY NO. 36867

Mr. Walter Wenger
5752 Paint Valley Drive
Rochester, Michigan 48063

BULKERFIELD ENGINEERING

CIVIL ENGINEERING • LAND SURVEYING
118 WEST THIRD STREET • ROCHESTER, MICHIGAN 48063
TELEPHONE (313) 651-4330

September 5, 1985

LEGAL DESCRIPTION: PARCEL 5

Land in the Township of Oakland, Oakland County, Michigan;
part of the South-West 1/4 of Section 22, T.4 N., R.11 E.,
described as follows:

Commencing at the South-West corner of said Section 22,
thence North, along the West line of said Section 22, 1599.52
feet; thence N.88°52'11"E., 380.07 feet to the point of
beginning of lands herein described; thence N.88°52'11"E.,
280.00 feet; thence South 631.78 feet to the center line of a
60 foot easement for roadway; thence along said line,
S.89°56'00"W., 16.70 feet; and along a curve to the left of
radius 300.00 feet; (long chord bears S.72°38'01"W., 178.41
feet) an arc distance of 181.15 feet; thence N.34°39'48"W.,
163.56 feet; thence North, 545.00 feet to the point of
beginning and containing 4.08 acres, more or less.

Subject to and together with an easment for roadway
purposes and access and public utilities over a strip of land
60 feet wide, described as follows:
(see attached legal description).

LEGAL DESCRIPTION: PARCEL 6

Land in the Township of Oakland, Oakland County, Michigan,
part of the South-West 1/4 of Section 22, T.4 N., R.11 E.,
described as follows:

Beginning at the South-West corner of said Section 22;
thence North along the West line of said Section 22, 1599.52
feet; thence N.88°52'11"E., 380.07 feet; thence South, 545.00
feet; thence S.34°39'48"E., 163.56 feet to the center line of
a 60 foot easement for road; thence along said line, along a
curve to the left of radius 300.00 feet (long chord bears
S.43°20'40"W., 124.69 feet) an arc distance of 125.61 feet;
and S.31°20'53"W., 312.25 feet; thence South 569.89 feet to
the South line of said Section 22; thence S.89°56'00"W., along
said line, 225.00 feet to the point of beginning and
containing 11.75 acres more or less.

Subject to and together with an easment for roadway
purposes and access and public utilities over a strip of land
60 feet wide, described as follows:
(see attached legal description).

RECORDED RIGHT OF WAY NO. 30867

PREPARED FOR

Mr. Walt Wenger
5752 Paint Valley Drive
Rochester, Michigan 48064

BU KERFIELD ENGINEERING

CIVIL ENGINEERING • LAND SURVEYING
118 WEST THIRD STREET • ROCHESTER, MICHIGAN 48063
TELEPHONE (313) 651-4330

October 2, 1985

LEGAL DESCRIPTION: AMENDED PARCEL 6

Land in the Township of Oakland, Oakland County, Michigan,
part of the South-West 1/4 of Section 22, T.4 N., R.11 E.,
described as follows:

Beginning at the south-west corner of said Section 22;
thence north, along the west line of said Section 22, 1728.72
feet; thence N.88°52'11"E., 1366.62 feet; thence
S.00°04'04"E., 129.20 feet; thence S.88°52'11"W., 986.71
feet; thence south, 545.00 feet; thence S.34°39'48"E., 163.56
feet; thence south-westerly, along a curve to the left of
radius 300.00 feet (long chord bears S.43°20'40"W., 124.69
feet) an arc distance of 125.61 feet; thence S.31°20'53"W.,
312.25 feet; thence south, 567.89 feet to the south line of
said Section 22, thence S.89°56'00"W., along said line,
225.00 feet to the point of beginning, and containing 15.804
acres, more or less.

Subject to and together with an easment for roadway
purposes and access and public utilities over a strip of land
60 feet wide, described as follows:
(see attached legal description).

