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G.W. Caddell Register of Deeds
Oakland County, MI

RECEIVED
JUL 24 2003
CORPORATE REAL
ESTATE SERVICES

157396
LIBER 28641 PAGE 892
\$16.00 MISC RECORDING
\$4.00 REMONUMENTATION
04/01/2003 11:12:20 A.M. RECEIPT# 26896
PAID RECORDED - OAKLAND COUNTY
G.WILLIAM CADDELL, CLERK/REGISTER OF DEEDS

73779

RECORDED R/W FILE NO.

Detroit Edison Underground Easement (Right of Way) No. 414955-5

On 7 MARCH, 2003, for the consideration of system betterment, Grantor grants to Grantee a permanent underground easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area."

"Grantor" is:

Raymond J. Nicholson, Revocable Living Trust Dated 10-27-76, whose address is 805 Oakwood Court Rochester, Michigan 48307

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
SCB 54 N. Mill, P.O. Box 41, Pontiac, MI. 48342

"Grantor's Land" is in the SW 1/4 of Section 33 Oakland Twp., Oakland County, Michigan described as:

shown on Appendix 'A' which is attached hereto and made apart hereof. Sidwell No. 10-33-377-001

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

A Ten (10) Foot wide underground easement as shown on RFW No. 414955 sketch which is attached hereto and made apart hereof.

- Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain underground 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 are allowed in the Right of Way Area without Grantee's prior written consent.
- Excavation:** Under 1974 Public Act 53, you must call MISS DIG (1-800-482-7171) before excavating 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 can 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 will not be responsible to Grantor for damages to or removal of trees, plant life, structures and fences placed in front of transformer doors.
- Restoration:** If Grantee's employees, contractors, vehicles or equipment damage Grantor's Land while entering Grantor's Land for the purposes stated in this Right of Way, then Grantee will restore Grantor's Land as nearly as can be to its original condition.
- Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors and assigns.

3P
2E
14 Photos

Grantor: (Type or print name below signature)

[Signature]
Raymond J. Nicholson, Revocable Living Trust Dated 10-27-76

By: RAYMOND J. NICHOLSON, TRUSTEE

Acknowledged before me in Oakland County, Michigan, on March 7th, 2003, by RAYMOND J. NICHOLSON, TRUSTEE for the Raymond J. Nicholson, Revocable Living Trust Dated 10-27-76.

Notary's Stamp: **KAREN D HEAD**
NOTARY PUBLIC OAKLAND CO., MI
MY COMMISSION EXPIRES Jan 11, 2004
Notary's Signature: Karen D Head
(Notary's name, county, and date commission expires)

Prepared by and Return to: Chris Cavanagh, Shelby Service Center, 6301 23 Mile Rd. Shelby Twp., MI. 48316

O.K. - KB

APPENDIX 'A'

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

Beginning at the South quarter corner of Section 11, Town 4 North, Range 11 East, Oakland Township, Oakland County, Michigan thence North 3 degrees 14 minutes West 509.77 feet, along the North and South quarter Section line; thence North 4 degrees 58 minutes West 680.62 feet along said North and South quarter Section line to a point in traverse along Cobb Creek (hereafter referred to as first mentioned point in traverse); thence North 5 degrees 32 minutes 40 seconds West along the North and South quarter Section line 12.0 feet to the centerline of Cobb Creek; thence in a Southwesterly direction along centerline of Cobb Creek 860 feet, more or less, to a point, said point being South 0 degrees 22 minutes 40 seconds East 8.0 feet of a point in traverse along Cobb Creek which is South 79 degrees 39 minutes 00 seconds West 422.28 feet and North 88 degrees 24 minutes 10 seconds West 198.38 feet and South 72 degrees 00 minutes 20 seconds West 105.44 feet from the first mentioned point in said traverse; thence South 0 degrees 22 minutes 40 seconds East 115.40 feet; thence on a curve to the right (radius 229.72 feet, long chord bears South 11 degrees 54 minutes 05 seconds West 97.71 feet) a distance of 98.46 feet; thence South 24 degrees 10 minutes 50 seconds West 226.75 feet; thence on a curve to the left (radius 481.12 feet, long chord bears South 12 degrees 26 minutes 20 seconds West 195.91 feet) a distance OF 197.19 feet; thence South 0 degrees 41 minutes 50 seconds West 463.14 feet; thence due East 960.49 feet to the point of beginning.

Together with and subject to a certain indenture creating an easement for private roadway dated January 18, 1960 and recorded in Liber 4045, Page 124, Oakland County Records.

Sidwell No. 10-33-377-(001) 002 SW 1/4
003

3779

RECORDED R/W FILE NO.

RAYMOND J. NICHOLSON, REVOCABLE LIVING TRUST DATED 10-27-1976

C/O TOM SARACINO, VITO ANTHONY HOMES
 CELL 810-217-0802, OFFICE 248-652-2000

North

DUE EAST 560.69'

S 04° 58' 00" E
 99.63'

8.043 ACRES, PARCEL "A" OF
 PARENT PARCEL #10-33-377-001

7 3779

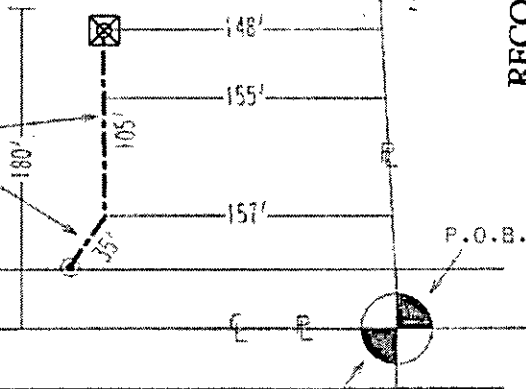
RECORDED R/W FILE NO.

S 03° 14' 00" E 509.77'

N 02° 43' 54" W 318.18'

N 05° 25' 39" E 291.70'

CENTERLINE OF TEN FOOT WIDE EASEMENT
 NOTE: THE EASEMENT CENTERLINE MAY VARY IF FIELD CONSTRUCTION PROBLEMS ARISE, THEREFORE, FOR THE AS-INSTALLED EASEMENT CENTERLINE CALL (MISS DIG) AT 1-800-482-7171



OAKLAND TWP 33' ROW

DUE WEST 610.49'

DUTTON ROAD 66' WIDE

CITY OF ROCHESTER HILLS

SOUTHEAST CORNER
 SECTION 33
 T4N, R11E

RFW Description			1558 DUTTON, OAKLAND TWP			UNDERGROUND UTILITY EASEMENT			PD	SRW	PH	PLC	Conf. Group	RFW Number			
Circuit #1			Circuit #2			Service Center #1			Service Center #2			COH	COG	CUG	CUL	CUT	CUS
Worksite City			Worksite Twp.			Worksite County			OAKLAND			OAKLAND			OAKLAND		
Town	Range	Section	Qtr	Planner Name			Commit Date			Scale			Plot Date				
4N	11E	33	SW 1/4	Molnar, Nancy E 586-997-2143			05/22/2002			1" = 100'			2/ 8/2003				