

KINGS COVE PHASE II APARTMENTS

LIBER 6621 PAGE 709

(73 031454)

LIBER 6069 PAGE 494

(76 10480)

LIBER 7934 PAGE 211

AGREEMENT - EASEMENT - RESTRICTIONS 112129

This instrument made this 7TH day of MARCH, 1973, by and between the undersigned Owners and 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, hereinafter called "EDISON", and MICHIGAN BELL TELEPHONE COMPANY, a Michigan corporation, of 1365 Cass Avenue, Detroit, Michigan, 48226, hereinafter called "BELL."

WITNESSETH:

WHEREAS, Owners are erecting apartments known as KINGS COVE PHASE II, on land in the Township of Avon, County of Oakland, State of Michigan, as described in Appendix "A", attached hereto and made a part hereof, and EDISON and BELL will install their electric and communication facilities underground except necessary above ground equipment.

NOW, THEREFORE, in consideration of the mutual promises and covenants for the installation of underground utility service made by the parties hereto, it is hereby agreed:

(1) The installation, ownership and maintenance of electric services and the charges to be made therefor shall be subject to and in accordance with the Orders and Rules and Regulations adopted from time to time by the Michigan Public Service Commission.

(2) Owners must certify to EDISON and BELL that the easements are graded to within four (4") inches of final grade before the underground facilities are installed.

(3) Owners further agree that if subsequent to the installation of the utility facilities of EDISON and BELL, it is necessary to repair, move, modify, rearrange or relocate any of their facilities to conform to a new plot plan or change of grade or for any cause or changes attributable to public authority having jurisdiction or to Owners action or request, Owners will pay the cost and expense of repairing, moving, rearrangement or relocating said facilities to EDISON or BELL upon receipt of a statement therefor. Further, if the lines or facilities of EDISON and BELL are damaged by acts of negligence on the part of the Owners or by contractors engaged by Owners, repairs shall be made by the utilities named herein at the cost and expense of the Owners and shall be paid to EDISON or BELL upon receiving a statement therefor. Owners are defined as those persons owning the land at the time damage occurred.

(4) Owners hereby grant to EDISON and BELL easement for electric and communication underground services in land herein described. When utility lines are installed, this instrument shall be re-recorded with an "as installed" drawing showing the location of utility facilities in relation to building lines and indicating the easements by their centerlines. Easements herein granted shall be six (6') feet in width unless otherwise indicated on said drawing. However, secondary electric service and communication entrance line locations, as shown on an installed drawing are not guaranteed; actual locations can be determined after contact with utilities.

(5) Owners to pay the cost of conduit for electric and/or communication facilities to accomodate patios or similar site conditions.

(6) Easements herein granted are subject to the following restrictions and additional conditions:

- a. Said easements shall be subject to Order of and the Rules and Regulations adopted from time to time by the Michigan Public Service Commission.

RECORDED RIGHT OF WAY NO. 30288

"This easement is re-recorded for purposes of showing the planned "as installed" centerlines of easements granted as shown on drawing attached hereto."

Handwritten notes and stamps including: 1973 APR 17, 11 55, 45.00, 11.00, 25.00, and a large 'X' mark.

- b. Owners will place survey stakes indicating building plot lines and property lines before trenching.
- c. No shrubs or foliage shall be permitted on Owners land within five (5') feet of front door of transformers or switching cabinet enclosures.
- d. Sanitary sewers shall be installed prior to installation of electric and communication lines. Sewer, water and gas lines may cross easements granted for electric and communication lines, but shall not be installed parallel within said easements.
- e. Owners shall make no excavations nor erect any structures within the easements identified on the "as installed" drawing. No excavations for fences shall be allowed within the limits of the utility easements provided for electric and communication lines unless prior written approval is secured from the utilities.
- f. Owners to provide for clearing the easements of trees, large stumps, and obstructions sufficiently to allow trenching equipment to operate. Owners to pay to utility concerned the extra trenching costs involved if trenching is required while ground is frozen.
- g. EDISON and BELL shall have the right of access at all times upon premises for the purposes of constructing, repairing, and maintaining their electric and communication lines and facilities.
- h. Any of the undersigned who are vendors on land contracts wherein a portion of the lands described herein are being sold shall not be liable to BELL or EDISON unless and until the interest of the vendees, under any such contracts, have been forfeited and damage to utility lines and equipment occurs after such forfeiture.

The provisions of this instrument shall run with the land and shall be binding upon and inure to the benefit of the respective heirs, administrators, executors, personal representatives, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and year first above written.

