

MEMORANDUM ORDER
FOR GENERAL USE
DE FORM MS 77 12-53

TO Rec Is Center

DATE 5-4-92 TIME _____

Please set up R/W file for: STONY POINT SUB #3

Being a part of SE 1/4 of Section 11

AYON Twp Oakland County, Michigan

COPIES TO: _____

SIGNED

Terrence J. Benedict
~~Omer V. Racine~~ TERRANCE BENEDET
277 Oakland Division Headquarters

REPORT _____

DATE RETURNED _____

TIME _____

SIGNED _____

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. O-1600
PROJECT NAME STONY POINTE SUB #3**

On Dec 21st, 1991, for the consideration of system betterment, Grantor grants to Grantee a permanent underground distribution easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

REC'D REG. DEETS PAID
0001 MAR. 31 '92 01:33PM
0527 MISC 15.00

"Grantor" is:

Stony Pointe Development Corporation, a Michigan corporation, 1337 Catalpa, Rochester, Michigan 48307

"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 City of Rochester, Oakland County, described as:

See Attached Appendix "A"

Sidwell No: 15-11-276-007 NE & SE 1/4

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

See Attached Appendix "B"

REC'D REG. DEETS PAID
0001 MAR. 31 '92 01:33PM
0527 RMT FEE 2.00

The right of way is ten feet in width.

- Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain utility line facilities consisting of poles, guys, anchors, wires, manholes, conduits, pipes, cables, transformers and accessories.
- Access:** Grantee has the right of access to and from the Right of Way Area.
- 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.
- 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.
- 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.
- Ground Elevation:** Grantor must grade the Right of Way Area to within four inches of final grade before Grantee installs its facilities. Grantor must maintain this ground elevation after Grantee installs its facilities.
- Damages:** If Grantor, its agents, employees or contractors, damage Grantee's facilities, Grantee shall make repairs at Grantor's expense.
- Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors, lessees, licensees and assigns.

RECORDED RIGHT OF WAY NO. 42794

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

Stony Pointe Development Corporation **O.K. — LM**

Sandra Bevilacqua
SANDRA BEVILACQUA

Dominic Iafrate
Dominic Iafrate, President

Shirley Iafrate
SHIRLEY IAFRATE

Carl R. Sams
Carl R. Sams, Secretary and Treasurer

15.00
2.00 RMT

RETURN TO:

Detroit Edison Company
30400 Telegraph
Rm. 240
Birmingham, MI 48025

Attn: Pontiac Clerk

RETURN TO:

Detroit Edison Company
30400 Telegraph
Rm. 240
Birmingham, MI 48025
Attn: Pontiac Clerk

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

RW #O-1600

Acknowledged before me in Oakland County, Michigan, on Dec 21st, 1991 by Dominic Iafrate, President and Carl R. Sams, Secretary and Treasurer of Stony Pointe Development Corporation, a Michigan corporation, for the corporation.

Notary's Stamp Sept 4, 1995
NOTARY PUBLIC, OAKLAND COUNTY, MI

Notary's Signature S.L. Bevilacqua
S.L. BEVILACQUA

ORDERED RIGHT OF WAY NO. 42794

Appendix "A"

