

+

+

RIGHT OF WAY FILE #

R43198

GRANTOR NAME

[Empty grid for Grantor Name]

[Empty grid for Grantor Name]

STREET ADDRESS

[Empty grid for Street Address]

[Empty grid for Street Address]

ST [Empty grid]

CITY/TOWN

[Empty grid for City/Town]

ZIP CODE

[Empty grid for Zip Code]

EASEMENT DESCRIPTION

[Empty grid for Easement Description]

AGREEMENT DATE

[Empty grid for Agreement Date]

AGREEMENT TYPE

[Empty grid for Agreement Type with R, P, C options]

LIBER #

[Empty grid for Liber #]

PAGE #

[Empty grid for Page #]

DRAWING R/W #

[Empty grid for Drawing R/W #]

PVT CL#

[Empty grid for PVT CL#]

SECTION

[Empty grid for Section]

QUARTER SECTION 3

[Empty grid for Quarter Section 3]

1/4

1/2

QUARTER SECTION 2

[Empty grid for Quarter Section 2]

1/4

1/2

QUARTER SECTION 1

[Empty grid for Quarter Section 1]

1/4

1/2

TOWNSHIP

[Empty grid for Township]

COUNTY

[Empty grid for County]

RTE OF LINE

[Empty grid for Route of Line]

N/S E/W B

TOWNSHIP RANGE

[Empty grid for Township Range]

DIVISION CODE

[Empty grid for Division Code]

A D M O T W

SUBDIVISION NAME

SUPERVISORS PLAT 5

EAST OF

[Empty grid for East of]

WEST OF

[Empty grid for West of]

NORTH OF

[Empty grid for North of]

SOUTH OF

[Empty grid for South of]

OUT LOT

[Empty grid for Out Lot]

BLOCK #1

[Empty grid for Block #1]

LOT #1

[Empty grid for Lot #1]

BLOCK #2

[Empty grid for Block #2]

LOT #2

[Empty grid for Lot #2]

+

+



LIBER 12761 PG 366

UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R-9103284-01R
PROJECT NAME - KENSINGTON FOREST SUB #1

On May 14, 1992, 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".

"Grantor" is:

Biltmore Properties Corporation, A Michigan corporation, 2025 West Long Lake Road, Troy, Michigan 48098

"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 the City of Rochester Hills, Oakland County, Michigan, described as:

See Attached Appendix "A"

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

See Attached Appendix "B"

8#92 REL/DEEDS PAID
0001 JUL.16'92 12:42PM
6215 MISC 19.00

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.

8#92 REL/DEEDS PAID
6215 RMT FEE 2.00

RECORDED RIGHT OF WAY NO. 213158

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

BILTMORE PROPERTIES CORPORATION

Jack R. Carnahan
JACK R. CARNAHAN

Norman J. Cohen
Norman J. Cohen, President

Carol E. Misner
CAROL E. MISNER

Bernard H. Stollman
Bernard H. Stollman, Secretary/Treasurer

As per Detroit Edison 19.00
2.00 RMT
OK - G.K.

RETURN TO
J. D. McDONALD
THE DETROIT EDISON COMPANY,
80400 TELEGRAPH ROAD, SUITE 277
BIRMINGHAM, MICHIGAN 48025

LIBER 12761 PG 367

R/W - R-9103284-01R

APPENDIX "A"

Sidwell No: 15-33-200-014 Proposed "Kensington Forest Sub. No. 1" Part of the North 1/4 of Section 33, T.3N., R.11E., City of Rochester Hills, Oakland County, Michigan. Beginning at the East 1/4 corner of Section 33, T.3N., R.11E.; thence N85°29'23" W 1085.00 ft. along the East and West 1/4 line of Section 33; thence N24°15'03" W 124.97 ft.; thence N37°39'55" W 165.28 ft.; thence N31°40'51" W 106.59 ft.; thence N07°33'49" W 106.70 ft.; thence N01°47'52" E 92.65 ft.; thence S88°12'08" E 38.00 ft.; thence N01°47'52" E 190.00 ft.; thence S88°12'08" E 1.12 ft.; thence N01°47'52" E 120.00 ft.; thence N05°46'59" W 175.60 ft.; thence N01°42'50" E 1306.80 ft.; thence S89°07'00" E 695.98 ft. along the North line of Section 33 and the South line of "Supervisor's Replat of Glidewell Subdivision" (Liber 52, Page 28, O.C.R.); thence S01°47'52" W 1389.77 ft.; thence N89°07'00" W 389.98 ft.; thence S01°47'52" W 500.00 ft.; thence S89°07'00" E 1000.00 ft.; thence S01°47'52" W 500.00 ft. along the East line of Section 33 and the West line of "Supervisor's Plat No. 5" (Liber 8, Page 55, O.C.R.) to the point of beginning. Containing 38.373 Acres and comprising 87 Lots, numbered 1 through 87, one private park and one outlot (Outlot "A").