In the Presence of:

Anthony A. Rucker  
 ANTHONY A. RUCKER  
Irene C. Kata  
 IRENE C. KATA

Diana Kingstrom  
 DIANA KINGSTROM  
Marsha Pavelka  
 MARSHA PAVELKA

THE DETROIT EDISON COMPANY  
 By W. C. Arnold  
 W. C. Arnold, Director, Real Estate and Right of Way Dept.  
 By Lillian J. H. Carroll  
 LILLIAN J. H. CARROLL ASST. SECRETARY  
 MICHIGAN BELL TELEPHONE COMPANY  
 By William F. Murray, Jr.  
 WILLIAM F. MURRAY, JR.  
 Staff Supervisor, Right of Way  
 (authorized signature)

RECORDED  
 30288

~~RECORDED  
 1979 FEB 11 PM 3:52~~

STATE OF MICHIGAN )

SS

COUNTY OF WAYNE )

LIBER 7934 PAGE 213

On this 4th day of April, 19 73, before me, the subscriber, a Notary Public in and for said County, personally appeared W. C. Arnold and Lillian J.H. Carroll to me personally known, who being by me duly sworn, did say that they are the Director, RE & R/W Dept. and an Assistant Secretary of THE DETROIT EDISON COMPANY, a corporation organized and existing concurrently under the laws of Michigan and New York, and that the seal affixed to said instrument is the corporate seal of the said corporation, and that said instrument was signed in behalf of said corporation by authority of its Board of Directors and W. C. Arnold and Lillian J.H. Carroll acknowledged said instrument to be the free act and deed of said Corporation.

My commission expires: May 14, 1976

Irene C. Katakis  
Notary Public

IRENE C. KATAKIS

Wayne

County, Michigan

STATE OF MICHIGAN )

SS

COUNTY OF OAKLAND )

On this 13<sup>th</sup> day of April, 19 73, before me, the subscriber, a Notary Public in and for said County, appeared William F. Murray Jr. to me personally known, who being by me duly sworn, did say that he is Staff Supervisor of Right of Way, authorized by and for MICHIGAN BELL TELEPHONE COMPANY, a Michigan Corporation, and that the said instrument was signed in behalf of said Corporation, by authority of its Board of Directors, and William F. Murray Jr. acknowledged said instrument to be the free act and deed of said corporation.

My commission expires: \_\_\_\_\_

Melford Hartman  
Notary Public

\_\_\_\_\_ County, Michigan

MELFORD HARTMAN  
Notary Public, Wayne County, Michigan  
Acting in Oakland County  
My Commission Expires Sept. 15, 1975

RECORDED RIGHT OF WAY NO. 30288



## PARCEL 1

LIBER 7934 PAGE 215

A parcel of land in the SW 1/4 of Sec 3, T3N, R11E, Avon Twp, Oakland Co, Michigan, desc as beg at a pt on the N. & S. 1/4 line of said Sec 3, dist N. 02°01'12" E. 1315.50 ft from the S. 1/4 cor; th N. 88°00'00" W. 567 ft, th N. 21°04'00" W. 238.50 ft, th N. 32°00'00" E. 322.50 ft, th N. 11°39'46" E. 89.48 ft, th N. 33°07'40" E. 88.31 ft, th N. 31°27'25" W. 78.96 ft, th N. 48°57'07" W. 174.71 ft, th N. 69°28'05" W. 120.05 ft, th N. 15°58'28" W. 285.63 ft, th N. 85°44'34" W. 113.08 ft, th N. 40°42'07" W. 46.67 ft, th N. 85°44'34" W. 127.66 ft, th S. 78°35'25" W. 139.94 ft, th N. 78°33'52" W. 290.85 ft, th N. 30°09'01" W. 54.08 ft, th N. 14°24'54" E. 49 ft, th N. 30°37'27" W. 194.32 ft, th N. 54°03'19" W. 56 ft, th N. 13°21'07" W. 75 ft, th alg the E. & W. 1/4 line of said Sec 3, S. 87°36'10" E. 1708.80 ft, th alg the N. & S. 1/4 line of said Sec 3, S. 02°09'56" W. 1556.36 ft to the P.O.B.