ADON

Part of E 1/2 of sec, Sec. 11, T3N., R11E., beg at pt dist S 86°10'55" W 230.53 ft and S 03°49'05" E 10.00 ft and S 74°18'34" W 198.86 ft and S 56°18'26" W 313.39 ft and S 65°40'00" W 119.86 ft and S 81°00'00" W 119.72 ft from E 1/4 cor, th S 81°00'00" W 165.51 ft, th S 76°00'00" W 90 ft, th S 53°15'00" W 370 ft, th S 62°00'00" W 207.60 ft, th N 63°30'00" W 128.38 ft, th N 44°56'11" W 92.65 ft, th N 00°30'00" W 679.96 ft, th N 20°41'12" W 119.10 ft, th N 01°28'49" W 120 ft, th N 32°56'58" E 178.98 ft, th N 88°13'01" E 248.88 ft, th N 00°48'20" W 488.80 ft, th alg curve to right, rad 420.00 ft, chord bears N 61°53'35" E 325.05 ft, dist of 333.76 ft, th alg curve to left, rad 420.00 ft, chord bears N 77°59'52" E 97.43 ft, dist of 97.65 ft, th S 18°39'46" E 53.00 ft, th S 35°35'49" E 237.19 ft, th S 36°42'05" E 60.01 ft, th alg curve to left, rad 430.00 ft, chord bears S 51°15'15" E 170.59 