

LIBER 11619 PP 222

September 18, 1990

For good and valuable consideration of system betterment, the undersigned hereby grant and convey to THE DETROIT EDISON COMPANY, a Michigan corporation of 2000 Second Avenue, Detroit, Michigan and UNITED CABLE TELEVISION OF OAKLAND COUNTY, LTD., a Michigan corporation of 4500 Delemere, Royal Oak, Michigan 48073, hereinafter referred to collectively as "GRANTEE", the right to erect, lay, maintain, reconstruct, add to and replace underground facilities consisting of wires, cables, conduits, fixtures and appurtenances including the necessary above ground equipment, connections, poles and accessories required in, under, upon, over and across the property located in the **City of Troy, County of Oakland, State of Michigan**, and more particularly described on the attached Appendix "A"; with the full right to the GRANTEE of ingress and egress upon said property for the purposes of this grant, and the further right to trim, cut down or otherwise control brush and trees within the right of way herein described.

Said right of way shall be ten (10) ft in width unless otherwise indicated and the route is described as follows:

See attached Appendix "B"

RECORDED
0001 NOV02/90 04:45PM
9198 MISC 42.00

In order to provide for the property maintenance and protection of GRANTEE, the undersigned covenant and agree that:

1. The right of way will be graded to within four inches of final grade before the GRANTEE'S lines are installed and this ground elevation must be maintained after installation of utilities to avoid the pooling of water in, on or around GRANTEE'S above ground equipment.
2. No buildings or structures other than GRANTEE'S equipment are to be placed within the right of way herein granted. No excavation is to be permitted with said right of way without approval of GRANTEE.
3. No shrubs or foliage shall be planted or grown within eight feet of the front door of transformers or switching cabinet enclosures. GRANTEE shall not be responsible to owners for damages to or removal of trees or plant life planted in front of said door or within the right of way causing an interference with GRANTEE'S maintenance of their equipment.
4. If the lines or facilities of GRANTEE are damaged by the acts of owners, their agents, employees or contractors, repairs shall be made by the granting company so damaged at the cost and expense of owners. Owners are defined as those persons owning the property at the time the damage occurred.

THIS GRANT is declared to be binding upon the heirs, successors, lessees, licensees and assigns of the parties hereto.

IN WITNESS WHEREOF, the undersigned have hereunto set their hand(s) on the date of this agreement.

Witnesses:

Grantors:

See Next Page

OK - L

DEED

Prepared by: Omer V. Racine/nkg
The Detroit Edison Company
30400 Telegraph Road, Suite 277
Birmingham, MI 48010

Address:

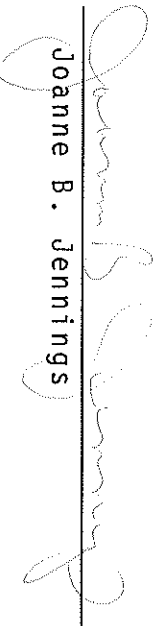
RECORDED RIGHT OF WAY NO. 40979

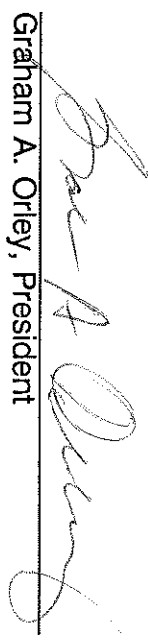
LIBER 11613/223


Elro Corporation
A Michigan Corporation
201 West Big Beaver, Suite 720
Troy, MI 48084

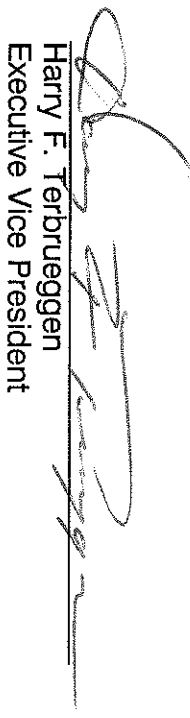
Witness:

By:


Joanne B. Jennings


Graham A. Orley, President

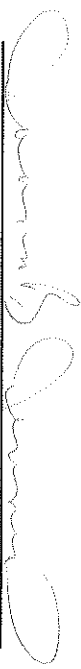

Richard A. Schoenherr


Harry F. Terbrueggen
Executive Vice President

State of Michigan)
County of Oakland) SS:

On this 18th day of September, 1990, **Graham A. Orley**, President, and **Harry F. Terbrueggen**, Executive Vice President, of the above-named corporation, to me known to be the persons who executed the foregoing instrument and to me known to be such President and Executive Vice President of said corporation, and acknowledged that they executed the foregoing instrument as such officers as the free act and deed of said corporation, by its authority.

My Commission Expires: 2/9/91


Joanne B. Jennings
Notary Public, Oakland
County, Michigan

Appendix "A"

Proposed "Carlston Heights Sub. No. 3" parts of the S.E. 1/4 of section 25 and the N.E. 1/4 of section 36, T2N, R11E, City of Troy, Oakland County, Michigan, beginning at a point which is S. 88° 43'53" E. 487.35 ft., along the centerline of Maple Road (being also the North line of "Supervisor's plat of Plainview Farms", liber 5, page 58, O.C.R. from the S. 1/4 corner of section 25, T2N, R11E, thence N. 00° 09'45" W. 268.22 ft., thence N. 88° 43'53" W. 487.50 ft., thence N. 00° 11'39" W. 1069.61 ft., along the North and South 1/4 line of section 25 (being also the East line of "Supervisor's Plat of Maple Acres", liber 48, Page 57, O.C.R.) thence S. 88° 29'57" E. 765.54 ft., along the South line of "Eva Haus Sub." (liber 116, page 10, 11 and 12, O.C.R.) and along the South line of "Carlston Heights Sub" (liber 115, page 5,6,7 and 8, O.C.R.) thence S. 00° 09'36" W. 932.40 ft., along the boundary of said "Carlston Heights Sub." thence S. 16° 47'39" E. 140.87 ft., thence N. 88° 43'53" W. 150.00 ft., thence S. 00° 09'45" E. 268.22 ft., thence N. 88° 43'53" W. 162.45 ft., along the said centerline of Maple Road (being also the North line of said "Supervisor's Plat of Plainview Farms" to the point of beginning. Containing 19.745 Acres and comprising 66 lots, numbered 422 through 487, both inclusive, and one Outlot (Outlot "B").

Sidwell No. 20-25-451-001 35814 See 25
0073

RECORDED STAFF OR WAY NO.

2/6/99

MEMORANDUM ORDER
FOR GENERAL USE
DE FORM MS 77 T2-53

TO Recs Center

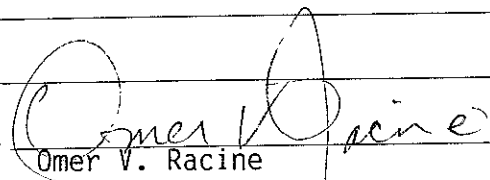
DATE 11-26-90 TIME _____

Please set up R/W file for:

Being a part of SE 1/4 Section 25 & NE 1/4 of Section 36, CITY OF TROY
Oakland County, Michigan

COPIES TO: _____

SIGNED


Omer V. Racine

277 Oakland Division Headquarters

REPORT _____

DATE RETURNED _____

TIME _____

SIGNED _____

RECORDED
INDEXED
NOV 29 1990
66607

To (Supervisor Hr & RW) <i>Jim McDONALD</i>	For Hr & RW Dept. Use	Date Received <i>9-10-90</i>	DE/Brlly/C P. No. <i>CE-90-39</i>
Division <i>OAKLAND</i>	Date <i>9-30-90</i>	Application No.	

