

Detroit Edison

Oxford Woods No. 3 Subdivision

LIBER 11682 PC 761

**Real Estate and Rights of Way
Joint Underground Residential Distribution
Right of Way Agreement**

NOV 10, 1990

For good and valuable consideration of system betterment, the undersigned hereby grant and convey to THE DETROIT EDISON COMPANY, a Michigan corporation of 2000 Second Avenue, Detroit, Michigan and FANCH CABLEVISION OF MICHIGAN/DBA/CONCORD TELECOMMUNICATIONS, a Michigan corporation of 121 S. Washington Street, P.O. Box 41, Oxford, Michigan 48051, hereinafter referred to collectively as "GRANTEE", the right to erect, lay, maintain, reconstruct, add to and replace underground facilities consisting of wires, cables, conduits, fixtures and appurtenances including the necessary above ground equipment, connections, poles and accessories required in, under, upon, over and across the property located in the **Township of Oxford, County of Oakland**, State of Michigan, and more particularly described on the attached Appendix "A"; with the full right to the GRANTEE of ingress and egress upon said property for the purposes of this grant, and the further right to trim, cut down or otherwise control brush and trees within the right of way herein described.

Said right of way shall be ten (10) ft in width unless otherwise indicated and the route is described as follows:

See Attached Appendix "B" A#36 REG/DEEDS PAID
0001 DEC.26'90 10:42AM
2531 MISC 15.00

In order to provide for the property maintenance and protection of GRANTEE, the undersigned covenant and agree that:

1. The right of way will be graded to within four inches of final grade before the GRANTEE'S lines are installed and this ground elevation must be maintained after installation of utilities to avoid the pooling of water in, on or around GRANTEE'S above ground equipment.
2. No buildings or structures other than GRANTEE'S equipment are to be placed within the right of way herein granted. No excavation is to be permitted with said right of way without approval of GRANTEE.
3. No shrubs or foliage shall be planted or grown within eight feet of the front door of transformers or switching cabinet enclosures. GRANTEE shall not be responsible to owners for damages to or removal of trees or plant life planted in front of said door or within the right of way causing an interference with GRANTEE'S maintenance of their equipment.
4. If the lines or facilities of GRANTEE are damaged by the acts of owners, their agents, employes or contractors, repairs shall be made by the granting company so damaged at the cost and expense of owners. Owners are defined as those persons owning the property at the time the damage occurred.

THIS GRANT is declared to be binding upon the heirs, successors, lessees, licensees and assigns of the parties hereto.

IN WITNESS WHEREOF, the undersigned have hereunto set their hand(s) on the date of this agreement.

DECOI

Witnesses:

Grantors:

15.00

See Next Page

O.K. - LM

Prepared by: Omer V. Racine/nkg
The Detroit Edison Company
30400 Telegraph Road, Suite 277
Birmingham, Mi 48010

Address:

RECORDED RIGHT OF WAY NO.

41251

TO: J. D. McDONALD
FROM: THE DETROIT EDISON COMPANY
SUBJECT: [Illegible]

RETURN TO
J. D. McDONALD
THE DETROIT EDISON COMPANY
30400 TELEGRAPH ROAD, 277 OAKDH
BIRMINGHAM, MICHIGAN 48010

Witness:

Mason Dental Ceramics, Inc.
Profit Sharing Trust
12752 Stark Road
Livonia, Michigan 48150
Liber 10169, Pages 191-195
Oakland County Misc. Records

Don S. Spangler

Don S. Spangler

Michael A. Plautz

Michael A. Plautz

Gary A. Lockwood
Gary A. Lockwood - Co-Trustee

Laurence S. Baluch
Laurence S. Baluch - Co-Trustee

Lawrence D. Kunze
Lawrence D. Kunze - Co-Trustee

State of Michigan)
County of Oakland) SS:

Personally came before me this 10 day of Nov., 1990, GARY A. LOCKWOOD, Co-Trustee, LAURENCE S. BALUCH, Co-Trustee and LAWRENCE D. KUNZE, Co-Trustee to me known to be the persons who executed the foregoing instrument, and to me acknowledged that they executed the foregoing instrument as such Co-Trustees as the free act and deed of said trust, by its authority.

