

2013 SEP 12 PM 2:01

233806
LIBER 46309 PAGE 351
\$19.00 MISC RECORDING
\$4.00 REMUNERATION
09/12/2013 02:06:33 P.M. RECEIPT# 127687
PAID RECORDED - OAKLAND COUNTY
LISA BROWN, CLERK/REGISTER OF DEEDS

VEGETATION MANAGEMENT EASEMENT

On AUGUST 23, 2013 for (good and valuable consideration), the receipt of which is hereby acknowledged, Grantor conveys and warrants to Grantee, its successors and assigns, a permanent easement ("Easement") over, under, across and through a part of Grantor's Land called the Easement Strip, as herein described.

Grantor is: Revocable Trust Agreement of Ralph E. Scofield dated December 6, 1983, as amended.

Grantee is: International Transmission Company, a Michigan corporation, of 27175 Energy Way, Novi, Michigan 48377.

Grantor's Land is in the City of Walled Lake, County of Oakland and State of Michigan and is described as follows:

Part of the NE 1/4 of Section 34, T2N, R8E, City of Walled Lake, Oakland County, Michigan, described as commencing at the NE corner of said Section 34; thence N.88°15'15"W., along the North section line, 476.42 feet to the centerline of Pontiac Trail; thence S.30°03'25"W., along said centerline, 335.67 feet; thence S.28°12'15"W., along said centerline, 244.80 feet to the point of beginning; thence S.28°12'15"W., along said centerline, 49.07 feet; thence S.79°10'00"W., along the Northerly right of way line of the Grand Trunk Western Railroad (50 feet wide right of way), 2637.72 feet; thence N.00°44'30"E., 1080.98 feet to the North line of said Section 34; thence S.88°02'25"E., along said line, 681.36 feet to the North 1/4 corner of said Section 34; thence S.89°44'30"E., along the North line of said Section 34, 1207.23 feet; thence S.01°13'40"W., along the Westerly line of "Schoolcrest Manor Subdivision" as recorded in Liber 91 of Plats, Page 19, Oakland County Records, and the Southerly extension thereof, 637.85 feet; thence N.79°10'00"E., 670.02 feet; thence S.88°50' 50"E., 67.37 feet to the point of beginning.

More commonly known as: 831 N. Pontiac Trail, Walled Lake, Michigan

Parcel ID: 17-34-201-002 + PT Rd no Sidwell

Grantor represents and warrants to Grantee that Grantor is the present owner in fee simple of Grantor's Land.

The Easement Strip is within Grantor's Land, and is described as:

OK - MH

FILE
50802

4P
E

A strip of land beginning at the **Southeasterly** line of Grantor's Land and continuing to a line lying **75 feet Northwesterly** of, and parallel to, the centerline of the electric transmission structures currently located on or adjacent to Grantor's Land. See Exhibit A attached.

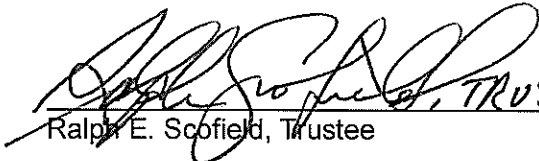
1. **Purpose:** The purpose of this Easement is to allow Grantee the perpetual right to enter at all times upon the Easement Strip on Grantor's Land to cut, trim, remove, destroy or otherwise control any or all trees, bushes or brush now or hereafter standing or growing within the Easement Strip.
2. **Limited Use; Nonuse:** Nonuse or limited use of the rights herein granted shall not prevent later use to the full extent herein conveyed.
3. **Original Grant of Easement:** Nothing contained in this Easement shall be construed as releasing or impairing any rights or privileges granted to Grantee or The Detroit Edison Company under any existing grant of easement ("Original Grant of Easement") relative to the Easement Strip. To the extent this Easement grants rights and privileges to either party not granted in the Original Grant of Easement, the Original Grant of Easement is hereby amended to include the additional rights and privileges granted by this Easement. If, in any other way, any term, condition or provision of this Easement is inconsistent with or conflicts with one or more provisions of the Original Grant of Easement, the term, condition or provision of this Easement shall control, and to that extent, the Original Grant of Easement is hereby amended. The Original Grant of Easement, insofar as it may cover and relate to land other than Grantor's Land, shall remain in full force and effect in accordance with all of its terms, conditions and provisions.
4. **Successors:** This Easement runs with the land and binds and benefits Grantor's and Grantee's successors and assigns.

This Easement is exempt from real estate transfer tax pursuant to MCLA 207.505(f) and from State real estate transfer tax pursuant to the provisions of MCLA 207.526(f).


[Grantor's signature and acknowledgement appears on following page]

GRANTOR

Revocable Trust Agreement of Ralph E. Scofield
dated December 6, 1983, as amended


Ralph E. Scofield, Trustee

Acknowledged before me in ST. CLAIR County, Michigan, on this 23 day of AUGUST, 2013, on behalf of the Revocable Trust Agreement of Ralph E. Scofield dated December 6, 1983, as amended, by Ralph E. Scofield, Trustee.


