

Detroit Edison

LIBER 14823 PC 881

LIBER 15147 PC 197

sec 29
DEC 14 94 10:13 A.M. RECEIPT# 468
PAID RECORDED - OAKLAND COUNTY
LYNN D. ALLEN, CLERK REGISTER OF DEEDS

\$ 15.00 MISCELLANEOUS RECORDING
\$ 2.00 REINSTATEMENT
12 JUL 94 1:07 P.M. RECEIPT# 141B
PAID RECORDED - OAKLAND COUNTY
LYNN D. ALLEN, CLERK REGISTER OF DEEDS

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R-9301377-01
PROJECT NAME - PROPOSED GOODISON PLACE SUBDIVISION NO. 1**

On May 5, 1994, 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:

G & V Properties, L.L.C., a limited liability company, 2565 S. Rochester Road, Rochester Hills, 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 Oakland Township, Oakland County, Michigan, described as:

SEE ATTACHED APPENDIX "A" SIDWELL NO: 10-28-351-004

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

SEE ATTACHED APPENDIX "B"

The right of way is 10 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. See Paragraph 9 on attached Appendix "A".

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

G & V Properties, L.L.C., a limited liability company

by: William G. Gilbert

its: member, as proprietor

F. Catherin Leech
F. Catherin Leech

DIANE WHEELER
DIANE WHEELER

Acknowledged before me in Oakland County, Michigan, on May 5, 1994 by William G. Gilbert, its member, as proprietor of G & V Properties, L.L.C., a limited liability company.

F. CATHERIN LEECH

Notary Public, Oakland County, MI
My Commission Expires Mar. 21, 1995

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

Notary's Signature

F. Catherin Leech
F. Catherin Leech

RECORDED RIGHT OF WAY NO. 46078

This document is being re-recorded to amend a previous document recorded in Liber 14823 pgs. 881-885

sec 28

158057 ST

DEC 07 1994

OK - G.K.

OK - G.K.

17

10-10-71

RETURN TO:
TERRY L. BENEDICT
THE DETROIT EDISON COMPANY
1970 ORCHARD LAKE ROAD
SYLVAN LAKE, MI 48320

LIBER 14823 PG 8

PROPOSED GOODISON PLACE SUBDIVISION NO. 1
R-9301377-01

LIBER 15147 PG 198

APPENDIX "A"

#

Proposed Goodison Place Subdivision No. 1, part of the Southwest ¼ of Section 28 and part of the Southeast ¼ of Section 29, T4N, R11E, Oakland Township, Oakland County, Michigan. Beginning at the Southeast corner of Section 29, T4N, R11E; thence North 87°10'59" W 495.12 feet along the South line of Section 29 and the centerline of Silver Bell Road; thence North 02°32'21" E 682.97 feet; thence North 86°19'37" E 352.86 feet; thence South 03°40'23" E 27.44 feet; thence North 86°19'37" E 25.48 feet; thence Easterly 106.62 feet along the arc of a curve to the right (Radius of 280.00 feet, central angle of 21°49'06", long chord bears South 82°45'50" E 105.98 feet); thence North 18°08'43" E 315.68 feet; thence North 80°31'21" E 558.58 feet; thence South 31°21'50" E 258.63 feet; thence South 17°16'21" E 81.37 feet; thence South 44°32'20" W 256.18 feet; thence South 86°19'51" W 209.60 feet; thence South 46°24'17" W 187.40 feet; thence South 46°29'57" E 30.00 feet; thence South 43°30'03" W 60.00 feet; thence North 46°29'57" W 139.88 feet; thence South 43°30'03" W 235.82 feet; thence South 02°49'01" W 259.91 feet; thence South 01°48'41" W 60.00 feet; thence North 88°11'19" W 5.64 feet along the South line of Section 28 and the centerline of Silver Bell Road to the point of beginning. Containing 16.404 acres and comprising 21 lots, numbered 1 through 21. Sidwell No: 10-28-351-004 *Silver Bell*

9. **Termination.** This easement will automatically terminate if Grantor records a final subdivision plat and subdivision restrictions that preserve the rights that this easement gives to Grantee.

