

Detroit Edison

Right of Way Agreement

86197390

2

DECEMBER 3, 1986

For valuable consideration, the receipt of which is hereby acknowledged, the undersigned hereby grant and convey to THE DETROIT EDISON COMPANY, a corporation organized and existing concurrently under the laws of the States of Michigan and New York, of 2000 Second Avenue, Detroit, Michigan 48226 and the General Telephone Company of Michigan of 455 E. Ellis Road, Muskegon, MI 49443

hereinafter referred to as "UTILITIES", the easement and right to erect, lay, maintain, reconstruct and replace underground facilities consisting of wires, cables, conduits, fixtures and appurtenances including the necessary above ground equipment, connections, poles and accessories which may from time to time be required in, under, upon, over and across the land located in the Township of Milford, Oakland County, Michigan, and more particularly described on the attached Appendix "A", with the full right to the UTILITIES of ingress and egress upon said land for the purposes of this grant, and the further right to trim, cut down or otherwise control brush and trees within the easements herein described.

Said easements shall be Ten (10) feet in width unless otherwise indicated and their route is described as follows:

See Attached Appendix "B"

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

1. The easements will be graded to within four (4) inches of final grade before the UTILITIES lines are installed and this ground elevation must be maintained after installation of utilities to avoid the pooling of water in, on or around above ground UTILITIES' equipment.
2. No buildings or structures other than UTILITIES equipment are to be placed within the easements herein granted. No excavation is to be permitted within said easement without approval of UTILITIES.
3. If the lines or facilities of UTILITIES are damaged by the acts of Owners, their agents, employes or contractors, repairs shall be made by the Utility company so damaged at the cost and expense of Owners. Owners are defined as those persons owning the land at the time the damage occurred.
4. No shrubs or foliage shall be planted or grown within five (5) feet of the front door of transformers or switching cabinet enclosures. UTILITIES 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 easement causing an interference with UTILITIES maintenance of their equipment.

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

IN WITNESS WHEREOF, the undersigned have hereunto set their hand and seal on this date.

~~Witnesses:~~

Grantors:

Prepared By: Omer V. Racine

Address: 30400 Telegraph Road, 264

* RETURN TO

DECOB

The Detroit Edison Company

Birmingham, MI 48010

1100

[Handwritten signature]

RECORDED RIGHT OF WAY NO. 36287

RVK LAND COMPANY
A Michigan Co-Partnership
5645 Shore Drive
West Bloomfield, MI 48088

Witness:

Jean Campbell
JEAN CAMPBELL
John A. Baker
JOHN A. BAKER
Jean Campbell
John A. Baker
John A. Baker
Jean Campbell

Ronald Rocho
RONALD ROCHO, CO-PARTNER
Victor H. Rocho, Jr.
VICTOR H. ROCHO, JR., CO-PARTNER
Keith Mohr
KEITH MOHR, CO-PARTNER

STATE OF MICHIGAN) S.S.
COUNTY OF OAKLAND)

Personally came before me this 4th day of December, 1986, RONALD ROCHO, co-partner, VICTOR H. ROCHO, Jr., co-partner, and KEITH MOHR, co-partner of the above named co-partnership, to me known to be the persons who executed the foregoing instrument, and to me known to be such co-partners of said co-partnership and acknowledged that they executed the foregoing instrument as such co-partners as the free act and deed of said co-partnership.

My commission expires:

GENE CAMPBELL
Notary Public, Wayne County, Michigan
My Commission Expires January 24, 1988

Gene Campbell
Notary Public
County, Michigan

Witness:

Verl Luse
Verl Luse
Gordon R. Huss
Gordon R. Huss

Lowell C Blackburn
LOWELL C. BLACKBURN

Debra K Blackburn
DEBRA K. BLACKBURN, His wife
9336 Sylvania-Petersburg Road
Ottawa Lake, MI 49267

State of Michigan) S.S.
County of Monroe)

Personally came before me this 3rd day of December, 1986, the above named LOWELL C. BLACKBURN and DEBRA K. BLACKBURN, his wife, to me known to be the same persons who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

My commission expires:
BETTY MAE KRIEGER
Notary Public, Monroe County, MI
My Commission Expires Sept. 21, 1988

Betty Mae Krieger
Notary Public
County, Michigan

RECORDED RIGHT OF WAY NO.