MICHAEL D. SCHIRA, Notary Public
OAKLAND County, Michigan
Acting in ST. CLAIR County, Michigan
My Commission Expires 5-17-2016

Prepared by:
Patricia T. Murphy (P61872)
ITC Holdings Corp.
27175 Energy Way
Novi, MI 48377

When recorded return to:
NSI Consulting & Development
24079 Research Drive
Farmington Hills, MI 48335

**DIRECTION REGARDING DISPOSITION OF VEGETATION
UPON INITIAL CLEARING**

RALPH E. SCOFIELD, TRUSTEE ("Owner") is the owner(s) of the property located at _____, _____ County, Michigan. (the "Property");

INTERNATIONAL TRANSMISSION COMPANY, a Michigan corporation, with an address of 27175 Energy Way, Novi, Michigan 48377, and its successors and assigns ("ITC") has an easement on the Property;


ITC or its agents have the right at any time to cut, trim, remove, destroy or otherwise control any or all trees, bushes or brush in accordance with the terms of the Easement; and

To the extent ITC cuts, trims, removes or destroys trees, bushes or brush ("Vegetation") in accordance with the terms of the Easement, Owner has requested that all such Vegetation be handled by ITC in the following manner:

- Stack all Vegetation (greater than 6 inches d.b.h.) off the Easement Area and leave on Property as noted below.
- Chip Vegetation (under 6 inches d.b.h.) and broadcast on Easement Area.
- Remove all Vegetation from the Property ~~except small debris, as such small debris is defined in ITC's sole discretion.~~ RES
- Other: DO NOT GIVE ANY WOOD, ETC TO RESIDENTS. ALL STUMPS TO BE CUT AS CLOSE AS POSSIBLE TO GROUND. ACCESS TO BE FROM PROPERTY ON SOUTH.

Nothing in this document shall be deemed to modify, alter or amend the easement in any way. This document shall not be assigned by Owner, shall not be recorded, and does not run with the land. As is consistent with standard utility practice, it is understood that ITC does not grind or remove stumps. I understand that trees that are removed will be cut as close to the ground as possible given the surrounding terrain, fences, rocks, etc. The cambial layer of stumps shall be treated with an herbicide to limit sprouting. Further, I acknowledge that ITC or its agents may need to make ingress/egress onto my property with vehicles and/or equipment necessary to effectuate the option that I have chosen above.

Signed this 23RD day of AUGUST, 2013.

OWNER: , TRUSTEE

8/22/2013

Ralph E. Scofield, Trustee

**76,000.00

Seventy-Six Thousand and 00/100*****

Ralph E. Scofield
P.O. Box 430
Avoca, MI 48006-0430

Easement 1306 3123 504-508

Ralph E. Scofield, Trustee
2028 · Easement Acquisition

8/22/2013

Easement 1306 3123 504-508 831 N. Pontiac Trail,

76,000.00

ITC Chase Escrow Easement 1306 3123 504-508

76,000.00

Ralph E. Scofield, Trustee
2028 · Easement Acquisition

8/22/2013

Easement 1306 3123 504-508 831 N. Pontiac Trail,

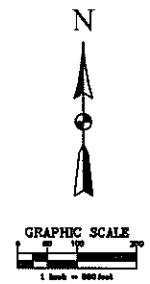
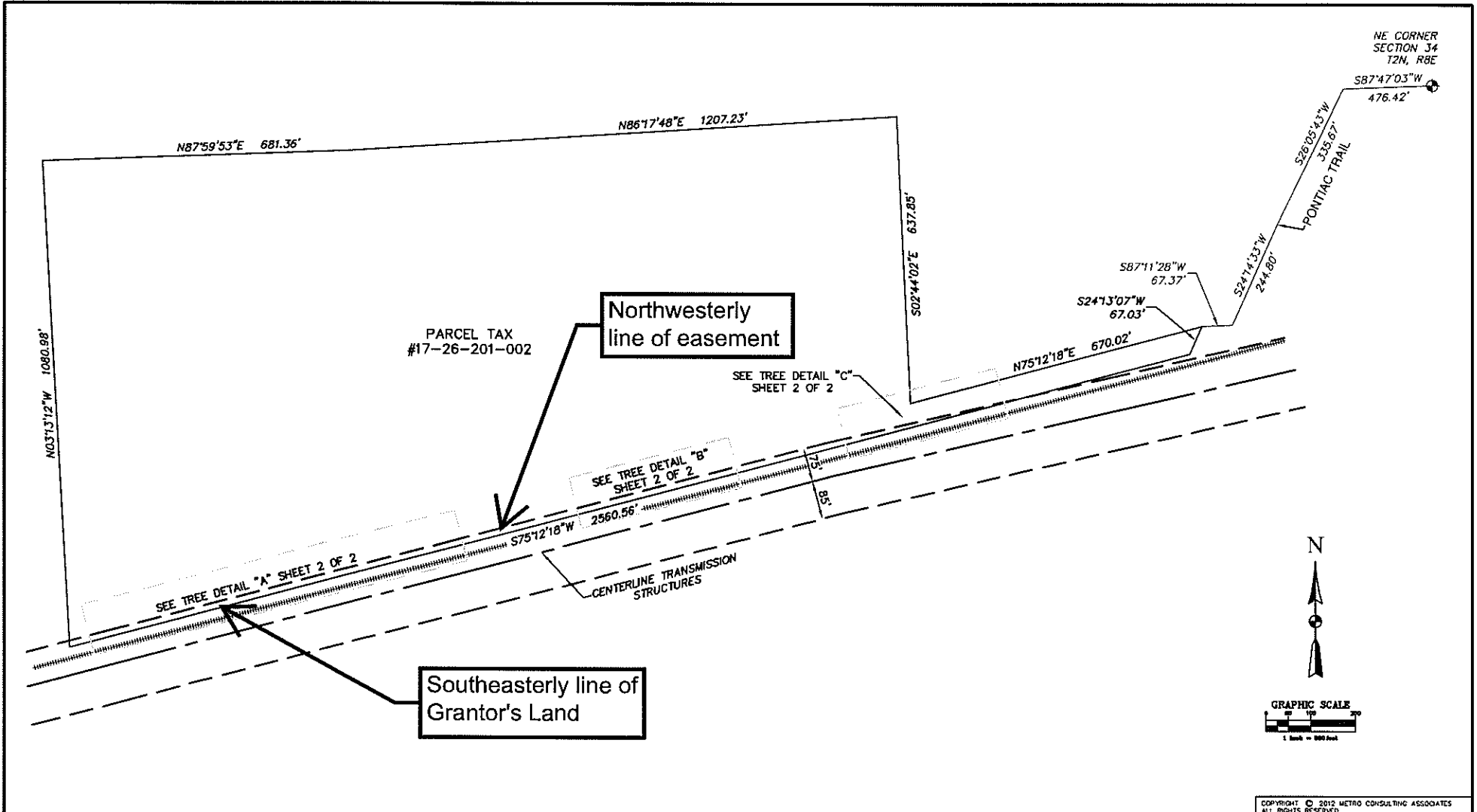
76,000.00

