

RECEIVED
AUG 31 2000
CORPORATE REAL ESTATE SERVICES

LIBER 17369 PG 344

162231

LIBER 21531 PAGE 560
\$13.00 MISC RECORDING
\$2.00 REMONUMENTATION
06/26/2000 07:25:12 A.M. RECEIPT# 45961
PAID RECORDED - OAKLAND COUNTY
G. WILLIAM CADDELL, CLERK/REGISTER OF DEEDS

LIBER 21531 PG 560

\$ 13.00 MISCELLANEOUS RECORDING
\$ 2.00 REMONUMENTATION
9 JUL 97 11:58 A.M. RECEIPT# 24B
PAID RECORDED - OAKLAND COUNTY
LYNN D. ALLEN, CLERK/REGISTER OF DEEDS

Detroit
Edison

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. 30895
PROJECT NAME FALCON ESTATES SUBDIVISION NO. 23**

On 24th June, 1997, 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:

L & R Homes, Inc., a Michigan corporation, 2490 Walton, Suite 203, Rochester Hills, Michigan 48309

"Grantee" is:

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

"Grantor's Land" is in City of Rochester Hills, Oakland County, described as:

See the Legal Description on the back of this document. (EXHIBIT "A")

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

Easements as shown on the attached **DRAWING (EXHIBIT "B")**

- 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 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.
- 9. Exemption:** Exempt under MCL 207-505(A) and MCL 207.526(a).

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

GRECO

L & R Homes, Inc., a Michigan corporation

Beverly Goralezuk
Beverly Goralezuk
B. Scheifflee-Beard
B. SCHEIFFLEE-BEARD

Larry Randazzo
LARRY RANDAZZO, PRESIDENT

Acknowledged before me in OAKLAND County, Michigan, on JUNE 24 1997, 1997 by
LARRY RANDAZZO, PRESIDENT the
corporation. B. SCHEIFFLEE-BEARD
of L & R Homes, Inc., a Michigan

Notary Public, Oakland County, Michigan
My Commission Expires: September 9, 1998

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

Notary's Signature B. Scheifflee-Beard

Prepared by and Return to: Susan A. Putrycus, Shelby S.C., 6301 23 Mile Road, Shelby Township, Michigan 48316
Detroit Edison

~~OK-MJ~~

OK-G.K.

BEING RE-RECORDED TO REFLECT CORRECT SUBDIVISION NUMBER from 2 to 3

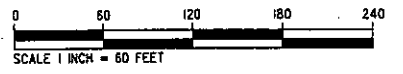
FILE NO. 166087

1500
+ 200
ST

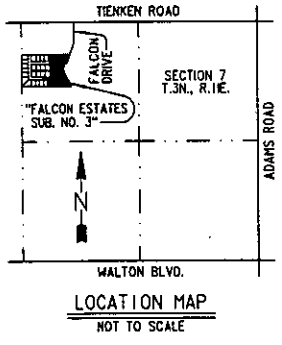
"FALCON ESTATES SUB. NO. 3"

PART OF THE NORTHWEST 1/4 OF SECTION 7, T.3N., R.11E.,
CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN.

"FALCON ESTATES SUB. NO. 2"
(LIBER 228, PAGES 5 THRU 7.)

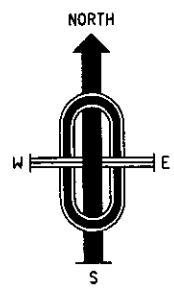


PLAT LEGEND
ALL DIMENSIONS ARE IN FEET.
ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC.
GR.) DENOTES RADIAL. (N.R.) DENOTES NOT RADIAL.
THE SYMBOL "O" INDICATES A SET MONUMENT WHICH IS A 1/2" DIAMETER STEEL BAR 36" LONG, ENCASED IN 4" DIAMETER CONCRETE.
THE SYMBOL "●" INDICATES A FOUND MONUMENT WHICH IS A 1/2" DIAMETER STEEL BAR, ENCASED IN 4" DIAMETER CONCRETE.
ALL LOT MARKERS ARE 3/4" I.D. IRON PIPES AND ARE 18" LONG. "NO IDENTIFICATION CAPS".
ALL BEARINGS ARE IN RELATION TO THE BEARING OF THE SOUTH LINE OF "FALCON ESTATES SUB. NO. 2" SECTION 6 AND 7, T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 228, PAGES 5 THRU 7.