36789

ROCHO ENTERPRISES
A Michigan Co-partnership
30310 Lund
Warren, MI 48093

Witness:

Gene Campbell
JEANE CAMPBELL
John A. Baker
JOHN A. BAKER
Gene Campbell
John A. Baker

Ronald Rocho
Ronald Rocho, Co-partner

Victor H. Rocho, Jr.
Victor H. Rocho, Jr., Co-partner

ACKNOWLEDGMENT

CO-PARTNERSHIP

State of Michigan) S.S.
County of Oakland)

Personally came before me this 14th day of December, 1986, Ronald Rocho, Co-partner and Victor H. Rocho, Jr., Co-partner, to me known to be the persons who executed the foregoing instrument, and to me known to be such co-partners of said co-partnership and acknowledged that they executed the foregoing instrument as such co-partners as the free act and deed of said co-partnership.

My commission expires:

Gene Campbell

GENE CAMPBELL
Notary Public, Wayne County, Michigan
My Commission Expires January 24, 1988

Notary Public,
County, Michigan

APPENDIX "A"

Proposed "CUMBERLAND RIDGE NO.1", a subdivision of part of the S.E. 1/4 of Section 27, T.2N., R.7E., Oakland County, Michigan, beginning at the South 1/4 corner of said Section 27; thence N.02°34'10"W. 1306.85 ft. along the North and South 1/4 line of said Section 27; thence N.87°15'53"E. 1477.48 ft.; thence S.02° 44'07"E. 20.00 ft.; thence along a curve to the right, radius of 260.00 ft., through a central angle of 20°58'05", chord bearing S.82°15'04"E. 94.62 ft., and arc distance of 95.15 ft.; thence S.18°40'27"W. 864.74 ft.; thence N.77°52'27"W. 240 ft.; thence N.51°04'07"W. 110.97 ft.; thence along a curve to the right, radius of 60.00 ft., through a central angle of 120°15'02" chord bearing N.80°56'36"W. 104.05 ft., an arc distance of 125.92 ft.; thence along a curve to the left, radius of 50.00 ft., through a central angle of 44°24'36", chord bearing N43°01'23"W. 37.79 ft., an arc distance of 38.76 ft.; thence along a curve to the left, radius of 2055.00 ft., through a central angle of 10°44'49", chord bearing N.70°36'05"W. 384.89 ft., and arc distance of 385.46 ft.; thence S.16°55'55"E. 414.66 ft.; thence S.03°08'49"E. 395.00 ft. to the south line of said Section 27 and the centerline of West Maple Road; thence S.87°27'58"W. 565.49 ft. along said line to the point of beginning, containing 30.84 acres and consisting of 11 lots numbered 1 through 11, inclusive.

SID WELL NO. 16-27-400-(025)

028 } SE 1/4
029 }

RECORDED RIGHT OF WAY NO. 36787

MEMORANDUM ORDER
FOR GENERAL USE
DE FORM MS 77 12-53

TO Records Center

DATE 2-18-87 TIME

Please set up R/W file for: CUMBERLAND RIDGE SUBDIVISION
Being a part of Southeast 1/4 of Section 27, Milford Township
Oakland County, Michigan

RECORDED RIGHTS OF WAY NO. 36787

COPIES TO:

SIGNED

Omer V. Racine

Omer V. Racine
264 Oakland Div. Hqtrs.

REPORT

DATE RETURNED

TIME

SIGNED

MEMORANDUM ORDER
FOR GENERAL USE
DE FORM 963-0808 (MS-77) 12-53

TO CARL THOMAS

DATE 12-5-86 TIME

Re: Underground Service CUMBERLAND RIDGE NO. 1 SWS
Agreement and Easements obtained - OK to proceed with construction.

RECORDED RIGHTS OF WAY

COPIES TO:

SIGNED

Omer V. Racine

Omer V. Racine, Representative
Real Estate, Rights of Way & Claims
264 Oakland Division Headquarters

REPORT

TIME

SIGNED

To (Supervisor RE & RW) <i>ROBERT HUEY</i>	For RE & RW (Expt. Use)	Date Received <i>11-24-86</i>	DL-BellCo No. <i>OE 86-50</i>
Division	Date <i>10/22/86</i>	Application No. <i>Ø-8457</i>	

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)

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

Information

1. Project Name <i>CUMBERLAND RIDGE SUBN.</i>	County <i>OAKLAND</i>
City/Township/Village	Section No. <i>27</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
KEITH MOHR (GEN. PARTNER)

Address
5645 SHORE DRIVE, ORCHARD LK, MI. 48033

Owner's Representative
KEITH MOHR.