ft, dist of 171.73 ft, th S 60°06'09" W 162.06 ft, th S 51°07'19" W 172.63 ft, th S 19°27'35" W 166.62 ft, th S 02°02'01" W 234.12 ft, th S 11°02'36" E 126.77 ft., th S 13°30'00" E 205.00 ft, th alg curve to right, rad 850.00 ft, chord bears N 80°24'31" E 47.21 ft, dist of 47.22 ft, th N 82°00'00" E 103.37 ft, th S 08°00'00" E 60.00 ft, th N 82°00'00" E 5.16 ft, th S 08°00'00" E 150.88 ft to beginning. 25.17 acres.

Prepared by and Return to: Terry L. Benedict, 30400 Telegraph Rd., Suite 277, Birmingham, Mi 48025

RETURN TO:

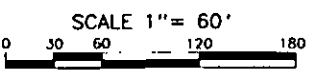
Detroit Edison Company
30400 Telegraph
Rm. 240
Birmingham, MI 48025

Attn: Pontiac Clerk

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

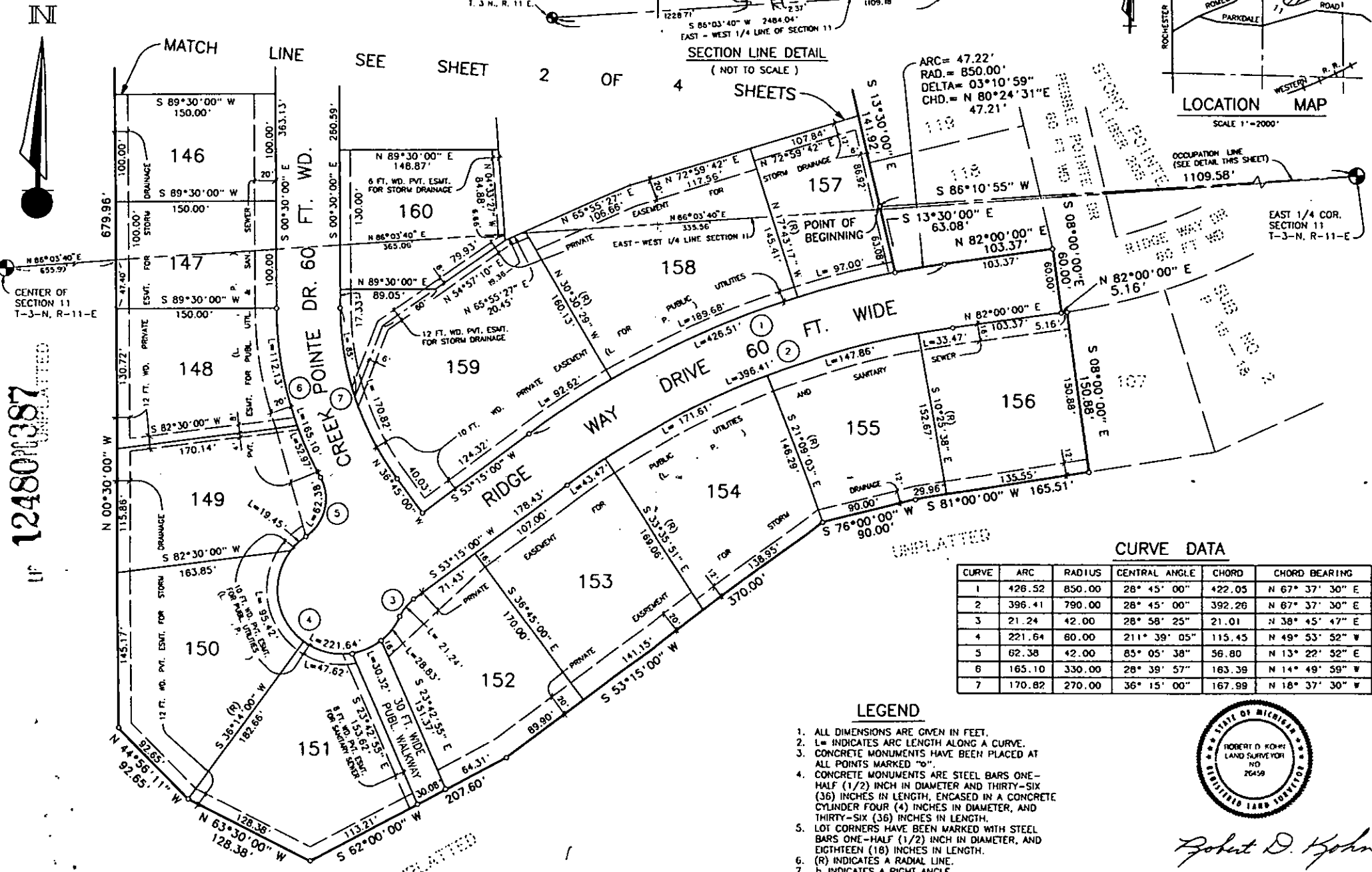
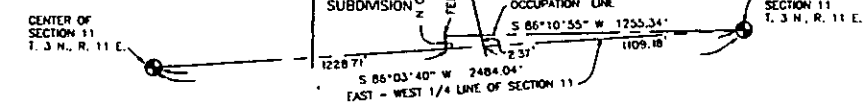
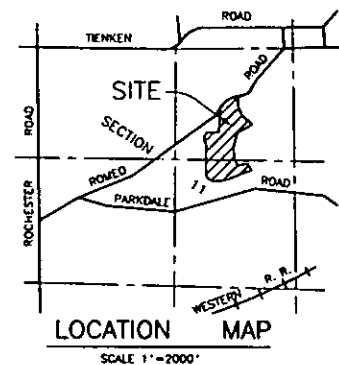
STONY POINTE SUBDIVISION NO. 3 APPENDIX "B" SHEET 1 OF 4 SHEETS