Pt 15-33-200-014

Acknowledged before me in Oakland County, Michigan, on May 14, 1992

by Norman J. Cohen, President and Bernard H. Stollman, Secretary/Treasurer

of Biltmore Properties Corporation, a Michigan corporation, for the corporation.

JOYCE E. KUHN
NOTARY PUBLIC - OAKLAND COUNTY, MI
MY COMMISSION EXPIRES 4-13-93

Notary's Stamp

Notary's Signature



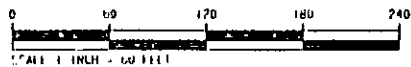
Prepared by and Return to: Terry L. Benedict, 30400 Telegraph Road, Suite 277, Birmingham, Michigan 48025

RECORDED RIGHT OF WAY NO. 43198

RECEIVED
RETURN TO
J. D. McDONALD
THE DETROIT EDISON COMPANY
30400 TELEGRAPH ROAD, SUITE 277
BIRMINGHAM, MICHIGAN 48025

" KENSINGTON FOREST SUB. NO. 1 "

PART OF THE NORTHEAST 1/4 OF SECTION 33, T.3N., R.11E.,
CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN.



PLAT LEGEND

ALL DIMENSIONS ARE IN FEET
ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC
(R) DENOTES RADIAL (C R) DENOTES NOT RADIAL
THE SYMBOL " ° " DENOTES AN ANGLE POINT
THE SYMBOL " ◊ " INDICATES A MONUMENT WHICH IS A 1 1/2" DIAMETER
STEEL BAR 36" LONG, ENCASED IN 4" DIAMETER CONCRETE.
ALL LOT MARKERS ARE 1 1/2" IRON PIPES AND ARE 18" LONG "NO I.D. CAPS"
ALL BEARINGS ARE IN RELATION TO THE PLACING OF THE SOUTH LINE OF
"SUPERVISOR'S REPLAT OF GLADWELL SUBDIVISION" AS RECORDED IN LIBER
52, PAGE 28, O.C.R.

RECORDED RIGHT OF WAY NO. 43198

NORTHEAST CORNER OF
SECTION 33, T.3N., R.11E.
(LIBER 11538, PAGE 461,
O.C.R.)

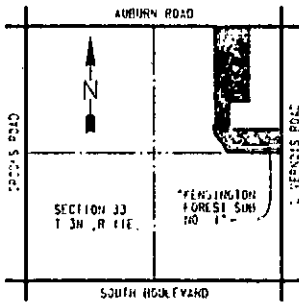
10 FT PRIVATE EASEMENT FOR DETROIT EDISON COMPANY