RECORDED RIGHT OF WAY NO. 36867

WARRANTY DEED STATUTORY FORM

KNOW ALL MEN BY THESE PRESENTS: That Marvin Walter Mitzelfeld, deceased, by Linda Mae Olsen, Personal Representative, William A. Mitzelfeld and Diana Mitzelfeld, his wife, Thomas H. Mitzelfeld, Trustee for the Thomas H. Mitzelfeld Trust, utta, dated 4-16-76, Thomas H. Mitzelfeld, Attorney in fact for Louis A. Mitzelfeld and Pauline Mitzelfeld, his wife and for William A. Mitzelfeld and Diana Mitzelfeld, his wife, whose address is 832 North Gate Rd., Rochester, Michigan 48064,

Convey S and Warrant S to Walter Wenger and Arlene Wenger, his wife

whose address is 5752 Paint Valley Dr., Rochester, Michigan 48063

the following described premises situated in the Township of Oakland County of Oakland and State of Michigan, to-wit:

" SEE ATTACHED FOR FULL LEGAL DESCRIPTION

GUNN ROAD

PARCEL IDENTIFICATION NO. 10-22-300-005

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining,

for the sum of Twelve Thousand Thirty-seven and 09/100 (\$12,037.09) Dollars

subject to easements and restrictions of record, if any, and such liens and encumbrances as may have accrued since the 4th day of March 1986 by or through the acts or omissions of parties other than the grantors, said date being the date of a certain land contract pursuant to which this deed is given.

Dated this 4th day of March 1986

Signed in the presence of:

Signed by:

Lorraine Hawley
Lorraine Hawley

Karen T. Gurski
Karen T. Gurski

Donald E. Bishop
Donald E. Bishop

Roscoe R. Martin
Roscoe R. Martin

Linda Mae Olsen
Linda Mae Olsen

Thomas H. Mitzelfeld
Thomas H. Mitzelfeld

Diana Mitzelfeld
Diana Mitzelfeld

Thomas H. Mitzelfeld
Thomas H. Mitzelfeld

Thomas H. Mitzelfeld
Thomas H. Mitzelfeld

Thomas H. Mitzelfeld
Thomas H. Mitzelfeld

See Jurat on reverse side / Trustee and as for Linda Mae Olsen. / Attorney in Fact

STATE OF MICHIGAN } ss. COUNTY OF Oakland }

The foregoing instrument was acknowledged before me this 4th day of March 1986 his wife by Marvin Walter Mitzelfeld, deceased, by Linda Mae Olsen, Personal Representative, William A. Mitzelfeld and Diana Mitzelfeld, his wife, Thomas H. Mitzelfeld, Trustee for the Thomas H. Mitzelfeld Trust, utta, dated 4-16-76, Thomas H. Mitzelfeld, Attorney in Fact for Louis A. Mitzelfeld and Pauline Mitzelfeld, his wife, and for William A. Mitzelfeld and Diana Mitzelfeld, his wife. My Commission expires May 9, 1989

Roscoe R. Martin, Oakland County, Michigan Notary Public

MICHIGAN COUNTY TREASURER'S CERTIFICATE
I HEREBY CERTIFY that there are no TAX
County Treasurer's Certificate.

City Treasurer's Certificate

006275

STATE OF MICHIGAN REAL ESTATE
TRANSFER TAX
DEPT. OF TAXATION
MAY 11 1986
13.75

1.00
3-11-86

When Recorded Return To:

Send Subsequent Tax Bills To:

Drafted by:

Grantee

Norman Radabaugh
Business Address
202 E. Fourth
Rochester, Michigan 48063

Tax Parcel #

Recording Fee

Revenue Stamps

2.00 70 FT

13.75

OAKLAND COUNTY, MICHIGAN
REGISTERED
RECORDED
MAR 12 11:51

RECORDED RIGHT OF WAY NO. 368007

4/11/87

1

GRECO

dmw

Greco

N -10-22-300-005 1 220-ROCH FI FI * AS OF 01/06/82

WILLIAM & THOMAS & MARVIN &

LOUIS MITZELEFELD

832 N GATE RD

ROCHESTER MI 48063

OF (T4N, R11E, SEC 22)
N 36 ACRES, ALSO EXC
W 700 FT, ALSO EXC
S 89°-56'-00" W 102 FT
TH S 89°-56'-00" W 272 FT,
TH N 89°-56'-00" E 266.33 FT,
TO BEG 41.89 A

(W 1/2 OF SW 1/4) EXC
S 500 FT OF E 475 FT OF
BEG AT PT DIST
FROM SE COR THEREOF,
TH N 00°-04'-00" W 500 FT,
TH S 00°-43'-23" E 500 FT
N297A