A PART OF THE NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF SEC. 11, T. 3 N., R. 11 E.
CITY OF ROCHESTER, OAKLAND COUNTY, MICHIGAN



RECORDED RIGHT OF WAY NO. 42794

Private Enclosure For Public Utilities appears on this drawing, the easement shall apply to the grantee of the attached Right of Way Agreement.
Private Enclosure For Public Utilities appears on this drawing, the easement shall apply to the grantee of the attached Right of Way Agreement.



CURVE DATA

CURVE	ARC	RADIUS	CENTRAL ANGLE	CHORD	CHORD BEARING
1	426.52	850.00	28° 45' 00"	422.05	N 67° 37' 30" E
2	396.41	790.00	28° 45' 00"	392.26	N 67° 37' 30" E
3	21.24	42.00	28° 58' 25"	21.01	N 38° 45' 47" E
4	221.64	60.00	211° 39' 05"	115.45	N 49° 53' 52" W
5	62.38	42.00	85° 05' 38"	56.80	N 13° 22' 52" E
6	165.10	330.00	28° 39' 57"	163.39	N 14° 49' 59" W
7	170.82	270.00	36° 15' 00"	167.99	N 18° 37' 30" W

- LEGEND
- ALL DIMENSIONS ARE GIVEN IN FEET.
 - L= INDICATES ARC LENGTH ALONG A CURVE.
 - CONCRETE MONUMENTS HAVE BEEN PLACED AT ALL POINTS MARKED "O".
 - CONCRETE MONUMENTS ARE STEEL BARS ONE-HALF (1/2) INCH IN DIAMETER AND THIRTY-SIX (36) INCHES IN LENGTH, ENCASED IN A CONCRETE CYLINDER FOUR (4) INCHES IN DIAMETER, AND THIRTY-SIX (36) INCHES IN LENGTH.
 - LOT CORNERS HAVE BEEN MARKED WITH STEEL BARS ONE-HALF (1/2) INCH IN DIAMETER, AND EIGHTEEN (18) INCHES IN LENGTH.
 - (R) INDICATES A RADIAL LINE.
 - L INDICATES A RIGHT ANGLE.
 - BEARINGS FOR THIS SUBDIVISION ARE BASED ON THE WEST LINE OF "STONY POINTE SUBDIVISION AS RECORDED IN LIBER 193, PAGES 9 THROUGH 18 INCLUSIVE OF PLATS, OAKLAND COUNTY RECORDS.



Robert D. Kohn

Giffels-Webster Engineers Inc.
ENGINEERS - SURVEYORS - PLANNERS
2071 BOND STREET, AUBURN HILLS, MICHIGAN
(313) 657-3100

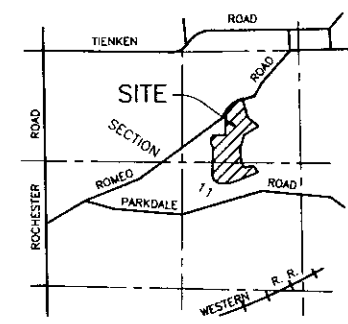
12480387

STONY POINTE SUBDIVISION NO.3

A PART OF THE NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF SEC.11, T.3 N., R.11 E.,
CITY OF ROCHESTER, OAKLAND COUNTY, MICHIGAN

APPENDIX "B"

Wherever Private Easement
For Public Utilities appears
on this drawing, the easement
shall apply to the grantee of the
attached Right of Way Agreement



LOCATION MAP

SCALE 1"=2000'

