

RIGHT OF WAY APPLICATION

DATE ISSUED	04-06-92		
DATE WANTED	05-11-92	R/W NO.	R-9201821-02
SERVICE PLANNER	D W THOMAS	PHONE	4134

PROJECT NAME	BRIAR CLIFF SITE CONDOS		
TOWNSHIP/CITY	HIGHLAND		
ADDRESS	ACREAGE		
CROSS STREET	MILFORD & REID	SECTION	34
SIDWELL NO.		QUARTER	S.W. 1/4

TYPE OF PROJECT

OVERHEAD	
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UNDERGROUND	X
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ACREAGE	
COMMERCIAL BLDG	
* SITE CONDO	
* MOBILE HOME PK	

LOTS	
* SUB	
* APT COMPLEX	
* CONDO	X

JOINT USE REQUIRED	YES	X		NO	
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MBT	JOINT USE NO.
GTE	JOINT USE NO. J9201821-02
CONS. PWR.	JOINT USE NO.
CABLE TV CO. NAME	GREATER MEDIA
CABLE TV	JOINT USE NO. J-9201821-01

NAME OF OWNER/CUSTOMER	WILLIAM G FEHLIG		
CONTACT PERSON	DAVID COFFMAN		
ADDRESS	P.O. BOX 780 MILFORD 48381		
HOME PHONE		BUSINESS PHONE	887-1099
ADJACENT PROPERTY OWNER			
ADDRESS			
HOME PHONE		BUSINESS PHONE	

MATERIAL TO BE PROVIDED

1. SITE PLAN/SKETCH/FINAL PROPOSED PLAT*
2. PROPERTY DESCRIPTION (SIDWELL NO.) (*ACTUAL DESCRIPTION)
3. PROOF OF OWNERSHIP OF REQUESTING CUSTOMER: WARRANTY DEED, I.C. TITLE SEARCH, COMMITMENT
4. SIDWELL PAGE (COPY)
5. SIDWELL NO.
6. COPY OF FUTURE JU MEMO

SUPERVISOR	R/W SECURED
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RECORDED RIGHT OF WAY NO.

48,670

R/A

UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R 92001821-02
PROJECT NAME - BRIAR CLIFF SITE CONDO

On MAY 15, 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:

William G. Fehlig and Virginia Fehlig, Husband and Wife, 944 S. Main St., Plymouth, Michigan 48170

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
General Telephone, a Michigan corporation, 7362 Davison Road, Davison, Michigan 48423
Greater Media Cablevision, Inc., a Michigan corporation, 3166 Martin Road, Walled Lake, Michigan 48088

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

(Sidwell No. 11-34-451-019 SWASE) See Appendix "A"

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

The exact location of said easements shall be shown on a drawing to be recorded 90 days after construction. The right of way is ten feet in width.

- 1. 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.
- 2. Access:** Grantee has the right of access to and from the Right of Way Area.
- 3. Buildings or other Permanent Structures:** No buldings 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. 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.
- 7. Damages:** If Grantor, its agents, employees or contractors, damage Grantee's facilities, Grantee shall make repairs at Grantor's expense.
- 8. 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)

Gwen Muenchow
GWEN MIENCHOW
Janet D. Newman
JANET D. NEWMAN

Grantor:(type or print name below signature)
William G. Fehlig
WILLIAM G. FEHLIG
Virginia Fehlig
VIRGINIA FEHLIG

Acknowledged before me in WAYNE County, Michigan, on 15, 1992 by WILLIAM G. FEHLIG and VIRGINIA FEHLIG, Husband and Wife.

JANET D. NEWMAN
Notary Public, Wayne County, Michigan
My Commission Expires October 30, 1994
Notary's Stamp
(Notary's name, county, and date commission expires)

Janet D. Newman
JANET D. NEWMAN
Notary's Signature

This easement is re-recorded for purposes of showing the planned "as installed" centerlines of easements granted as shown on drawing attached hereto.

OPERATION RIGHT OF WAY NO. 45670

0001 FEB 01 94 01:35
3933 MISC 22.00

B#92 REG/DEEDS PAID
0001 JUL 16 92 12:40PM
3933 MISC 8.00

B#92 REG/DEEDS PAID
0001 JUL 16 92 12:40PM
3933 MISC 2.00

0001 SEP 11 94 01:35
3971 MAY 15 1992

[Handwritten initials]

[Handwritten initials]

Appendix "A"

Part of the S $\frac{1}{4}$ of Section 34, T3N, R7E, Highland Township, Oakland County, Michigan, described as commencing at the W $\frac{1}{4}$ corner of said Section 34; th N 88°13'27" E (S 89°48'04" E rec.), along the East-West $\frac{1}{4}$ line of said Section, 2394.70 ft., to the point of beginning; th continuing N 88°13'27" E (S 89°48'04" E rec.), along said $\frac{1}{4}$ line, 244.35 ft., to the center of said Section 34; th S 01°52'46" E (S 00°08'00" W rec.), along the North-South $\frac{1}{4}$ line of said Section 34, 889.29 ft. (889.30 ft. rec.); th N 87°53'28" E (S 89°21'46" E rec.) 768.36 ft. (768.63 ft. rec.); th S 15°33'15" E (S 13°23'57" E rec.) 154.75 ft. (147.36 ft. rec.); th S 07°41'35" E (S 06°36'00" E rec.) 200.00 ft.; th S 84°42'35" E (S 83°37'00" E rec.) 114.53 ft. (107.50 ft. rec.) to the west right-of-way of the CSX Rail Transport (100 ft. wide right-of-way, formerly C & O Railroad); th S 07°17'42" E (S 05°23'00" E rec.), along said right-of-way, 129.97 ft. (175.00 ft. rec.); th continuing along said right-of-way and a curve to the left, radius of 3262.98 ft., through a central angle 00°44'55", arc distance of 42.63 ft., chord bearing of S 07°40'09" E 42.63 ft.; th S 88°04'53" W (West rec.) 1335.76 ft. (1329.54 ft. rec.); th N 15°11'45" W (N 13°13'16" W rec.) 703.38 ft. (703.37 ft. rec.); th S 88°01'31" W (West rec.) 480.46 ft. to the centerline of Milford Road (66 ft. wide right of way, 120 ft. wide proposed); th N 15°11'45" W (N 13°13'16" W rec.), along said centerline, 60.00 ft.; th N 86°01'31" E (East rec.) 480.46 ft.; th N 15°11'45" W (N 13°13'16" W rec.) 200.00 ft.; th N 88°01'31" E (East rec.) 358.71 ft.; th N 01°58'29" W (North rec.) 484.92 ft. to the point of beginning, containing 24.380 acres, subject to the rights of the public or any governmental unit in any part thereof taken used or deeded for street, road or highway purposes, also subject to easements and restrictions of record, if any, also together with the rights over a 60.00 ft. wide private easement for purposes of ingress, egress and public and private utilities and described hereafter.

N.K.A. BRIARCLIFF O.C.C.P. No. 796

SIDWELL No. 11-34-403-600

RECORDED RIGHT OF WAY NO. 45270a