1706

PAYMENT
RECORD

ITC Chase Escrow Easement 1306 3123 504-508

76,000.00



PREPARED FOR

ITC
EXHIBIT FOR TREE LOCATION
WITHIN EASEMENT AREA

EXHIBIT 1306
TREE LOCATION
WITHIN EASEMENT AREA
FOR PARCEL 17-34-201-002

UTILITY WARNING
UNDERGROUND UTILITY LOCATIONS AS SHOWN ON THE PLAN WERE OBTAINED FROM UTILITY OWNER AND NOT FIELD LOCATED.

811 Know what's below. Call before you dig.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF AND/OR RELOCATION OF ALL UTILITIES THAT MAY INTERFERE WITH CONSTRUCTION.

JOB NO.: 1037-11-5487
 DWG NO.: 103-11-29-02
 DATE: 9/20/2012
 DRAWN BY: MST
 CHECK: DLN
 SURVEY:
 REV: 10/10/12 SITE VISIT
 REV:
 REV:

METRO CONSULTING ASSOCIATES

8001 SCHODNER DRIVE
 BELLEVILLE, MICHIGAN 48111
 PHONE: 734.483.1427 FAX: 734.483.3431
 www.metrocon.net

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August 22, 2013

Ralph E. Scofield, Trustee
P.O. Box 430
Avoca, MI 48006-0430

Re: Parcel No. 17-34-201-002 Vegetation Management

Dear Mr. Scofield:

Thank you for taking the time to review International Transmission Company's ("ITC") proposed Vegetation Management Easement ("Easement"). In addition to the terms of the Easement, ITC agrees to the following in regards to the subject property:

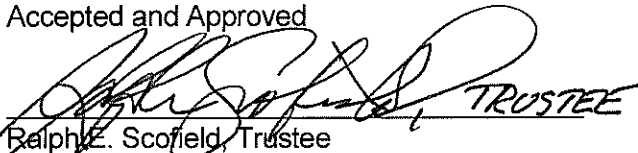
1. You shall not plant any trees in the easement area without prior written permission from ITC.
2. Within a reasonable time, but not more than 15 business days (weather permitting), after performing the initial work pursuant to the Easement, ITC shall complete cleanup of the easement area by removing all cut, trimmed, destroyed or otherwise controlled vegetation. After performing the initial work, should ITC return for any further vegetation management work, ITC shall reimburse you for additional costs of stump removal, chip removal, top soil placement, reseeding and mulching on the subject property within 30 days of performing such work.
3. ITC shall pay reasonable legal fees that may be incurred by you to enforce the provisions of this agreement.

If this letter meets with your approval, please indicate your acknowledgement and acceptance of the terms by countersigning below.

Very truly yours,

James Smith
Maintenance Specialist

Accepted and Approved


Ralph E. Scofield, Trustee

AUGUST 23, 2013
Date

SEAVER TITLE AGENCY

SEAVER TITLE AGENCY, LLC
42651 Woodward Ave.
Bloomfield Hills, MI 48304
Ph: (248) 338-7135 Fax: (248) 338-3045

Record Search furnished to:
NSI Consulting and Development
26657 Woodward Avenue, Suite 100
Huntington Woods, MI 48070

File No. 63-10119572-SCM

TITLE INFORMATION REPORT

DESCRIPTION OF REAL ESTATE

Situated in the City of Walled Lake, County of Oakland, State of Michigan, as follows:

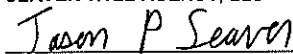
SEE EXHIBIT A

Re: 831 Noth Pontiac Trail, Walled Lake
Tax Item No. 17-34-201-002

Owner(s): Ralph E. Scofield as Grantor and Trustee of the Ralph E. Scofield Trust Agreement dated December 6, 1983 as amended and restated March 25, 1988 and further amended April 29, 1988, October 27, 1988 and October 15, 1990