RECORDED RIGHT OF WAY NO. 30867

N -10-22-300-005 1 220-ROCH

WILLIAM & THOMAS & MARVIN &

832 N GATE RD

OF (T4N, R11E, SEC 22)
N 36 ACRES, ALSO EXC
W 700 FT, ALSO EXC
S 89°-56'-00" W 102 FT
TH S 89°-56'-00" W 272 FT,
TH N 89°-56'-00" E 266.33 FT,
TO BEG 41.89 A

FI FI * AS OF 01/06/82

LOUIS MITZELEFELD

ROCHESTER MI 48063

(W 1/2 OF SW 1/4) EXC
S 500 FT OF E 475 FT OF
BEG AT PT DIST
FROM SE COR THEREOF,
TH N 00°-04'-00" W 500 FT,
TH S 00°-43'-23" E 500 FT
N297A

4-11
22

MEMORANDUM OF LAND CONTRACT

THIS MEMORANDUM OF LAND CONTRACT entered into this 24th day of AUGUST, 1983 by and between:

1 MARVIN W. MITZELFELD, GENEVIEVE M. MITZELFELD, HIS WIFE AND PHYLLIS MITZELFELD, AS TENANTS IN COMMON 920 Gunn Road, Rochester, Michigan 48063, hereinafter "Seller" and

2 DOUGLAS A. ENGLER AND LORNA SUE ENGLER, HUSBAND AND WIFE 521 W. Snell Road, Rochester, Michigan 48063, hereinafter "Buyer".

WITNESSETH:

WHEREAS, Buyer and seller have entered into a Land Contract of even date herewith; and,

WHEREAS, the parties desire to enter into this Memorandum of Land Contract to give record notice of existence of said Land Contract.

NOW THEREFORE, in consideration of the Premises and for other good and valuable consideration Seller acknowledges and agrees that they have sold to Buyer on the Land Contract dated August 24, 1983, the following described premises situated in the TOWNSHIP of OAKLAND County of OAKLAND and State of Michigan, to wit:

1
#

Commencing at a point 225 ft. East of the section post at the Southwest section corner of Section 22, said point of beginning being in the center of Gunn Road; thence North 0 deg. 0 min. 500 ft. in a Northerly direction parallel to the section line on the West side of Section 22; thence North 89 deg. 56 min. in an Easterly direction 475 ft. parallel to the South line of Section 22; thence South 0 deg. 0 min. 500 ft. and parallel to the West line of said Section 22 to the center of Gunn Road; thence South 89 deg. 56 min. in a Westerly direction 475 ft. along the center of Gunn Road and the South line of Section 22 to the point of beginning, all of said property being in Section 22, Town 4 North, Range 11 East in the West one-half of the Southwest one-quarter of said Section 22. Commonly known as: 920 Gunn Road, Oakland, Michigan (Tax Item No. 10-22-300-006)

The purpose of this Memorandum of Land Contract is to give record notice to the existence of the aforesaid Land Contract.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Land Contract and have caused their hands and seals to be affixed hereto the day and year first above written.

Signed, Sealed and Delivered in Presence of:

David Bidne
DAVID BIDNE

Marvin W. Mitzelfeld (L.S.)
Marvin W. Mitzelfeld
Genevieve M. Mitzelfeld (L.S.)
Genevieve M. Mitzelfeld
Phyllis Mitzelfeld (L.S.)
Phyllis Mitzelfeld
Douglas A. Engler (L.S.)
Douglas A. Engler
Lorna Sue Engler (L.S.)
Lorna Sue Engler

STATE OF MICHIGAN }
COUNTY OF OAKLAND } s.s.

The foregoing instrument was acknowledged before me this 24th day of AUGUST, 1983 by MARVIN W. MITZELFELD AND GENEVIEVE M. MITZELFELD, HUSBAND AND WIFE AND PHYLLIS MITZELFELD, AS TENANTS

IN COMMON AND DOUGLAS A. ENGLER AND LORNA SUE ENGLER, HUSBAND AND WIFE

Drafted by: P.J. Egan/jjg/DT-A 3113-83 26711 Northwestern Hwy., Suite 105 Southfield, Michigan 48034

David Bidne
Notary Public, _____ County, Michigan

My Commission Expires: _____ 19____

When recorded return to: DOUGLAS A. ENGLER 920 Gunn Road Rochester, Michigan 48063

DAVID BIDNE
Notary Public, Livingston County, MI
My Commission Expires Nov. 2, 1983

RECORDED RIGHT OF WAY NO. 368107

93956