

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. OE 91-19
PROJECT NAME WOODLANDS OF TROY NO. 4 SUBDIVISION**

On October 14, 1991, 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:

Woodlands of Troy, Inc., a Michigan corporation, 755 West Big Beaver Road, Suite 2106, Troy, Michigan 48084

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
United Artists of Oakland County, Inc., a Michigan corporation, 4500 Delemere Blvd., Royal Oak, Michigan 48073

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

See Attached Appendix "A"

REG/DEEDS PAID
0001 OCT.30.91 02:30PM
3529 MISC 11.00

Sidwell No: 20-17-476-011-012-030

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

See Attached Appendix "B"

3

- 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.

UNDERGROUND RIGHT OF WAY NO. 42362

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

Susan Skochelak
SUSAN SKOCHELAK

Carol Beers
CAROL BEERS

WOODLANDS OF TROY, INC.
3#52 REG/DEEDS PAID O.K. — LM
0001 OCT.30.91 02:30PM
3529 RMT FEE 2.00
Kamal Shouhayib, President

Acknowledged before me in Oakland County, Michigan, on 10.14, 1991 by Kamal Shouhayib the President of Woodlands of Troy, Inc., a Michigan corporation, for the corporation.

PATRICIA J. RUSTOM
ACTING IN OAKLAND COUNTY, MICH.
NOTARY PUBLIC - MACOMB COUNTY, MICH.
MY COMMISSION EXPIRES 2-17-93

Notary's Stamp

Notary's Signature

Patricia J. Rustom

Prepared by and Return to:
Omer V. Racine, 30400 Telegraph Rd., Suite 277, Birmingham, MI 48025

Appendix "A"

Proposed "Woodlands of Troy No. 4" subdivision, a part of Lots 1 and 2, of "Supervisor's Plat of Troy Farmsites", being a part of the Southeast 1/4 of Section 17, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, as recorded in Liber 56 of Plats, on Page 59 of Oakland County Records, and also a part of Outlot "B" of "Woodlands of Troy No. 3", being a part of the Southeast 1/4 of Section 17, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, as recorded in Liber 207 of Plats, on Page 1, 2 and 3 of Oakland County Records; more particularly described as commencing at the Southeast Corner of said Section 17; thence South 86°56'29" West, 832.53 feet, along the South line of said Section 17 and the centerline of Wattles Road; thence North 02°43'06" West, 60.00 feet, to the Southeast corner of "Woodlands of Troy No. 1", as recorded in Liber 194, Pages 24, 25, 26, and 27 of Oakland County records; thence continuing North 02°43'06" West, 1175.50 feet, along the Easterly line of said "Woodlands of Troy No. 1", and the Westerly line of said "Woodlands of Troy No. 3", to a point on the Southerly line of "Merihill Acres Subdivision", as recorded in Liber 169 of Plats, on Pages 3, 4, 5, 6, and 7 of Oakland County Records and the Northerly line of said "Supervisor's Plat of Troy Farmsites" and the Northeast corner of said "Woodlands of Troy No. 1" and the Northwest corner of said "Woodlands of Troy No. 3"; thence North 87°34'53" East, 41.06 feet along the Southerly line of said "Merihill Acres Subdivision", the Northerly line of said "Supervisor's Plat of Troy Farmsites" (recorded as South 89°38'44" East) and the Northerly line of said "Woodlands of Troy No. 3", to the Northwest corner of said Outlot "B" of said "Woodlands of Troy No. 3" and the Point of Beginning; thence continuing North 87°34'53" East, 485.54 feet along the Southerly line of said "Merihill Acres Subdivision" and the Northerly line of said "Woodlands of Troy No. 3", and the Northerly line of said "Supervisor's Plat of Troy Farmsites" (recorded as South 89°38'44" East); thence South 02°43'06" East, 201.55 feet, to a point on the Southerly line of said Lot 1; thence South 87°14'20" West, 50.00 feet, along the Southerly line of said Lot 1; thence South 02°43'06" East, 200.19 feet, to a point on the Southerly line of Lot 2 of said "Supervisor's Plat of Troy Farmsites"; thence South 87°14'03" West, 375.80 feet, along the Southerly line of said Lot 2 and an extension thereof, to a point on the Westerly line of Outlot "B" of said "Woodlands of Troy No. 3"; thence North 11°40'00" East, 44.91 feet, along the Westerly line of said Outlot "B"; thence North 02°43'06" West, 90.41 feet, along the Westerly line of said Outlot "B"; thence North 14°17'52" West, 91.87 feet, along the Westerly line of said Outlot "B"; thence North 25°01'10" West, 97.28 feet, along the Westerly line of said Outlot "B"; thence North 12°26'20" West, 92.03 feet, along the Westerly line of said Outlot "B", to the point of beginning. All of the above containing 3.838 Acres. This plat contains 8 lots, numbered 83 to 90 both inclusive, and Outlots "C" and "D". Sidwell No: (20-17-476-011-012-030)