## PARCEL 2.

A parcel of land in the SW 1/4 of Sec 3, T3N, R11E, Avon Twp, Oakland Co, Michigan, desc as beg at a pt on the E. & W. 1/4 line of said Sec 3, a dist N. 87°36'10" W. 1708.80 ft from the center post of said Sec 3, th S. 13°21'07" E. 75 ft, th S. 54°03'19" E. 56 ft, th S. 30°37'27" E. 194.32 ft, th S. 14°24'54" W. 49 ft, th S. 30°09'01" E. 54.08 ft, th S. 78°33'52" E. 290.85 ft, th N. 78°35'25" E. 139.94 ft, th S. 85°44'34" E. 127.66 ft, th S. 40°42'07" E. 46.67 ft, th S. 85°44'34" E. 113.08 ft, th S. 15°58'28" E. 285.63 ft, th S. 69°28'05" E. 120.05 ft, th S. 48°57'07" E. 174.71 ft, th S. 31°27'25" E. 78.96 ft, th S. 33°07'40" W. 88.31 ft, th S. 11°39'46" W. 89.48 ft, th S. 32°00'00" W. 322.50 ft, th S. 21°04'00" E. 238.50 ft, th N. 88°00'00" W. 1058.25 ft, th alg the E'ly line of the Penn Central RR N. 26°04'02" W. 1783.16 ft, th alg the E. and W. 1/4 line of said Sec 3, S. 87°36'10" E. 760 ft to the POB.

## PARCEL 3.

A Parcel of land in the SW 1/4 of Swc 3, T3N, R11E, Avon Twp, Oakland Co, Michigan, desc as beg at a pt on the S. line of said Sec 3, dist N. 88°00'00" W. 452.00 ft from the S. 1/4 cor of said Sec 3, th alg said S. line (centerline of Tienken Road) N. 88°00'00" W. 471.34 ft, th N. 26°04'02" W. 1490.84 ft, alg the NE'ly ROW of the Penn Central RR, th S. 88°00'00" E. 1058.25 ft, th S. 19°46'14" E. 180.60 ft, th S. 66°36'08" E. 34.75 ft, th S. 29°15'55" E. 71.11 ft, th S. 45°24'26" W. 45.32 ft, th S. 03°46'44" E. 69.34 ft, th S. 40°11'10" E. 90.90 ft, th S. 09°13'10" E. 47.22 ft, th S. 40°22'20" W. 108.73 ft, th S. 02°01'12" W. 773.50 ft to the POB.

PREPARED BY: Walter E. Touchie  
1970 Orchard Lake Road  
Pontiac, Mi 48053

RECORDED RIGHT OF WAY NO. 30288

RETURN TO  
J. A. ROBERTSON  
THE DETROIT EDISON COMPANY  
30400 TELEGRAPH ROAD, 272 OAKDH  
BIRMINGHAM, MICHIGAN 48010

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

TO Engineering Coordinator Supervisor

DATE 3-14-73

TIME \_\_\_\_\_

Edg ... Room 250 W.S.C.

RE: Underground Service - Kings Cove, Avon Twp, Oakland Co.

Agreements and Easements obtained - OK to proceed with construction

RECORDED RIGHT OF WAY NO. 30288

COPIES TO: G. Mahoney - Service Planning, P.S.C.

SIGNED \_\_\_\_\_

Walter E. Touchie  
Real Estate and Rights of Way Dept

REPORT File

DATE RETURNED \_\_\_\_\_

TIME \_\_\_\_\_

SIGNED \_\_\_\_\_

Detroit

EDISON

Oakland Division  
30400 Telegraph Road  
Birmingham, Michigan 48010  
(313) 645-4000

Date: August 18, 1976

Multiplex Corp.

1460 Walton Blvd.

Rochester, MI 48063

Re: Kings Cove Phase III, Step II A-64757

Gentlemen:

The Detroit Edison Company will provide underground electric service to the above stated location pursuant to its rules and rates as currently filed with the Michigan Public Service Commission. It should be noted that these rules and charges are subject to change on the order of the Michigan Public Service Commission. Should such a change take place, this instrument is voided and a new instrument will be required to conform with the rules then in effect. These rules establish the following terms and conditions.

Subject to our agreement with you for the installation of underground electric lines in the above project, The Detroit Edison Company will own, install and maintain its electric lines and equipment and you provide trenching in easements six feet (6') in width, which will be subsequently platted or provided by a separate easement instrument. Location of the lines and equipment will be as shown on the combined utility plan as approved by you on 8-10-76.

The cost to you for the extension of the underground distribution system consisting of primary and/or secondary main cable(s) and transformer capacity is \$ 2,030.00 based on 700 trench feet or -- lot front feet and 175 KVA (nameplate) of transformer capacity.