1. Mortgage and the terms, conditions and provisions contained therein, executed by Ralph E. Scofield as Grantor and Trustee of the Ralph E. Scofield Trust Agreement dated December 6, 1983 to Citizens First Savings Bank dated November 12, 2004 and recorded November 24, 2004 in Liber 34480, Page 754 and further secured by Assignment of Rents recorded in Liber 34480, Page 774, and modified to increase the indebtedness to \$17,000,000.00 by Modification recorded in Liber 34801, Page 73 and further modified to increase the indebtedness to \$19,350,000.00 by Modification of Mortgage in Liber 41842, Page 24 and Modification of Assignment of Rents recorded in Liber 41842, Page 29.
2. Easement for watermain purposes to the County of Oakland recorded in Liber 5257, Page 670 and in Liber 5257, Page 789.
3. Declaration of Restrictive Covenant recorded in Liber 6665, Page 163.
4. Right of Way to the Michigan Bell Telephone Company recorded in Liber 6406, Page 582.
5. Rights of the public and of any governmental unit in any part of the land taken, used or deeded for street, road or highway purposes.
6. Mortgage in the original amount of \$1,000,000.00, and the terms, conditions and provisions contained therein, executed by Ralph E. Scofield as Grantor and Trustee of the Ralph E. Scofield Trust Agreement dated December 6, 1983 to Citizens First Savings Bank dated August 6, 2008 and recorded August 18, 2008 in Liber 40533, Page 447.
7. Grant of Easement recorded in Liber 35183, Page 557.
8. Detroit Edison Overhead Easement recorded in Liber 12809, Page 251.
9. Easement to Consumers Power Company, Michigan Bell Telephone Company and the Detroit Edison Company

COUNTERSIGNED:
SEAVER TITLE AGENCY, LLC



Jason P. Seaver
AUTHORIZED SIGNATORY

This information compiled as of an effective date of December 8, 2010 at 8:00 A.M.

NOTE: In consideration of the reduced rate at which this report is furnished, it is understood that the information contained herein is only such as may be obtained in the office of the County Register of Deeds. It is understood that any liability for correctness or incorrectness of information furnished herein is limited to the amount paid for this report. The information contained herein should not be used for due diligence inquiry under CERCLA or other federal or state environmental legislation.

Wednesday, January 12, 2011

Examined By: Eliezer Kaplan

recorded in Liber 8773, Page 799 and supplemented by Affidavit recorded in Liber 8959, Page 47.

10. PAYMENT OF TAXES: Tax Parcel No.: 17-34-201-002

2010 County Taxes are Not Examined

2010 City Taxes are Not Examined

Special Assessments: Not Examined

The amounts shown as due do not include collection fees, penalties or interest.

EXHIBIT "A"

Parcel 7:

Part of the Northeast 1/4 of Section 34, and part of the Northwest 1/4 of Section 34, Town 2 North, Range 8 East, City of Walled Lake, Oakland County, Michigan, described as: Commencing at the Northeast corner of said Section 34; thence North 88 degrees 15 minutes 15 seconds West along the North Section line 476.42 feet to the centerline of Pontiac Trail; thence South 30 degrees 03 minutes 25 seconds West along said centerline 335.67 feet; thence South 28 degrees 12 minutes 15 seconds West along said centerline 244.80 feet to the point of beginning; thence South 28 degrees 12 minutes 15 seconds West along said centerline, 49.07 feet; thence South 79 degrees 10 minutes 00 seconds West, along the Northerly right of way line of the Grand Trunk Western Railroad (50 feet wide right of way) 2637.72 feet; thence North 00 degrees 44 minutes 30 seconds East 1080.98 feet to the North line of said Section 34; thence South 88 degrees 02 minutes 25 seconds East along said line 681.36 feet to the North 1/4 line of said Section 34; thence South 89 degrees 44 minutes 30 seconds East along said North line of said Section 34, 1207.23 feet; thence South 01 degrees 13 minutes 40 seconds West along the Westerly line of Schoolcraft Manor Subdivision, as recorded in Liber 91 of Plats, Page 18, Oakland County Records, and the Southerly extension thereof 637.85 feet; thence North 79 degrees 10 minutes 00 seconds East 670.02 feet; thence South 88 degrees 50 minutes 50 seconds East 67.37 feet to the point of beginning. EXCEPTING therefrom that part conveyed to Board of County Road Commissioners, County of Oakland, State of Michigan in Quit Claim Deed recorded in Liber 12702, Page 209, Oakland County Records, described as: Part of the Northeast 1/4 of Section 34, Town 2 North, Range 8 East, City of Walled Lake, Oakland County, Michigan, described as: Commencing at the Northeast corner of said Section 34; thence North 88 degrees 15 minutes 15 seconds West along the North Section line 476.42 feet to the centerline of Pontiac Trail; thence South 30 degrees 03 minutes 25 seconds West along said centerline 335.67 feet; thence South 28 degrees 12 minutes 15 seconds West along said centerline 244.80 feet to the point of beginning; thence South 26 degrees 12 minutes 15 seconds West along said centerline 49.07 feet; thence South 79 degrees 10 minutes 00 seconds West, along the Northerly right of way line of the Grand Trunk Western Railroad (50 feet wide right of way) 77.25 feet; thence North 28 degrees 12 minutes 15 seconds East 67.08 feet; thence South 88 degrees 50 minutes 50 seconds East 67.37 feet to the point of beginning.