RECORDED RIGHT OF WAY NO.

RECORDED RIGHT OF WAY NO. 46048

Prepared by ~~and RXXXXX~~ Terry L. Benedict, 1970 Orchard Lake Road, Sylvan Lake, Michigan 48320/kjk.
Return To: John Greenlee, The Detroit Edison Company, 1970 Orchard Lake Rd.,
Sylvan Lake, Mi. 48320

APPROVED AS TO FORM 5/23/14 DATE
LEGAL DEPARTMENT JPAH

7/11/83 10:10 AM

**RETURN TO:
TERRY L. BENEDICT
THE DETROIT EDISON COMPANY
1970 ORCHARD LAKE ROAD
SYLVAN LAKE, MI 48320**

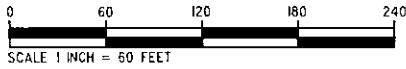
1970
MAY 10 1970

RETURN TO:
TERRY L. BENEDICT
THE DETROIT EDISON COMPANY
1970 ORCHARD LAKE ROAD
SYLVAN LAKE, MI 48320

"GOODISON PLACE SUB. NO. 1"

Appendix "B"

PART OF THE S.W. 1/4 OF SEC. 28, AND PART OF THE S.E. 1/4 OF SEC. 29, T.4N., R.11E., OAKLAND TOWNSHIP, OAKLAND COUNTY, MICHIGAN.



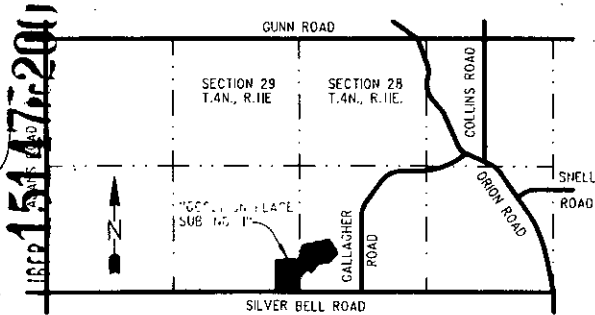
ON XVA JO LEDIH DECHOOE RECORDED RIGHT OF WAY NO. 46048

PLAT LEGEND

ALL DIMENSIONS ARE IN FEET.
 ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC.
 (R.) DENOTES RADIAL. (N.R.) DENOTES NOT RADIAL.
 THE SYMBOL "O" INDICATES A MONUMENT 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 "GOODISON HILLS SUBDIVISION NO. 2" SECTION 28, OAKLAND TOWNSHIP, OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 197, PAGES 1 THRU 4, O.C.R.