My Commission Expires February 25, 1992

THOMAS H. VANDER VELDE
Notary Public, Oakland County, Michigan
My Commission Expires February 25, 1992

Thomas H. Vander Velde

Notary Public,
County, Michigan

Witness:

Don S. Spangler

Don S. Spangler

Michael A. Plautz

Michael A. Plautz

Betty Mason
Betty Mason
35612 Heritage Lane
Farmington, Michigan 48024

State of Michigan)
County of Oakland) SS:

Personally came before me this 10 day of Nov., 1990, the above named BETTY MASON, to me known to be the person who executed the foregoing instrument and acknowledged that she executed the same as her free act and deed.

My Commission Expires February 25, 1992

THOMAS H. VANDER VELDE
Notary Public, Oakland County, Michigan
My Commission Expires February 25, 1992

Thomas H. Vander Velde

Notary Public,
County, Michigan

RECORDED RIGHT OF WAY NO. 471851

RETURN TO
J. D. McDONALD
THE DETROIT EDISON COMPANY
30400 TELEGRAPH ROAD, 277 OAKDH
BIRMINGHAM, MICHIGAN 48010

Witness:

LIBER 11682PG763

Don S. Spangler
 DON S. SPANGLER

Michael A. Plantz
 Michael A. Plantz

Laurence S. Baluch
 Laurence S. Baluch

Sandra L. Baluch, his wife
 Sandra L. Baluch, his wife

State of Michigan)
) SS:
 County of OAKLAND)

Personally came before me this 10 day of Nov, 1990, the above named LAURENCE S. BALUCH, and SANDRA L. BALUCH, his wife, to me known to be the persons who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

THOMAS H. VANDER VELDE
 Notary Public, Oakland County, Michigan
 My Commission Expires February 25, 1992

My Commission Expires: _____

Thomas H. Vander Velde

Notary Public,
 County, Michigan

Witness:

Don S. Spangler
 DON S. SPANGLER

Michael A. Plantz
 Michael A. Plantz

John L. Mason
 John L. Mason

Diane Mason
 Diane Mason, his wife

State of Michigan)
) SS:
 County of OAKLAND)

Personally came before me this 10 day of Nov, 1990, the above named JOHN L. MASON and DIANE MASON, his wife, to me known to be the persons who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

THOMAS H. VANDER VELDE
 Notary Public, Oakland County, Michigan
 My Commission Expires February 25, 1992

My Commission Expires: _____

Thomas H. Vander Velde

Notary Public,
 County, Michigan

RECORDED RIGHT OF WAY NO. 41951

RETURN TO
J. D. McDONALD
THE DETROIT EDISON COMPANY
30400 TELEGRAPH ROAD, 277 OAKDH
BIRMINGHAM, MICHIGAN 48010

Witness:

LIBER 116820764

The Little John Group
A Michigan Co-Partnership
26211 Central Park, Suite 300
Southfield, Michigan 48076

File No. 87-7104
Dated: August 12, 1987

Don S. Spangler
DON S. SPANGLER

David Provost
David Provost - Co-Partner

Michael A. Plautz
Michael A. Plautz

Donald Dickerson
Donald Dickerson - Co-Partner

David Plautz
David Plautz - Co-Partner

State of Michigan)
) SS:
County of OAKLAND)

Personally came before me this 10 day of Nov., 1990, DAVID PROVOST, Co-Partner, DONALD DICKERSON, Co-Partner, and DAVID PLAUTZ, Co-Partner of the above named Co-Partnership, to me known to be the persons who executed the foregoing instrument, and to me known to be such Co-Partners of said Co-Partnership and acknowledge that they executed the foregoing instrument as such Co-Partners as the free act and deed of said Co-Partnership.

THOMAS H. VANDER VELDE
Notary Public, Oakland County, Michigan
My Commission Expires February 25, 1992

My Commission Expires: _____

Thomas H. Vander Velde

Notary Public,
County, Michigan

RECORDED RIGHT OF WAY NO. 41257

RETURN TO
J. D. McDONALD
THE DETROIT EDISON COMPANY
30400 TELEGRAPH ROAD, 277 OAKDH
BIRMINGHAM, MICHIGAN 48010

Appendix "A"