Re: 831 North Pontiac Trail

Tax Item No. 17-34-201-002

831 N PONTIAC TRL LOT 1 WALLED LAKE MI 48390

17-34-201-002



Commercial and Industrial Property Profile

FILE NO. 63-10119572-SCM

Data Trace Searched thru: 6/7/78

Deeds searched thru: 10/6/82 in 8252-615

Note: Please be advised the data included in Property Geographical Data Trace, may be classified and updated differently from the local community where the data originated.

Owner Information

Owner: FAWN LEE ESTATES & RAULPH BOOFIELD

Site Information

Site Address: 831 N PONTIAC TRL LOT 1 WALLED LAKE MI 48390

Municipality: City of Walled Lake

Section: 270 WALLED LAKE TOWNSHIP

Use: 205 MISC BUS (Commercial Miscellaneous Business)

Well Indicator: N

Septic Indicator: N

Property Description

T2N, R8E, SEC 34 PART OF N 1/2 OF SEC BEG AT PT DIST N 88-15-15 W 476.42 FT & S 30-03-25 W 335.67 FT & S 28-12-15 W 244.80 FT FROM NE SEC COR, TH S 28-12-15 W 49.07 FT, TH S 79-10-00 W 2637.72 FT, TH N 00-44-30 E 1000.88 FT, TH S 08-02-26 E 601.36 FT, TH S 29-44-30 E 1207.23 FT, TH S 01-13-40 W 637.85 FT, TH N 79-10-00 E 670.02 FT, TH S 08-50-30 E 67.37 FT TO BEG EXC THAT PART TAKEN FOR RD BEG AT PT DIST N 88-15-15 W 476.42 FT & S 30-03-25 W 335.67 FT & S 28-12-15 W 244.80 FT FROM NE SEC COR, TH S 28-12-15 W 49.07 FT, TH S 79-10-00 W 77.25 FT, TH N 28-12-15 E 67.08 FT, TH S 08-50-50 E 67.37 FT TO BEG

BLM & FISH CORP

Added Date: 08/04/1981

Added To:

Tax Information

Taxable Value: \$1,196,320.00

State Equalized Value: \$1,269,780.00

Effective Date For Taxes: 12/01/2010

Principal Residence: 0%

Exemption:

Summer:

\$67,098.21

Summer:

\$66,700.22

Winter:

\$0.00

Winter:

\$0.00

Village:

\$0.00

Village:

\$0.00

Pool Information

Description: POND

Acres: 39.820

LIBER 2838, PAGE 565
SATISFACTION OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, That THE ST. AUGUSTINE NATIONAL BANK, a national banking association existing under the laws of the United States, (as Trustee under that certain Indenture contract dated the 1st day of November, A. D. 1951, executed by Edward J. McCallum, Sr., as Grantor, and The St. Augustine National Bank, St. Augustine, Florida) as Trustee, holder of a certain mortgage made by Beverly P. Wynings and Marion W. Wynings, his wife, of South Lyon, Michigan, to Sally B. Anderson of Philadelphia, Pennsylvania, recorded in LIBER 2838, Page 275, Public Records of Oakland County, Michigan; when to secure the sum of Ten Thousand Five Hundred and no/100th (10,500.00) Dollars, evidenced by a certain note, upon the following described property, situate, lying and being in Oakland County, State of Michigan, to-wit:

Lots No. 1, 2, 11 and 12 of Block 7; also Lots No. 11 and 12, Block #5, except a strip 18 inches wide and 4 rods long off the North end of said Lot #12, Block #5, all in Calkins Addition to the Village (now City) of South Lyon, Michigan. Also, all of Out lot No. 5 and all of Out lot #2 of Calkins Addition to the Village (now City) of South Lyon, Michigan, except such a part of Out Lot #2 as is used by the Grand Trunk Air Line Ry.

Also, part of Block 6, Calkins Addition to the Village (now City) of South Lyon, Michigan, commencing at a point at the intersection of the North line of Lawton St. and the East line of Washington Street; thence North along the East line of Washington Street to the land owned by Bertha Dewey; thence Easterly along the South line of land owned by Bertha Dewey 8 rods; thence Southerly to a point on the N. line of Lawton St. 8 rods East of the point of beginning; thence Westerly to the point of beginning.

Last above described property also known and described as the West 132 feet of Lot #2 Block 6, Calkins Addition, and Lot #59 Assessor's Plat #1.

Which said note and Mortgage was assigned by Sally B. Anderson (formerly Sally B. Anderson) to Edward J. McCallum, Sr., under date of December 13, 1951 by assignment recorded in LIBER 2838, Page 71, Public Records of Oakland County, Michigan, and thereafter assigned by Edward J. McCallum, Sr., to The St. Augustine National Bank as Trustee by assignment dated December 21, 1951, which said assignment is recorded in LIBER 2838, Page 564, Public Records of Oakland County, Michigan.