UNPLATTED

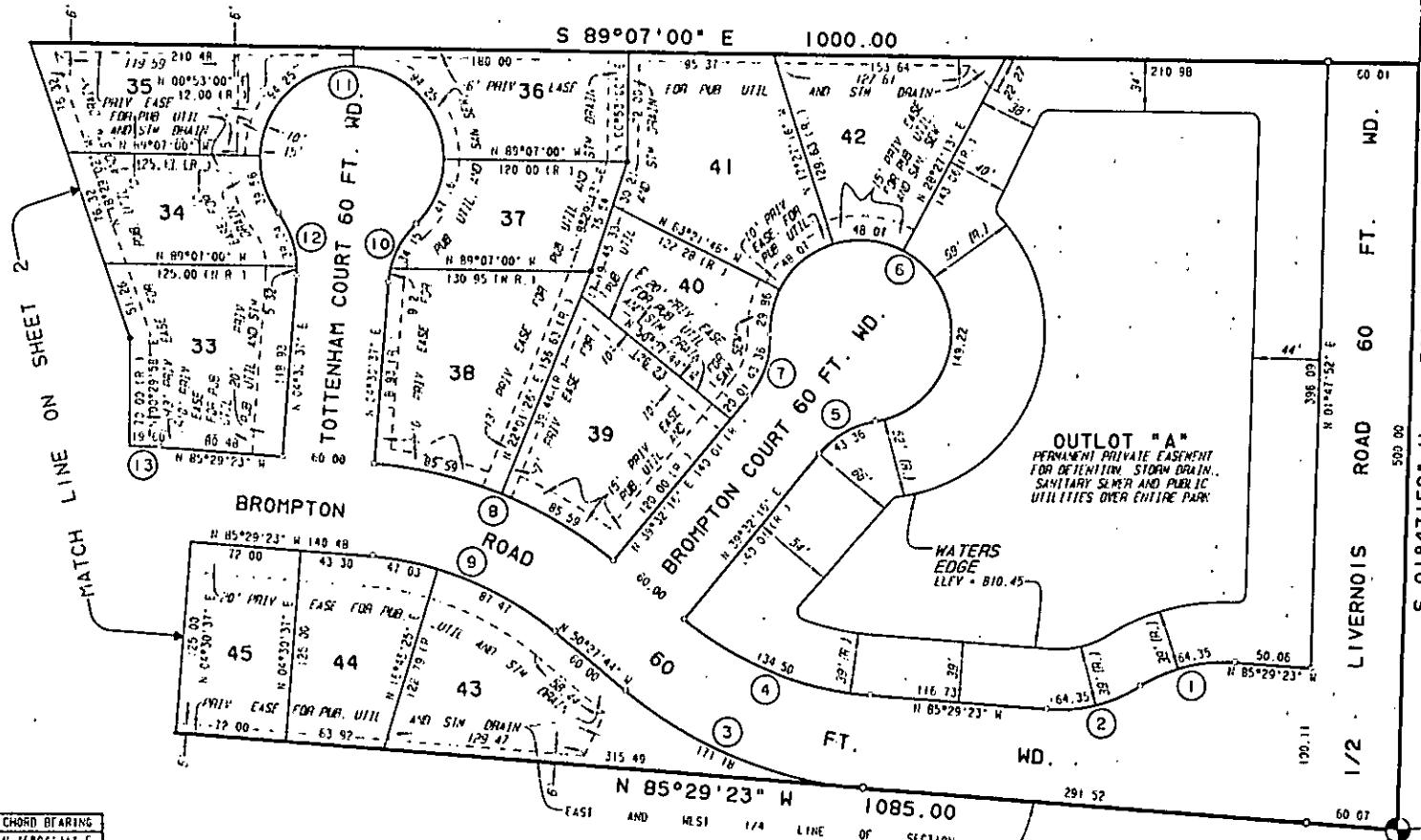
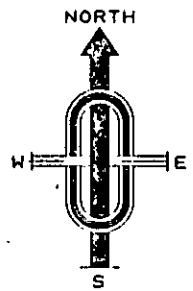
Wherever Private Easement
For Public Utilities appears
on this drawing, the easement
shall apply to the grantee of the
attached Right of Way Agreement.

Appendix "B"

LIBER 12761 PAGE 368



LOCATION MAP
NOT TO SCALE



CURVE DATA

NO	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
1	100.00	64.35	36°52'12"	63.25	N 16°04'31" E
2	100.00	64.35	36°52'12"	63.25	N 16°04'31" E
3	280.00	171.18	35°01'39"	168.52	N 67°58'34" W
4	270.00	134.50	35°01'39"	132.41	N 67°58'34" W
5	100.00	43.36	41°24'35"	42.43	N 60°14'33" E
6	100.00	275.22	262°49'10"	90.00	N 56°27'44" W
7	100.00	43.36	41°24'35"	42.43	N 18°49'59" E
8	280.00	171.18	35°01'39"	168.52	N 67°58'34" W
9	270.00	134.50	35°01'39"	132.41	N 67°58'34" W
10	100.00	43.36	41°24'35"	42.43	N 25°12'54" E
11	100.00	275.22	262°49'10"	90.00	N 85°29'23" W
12	100.00	43.36	41°24'35"	42.43	N 16°11'40" W
13	275.22	103.09	27°19'24"	108.40	N 83°20'55" E

EAST 1/4 CORNER OF
SEC. 33, T.3N., R.11E.
(LIBER 11538, PAGE 461,
O.C.R.)