Proposed "Oxford Woods Sub No. 3" a subdivision of part of the Northwest 1/4 of Section 33, T5N., R10E., Oxford Township, Oakland County, Michigan. Being more particularly described as commencing at the Northwest corner of said Section 33; thence South $02^{\circ}12'27''$ West 1965.94 feet along the West line of said Section 33 and the West line of "Oxford Woods Sub No. 2" a plat recorded in Liber 205 of plats, on page 6 thru 8 of Oakland County Records to the point of beginning, which is also the Southwest corner of said "Oxford Woods Sub No. 2"; thence proceeding South $87^{\circ}47'33''$ East 494.79 feet along the South line of said "Oxford Woods Sub No. 2" to a point; thence South $55^{\circ}30'00''$ East 110.00 feet along the Southwesterly line of "Oxford Woods Sub No. 2" to a point; thence South $31^{\circ}40'31''$ East 154.63 feet along the Southwesterly line of said "Oxford Woods Sub No. 2" to a point on a curve; thence along a curve to the right (having a radius of 300.00 feet, delta angle of $11^{\circ}15'28''$ and a long chord bearing North $63^{\circ}57'13''$ East 58.85 feet) an arc distance of 58.95 feet along the Southeasterly line of said "Oxford Woods Sub No. 2" to a point; thence South $20^{\circ}25'03''$ East 60.00 feet along the Southwesterly line of said "Oxford Woods Sub No. 2" to a point; thence North $69^{\circ}34'57''$ East 60.00 feet along the Southerly line of said "Oxford Woods Sub No. 2" to a point, said point being the Northwest corner of Lot 88 of said "Oxford Woods Sub No. 2"; thence South $20^{\circ}25'03''$ East 130.00 feet along the Southerly line of "Oxford Woods Sub No. 2" to the Southwest corner of said Lot 88; thence South $03^{\circ}21'26''$ West 401.19 feet to a point on the East-West 1/4 line of said Section 33; thence South $86^{\circ}48'56''$ West 850.01 feet along the East-West 1/4 line of said Section 33 to the West 1/4 corner of said Section 33; thence North $02^{\circ}12'27''$ East 792.56 feet to the point of beginning. This plat contains 13.559 acres and comprising of 23 lots, numbered 100 thru 123, inclusive, and 2 private parks.

SIDWELL NO. 04-33-100-(019)

now
-020
081

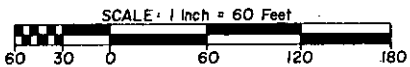
RETURN TO
J. D. McDONALD
THE DETROIT EDISON COMPANY
30400 TELEGRAPH ROAD, 277 OAKDH
BIRMINGHAM, MICHIGAN 48010

"OXFORD WOODS SUB. NO. 3"

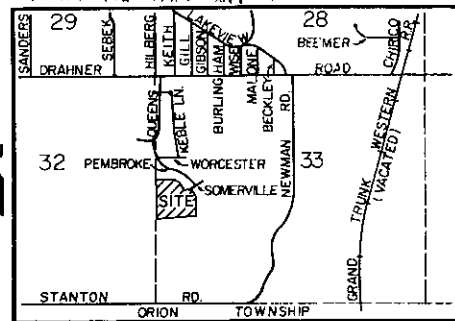
A SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF SECTION 33
T. 5 N., R. 10 E., OXFORD TWP., OAKLAND COUNTY, MICHIGAN

APPENDIX "B"

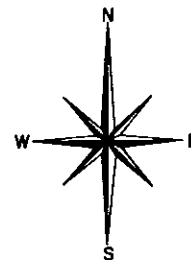
Notice of Private Encumbrance
This plat is subject to the restrictions of the
Private Encumbrance Agreement, the instrument
of which is on file in the office of the
Recorder of Deeds for the County of Oakland,
Michigan, and the same shall apply to the grantee of the
attached Right-of-Way Agreement.



OXFORD WOODS SUB. NO. 2
L. 205, Pgs. 6-8, C.C.R.
OXFORD PARK SOUTH (PVT.)
494.79 ft.



LOCATION MAP
(NOT TO SCALE)



DATE: 8-3-90

LEGEND

- 1.) All dimensions are in feet.
- 2.) 4" diameter concrete monument with a 1/2" diameter Steel Rod, 36" long, have been placed at all points marked "o".
- 3.) Lot corners have been marked with 1/2" diameter Steel Rods, 18" long. Identification caps were used.
- 4.) The bearings were established from the West line of Section 33 as shown on "Oxford Woods No. 2" as recorded in Liber 205 of Plats, on pages 6 thru 8 of Oakland County Records.
- 5.) (R) = Denotes radial lines.
- 6.) (NR) = Denotes non-radial lines.
- 7.) All dimensions on the curve are arc distances.