OAKLAND COUNTY MICHIGAN
REGISTER OF DEEDS RECORDS
RECORDED
1957 FEB 1 PM 2 14

The State Savings

South

KNOW ALL MEN BY THESE PRESENTS: That Michael William Murphy, Executor of the Estate of William O'Flaherty, also known as William J. O'Flaherty and William Joseph O'Flaherty, deceased, Quit Claim to WILLIAM O'FLAHERTY, Of 6416 West Outer Drive, Detroit, Michigan, the following described premises situated in the City of Detroit, County of Wayne and State of Michigan, to-wit:

Lots 136 - 137 - 245 - 251 - 252 - 335 of Marygrove Outer Drive Park, a subdivision of part of West $\frac{1}{2}$ of S.E. $\frac{1}{4}$ of Sec. 7, T.1.S - R. 11 East, and

The following described real estate situated in the Township of Commerce, County of Oakland, State of Michigan:

Lots 42 - 68 - 69 - 70 - 74 - 75 - 87 - 88 - 89 - 90 - 91 - 92 - 93 - 94 - 95 - 96 - 97 - 98 - 99 - 101 - 102 - 103 - 104 - 112 - 121 - 122 - 123 - 124 - 125 - 126 - 127 - 128 - 137 - 138 - 141 - 147 - 153 - 154 - 156 and 160, in O'Flaherty's Lake View Sub. No. 1, of part of the N.E. $\frac{1}{4}$ and part of the E. $\frac{1}{2}$ of the N.E. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ of Sec. 34, T.2 N - R. 8 East, per plat recorded in Liber 43, page 35 Plats, Oakland County Records, and

Outlot "B" excepting the northerly part thereof, said exception being 56.43 feet on the west lot line and 67.28 feet on the east lot line, and

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

Lot No. 36 Supervisors Plat # 2, being a re-plat of the original plat of Walled Lake and a plat of the N.E. $\frac{1}{4}$ and part of the S.W. $\frac{1}{4}$ of Sec. 34, T. 2 N., R. 8 E., and

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

Land in Sec. 34, T. 2 N., R. 8 E., described as being part of the S.W. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ beginning at the center of said section, thence north along the north and south quarter line 605 ft. to the south line of O'Flaherty's Lake View Sub. # 1; thence southeasterly along the south line of said Sub. 401.79 ft. to the west line of O'Flaherty's Lake View Sub.; thence south along the west line of said Sub. 557.78 ft to the east and west quarter line; thence West along the east and west quarter line 399 ft. to the place of beginning, containing 5.30 acres more or less, and

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

Being part of Sec. 34, T.2 N., R. 8 E. part of the North $\frac{1}{2}$ thereof, beginning on the north Section Line East 660 ft. from the West $\frac{1}{8}$ line; thence South 88 deg. 28 min. East 1889.3 ft; thence South 1 deg. 32 min. West 500 ft; thence South 88 deg. 44 min. East 723 ft. to the center line of the Highway; thence South 27 deg. 30 min. West 50 ft to the North line of G.T. R.R. right of way; thence south 79 deg. 30 min. West 2637.9 ft. along said north line; thence North Zero deg. 48 min. East 1087.6 ft to place of beginning.

34
1889.3
500
723
50
2637.9
1087.6

720 ft
225 ft

KNOW ALL MEN BY THESE PRESENTS, That Louis Adkins and Margaret L. Adkins
his wife, of 1102 W. Maple Road, Walled Lake, Michigan and I. V. Hassell and
Iney Mai Hassell, his wife,

hereinafter called the Grantor, for and in consideration of the sum of Four Hundred
Forty Two Dollars (\$ 442) paid to them by the County of Oakland, a Michi-
gan Constitutional Corporation, hereinafter called the County, whose address is 1200 North
Telegraph Road, Pontiac, Michigan, do hereby grant to the County the right to construct,
operate, maintain, repair and/or replace a water main across and through the following des-
cribed land situated in the City of Walled Lake, Oakland County, Michigan to-wit:

Part of the N $\frac{1}{2}$ of Section 34, T2N, R8E, City of Walled Lake, Oakland County, Michigan,
beginning on N section line E 660 ft from W 1/8 line, th S 86°25' E 1889.3 ft, th S 1°32' W
500 ft, th S 86°44' E 723 ft to center line of highway, th S 27°30' W 50 ft to N line of CT RR
R/W, th S 78°30' W 2637.9 ft along said N line, th N 0°48' E 1087.6 ft to beginning. Con-
taining 45.50 acres. Otherwise known as Parcel CP #4 on the City of Walled Lake tax rolls.

The permanent easement shall consist of the Ely 20.0 ft of the W'ly 670.0 ft of Parcel CP #4,
and also the W 18.0 ft of the N 153.0 ft of the S 177.0 ft of said parcel.

And further, the Grantor does hereby grant a temporary construction easement to the
County consisting of the N 13.0 ft of the S 192.0 ft of the W 25.0 ft of said parcel.

And further, the Grantor does hereby grant a temporary construction easement to the County
consisting of the E 10.0 ft of the W 25.0 ft of the N 153.0 ft of the S 177.0 ft of said parcel,

And further, the Grantor does hereby grant a temporary construction easement to the
County consisting of the N 10.0 ft of the S 30.0 ft of the E 445.0 ft of the W 670.0 ft of said
parcel,

And further, the Grantor does hereby grant a temporary construction easement to the
County consisting of the E 10.0 ft of the W 660.0 ft of the S 30.0 ft of said parcel,

Said temporary construction easements shall terminate upon the completion date of construction.

The premises so disturbed by reason of the exercise of any of the foregoing powers
shall be reasonably restored to its original condition by the County.