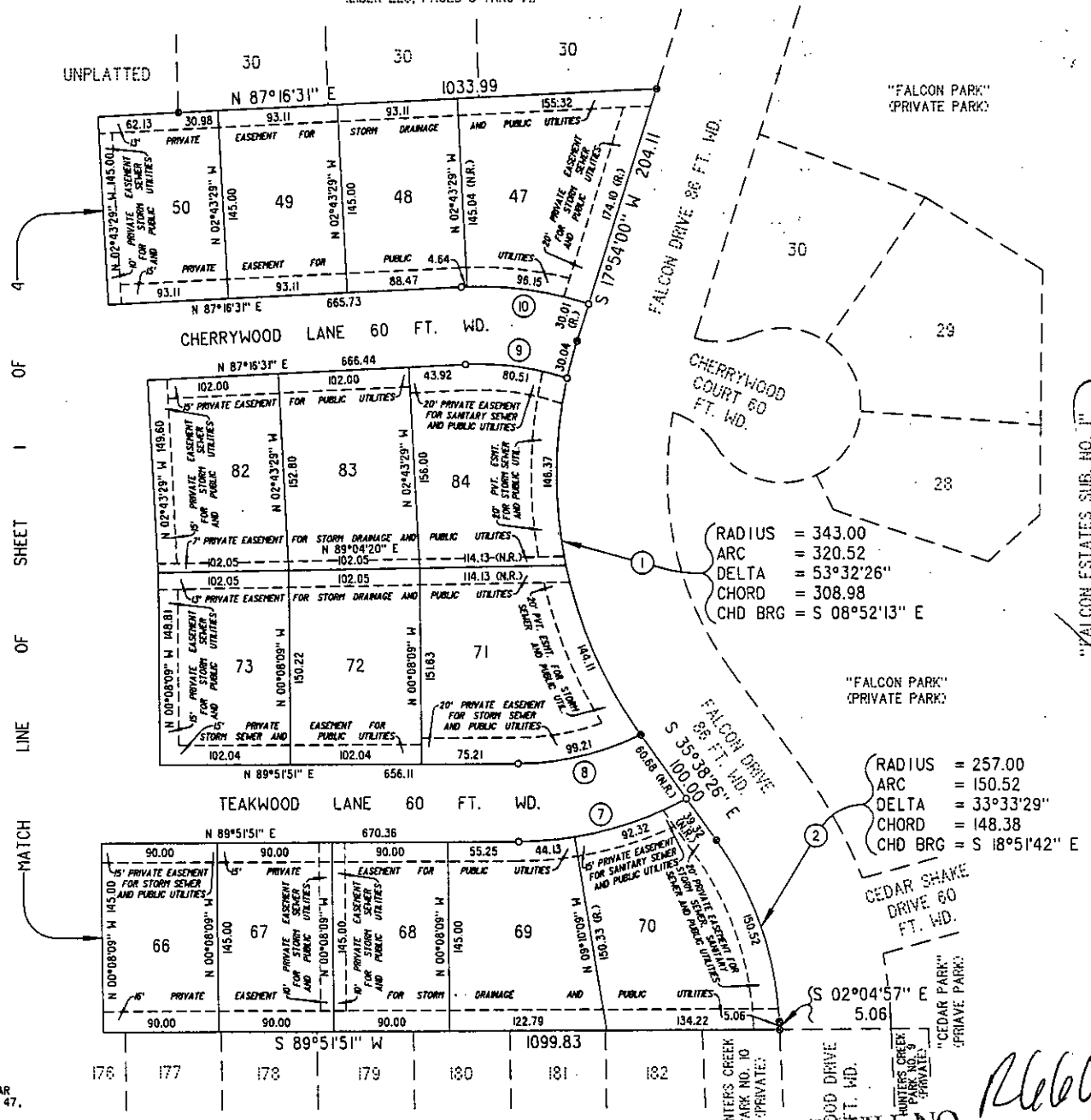


CURVE DATA

NO.	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
1	343.00	320.52	53°32'26"	308.98	S 08°52'13" E
2	257.00	150.52	33°33'29"	148.38	S 18°51'42" E
7	280.00	136.46	27°55'21"	135.11	N 75°54'10" E
8	220.00	99.21	25°50'13"	98.37	N 76°56'44" E
9	220.00	80.51	20°58'01"	80.06	N 82°14'28" W
10	280.00	100.79	20°37'29"	100.25	N 82°24'44" W



NOTE
THERE SHALL BE NO DIRECT VEHICULAR ACCESS TO FALCON DRIVE FROM LOTS 47, 70, 71 AND 84.