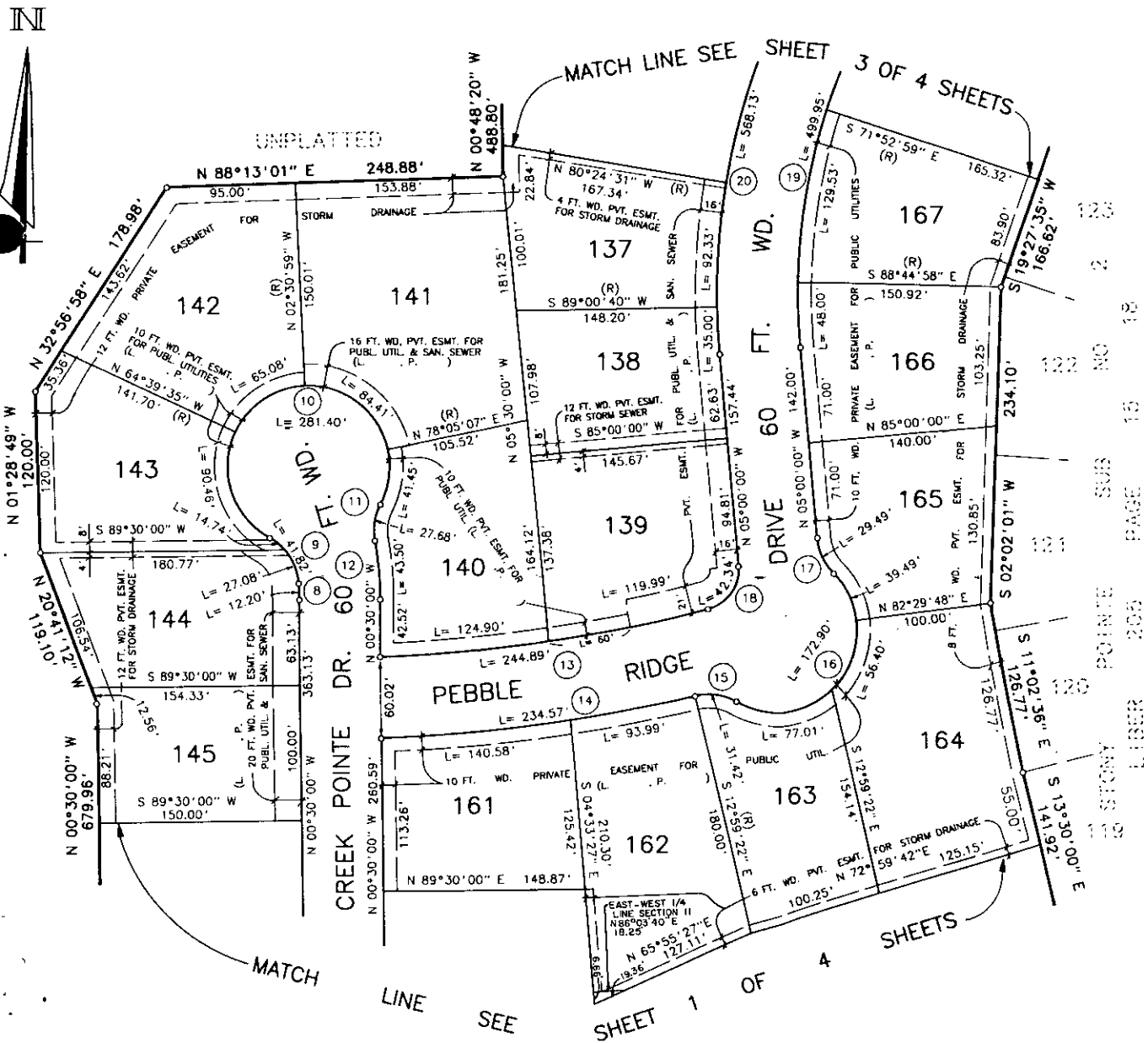
LEGEND

1. ALL DIMENSIONS ARE GIVEN IN FEET.
2. L= INDICATES ARC LENGTH ALONG A CURVE.
3. CONCRETE MONUMENTS HAVE BEEN PLACED AT ALL POINTS MARKED "C".
4. CONCRETE MONUMENTS ARE STEEL BARS ONE-HALF (1/2) INCH IN DIAMETER AND THIRTY-SIX (36) INCHES IN LENGTH, ENCASED IN A CONCRETE CYLINDER FOUR (4) INCHES IN DIAMETER, AND THIRTY-SIX (36) INCHES IN LENGTH.
5. LOT CORNERS HAVE BEEN MARKED WITH STEEL BARS ONE-HALF (1/2) INCH IN DIAMETER, AND EIGHTEEN (18) INCHES IN LENGTH.
6. (R) INDICATES A RIGHT ANGLE.
7. b. INDICATES A BENCH MARK.
8. BEARINGS FOR THIS SUBDIVISION ARE BASED ON THE WEST LINE OF "STONY POINTE SUBDIVISION" AS RECORDED IN LIBER 193, PAGES 9 THROUGH 18 INCLUSIVE OF PLATS, OAKLAND COUNTY RECORDS.

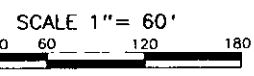
CURVE DATA

CURVE	ARC	RADIUS	CENTRAL ANGLE	CHORD	CHORD BEARING
8	12.20	200.00	03° 29' 39"	12.20	N 02° 14' 50" W
9	41.82	42.00	57° 02' 54"	40.11	N 32° 31' 06" W
10	281.40	60.00	268° 42' 53"	85.80	N 73° 18' 54" E
11	27.68	42.00	37° 45' 26"	27.18	N 08° 47' 37" E
12	43.50	260.00	09° 35' 06"	43.44	N 05° 17' 33" W
13	244.89	1170.00	11° 59' 32"	244.44	N 81° 51' 39" E
14	234.57	1230.00	10° 55' 36"	234.21	N 82° 28' 26" E
15	31.42	42.00	42° 52' 00"	30.70	N 81° 33' 22" W
16	172.90	60.00	165° 06' 25"	118.99	N 37° 19' 25" E
17	29.49	42.00	40° 13' 47"	28.89	N 25° 06' 54" W
18	42.34	30.00	80° 51' 53"	38.91	N 35° 25' 56" E
19	499.95	440.00	65° 06' 09"	473.49	N 27° 33' 05" E
20	568.13	500.00	65° 06' 09"	538.05	N 27° 33' 05" E