This instrument shall be binding upon and inure to the benefit of the parties hereto,
their heirs, representatives, successors, and assigns.

IN WITNESS WHEREOF, the undersigned have hereunto affixed their signatures
this 19th day of AUGUST, A.D. 1966.

In presence of

Alfred C. [Signature]
ALFRED C. [Name]
J.D. Gaines
J.D. GAINES

Louis Adkins (L.S.)
Louis Adkins
Margaret L. Adkins (L.S.)
Margaret L. Adkins
I. V. Hassell (L.S.)
I. V. Hassell
Iney Mai Hassell
Iney Mai Hassell

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

On this 19th day of AUGUST, A.D. 1966, before me, a Notary Public in and
for said county, personally appeared Louis Adkins and Margaret L. Adkins his wife, and
I. V. Hassell and Iney Mai Hassell, his wife,

to me known

the within instrument. who then acknow-

KNOW ALL MEN BY THESE PRESENTS, That Louis Adkins and Margaret L. Adkins,
his wife and ~~Jessie Mae Hassell and I. V. Hassell and Iney Mae Hassell,~~
his wife of 1102 W. Maple Road, Walled Lake, Michigan

hereinafter called the Grantor, for and in consideration of the sum of Sixty Seven and 50/100
Dollars (\$ 67.50) paid to them by the County of Oakland, a Michi-
gan Constitutional Corporation, hereinafter called the County, whose address is 1200 North
Telegraph Road, Pontiac, Michigan, do hereby grant to the County the right to construct,
operate, maintain, repair and/or replace a water main across and through the following des-
cribed land situated in the City of Walled Lake, Oakland County, Michigan to-wit:

Part of the N $\frac{1}{4}$ of Section 34, T2N, R8E, City of Walled Lake, Oakland County, Michigan,
beginning on N section line E 660 ft from W 1/8 line, th S 88°28' E 1869.3 ft, th S 1°32' W
500 ft, th S 88°44' E 723 ft to centerline of highway, th S 27°30' W 50 ft to N line of GTRR
R/W, th S 78°30' W 2637.9 ft along said N line, th N 0°48' E 1087.6 ft to beginning. Con-
taining 45.50 acres. Otherwise known as Parcel CP84 on the City of Walled Lake tax rolls.

The permanent easement shall consist of the W 10.0 ft of the E 43.0 ft of Parcel CP84.

And further, the Grantor does hereby grant a temporary construction easement to the
County consisting of the W 10.0 ft of the E 53.0 ft of Parcel CP-84,

Said temporary construction easement shall terminate upon the completion date of construction.

The premises so disturbed by reason of the exercise of any of the foregoing powers
shall be reasonably restored to its original condition by the County.

This instrument shall be binding upon and inure to the benefit of the parties hereto,
their heirs, representatives, successors, and assigns.

IN WITNESS WHEREOF, the undersigned have hereunto affixed their signatures
this 10th day of SEPTEMBER, A.D. 1968.

In presence of

Alfred Colquhoun
ALFRED COLQUHOUN

Barbara Gaines
BARBARA GAINES

Louis Adkins (L.S.)

Margaret L. Adkins (L.S.)

I. V. Hassell (L.S.)

M. V. Hassell (L.S.)

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

On this 10th day of SEPTEMBER, A.D. 1968, before me, a Notary Public in and
for said county, personally appeared Louis Adkins and Margaret L. Adkins, his wife,
and M. V. Hassell and Iney Mae Hassell, his wife,

to me known

1968 SEP 26 PM 12 09

MAY 7 1976

6665 163

76 32248

DECLARATION OF RESTRICTIVE COVENANT

2/4/76

WHEREAS, under contract dated the 4th day of December, 1975, Margaret L. Adkins, Administratrix with will annexed of the Estate of Lewis S. Adkins, deceased, (hereinafter referred to as "Seller") agreed to convey to Franchise Realty Interstate Corporation, a Illinois corporation, (hereinafter referred to as "Purchaser") a parcel of real estate described on Page 1A attached hereto and made a part hereof,

WHEREAS, one of the terms of said contract states that Seller shall record a Restrictive Covenant affecting Seller's property;

NOW THEREFORE, Seller hereby covenants and agrees, that no fast food restaurant such as Burger King or Burger Chef or Jack in the Box shall be erected or cause to be erected on property owned by Seller within a (2) mile radius of the aforementioned property within (20) years from the date hereof; provided, however, that in no event shall this restriction be held applicable to any existing restaurant uses or facilities owned, operated or leased by the Seller;

This covenant shall run with the land and shall be binding on the Seller, its grantees, assigns, or successors in interest.

IN WITNESS WHEREOF, Seller has executed this DECLARATION OF RESTRICTIVE COVENANT, this 5th day of May, 1976

SELLER: Margaret L. Adkins, Administratrix with will annexed of Estate of Lewis S. Adkins, deceased
WITNESS: Sharon L. Camisa

Sharon L. Camisa

Forrest S. Hubbel

CLERK AND REGISTER
MAY 7 1976 9:39
REGISTERED

STATE OF MICHIGAN
COUNTY OF OAKLAND

AFFIDAVIT OF OWNERSHIP
(Individual)

Margaret L. Adkins, Administratrix with will annexed of the Estate of Lewis S. Adkins, deceased being first duly sworn on oath, deposes and states that he (she) is (are) the owner, as to an undivided one third interest of the property described on Page 1B attached and that he (she) owns no other property within a two (2) mile radius of the property described on Page 1A attached.