RETURN TO
J. D. McDONALD
THE DETROIT EDISON COMPANY
30400 TELEGRAPH ROAD, SUITE 277
BIRMINGHAM, MICHIGAN 48025

"KENSINGTON FOREST SUB. NO. 1"

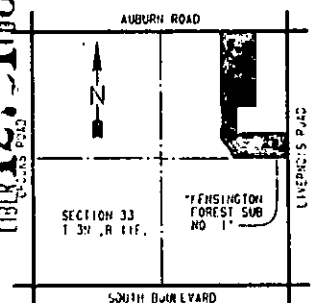
PART OF THE NORTHEAST 1/4 OF SECTION 33, T.3N., R.11E.,
CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN.



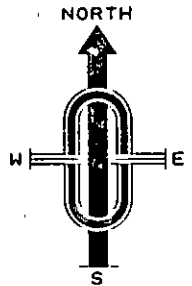
PLAT LEGEND

ALL DIMENSIONS ARE IN FEET
ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC
"R" DENOTES RADIAL, "I.R." DENOTES NOT RADIAL.
THE SYMBOL "•" DENOTES AN ANGLE POINT.
THE SYMBOL "⊙" INDICATES A POINT WHICH IS A 1/2" DIAMETER
STEEL BAR 36" LONG, ENCASED IN 4" DIAMETER CONCRETE
ALL LOT MARKERS ARE 1/2" IRON PIPES AND ARE 18" LONG "NO I D CAPS"
ALL BEARINGS ARE IN RELATION TO THE BEARING OF THE SOUTH LINE OF
"SUPERVISOR'S REPLAT OF GLIDWELL SUBDIVISION" AS RECORDED IN LIBER
2, PAGE 28, O.C.R.