This plat is subject to restrictions as required by Act 288, P.A., 1967, as amended on certain lots with respect to the requirements of the Michigan Department of Public Health and/or the Michigan Department of Natural Resources, which are recorded in Liber _____, Pages _____ of records in this county.

CURVE DATA						
NO.	RADIUS	ARC	DELTA	TANGENT	CHORD	CHORD-BEARING
1	330.00	177.30	30°47'03"	90.85	175.18	S42°55'58" W
2	50.00	37.82	43°20'30"	19.87	36.93	N36°34'21" W
3	60.00	279.27	266°41'01"	63.57	87.27	S32°45'23" W
4	50.00	37.82	43°20'31"	19.87	36.93	S78°54'51" E
5	230.00	284.15	70°47'03"	163.41	266.42	S62°55'58" W
6	60.00	188.49	180°00'00"	---	120.00	N81°40'31" W
7	330.00	352.3	06°07'02"	17.63	35.22	N84°44'02" W
8	270.00	288.3	06°07'02"	14.43	28.81	S84°44'02" E
9	290.00	358.27	70°47'03"	206.03	335.92	N62°55'58" E
10	270.00	145.07	30°47'03"	74.33	143.33	N42°55'58" E
11	240.00	47.16	11°15'28"	23.65	47.08	N63°57'13" E

UNPLATTED (Liber 11682)

UNPLATTED

UNPLATTED

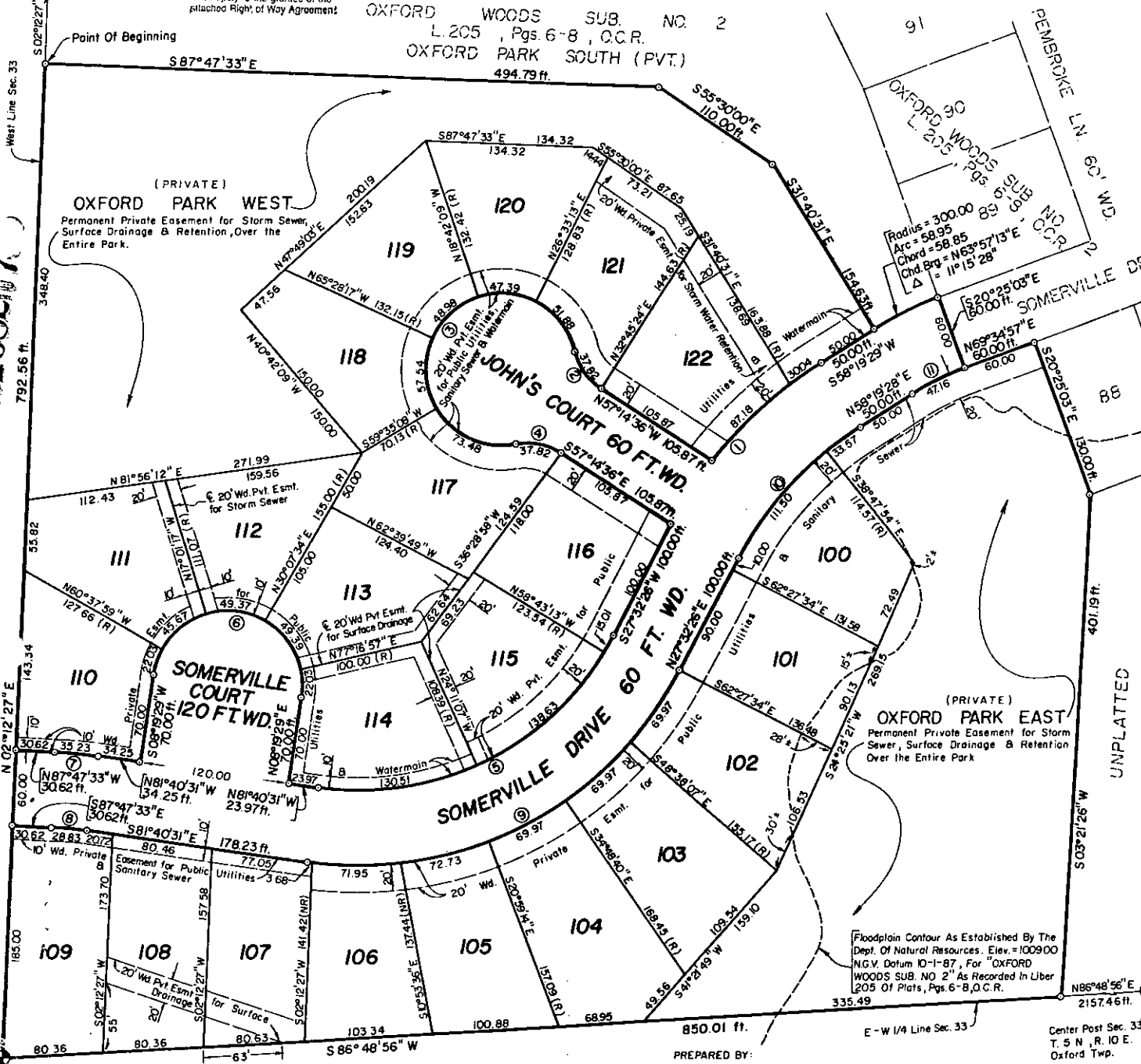
PREPARED BY:
KENNEDY SURVEYING INC.
105 N. Washington St.
Oxford, Michigan, 48371
Phone (313) 628-4241 / Fax (313) 628-7191