DB-97-5179 SHEET 2 OF 2

MATCH LINE OF SHEET 1 OF _____

LIBER 17269 P. 346

LIBER 21 P. 562

RECORDED R/FILE NO.

266089

MCS ASSOCIATES, INC.
CIVIL ENGINEERING AND SURVEYING
STERLING HEIGHTS, MICHIGAN.

LIBER 17369 PG 345

LIBER 21531 PG 561

EXHIBIT "A"

LEGAL DESCRIPTION

"FALCON ESTATES SUB. NO. 3" Part of the Northwest 1/4 of Section 7, T.3N., R.11E., City of Rochester Hills, Oakland County, Michigan. Beginning at a point on the West line of said Section 7 which is S02°03'00"E 719.52 ft. from the Northwest corner of Section 7, T.3N., R.11E.; thence N87°16'31"E 1033.99 ft. along (in part) the South line of "Falcon Estates Sub. No. 2" (Liber 228, Pages 5, 6 and 7, Oakland County Records); thence the following five courses and distances along the Westerly boundary of "Falcon Estates Sub. No. 1" (Liber 227, Pages 30 through 36, inclusive, Oakland County Records): S17°54'00"W 204.11 ft. and Southerly 320.52 ft. along the arc of a curve to the left (Radius of 343.00 ft., central angle of 53°32'26", long chord bears S08°52'13"E 308.98 ft.) and S35°38'26"E 100.00 ft. and Southerly 150.52 ft. along the arc of a curve to the right (Radius of 257.00 ft., central angle of 33°33'29", long chord bears S18°51'42"E 148.38 ft.) and S02°04'57"E 5.06 ft.; thence S89°51'51"W 1099.83 ft. along the North line of "Hunters Creek" (Liber 156, Pages 1, 2, 3 and 4, inclusive, Oakland County Records); thence N02°03'00"W 680.15 ft. along said West line of Section 7 to the point of beginning. (As recorded in Liber 253, Pages 1 through 4, inclusive, Oakland County Records).

15-07-103

RECORDED R/W FILE NO.

(15-07-100-022)

*15-07-103-000 entire
Falcon Estate Sub # 3*

Lots 47-84

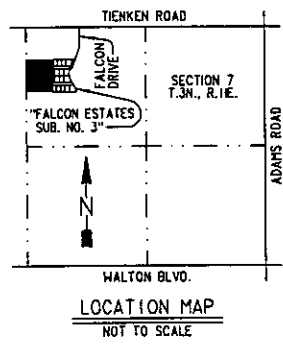
228005

FALCON ESTATES SUB. NO. 3

PART OF THE NORTHWEST 1/4 OF SECTION 7, T.3N., R.11E.,
CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN.