Phone No.
681-4080

Date Service is Wanted
NOVEMBER 15, 1986

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

5. Joint easements required — Michigan Bell Telephone *GEN. TELEPHONE CO., A. BARRY* — Yes No
 — Consumers Power Yes No

a. Name of Other Utilities If Not Michigan Bell Telephone or Consumers Power

b. Other Utility Engineer Names
GENERAL TELEPHONE CO ALAN BARRY

Phone Numbers
1-653-7746

Addresses

6. Additional Information or Comments

Note: Trenching letter attached will be submitted later

Service Planner
C. THOMAS

Phone No.
645-4132

Signed (Service Planning Supervisor)
[Signature]

Address
30 400 TELEGRAPH RD., BIRMINGHAM, MI. 48009

RECORDED RIGHT OF WAY NO. 36787

PROPOSED "CUMBERLAND RIDGE NO. 1" APPENDIX "B"

A SUBDIVISION OF PART OF THE S.E. 1/4 OF SECTION 27
T.2N.,R.7E.,MILFORD TOWNSHIP, OAKLAND COUNTY, MICHIGAN



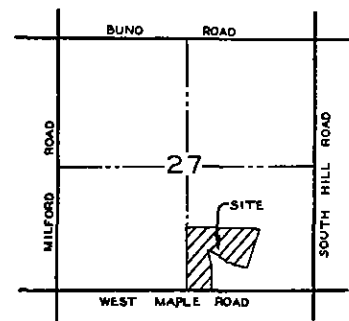
SCALE 1"=100'

S.02°44'07"E. 2000'

[1] R=260.00' 95.15'
A=20°58'05"
C=94.62' B=S82°15'04"E

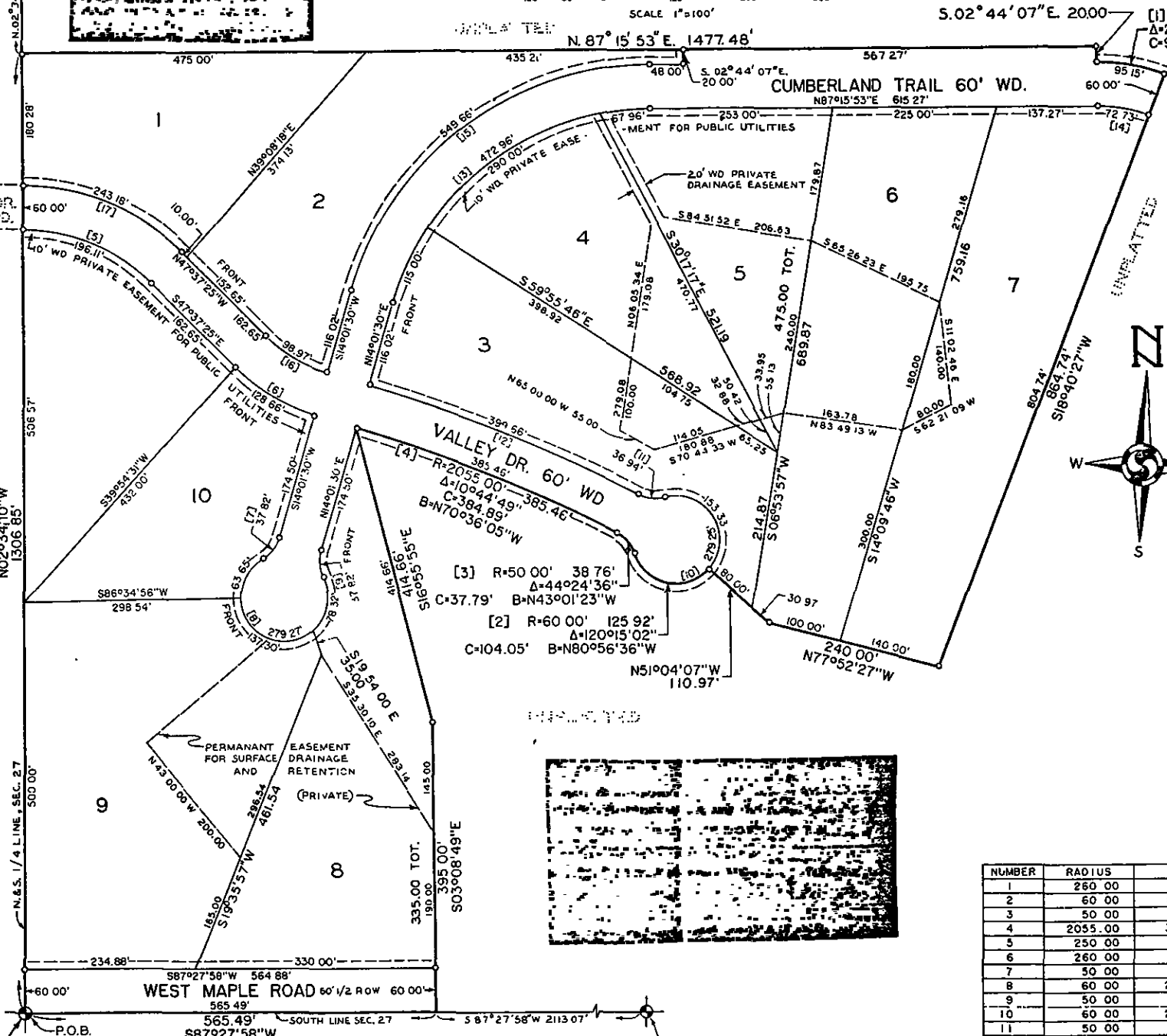
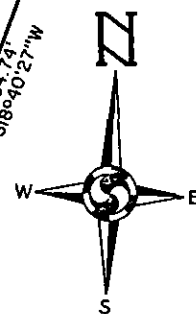
N.87°15'53"E. 1477.48'