LIBER 12, PAGE 369

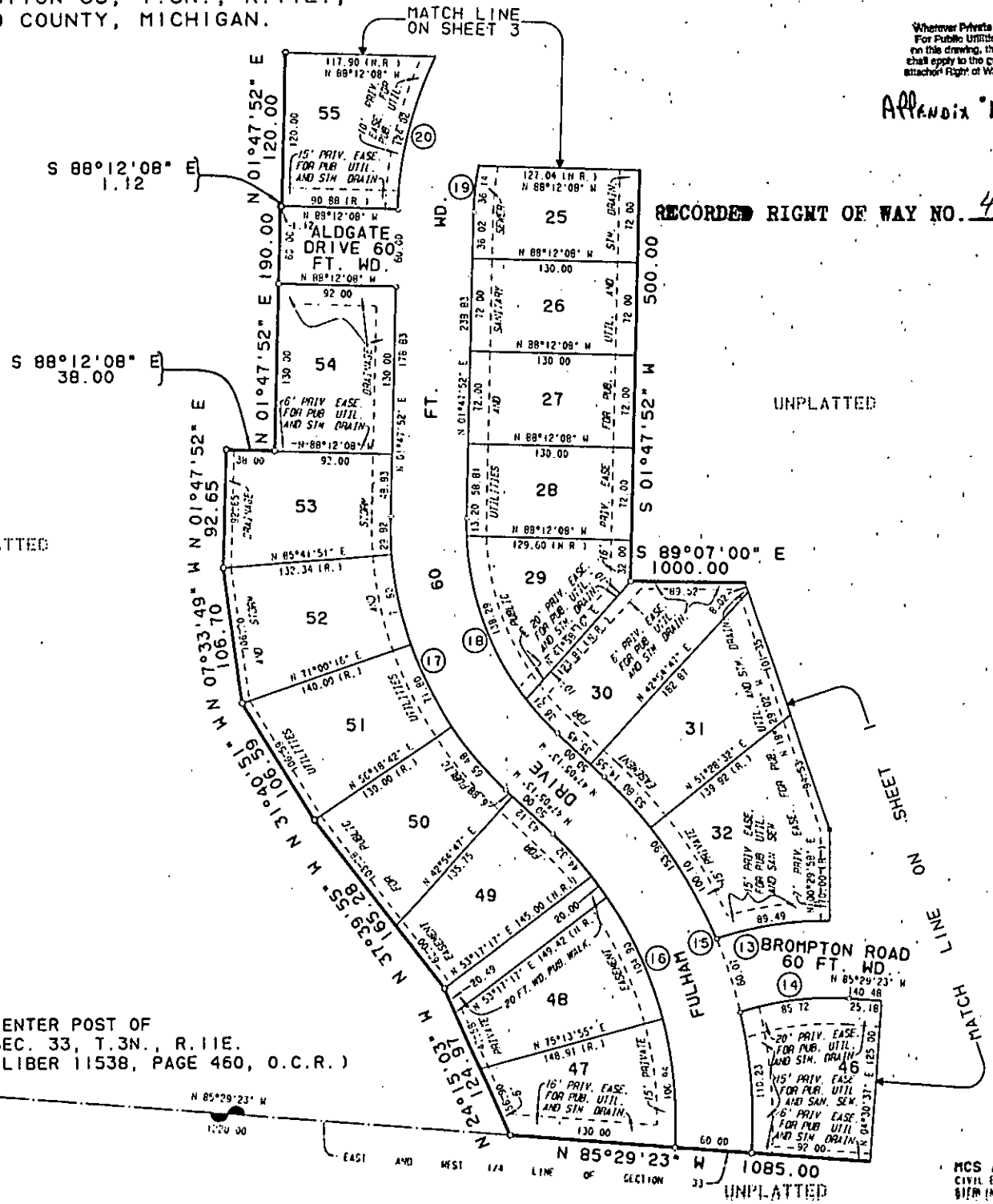


LOCATION MAP
NOT TO SCALE



CURVE DATA

NO	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
13	180.00	104.09	22°19'24"	108.40	N 83°20'55" E
14	220.00	95.12	22°19'24"	85.17	N 83°20'55" E
15	360.00	324.20	51°35'50"	313.35	N 21°17'18" W
16	300.00	270.16	51°35'50"	261.13	N 21°17'18" W
17	280.00	234.92	48°53'05"	231.72	N 22°38'41" W
18	220.00	197.70	48°53'05"	182.06	N 22°38'41" W
19	220.00	185.75	46°22'32"	180.28	N 25°59'08" E
20	280.00	236.41	48°22'32"	229.45	N 25°59'08" E



RECORDED RIGHT OF WAY NO. 43198

APPENDIX "B"

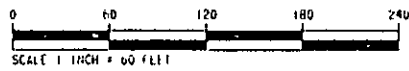
Wherever Private Easement For Public Utilities appears on this drawing, the easement shall apply to the easement of the attached Right of Way Agreement.

"KENSINGTON FOREST SUB. NO. 1"

PART OF THE NORTHEAST 1/4 OF SECTION 33, T.3N., R.11E.,
CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN.

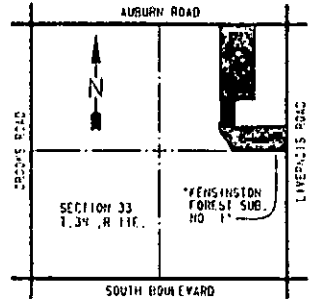
"SUPERVISOR'S REPLAT OF GLIDEWELL SUBDIVISION"
(LIBER 52, PAGE 28, O.C.R.)

Whosoever Private Easement For Public Utilities appears on this drawing, the easement shall apply to the grantee of the section's Right of Way Agreement.

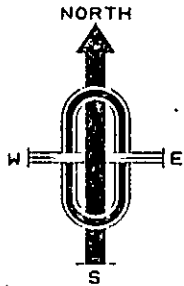


PLAT LEGEND

ALL DIMENSIONS ARE IN FEET
ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC.
(R) NOTES RADIAL (IN R.) DENOTES NOT RADIAL
THE SYMBOL "O" INDICATES A MONUMENT WHICH IS A 1 1/2" DIAMETER STEEL BAR 36" LONG, ENCASED IN 4" DIAMETER CONCRETE
ALL LOT MARKERS ARE 1 1/2" IRON PIPES AND ARE 16" LONG, "NO I.D. CAPS"
ALL BEARINGS ARE IN RELATION TO THE BEARING OF THE SOUTH LINE OF "SUPERVISOR'S REPLAT OF GLIDEWELL SUBDIVISION" AS RECORDED IN LIBER 52, PAGE 28, O.C.R.



