

MAY 196104537

GRANT OF EASEMENT

9.00  
2.00  
MISC RECORDING CHG - ROAD COMMISS  
REMON CHG - ROAD COMMISSION  
1 MAY 96 1:39 P.M. RECEIPT# 1426  
PAID RECORDED - OAKLAND COUNTY  
LYNN D. ALLEN, CLERK/REGISTER OF DEEDS

THIS GRANT OF EASEMENT, executed this 24<sup>TH</sup> day of April, 1996, by Richard W. Fisher and Christine G. Fisher\*(the Fishers), of 470 Canal Drive, Ortonville, Michigan 48462, provides as follows: \*Husband and Wife

1. That the Fishers are the owners of Lots 383, 384 and 385 of Eagle Island Subdivision No. 1, located in Brandon Township, Oakland County, Michigan.

2. That the Fishers have submitted a petition requesting that the Board abandon a portion of Canal Drive, a county local road, adjacent to the Fishers' above described property, for the purpose of constructing a garage.

3. That the portion of Canal Drive proposed to be abandoned is described as follows:

Part of a roadway presently and originally platted as Canal Drive, located in "Eagle Island Subdivision No. 1", a subdivision of part of the SW 1/4 of the SW 1/4 of Section 19 and part of the NW 1/4 of Section 30. T5N, R9E, Brandon Township, Oakland County, Michigan, as recorded in Liber 44 of Plats, page 38, Oakland County Records, being more particularly described as beginning at the NW corner of Lot 383 of said subdivision;  
thence Southerly 78.20 feet along an arc on a curve concave to the SW (having a radius of 40.00 feet, a central angle of 112°00'48" and a long chord bearing S.07°43'21"E., 66.33 feet) to the SW corner of Lot 385; thence N.07°43'21"W., 66.33 feet to the point of beginning.

03-30-112-018 LOTS 383-385

4. That it is intended that the Fishers, upon abandonment, will seek to secure title to the subject portion of Canal Drive, through a vacating procedure, in order to accommodate construction of a new garage building.

5. That the Board has determined that it will require rights of access for its road maintenance activities, over the portion of Canal Drive proposed for abandonment, in the event the abandonment is approved and the area is then vacated.

6. That the petitioners have agreed to provide to the Board, an easement for road maintenance activity over the subject portion of Canal, except for such area as will be occupied by the garage.

For the full consideration of \$1.00.

RECORDED RIGHT OF WAY 49436

9.00  
2.00  
chg  
for

NOW, THEREFORE, the Fishers hereby grant and convey to the Board, a perpetual exclusive easement over the portion of Canal Drive proposed to be abandoned, as above described in Paragraph 3, except for such area thereof as will be occupied by the garage.

That such easement shall be effective and operative upon the abandonment of the subject portion of Canal Drive by the board; the vacating thereof; and the vesting of title thereto, in the Fishers.

That the easement shall be appurtenant to and shall run with the land described in Paragraph 3 above.

IN WITNESS WHEREOF, the parties have executed this Grant of Easement as of the day and date first written above.

WITNESSES:

Susan McGaw  
Susan McGaw

Richard W. Fisher  
Richard W. Fisher

Alicia M. Johnson  
Alicia M. Johnson

Christine G. Fisher  
Christine G. Fisher

The foregoing instrument was acknowledged before me this 24th day of April, 1996, by Richard W. Fisher and Christine G. Fisher.

Subscribed and sworn to before me this 24th day of April, 1996.

Susan McGaw  
Susan McGaw, Notary Public  
Oakland County, Michigan  
My Commission expires: 4/10/99

When recorded return to:

Deborah Mathews  
Road Commission for Oakland County  
31001 Lahser Road  
Beverly Hills, MI 48025

Drafted By:

Patrick J. Carty, Esq.  
Road Commission for Oakland County  
31001 Lahser Road  
Beverly Hills, MI 48025

RECORDED RIGHT OF WAY 49436

Attached is a copy of a Legal Notice now running in the  
**PONTIAC-OAKLAND COUNTY LEGAL NEWS**

P.O. Box 430238  
Pontiac, MI 48343-0238

Telephone (810) 338-4567  
Detroit & South Oakland Callers (313) 961-2023  
Facsimile (810) 338-4240