CUMBERLAND TRAIL 60' WD.



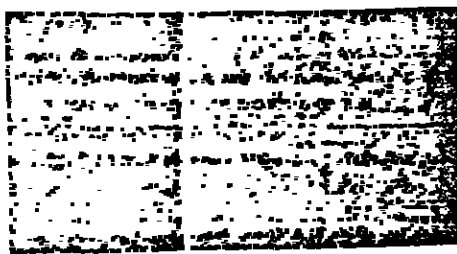
LOCATION MAP

SCALE 1"=2000'



[3] R=50.00' 38.76'
A=44°24'36"
C=37.79' B=N43°01'23"W

[2] R=60.00' 125.92'
A=120°15'02"
C=104.05' B=N80°56'36"W



CURVE DATA

NUMBER	RADIUS	ARC	DELTA	CHORD	CHORD-BEARING
1	260.00	95.15	20°58'05"	94.62	S82°15'04"E
2	60.00	125.93	120°15'02"	104.05	N80°56'36"W
3	50.00	38.76	44°24'36"	37.79	N43°01'23"W
4	2055.00	385.46	10°44'49"	384.89	N70°36'05"W
5	250.00	196.11	44°56'45"	191.12	S70°05'48"E
6	260.00	128.66	28°21'05"	127.35	S61°47'58"E
7	50.00	37.82	43°20'30"	36.93	S35°41'45"W
8	60.00	279.27	266°41'00"	87.27	S75°58'30"E
9	50.00	37.82	43°20'30"	36.93	N07°38'45"W
10	60.00	279.25	266°39'48"	87.29	N25°51'01"E
11	50.00	36.94	42°20'00"	36.11	N86°18'54"W
12	2115.00	399.66	10°49'36"	399.06	N70°33'42"W
13	370.00	472.96	73°14'23"	441.41	N50°38'42"E
14	200.00	72.73	20°50'08"	72.33	S82°19'03"E
15	430.00	549.66	73°14'23"	512.99	S50°39'42"W
16	200.00	98.97	28°21'05"	97.96	N61°47'57"W
17	310.00	243.18	44°56'45"	236.99	N71°54'47"W

RECORDED RIGHT OF WAY NO. 36787

S.E. CORNER SEC. 27 T.2N.,R.7E.

FILED 0186 PAGE 496