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

LIBER 14823 pg 884

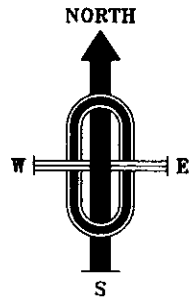
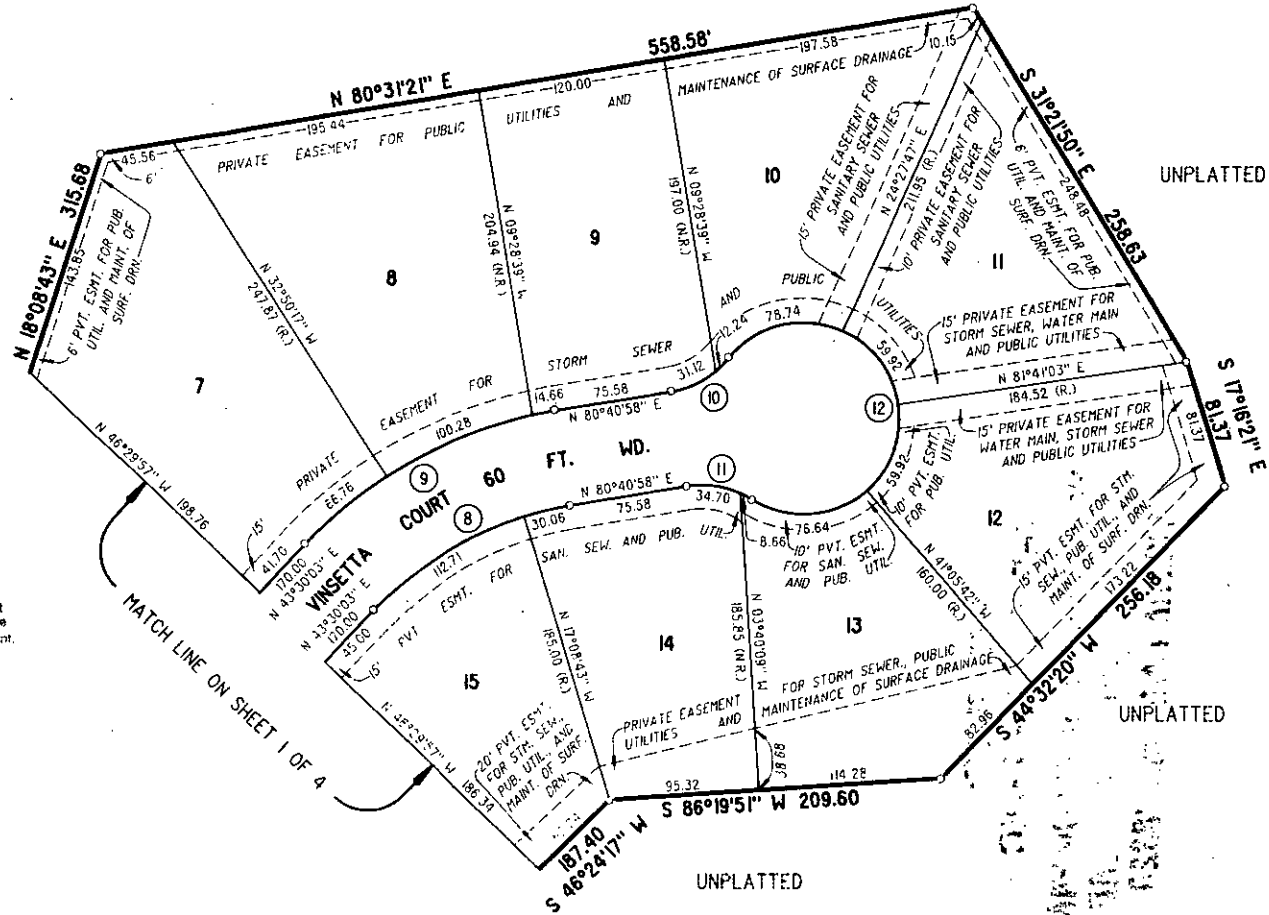


LOCATION MAP NOT TO SCALE

CURVE DATA

NO	RADIUS	APC	DELTA	CHORD	CHORD BEARING
8	220.00	142.77	37°10'55"	140.28	N 62°05'30" E
9	280.00	181.70	37°10'55"	178.53	N 62°05'30" E
10	60.00	43.36	41°24'35"	42.43	N 59°58'40" E
11	60.00	43.36	41°24'35"	42.43	N 78°36'45" W
12	60.00	275.22	262°49'10"	90.00	N 09°19'00" W

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



12-11-77
MAY 21 1978
10:00 AM

**RETURN TO:
TERRY L. BENEDICT
THE DETROIT EDISON COMPANY
1970 ORCHARD LAKE ROAD
SYLVAN LAKE, MI 48320**

"GOODISON PLACE SUB. NO. 1"

PART OF THE S.W. 1/4 OF SEC. 28, AND PART OF THE S.E. 1/4 OF SEC. 29,
T.4N., R.11E., OAKLAND TOWNSHIP, OAKLAND COUNTY, MICHIGAN.