LOCATION MAP
NOT TO SCALE

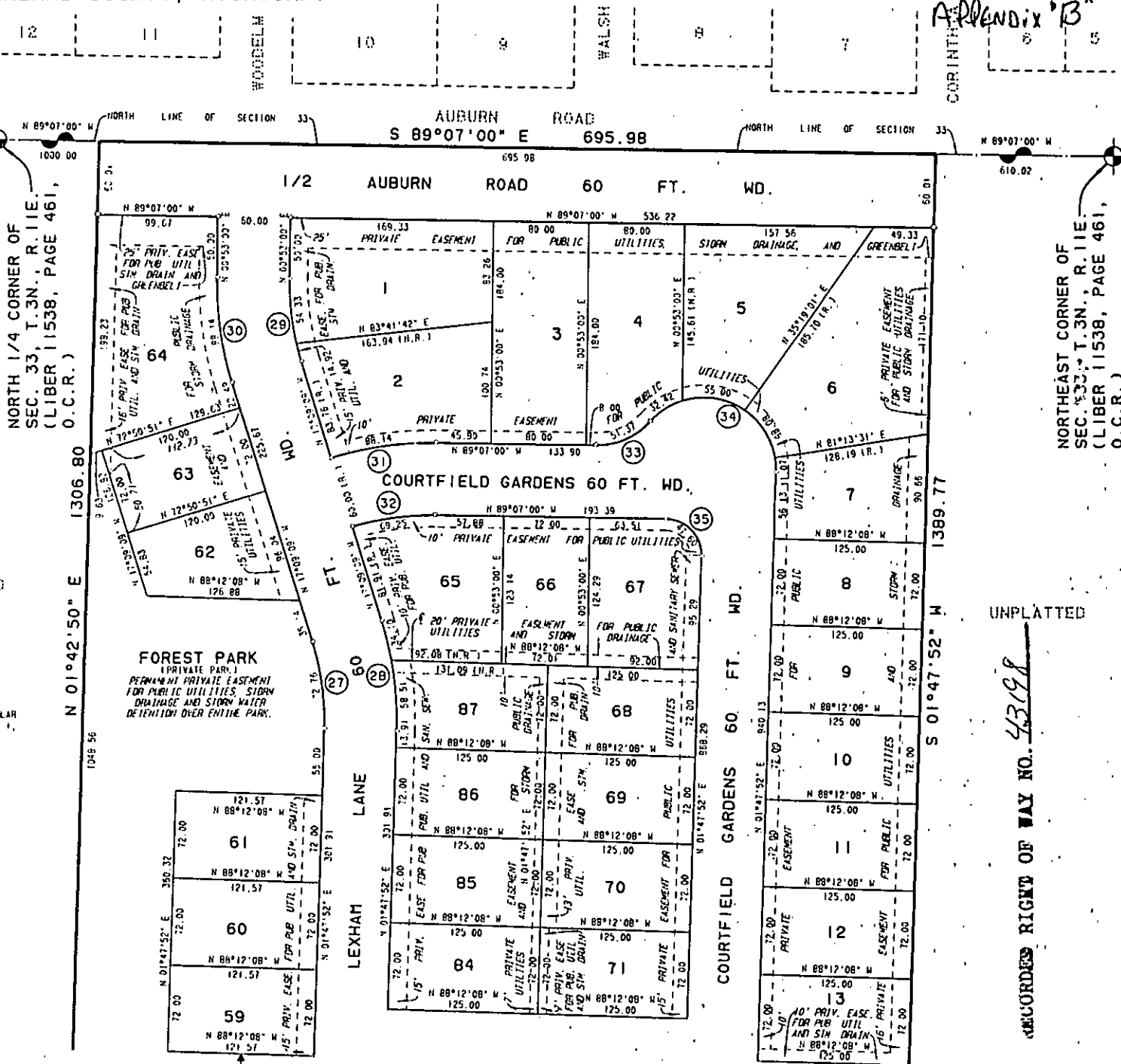


UNPLATTED

NOTE
THERE SHALL BE NO DIRECT VEHICULAR ACCESS TO AUBURN ROAD FROM LOTS 1, 3, 4, 5, 6 AND 64

CURVE DATA

STATION	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
27	220.00	72.76	18°51'01"	72.43	N 07°40'34" W
28	280.00	92.61	18°51'01"	92.19	N 07°40'38" W
29	220.00	69.25	18°02'09"	68.97	N 05°00'04" W
30	280.00	88.14	18°02'09"	87.78	N 05°00'04" W
31	280.00	88.14	18°02'09"	87.78	N 81°51'56" E
32	220.00	69.25	18°02'09"	68.97	N 81°51'56" E
33	60.00	51.37	49°03'00"	49.81	N 66°21'36" E
34	60.00	146.57	139°57'52"	112.75	N 68°11'04" W
35	30.00	47.60	90°54'52"	42.16	N 43°34'34" W



Appendix 'B'
CORINTH

NORTHEAST CORNER OF
SEC. 33, T.3N., R.11E.
(LIBER 11538, PAGE 461,
O.C.R.)