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1/2 20-17-476-030-OLB > 207001

20-17-476-036-Lot 1

1/3 20-17-476-012-Lot 2 > 56059

RECORDED RIGHT OF WAY NO. 42369

WOODLANDS OF TROY NO. 4

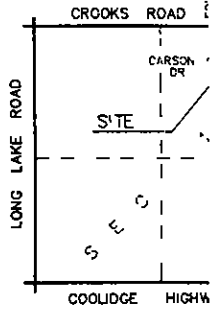
LIBER _____ PAG. _____
SHEET 1 OF 2 SH

APPENDIX "B"

A PART OF THE SOUTHEAST 1/4 OF SECTION 17,
TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY,
OAKLAND COUNTY, MICHIGAN

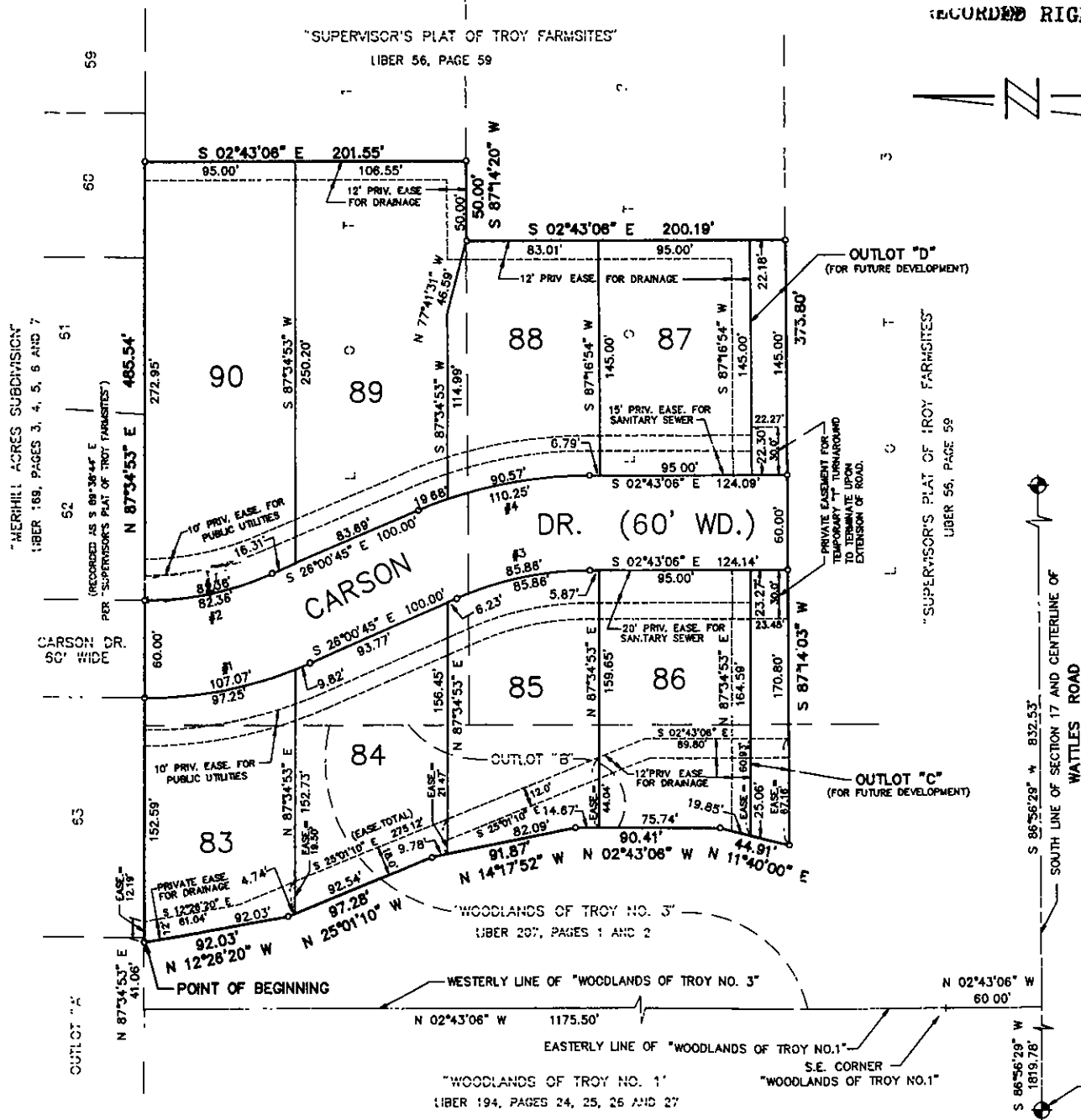
Whenever Private Easement
For Public Utilities appears
on this drawing, the easement
shall apply to the grantee of the
attached Right of Way Agreement.