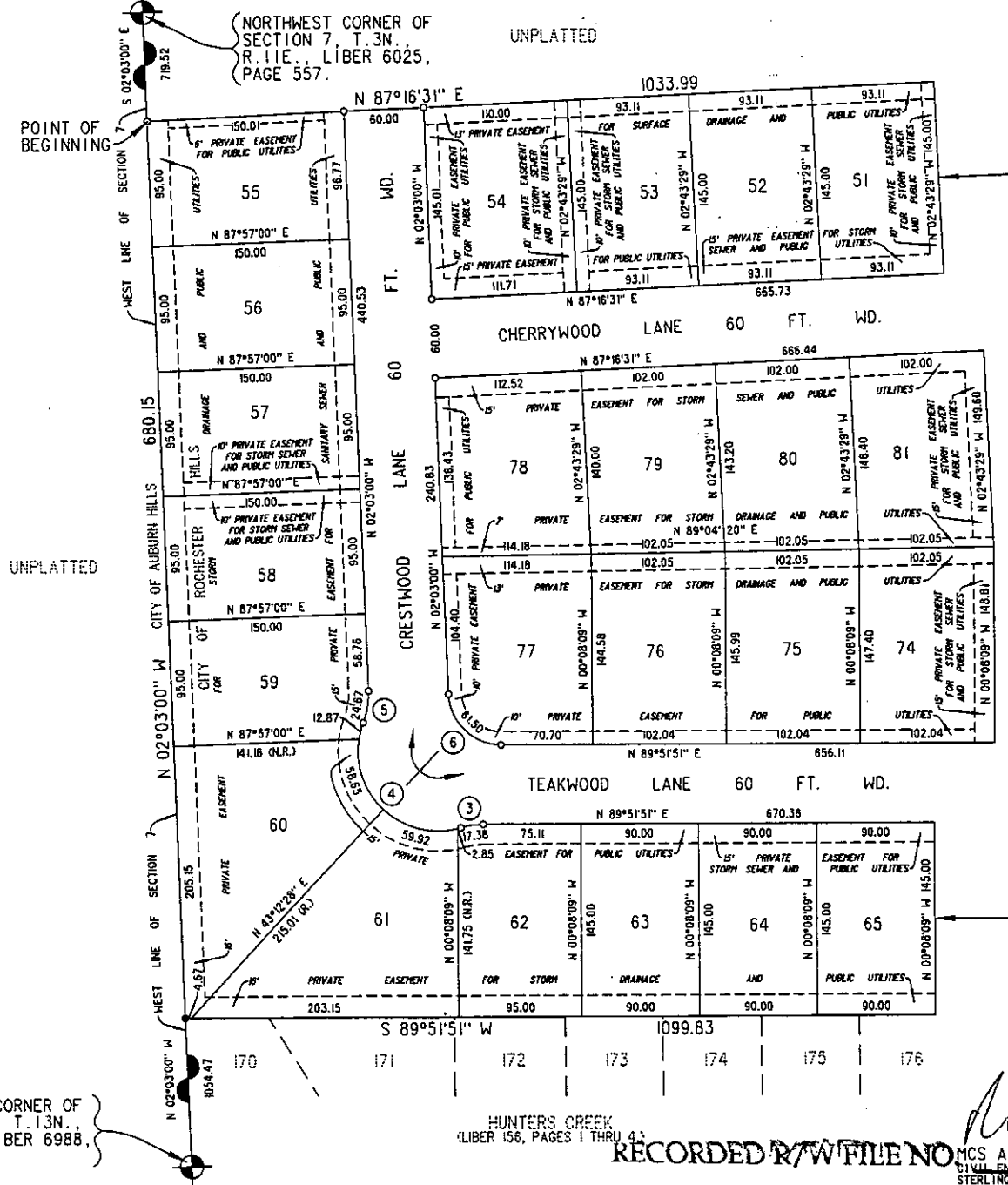
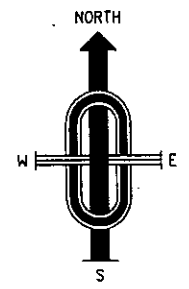


PLAT LEGEND
ALL DIMENSIONS ARE IN FEET.
ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC.
CRJ DENOTES RADIAL. (N.R.) DENOTES NOT RADIAL.
THE SYMBOL "O" INDICATES A SET MONUMENT WHICH IS A 1/2" DIAMETER STEEL BAR 36" LONG, ENCASED IN 4" DIAMETER CONCRETE.
THE SYMBOL "●" INDICATES A FOUND MONUMENT WHICH IS A 1/2" DIAMETER STEEL BAR, ENCASED IN 4" DIAMETER CONCRETE.
ALL LOT MARKERS ARE 3/4" I.D. IRON PIPES AND ARE 18" LONG.
"NO IDENTIFICATION CAPS"
ALL BEARINGS ARE IN RELATION TO THE BEARING OF THE SOUTH LINE OF "FALCON ESTATES SUB. NO. 2" SECTION 6 AND 7, T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 228, PAGES 5 THRU 7.



CURVE DATA

NO.	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
3	80.00	17.38	16°35'52"	17.32	N 81°33'55" E
4	60.00	134.29	128°14'25"	107.97	N 42°36'48" W
5	60.00	24.67	23°33'23"	24.49	N 09°43'42" E
6	40.00	61.50	88°05'09"	55.62	N 46°05'34" W



WEST 1/4 CORNER OF SECTION 7, T.13N., R.11E., LIBER 6988, PAGE 271.

HUNTERS CREEK (LIBER 156, PAGES 1 THRU 4)

RECORDED R/W FILE NO. _____
MCS ASSOCIATES, INC.
CIVIL ENGINEERING AND SURVEYING
STERLING HEIGHTS, MICHIGAN

DB-97-5176
 EXHIBIT 'B'
 SHEET 1 OF 2

MATCH
 LINE
 NO
 SHEET
 2
 OF

LIBER 17369 (B347)

LIBER 531 (P563)

1166089