We have included the following necessary material and information:

Material:

- A. Proposed Subdivision
 1. copy of complete final proposed plat - All pages
 or
 B. Other than proposed subdivision (condo., apts. mobile home park — other)
 1. Property description.
 2. Site plan.
 3. title information (deed, title commitment, contract with title commitment, or title search).

MBT J.S. memo U-3476
CA70 J.S. memo U-3477

Note: Do not submit application for URD easements until all above material has been acquired.

Information

1. Project Name <i>CARLSTON HEIGHTS NO. 3</i>	County <i>OAKLAND</i>
City/Township/Village <i>TROY</i>	Section No. <i>25</i>

Type of Development

<input checked="" type="checkbox"/> Proposed Subdivision	<input type="checkbox"/> Apartment Complex	<input type="checkbox"/> Condominium
<input type="checkbox"/> Subdivision	<input type="checkbox"/> Mobile Home Park	<input type="checkbox"/> Other

2. Name of Owner <i>ELRO CORPORATION</i>	Phone No.
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Address
201 W. BIG BEAVER, SUITE 720, TROY, MICH. 48064

Owner's Representative <i>HARRY TERBRUGGEN</i>	Phone No. <i>689-6800</i>
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Date Service is Wanted
10-15-90

4. Entire Project will be developed at one time Yes No

5. Joint easements required — Michigan Bell Telephone *DAN O'CONNELL 456-0832* Yes No
 — Consumers Power Yes No

a. Name of Other Utilities If Not Michigan Bell Telephone or Consumers Power
UNITED CABLE TV OF OAKLAND

b. Other Utility Engineer Names <i>Jim KREMER</i>	Phone Numbers <i>549-1236</i>
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Addresses
4500 DELBENE RYAL OAK MICH 48073

6. Additional Information or Comments

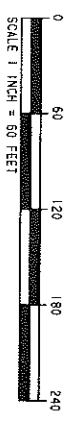
Note: Trenching letter attached will be submitted later

Service Planner <i>JERRY WITALEC</i>	Signed (Service Planning Supervisor) <i>Dennis L. Green</i>
Phone No. <i>X 4136</i>	Address

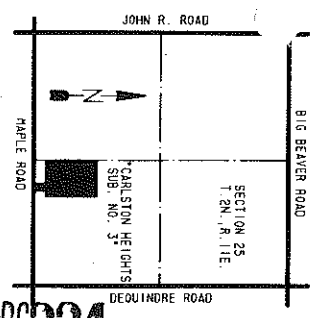
RECORDED MICHIGAN DEPT. OF TAX NO. 46974

CARLSTON HEIGHTS SUB. NO. 3

PARTS OF THE S.E. 1/4 OF SEC. 25 AND N.E. 1/4 OF SEC. 36, APPENDIX "B", T.2N., R.11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN.

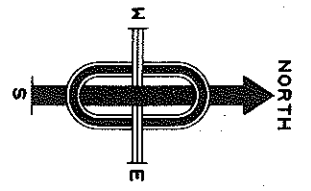


PLAT LEGEND
 ALL DIMENSIONS ARE IN FEET.
 ALL CORRECTIONS NEAR DIMENSIONS ARE SHOWN ALONG THE ARC.
 (R.) DENOTES RADIAL, (N.R.) DENOTES NOT RADIAL.
 THE SYMBOL "O" INDICATES A POINT WHICH IS A 1/2" DIAMETER STEEL BAR 36" LONG, ENCASED IN 4" DIAMETER CONCRETE.
 ALL LOT MARKERS ARE 1/2" IRON PIPES AND ARE 18" LONG. "NO I.D. CAPS" ALL BEARINGS ARE IN RELATION TO THE BEARING OF THE SOUTH LINE OF CARLSTON HEIGHTS SUB. AS RECORDED IN LIBER 115, PAGES 5, 6, 7 AND 8, O.C.R.