RECORDED RIGHT OF WAY NO. _____

RECORDED RIGHT OF WAY NO. 46048

LIBER 1482 3885

LIBER 15147 201

SURVEYOR'S CERTIFICATE

I, Robert J. Patterson, Surveyor, certify:

That I have surveyed, divided, and mapped the land shown on this plat, described as follows: "GOODISON PLACE SUB. NO. 1" Part of the S.W. 1/4 of Section 28 and part of the S.E. 1/4 of Section 29, T.4N., R.11E., Oakland Township, Oakland County, Michigan. Beginning at the S.E. corner of Section 29, T.4N., R.11E.; thence N87°10'59"W 495.12 ft. along the South line of Section 29 and the centerline of Silver Bell Road; thence N02°32'21"E 682.97 ft.; thence N86°19'37"E 352.86 ft.; thence S03°40'23"E 27.44 ft.; thence N86°19'37"E 25.48 ft.; thence Easterly 106.62 ft. along the arc of a curve to the right (Radius of 280.00 ft., central angle of 21°49'06", long chord bears S82°45'50"E 105.98 ft.); thence N18°08'43"E 315.68 ft.; thence N80°31'21"E 558.58 ft.; thence S31°21'50"E 258.63 ft.; thence S17°16'21"E 81.37 ft.; thence S44°32'20"W 256.18 ft.; thence S86°19'51"W 209.60 ft.; thence S46°24'17"W 187.40 ft.; thence S46°29'57"E 30.00 ft.; thence S43°30'03"W 60.00 ft.; thence N46°29'57"W 139.88 ft.; thence S43°30'03"W 235.82 ft.; thence S02°49'01"W 259.91 ft.; thence S01°48'41"W 60.00 ft.; thence N88°11'19"W 5.64 ft. along the South line of Section 28 and the centerline of Silver Bell Road to the point of beginning. Containing 16.404 Acres and comprising 21 Lots, numbered 1 through 21.

That I have made such survey, land division and plat by the direction of the owners of such land.

That such plat is a correct representation of all the exterior boundaries of the land surveyed and the subdivision of it.

That the required monuments and lot markers have been located in the ground or that surety has been deposited with the municipality as required by Section 125 of the Act.

That the accuracy of survey is within the limits required by Section 126 of the Act.

That the bearings shown on the plat are expressed as required by Section 126 (3) of the Act and as explained in the legend.

MCS Associates, Inc.
41150 Technology Park Drive, Suite 102
Sterling Heights, Michigan - 48314

DATE April 8, 1994

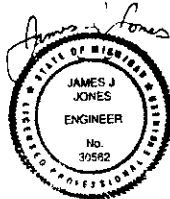
Robert J. Patterson
Robert J. Patterson, P.S.
No. 17631

DATE April 8, 1994

James J. Jones
James J. Jones, P.E.
President - No. 30562



Robert J. Patterson



PROPRIETOR'S CERTIFICATE

G & V Properties, L.L.C., a limited liability company established pursuant to the laws of the State of Michigan by William G. Gilbert, Member, as Proprietor, has caused the land to be surveyed, divided, mapped and dedicated as represented on this plat and that the streets are for the use of the public; that the public utility easements are private easements and that all other easements are for the uses shown on the plat. There shall be no direct vehicular access to Silverbell Road from lots 1 and 21.

G & V Properties, L.L.C.
A Limited Liability Company
2565 S. Rochester Road
Rochester Hills, Michigan 48307

WITNESS:

By

William G. Gilbert
Member

ACKNOWLEDGEMENT

STATE OF MICHIGAN) S.S.
County of Oakland)

Personally came before me this _____ day of _____, 1994, William G. Gilbert, Member, of the above-named limited liability company, to me known to be the person who executed the foregoing instrument and to me known to be such Member of said limited liability company, and acknowledged that he executed the foregoing instrument as such member as the free act and deed of said limited liability company, by its authority.

Notary Public _____ Oakland County, Michigan

My Commission Expires _____

10587109

**RETURN TO:
TERRY L. BENEDICT
THE DETROIT EDISON COMPANY
1970 ORCHARD LAKE ROAD
SYLVAN LAKE, MI 48320**