UNPLATTED

RECORDED RIGHT OF WAY NO. 43298

MATCH LINE ON SHEET 3

LIBER 12761, PAGE 371

"KENSINGTON FOREST SUB. NO. 1"

PART OF THE NORTHEAST 1/4 OF SECTION 33, T.3N., R.11E.,
CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN.

PARK LOCATION MAP



PLAT LEGEND

ALL DIMENSIONS ARE IN FEET.
ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC
(R) DENOTES RADIAL (H.R.) DENOTES NOT RADIAL.
THE SYMBOL "⊙" INDICATES A MONUMENT WHICH IS A 1 1/2" DIAMETER
STEEL BAR 36" LONG, ENCASED IN 4" DIAMETER CONCRETE
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ALL BEARINGS ARE IN RELATION TO THE BEARING OF THE SOUTH LINE OF
'SUPERVISOR'S REPLAT OF GLIDEWELL SUBDIVISION' AS RECORDED IN LIBER
52, PAGE 28, O.C.R.

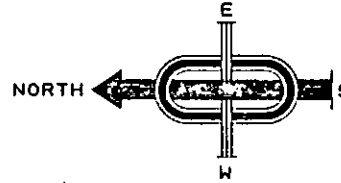
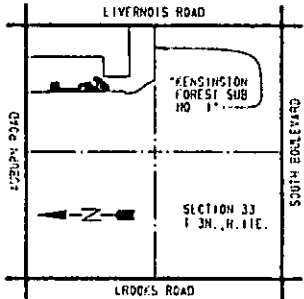
Whenever Private Easement
For Public Utilities appears
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APPENDIX "B"

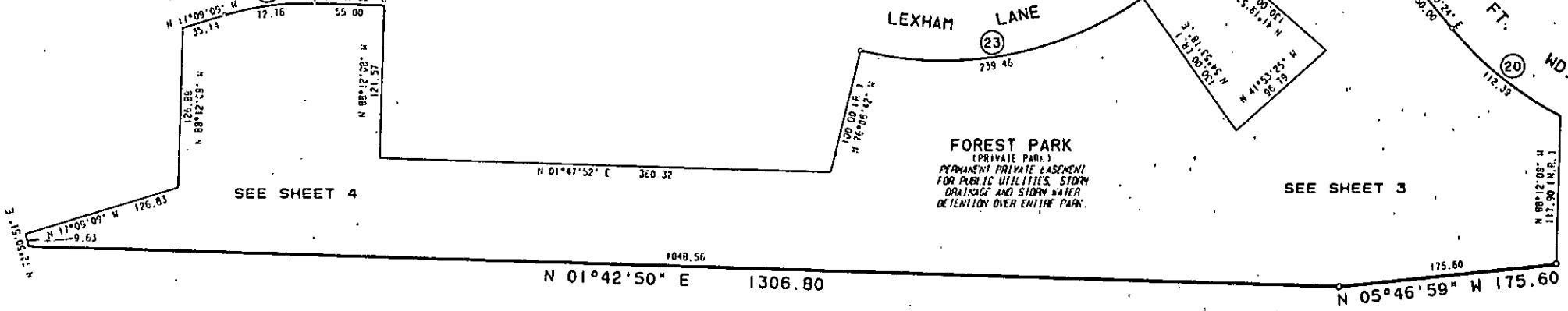
CURVE DATA

NO.	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
20	280.00	236.41	48°22'32"	229.45	N 25°59'08" E
21	220.00	106.53	27°44'36"	105.49	N 36°18'06" E
23	280.00	489.91	102°05'26"	435.48	N 31°09'25" W
27	220.00	72.67	18°57'01"	72.43	N 01°40'38" W

LIBER 1276-10372



LEXHAM LANE 60 FT. WD.



RECORDED RIGHT OF WAY NO. 43198