LIBER 11619PG224

"SUPERVISOR'S PLAT OF MAPLE ACRES" (LIBER 49, PAGE 57)



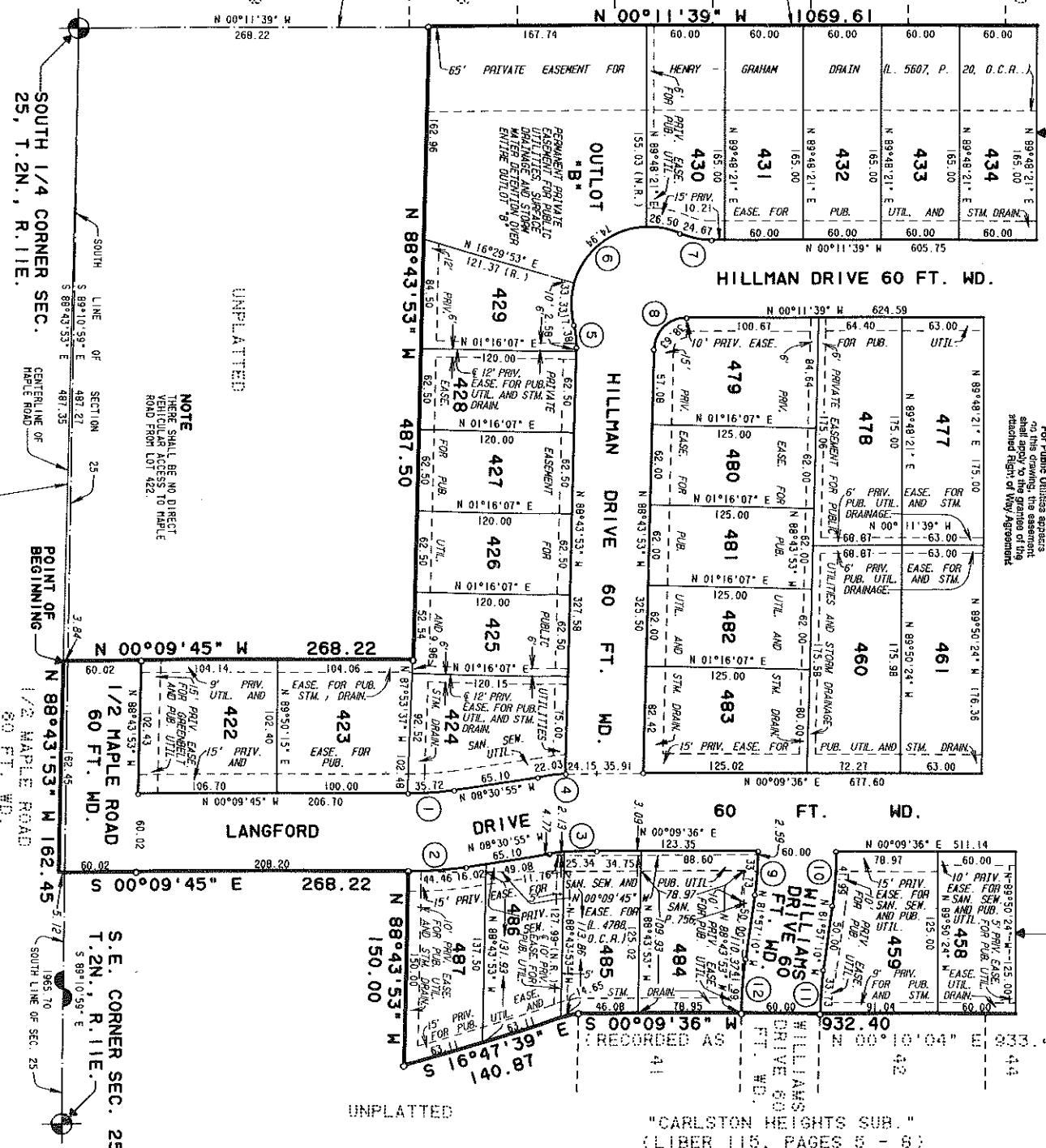
CURVE DATA

NO.	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
1	245.00	35.72	08°21'10"	35.69	N 04°20'20" W
2	305.00	44.46	08°21'10"	44.42	N 04°20'20" W
3	245.00	37.10	08°40'31"	37.06	N 04°10'39" W
4	305.00	46.18	08°40'31"	46.14	N 04°10'39" W
5	60.00	17.38	16°33'52"	17.32	N 82°58'11" E
6	60.00	14.77	128°41'29"	108.12	N 40°39'00" E
7	50.00	24.61	23°33'23"	24.59	N 11°35'03" E
8	25.00	38.63	88°32'14"	34.90	N 44°27'46" W
9	245.00	33.73	07°53'14"	33.70	N 85°53'47" W
10	305.00	41.99	07°53'14"	41.95	N 85°53'47" W
11	245.00	33.73	07°53'14"	33.70	N 85°53'47" W
12	305.00	41.99	07°53'14"	41.95	N 85°53'47" W

Plat S. Peterson

UNPLATTED

NOTE
 THERE SHALL BE NO DIRECT VEHICULAR ACCESS TO MAPLE ROAD FROM LOT 422.