IN WITNESS WHEREOF, affiant has set his (her) hand this 5th day of May, 1976

WITNESS: Sharon L. Camisa, Margaret L. Adkins
Forrest S. Hubbel, State of Michigan, County of Oakland

MAY 7 1976

PAGE 1A

6665 164

Land in the City of Walled Lake, County of Oakland, State of Michigan,
described as:

Lot 21, West Maple Acres, a Subdivision of part of the West $\frac{1}{2}$ of the
Northwest $\frac{1}{4}$ of Section 35, Town 2 North, Range 8 East, Commerce
Township, Oakland County, Michigan, as recorded in Liber 49, Page 51 of
Plats, Oakland County Records.

MAY 7, 76

PAGE 1B

USA 6665 PAGE 165

Land in the City of Walled Lake, County of Oakland, State of Michigan,
described as:

PARCEL #1

Lot 1, Assessor's City of Walled Lake Plat No. 1 of part of Northwest $\frac{1}{4}$ of
Northeast $\frac{1}{4}$ of Section 35, T2N, R8E, City of Walled Lake, Oakland County,
Michigan, according to the plat thereof as recorded in Liber 105 of Plats,
Page 36, Oakland County Records.

PARCEL #2

Land in the City of Walled Lake, County of Oakland, State of Michigan,
described as:

Part of the North half of Section 34, Town 2 North, Range 8 East, City of
Walled Lake, Oakland County, Michigan, described as: Beginning on the
North Section line East 660 feet from the West one-eighth line; Thence
South 88 degrees 28 minutes East 1889.3 feet; thence South 1 degree 32
minutes West 500 feet; thence South 88 degrees 44 minutes East 723 feet
to the centerline of Highway; thence South 27 degrees 30 minutes West 50
feet to the North line of Grand Trunk Railroad Right of Way; thence South
79 degrees 30 minutes West 2637.9 feet along said North line; thence
North 0 degrees 48 minutes East 1087.6 feet to the point of beginning.

RETURN TO ESCROW DEPT.

LAWYERS TITLE INSURANCE CORP.
3270 W. BIG BEAVER ROAD
TROY, MICHIGAN 48064

ATTN: *[Signature]*

[Handwritten initials]

74 93665

Received of the Michigan Bell Telephone Company, a Michigan Corporation, whose principal offices are 1385 Cass Avenue, Detroit 26, Michigan, the sum of one dollar (\$1.00) and other valuable consideration, the receipt of which is

hereby acknowledged, in consideration of which I, we Lewis B. Adkins and Margaret L. Adkins, his wife, 1102 W. Maple Road, Walled Lake, Michigan; and J. V. Hassell and Iney Mai Hassell, his wife, 129 Dekalb, Walled Lake, Michigan

2/3/74

herby grant and convey to the said Company, its successors, assigns, lessees, licensees and agents an easement right of way to construct, reconstruct, maintain, operate and/or remove lines of communications facilities consisting of conduits, cables, and other fixtures and appurtenances as they from time to time may require, with the right of ingress and egress upon the herein described lands for the purpose of the right of way granted, under, across, upon and/or over the lands I, we own, or in which I, we have an interest, in Section 34, ^{City} ~~Township~~ of Walled Lake

T. 2 N., R. 8 E., County of Oakland, State of Michigan, and more fully described as follows:

A parcel of land in the N. 1/2 of Section 34, T2N, R8E, described as beginning on the N. line of said Section 660 feet E. of the W. 1/8 line of said Section, running thence S. 88° 28' E. 1889.3 feet; thence S. 1° 32' W. 500 feet; thence South 88° 44' E. 723 feet to the centerline of the highway, thence S. 27° 30' W. 50 feet to the N'ly line of the Grand Trunk Western Railroad right of way, thence S. 79° 30' W. 2637.9 feet along said railroad right of way, thence N. 00° 48' E. 1087.6 feet to the place of beginning.

prepared *mp*

Said system to be located within the easement described as follows:

17 feet in width extending in a Northeastorly and Southwesterly direction across said property. The Westerly line of said easement to be 50 feet West of and parallel to the centerline of Pontiac Trail as now exists.

00000

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

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 11 TH day of June, 1974.

WITNESS:

Forest S. Hubbel
FOREST S. HUBBEL
J. Douglas Roy
J. Douglas Roy
J. Douglas Roy

Lewis B. Adkins
Lewis B. Adkins
Margaret L. Adkins
Margaret L. Adkins
J. V. Hassell
J. V. Hassell
Iney Mai Hassell
Iney Mai Hassell

RECORDED
INDEXED 18 2X 9:31
MICHIGAN DEPARTMENT OF STATE
DIVISION OF RECORDS & ADMINISTRATION

1. DOUGLAS ROY
MICHIGAN BELL TELEPHONE CO.
2950 SOUTHFIELD RD 25
SOUTHFIELD MICHIGAN 48076

STATE OF MICHIGAN)
COUNTY OF OAKLAND) SS

On this 11 TH day of JUNE, 1974 before me, the subscriber, a Notary Public in and for said County, personally appeared Lewis B. Adkins and Margaret L. Adkins, his wife, and J. V. Hassell and Iney Mai Hassell, to us known to be the persons, named in