

Detroit Edison

LIBER 15772 PAGE 8

OCT 26 1995 2 B 150
Sec. 32

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R-9410422-01R
PROJECT NAME ORCHARD RIDGE CONDOMINIUMS**

On June 16, 1995, 1995, 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".

Joseph

"Grantor" is:

~~John~~ J. Kowalszyk, a single man, 57 Kay Industrial Drive, Lake Orion, Michigan 48361

\$ 11.00 MISCELLANEOUS RECORDING
\$ 2.00 RENOVATION

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
Ameritech Corporation, a Michigan corporation, 444 Michigan Avenue, Detroit, Michigan 48226
TCI Cablevision, a Michigan corporation, 4500 Delemere Boulevard, Royal Oak, Michigan 48073

RECEIPT# 358
RECORDED - OAKLAND COUNTY
ALLEN, CLERK/REGISTER OF DEEDS

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

See Legal Description on the back of the document.

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

Easements as shown on attached sketch 95A-64432. The exact location of underground equipment must be determined by the UTILITY COMPANIES. For exact locations, telephone MISS DIG at 1-800-482-7171. The exact location of underground equipment indicates the centerline of said Right of Way.

- 1. Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain underground distribution 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 buildings 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)

Grantor:(type or print name below signature)

Dorothea Liddicoatt
Dorothea Liddicoatt

Joseph J. Kowalszyk
Joseph J. Kowalszyk, a single man.
Joseph J. Kowalszyk

Renee Granken
Renee Granken

Acknowledged before me in OAKLAND County, Michigan, on June 16, 1995 by

~~John J. Kowalszyk, a single man~~
Joseph J. Kowalszyk
Notary's Stamp
(Notary's name, county, and date commission expires)

RENEE S GRANKEN
NOTARY PUBLIC STATE OF MICHIGAN
OAKLAND COUNTY
MY COMMISSION EXP. NOV. 25, 1996

Notary's Signature Renee S. Granken
Renee S. Granken

Prepared by and Return to: Susan Putrycus, 6301 23 Mile Road, Shelby Township, MI 48316

O.K. -S.R.

RECORDED RIGHT OF WAY NO. 47720

LEGAL DESCRIPTION

Land in the Township of Oakland, County of Oakland, State of Michigan, described as:

PARCEL F: pt 10-32-200-011
Part of the Northeast 1/4 of Section 32, Town 4 North, Range 11 East, described as follows:

Commencing at the Northeast corner of said Section 32; thence South 87 degrees 51 minutes 15 seconds West, along the North line of said Section 32, 60.00 feet to the point of beginning; thence South 2 degrees 08 minutes 29 seconds East, 380.00 feet; thence South 19 degrees 55 minutes 25 seconds East, 196.46 feet to the East line of said Section 32; thence South 2 degrees 08 minutes 29 seconds East, along said line, 1900.00 feet to the East 1/4 corner of said Section 32; thence along East-West 1/4 line of said Section 32, North 88 degrees 24 minutes 26 seconds West, 561.19 feet; thence North 2 degrees 08 minutes 29 seconds West 2430.48 feet to the North line of said Section 32; thence North 87 degrees 51 minutes 15 seconds East, along said line, 500.00 feet to the point of beginning.

PARCEL G: pt 10-32-200-011
Part of the Northeast 1/4 of Section 32, Town 4 North, Range 11 East, described as follows:

Commencing at the Northeast corner of said Section 32; thence South 87 degrees 51 minutes 15 seconds West, along the North line of said Section 32, 560.00 feet to the point of beginning; thence South 2 degrees 08 minutes 29 seconds East, 2430.48 feet to the East-West 1/4 line of said Section 32; thence North 88 degrees 24 minutes 26 seconds West, along said line, 463.89 feet, and thence North 88 degrees 37 minutes 29 seconds West, 281.83 feet; thence North 3 degrees 34 minutes 45 seconds West, 2383.67 feet to the North line of said Section 32; thence North 87 degrees 51 minutes 15 seconds East, along said line 804.02 feet to the point of beginning.

PARCEL H:
Part of the East 1/2 of Section 32, Town 4 North, Range 11 East, described as follows:
Commencing at the Northeast corner of said Section 32; thence South 2 degrees 08 minutes 29 seconds East, along the East line of said Section 32, 2467.08 feet to the East 1/4 corner of said Section 32 and the point of beginning of the lands herein described; thence South 11 degrees 56 minutes 50 seconds East, 1046.51 feet; thence North 89 degrees 16 minutes 08 seconds West, 1079.19 feet; thence North 8 degrees 52 minutes 39 seconds West, 1051.16 feet to the East-West 1/4 line of Section 32; thence South 88 degrees 24 minutes 29 seconds East, along said line, 1025.08 feet to the point of beginning.

(P+) 10-32-400-005 SE 1/4