SOUTH 1/4 CORNER SEC. 25, T.2N., R.11E.

SUPERVISOR'S PLAT OF PLAINVIEW FARMS, INC. (LIBER 5, PAGE 59)

S.E. CORNER SEC. 25, T.2N., R.11E.

LINE ON SHEET 2

RECORDED RIGHT OF WAY NO. 40979

"CARLSTON HEIGHTS SUB." (LIBER 115, PAGES 5 - 8)

CARLSTON HEIGHTS SUB. NO. 3

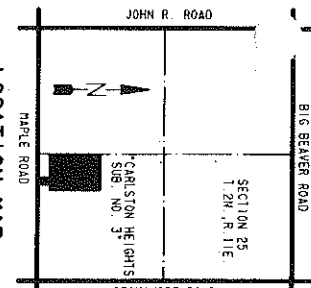
PARTS OF THE S.E. 1/4 OF SEC. 25 AND N.E. 1/4 OF SEC. 36, T.2N., R.11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN.

APPENDIX "B"

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.
 ALL BEARINGS ARE IN RELATION TO THE BEARING OF THE SOUTH LINE OF CARLSTON HEIGHTS SUB. AS RECORDED IN LIBER 115, PAGES 5, 6, 7 AND 8, O.C.R.

Wherever Private Easement or Public Utility easement is shown on this plat, the grantee of the attached Right of Way Agreement shall apply to the grantee of the attached Right of Way Agreement.