UNPLATTED, LIBER 124800388



RECORDED RIGHT OF WAY NO. 42794



N



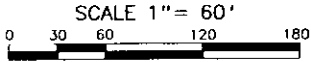
Robert D. Kohn

Giffels-Webster Engineers Inc.
ENGINEERS - SURVEYORS - PLANNERS
2871 BOND STREET, AUBURN HILLS, MICHIGAN
(313) 852-3100

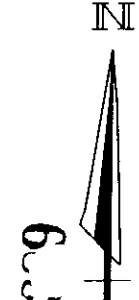
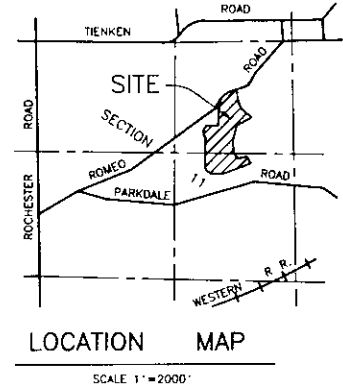
STONY POINTE SUBDIVISION NO.3

A PART OF THE NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF SEC.11, T.3 N., R.11 E.,
CITY OF ROCHESTER, OAKLAND COUNTY, MICHIGAN

APPENDIX "B"



However, Private Easement
For Public Utilities appears
in this drawing, the easement
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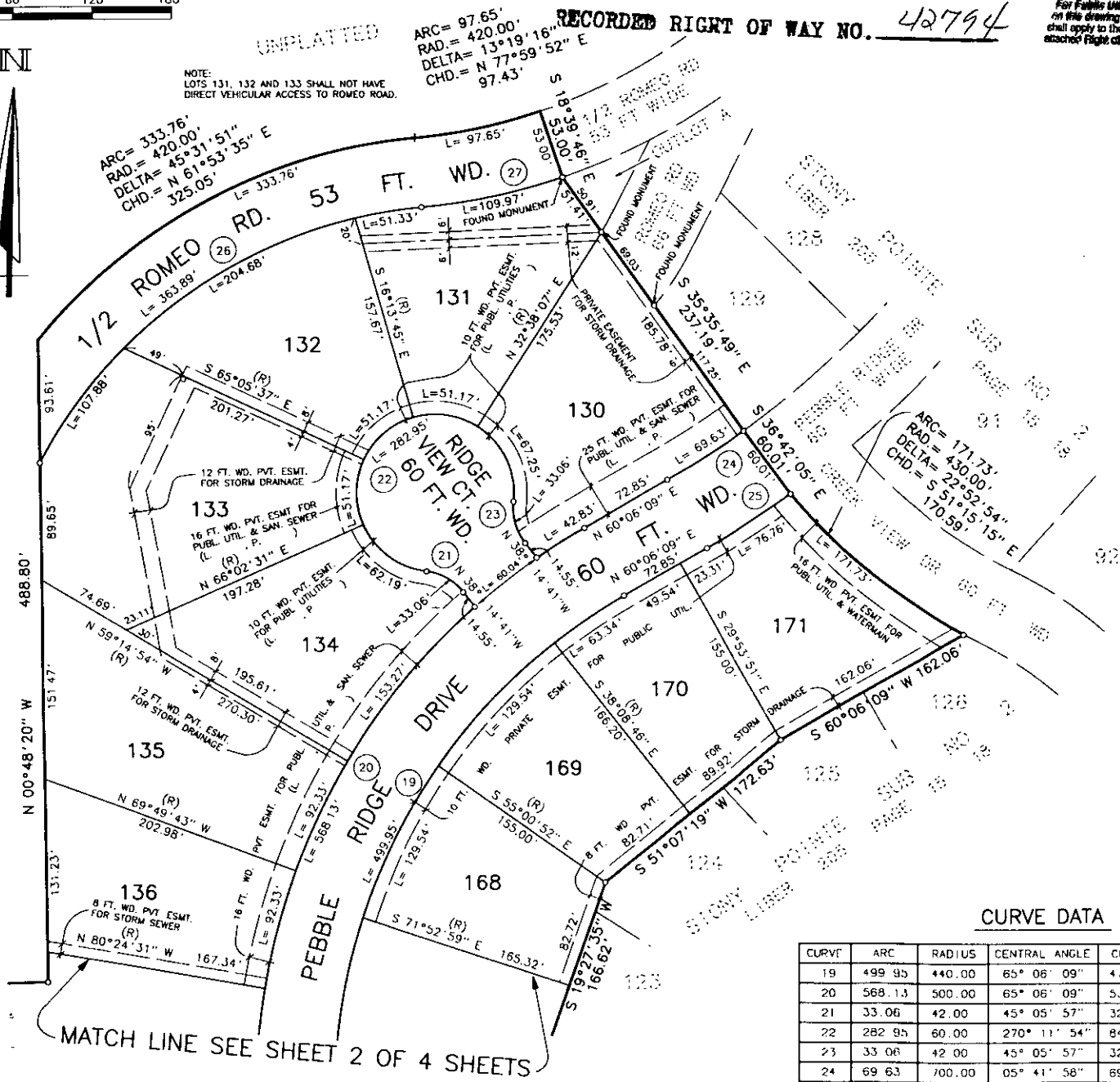