RECORDED RIGHT OF WAY NO. 42369



LOCATION MAP
SCALE 1"=200'

LIBER 21507743



CURVE DATA

CURVE	RADIUS	ARC	DELTA	TANGENT	CHORD
#1	260.00'	107.07'	23°35'39"	54.30'	106.31'
#2	200.00'	82.36'	23°35'39"	41.77'	81.78'
#3	211.19'	85.86'	23°17'39"	43.53'	85.27'
#4	271.19'	110.25'	23°17'39"	55.90'	109.50'

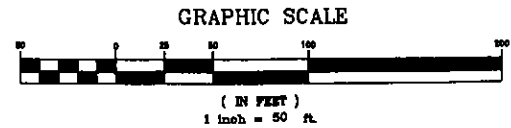
PLAT LEGEND

- ALL SIDE LINES OF LOTS FRONTING ON CURVILINEAR STREET LINES ARE NON-RADIAL THERETO.
- ALL DIMENSIONS ARE SHOWN IN FEET.
- ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC.
- THE SYMBOL "O" INDICATES A CONCRETE MONUMENT (CONSISTING OF A 1/2" DIA. S ROD ENCASED IN A 4" CONCRETE CYLINDER 3" LONG).
- ALL LOT MARKERS ARE 1/2" STEEL BARS ARE 18" LONG. THEY ARE NOT CAPPED.
- ALL BEARINGS ARE IN RELATION TO THE WESTERLY LINE OF "WOODLANDS OF TROY NO. 3, RECORDED IN LIBER 207 OF PLATS ON PAGES 1 AND 2, OAKLAND COUNTY RECORDS.

MILLETICS AND ASSOCIATES
40000 GRAND RIVER AVENUE, SUITE 110
NOVI, MICHIGAN 48375

Michael L. Milletics

MICHAEL L. MILLETICS (OWNER)
LICENSED LAND SURVEYOR NO. 29249



S.E. CORNER
SECTION 17
T.2N., R.11E.

S. 1/4 CORNER
SECTION 17
T.2N., R.11E.

Troy Jwp

RIGHT OF WAY APPLICATION

DATE ISSUED	9-20-91	RAW NO.	01E91-19
DATE WANTED	A.S.A.P	PHONE	4122
SERVICE PLANNER	TASSEN		

PROJECT NAME	WOODLANDS OF TROY #4		
TOWNSHIP/CITY	TROY		
ADDRESS			
CROSS STREET		SECTION	17
SIDWELL NO.		QUARTER	SE

TYPE OF PROJECT

OVERHEAD	<input type="checkbox"/>
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UNDERGROUND	<input checked="" type="checkbox"/>
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ACREAGE	
COMMERCIAL BLDG	
*SITE CONDO	
*MOBILE HOME PK	

LOTS	
*SUB	YES
*APT COMPLEX	
*CONDO	

JOINT USE REQUIRED	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>
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MBT	JOINT USE NO.	<input checked="" type="checkbox"/>
GTE	JOINT USE NO.	
CONS. PWR.	JOINT USE NO.	
CABLE TV CO. NAME	UNITED ARTIST	
CABLE TV	JOINT USE NO.	<input checked="" type="checkbox"/>

NAME OF OWNER/CUSTOMER	SAM HARRIS KANIAL SHOUHAYIB		
CONTACT PERSON	SAM HARRIS SAME		
ADDRESS	755 W. BIG BEAVER TROY MI		
HOME PHONE		BUSINESS PHONE	3629150
ADJACENT PROPERTY OWNER			
ADDRESS			
HOME PHONE		BUSINESS PHONE	

MATERIAL TO BE PROVIDED

1. SITE PLAN/SKETCH/FINAL PROPOSED PLAT*
2. PROPERTY DESCRIPTION (SIDWELL NO.) (*ACTUAL DESCRIPTION)
3. PROOF OF OWNERSHIP OF REQUESTING CUSTOMER: WARRANTY DEED, L/C, TITLE SEARCH, COMMITMENT
4. SIDWELL PAGE (COPY)
5. SIDWELL NO.
6. COPY OF FUTURE J/U MEMO

SUPERVISOR	<i>D Brewer</i> 9-20-91	RAW SECURED	
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RECORDED RIGHT OF WAY NO. 42369