RECORDED RIGHT OF WAY NO. 40979

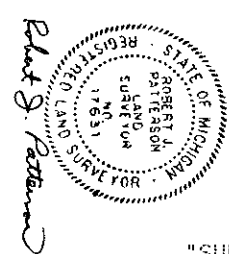


LIBER 11619PG225

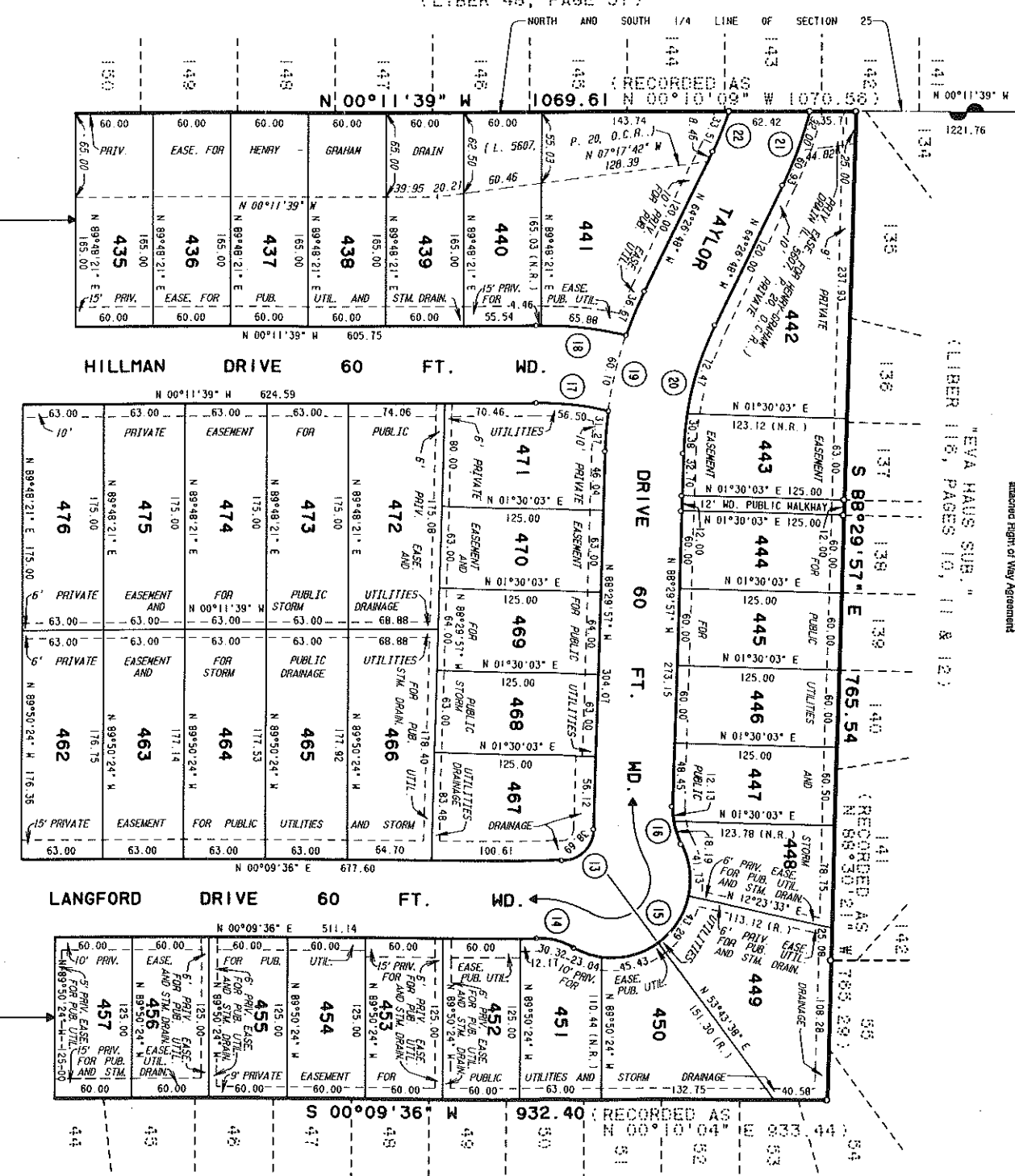
"SUPERVISOR'S PLAT OF MAPLE ACRES" (LIBER 49, PAGE 57)

CURVE DATA

NO.	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
13	25.00	38.89	88°39'33"	34.94	N 44°10'11" W
14	60.00	30.32	28°57'17"	30.00	N 143°38'15" E
15	60.00	53.49	46°34'08"	114.93	N 44°10'11" W
16	60.00	30.32	28°57'18"	30.00	N 177°01'24" E
17	245.00	56.50	13°12'51"	56.38	N 06°24'46" E
18	305.00	128.54	24°03'09"	127.10	N 165°28'22" W
19	305.00	102.89	24°03'09"	102.10	N 15°28'22" W
20	305.00	60.93	11°26'43"	60.82	N 70°10'09" W
21	245.00	33.51	07°50'12"	33.48	N 68°21'54" W



Blair J. Patterson



"CARLSTON HEIGHTS SUB." (LIBER 115, PAGES 5 - 8)

MATCH LINE ON SHEET 1 OF 4