LIBER 12480 PAGE 9

UNPLATTED

NOTE:
LOTS 131, 132 AND 133 SHALL NOT HAVE
DIRECT VEHICULAR ACCESS TO ROMEO ROAD.

RECORDED RIGHT OF WAY NO. 42794



LEGEND

1. ALL DIMENSIONS ARE GIVEN IN FEET.
2. L= INDICATES ARC LENGTH ALONG A CURVE.
3. CONCRETE MONUMENTS HAVE BEEN PLACED AT ALL POINTS MARKED "O".
4. CONCRETE MONUMENTS ARE STEEL BARS ONE-HALF (1/2) INCH IN DIAMETER AND THIRTY-SIX (36) INCHES IN LENGTH, ENCASED IN A CONCRETE CYLINDER FOUR (4) INCHES IN DIAMETER, AND THIRTY-SIX (36) INCHES IN LENGTH.
5. LOT CORNERS HAVE BEEN MARKED WITH STEEL BARS ONE-HALF (1/2) INCH IN DIAMETER, AND EIGHTEEN (18) INCHES IN LENGTH.
6. (R) INDICATES A RADIAL LINE.
7. ⊥ INDICATES A RIGHT ANGLE.
8. BEARINGS FOR THIS SUBDIVISION ARE BASED ON THE WEST LINE OF "STONY POINTE SUBDIVISION" AS RECORDED IN LIBER 193, PAGES 9 THROUGH 18 INCLUSIVE OF PLATS, OAKLAND COUNTY RECORDS.

CURVE DATA

CURVE#	ARC	RADIUS	CENTRAL ANGLE	CHORD	CHORD BEARING
19	499.93	440.00	65° 06' 09"	473.49	N 27° 33' 05" E
20	568.13	500.00	65° 06' 09"	538.05	N 27° 33' 05" E
21	33.06	42.00	45° 05' 57"	32.21	N 60° 47' 40" W
22	282.95	60.00	270° 11' 54"	84.71	N 51° 45' 18" E
23	33.06	42.00	45° 05' 57"	32.21	N 15° 41' 44" W
24	69.63	700.00	05° 41' 58"	69.60	N 57° 15' 10" E
25	76.76	760.00	05° 47' 12"	76.73	N 57° 12' 33" E
26	363.89	367.00	56° 48' 35"	349.16	N 56° 15' 12" E
27	109.97	473.00	13° 19' 16"	109.72	N 77° 59' 52" E



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MATCH LINE SEE SHEET 2 OF 4 SHEETS