Center Post Sec. 33
T. 5 N., R. 10 E.
Oxford Twp.

NW Cor. Sec. 33
T. 5 N., R. 10 E.
Oxford Twp

West Line Sec. 33

W 1/4 Cor. Sec. 33
T. 5 N., R. 10 E.
Oxford Twp



RETURN TO
J. D. McDONALD
THE DETROIT EDISON COMPANY
30400 TELEGRAPH ROAD, 277 OAKDH
BIRMINGHAM, MICHIGAN 48010

MEMORANDUM ORDER

FOR GENERAL USE

DE FORM NS 77 12-53

TO Recor Center

DATE

1-17-91

TIME

Please set up R/W file for:

Oxford Woods No 3 Sub.

Being a part of

N W 1/4

of Section 33,

Oxford Twp

Oakland County, Michigan

COPIES TO: _____

SIGNED

Omer V. Racine

Omer V. Racine

REPORT _____

277 Oakland Division Headquarters

DATE RETURNED _____

TIME _____

SIGNED _____

RECORDED RIGHT OF WAY NO.

41251

To (Supervisor, RE & R.W.) JAMES McDONALD	For RE & R/W Dept. Use	Date Received 10-4-90	CE, Bell/C.P. No. OE 90-46
Division DAKLAND	Date 10-3-90	Application No.	

We have included the following necessary material and information:

Material:

- A. Proposed Subdivision
 - 1. copy of complete final proposed plat - All pages
- or
- B. Other than proposed subdivision (condo., apts. mobile home park — other)
 - 1. Property description.
 - 2. Site plan.
 - 3. title information (deed, title commitment, contract with title commitment, or title search).

Note: Do not submit application for URD easements until all above material has been acquired.

Information

1. Project Name OXFORD WOODS SUB NO. 3	County OAKLAND
City/Township/Village OXFORD TWP	Section No.

Type of Development	<input checked="" type="checkbox"/> Proposed Subdivision	<input type="checkbox"/> Apartment Complex	<input type="checkbox"/> Condominium
	<input type="checkbox"/> Subdivision	<input type="checkbox"/> Mobile Home Park	<input type="checkbox"/> Other

2. Name of Owner DAVID P PLAUTZ	Phone No. 625-0660
---	------------------------------

Address
6825 DIXIE HWY, CLARKSTON MI 48346

Owner's Representative DAVID P. PLAUTZ	Phone No. 625-0660
--	------------------------------

Date Service is Wanted
NOV. 1, 1990 ±

4. Entire Project will be developed at one time Yes No

5. Joint easements required — Michigan Bell Telephone Yes No
 — Consumers Power Yes No

a. Name of Other Utilities If Not Michigan Bell Telephone or Consumers Power
CONCORD CATV

b. Other Utility Engineer Names TOM HANER	Phone Numbers 628-2611
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Addresses
121 S. WASHINGTON

OXFORD MI 48051

6. Additional Information or Comments
FUT. J.U. MEMO # 3711 SENT TO CONCORD CATV

RECORDED RIGHT OF WAY NO. 41257

Note: Trenching letter attached will be submitted later

Service Planner DON YATES	Signed (Service Planning Supervisor) <i>[Signature]</i>
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Phone No.	Address
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