*File*

**NOTICE OF DETERMINATION**  
**OAKLAND COUNTY ROAD**  
**ABANDONED**

PLEASE TAKE NOTICE that the Board of County Road Commissioners of the County of Oakland, Michigan, during a meeting held in Beverly Hills, Michigan on the 12th day of April, 1996, determined to **ABANDON AND DISCONTINUE** the **RIGHT OF WAY** for **Lot 28, Eagle Island Subdivision No. 2, a subdivision of part of the SW 1/4 of the SW 1/4 of Section 18, and part of the NW 1/4 of Section 20, T4N, R2E, Range 2 East, Township 4 North, Range 2 East, Oakland County, Michigan, as located in the SW 1/4 of these pages 28, Oakland County Road, being more particularly described as follows: beginning at the NW corner of Lot 28 of this Subdivision; thence South 72.20 feet to an arc on a curve concave to the SW having a radius of 40.00 feet, a central angle of 112.00 48' and a long chord bearing S 07° 43' 15" E, 161.83 feet to the SW corner of Lot 28; thence N 07° 43' 15" E, 161.83 feet to the point of beginning.**

The Board reserves an easement for public utility purposes in all of the above-described land.

**BOARD OF COUNTY ROAD COMMISSIONERS**  
 By: **Ruby D. Lozano**, Chairman  
**Richard V. Vogt**, Vice-Chairman  
**Richard G. Skarril**, Commissioner  
 By: **Brent O. Bair**, Managing Director  
**CONTACT: KEITH J. NORMAN**  
 Legal Department  
 Board of County Road Commissioners  
 31001 Lathar Road  
 Beverly Hills, MI 48025  
 Published July 12-28, 1996  
 Oakland County Legal News

PLEASE READ CAREFULLY AND IF YOU FIND ANY ERRORS, NOTIFY US IMMEDIATELY SO THEY MAY BE CORRECTED.

MAY 196104535

Brandy  
See 30

7.00 MISC RECORDING CHG - ROAD COMMISSION  
7.00 MISC RECORDING CHG - ROAD COMMISSION

COPY OF RESOLUTION ADOPTED BY THE BOARD OF COUNTY ROAD COMMISSIONERS OF THE COUNTY OF OAKLAND, MICHIGAN UNDER DATE OF APR 24 1996  
MAY 96 1:39 P.M. RECEIPT# 1424  
RECORDED - OAKLAND COUNTY  
LYNN D. ALLEN, CLERK/REGISTER OF DEEDS

WHEREAS, this Board has heretofore received a petition in accordance with 1909 PA 283, as amended, being MCL 224.18, MSA 9.118, for the absolute abandonment and discontinuance of a portion of Canal Drive in Brandon Township, a public roadway under the jurisdiction and control of this Board; and

WHEREAS, by resolution adopted on February 25, 1938, this Board did assume jurisdiction over Canal Drive and by virtue of that action, it then became a county road under the jurisdiction and control of this Board; and

WHEREAS, the petition contains the signatures of the owners of record of all the lands abutting hereon as ascertained from the records in the Office of the Register of Deeds, and there are buildings located thereon; and

WHEREAS, this Board has considered the necessity and advisability of absolutely abandoning and discontinuing Canal Drive pursuant to the petition, and a field inspection was conducted to view the premises described in the petition; and

WHEREAS, in determining the advisability of this abandonment in conformance with the statute, opposition was registered with respect to the subject petition.

NOW, THEREFORE, BE IT RESOLVED, that this Board hereby declares and determines that it is in the best interest of the public to absolutely abandon and discontinue a portion of the subject public road being described as follows:

Part of a roadway presently and originally platted as Canal Drive, located in "Eagle Island Subdivision No. 1", a subdivision of part of the SW 1/4 of the SW 1/4 of Section 19, and part of the NW 1/4 of Section 30, T5N, R9E, Brandon Township, Oakland County, Michigan, as recorded in Liber 44 of Plats, page 38, Oakland County Records, being more particularly described as beginning at the NW corner of Lot 383 of said subdivision; thence Southerly 78.20 feet along an arc on a curve concave to the SW (having a radius of 40.00 feet, a central angle of 112°00'48" and a long chord bearing S.07°43'21"E. 66.33 feet) to the SW corner of Lot 385; thence N.07°43'21"W., 66.33 feet to the point of beginning.

03-30-112-018 LOTS 383-385

BE IT FURTHER RESOLVED that this Board grants the request for abandonment of the above-described public road and said public road is absolutely abandoned and discontinued, subject to an easement for public utility purposes.

Motion by Commissioner Richard V. Vogt, supported by Commissioner Rudy D. Lozano, and carried by the following votes:

Ayes: Commissioners Lozano and Vogt

Nays: None

I hereby certify that the above is a true and correct copy of a resolution adopted by the Board of County Road Commissioners of the County of Oakland, Michigan, under date of APR 24 1996

*Deborah Mathews*

Deborah Mathews  
Deputy-Secretary/Clerk of the Board

O.K. -S.R.

RECORDED RIGHT OF WAY 49436

7.00  
+ 7.00  
chg  
ROAD