Extra charges in addition to the above will be made if it is necessary to bore under roads or other paved areas and for trenching in water conditions, rocks, rubble or when other practical difficulties in trenching exist.

A winter construction charge of \$ 1.00 per linear foot of trench will be assessed for all trenching you require from December 15 through March 31.

Pursuant to establishing a field construction start date for the above named project, it is necessary that the conditions of the grade in the area of construction be determined. Work cannot start until grade is within 4" of final.

No later than five days prior to the start of construction that has been scheduled for 11-11-76, we will require receipt of the attached Certificate indicating the completion of grading and payment in the amount of \$ 2,030.00 as non-refundable Contribution in Aid of Construction for the above charges.

RECORDED RIGHT OF WAY NO. 30288

Kings Cove Phase III, Step II

Date 8-18-76

If for any reason, beyond the control of the Utility, the construction start date indicated is changed, charges will be adjusted to reflect conditions that exist at the time construction is actually started.

Service laterals necessary to link the distribution system with individual meters will be billed after their installation and are not part of this agreement.

Installations of main feeder lines that are not covered under the mandatory underground provisions of the Michigan Public Service Commission Rules will be undergrounded only under the terms of a separate agreement.

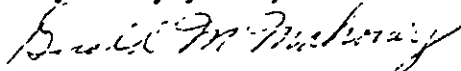
Extensions of electric distribution facilities to vacant lots or to building sites not ready for service will require refundable construction deposits that will be negotiated in a separate agreement.

Community antenna systems or other cable systems shall not be installed in the same trench with Company and telephone cables without a separate signed agreement.

The future maintenance of our electric lines in the proposed easements does not include repair of damage to our lines and equipment caused by you, your contractors, agents, employes, successors and assignees. If such damage should occur, we will require reimbursement for any such damage.

Please sign one of the enclosed copies and return to me. You may retain the carbon copy for your file.

Very truly yours,



Gerald M. Mahoney  
Service Planning-Oakland  
645-4157

ACCEPTED:

Name *William D. ...*

Title *Contract Agent*

Name \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

Enc: Grading Certificate

RECORDED RIGHT OF WAY NO. 30288





2000 Second Avenue  
Detroit, Michigan 48226  
(313) 237-8000

DATE: August 18, 1976

Multiplex Corp.  
1460 Walton Blvd.  
Rochester, Mi 48063

RE: Kings Cove Phase III, Step II A-64757

Gentlemen:

Pursuant to establishing a field construction date for the above named project, it is necessary that the conditions of the grade in the area of construction be determined. Work cannot start until this is accomplished.

Please sign and return two copies of the Certificate below. You may retain the third copy for your file.

Very truly yours,

*Donald Michonig*  
Service Planner

8-19-76  
Date

C-E-R-T-I-F-I-C-A-T-E

I/We, the undersigned, hereby certify to the Detroit Edison Company that all grading in utility easements and/or the routes of the underground facilities on the above subject development has been completed within four (4) inches of final grade.

I/We further agree that a stake will be placed at the location of each piece of above grade equipment, indicating the final grade to be achieved. A copy of the Detroit Edison Company underground construction drawing No. A-64757 for this development is in my/our possession and will be used for this purpose.

Name *William A. Loran*  
Title *Crew Chief*  
Name \_\_\_\_\_  
Title \_\_\_\_\_  
Date 8/30/76

RECORDED INDEXED COPY FILED IN 30288

Delroit  
Edison

ONE OF THE  
LARGEST ELECTRIC  
UTILITIES IN THE  
NATION

Phone 645-4378

February 20, 1976

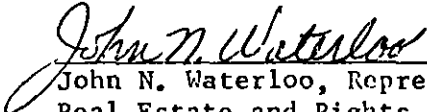
Multiplex Corporation  
1191 W. Square Lake Road  
Bloomfield Hills, Michigan 48013

Gentlemen:

Re: KINGS COVE - Phase II

We are enclosing herewith a copy of the "as installed" Drawing No.  
A-63652, U-63352 for the underground electric and communication  
services for the above named project.

Sincerely,

  
\_\_\_\_\_  
John N. Waterloo, Representative  
Real Estate and Rights of Way

RECORDED RIGHT OF WAY NO. 30288

# THE DETROIT EDISON COMPANY

2000 SECOND AVENUE

DETROIT, MICHIGAN 48226

Date March 7, 1974

Multiplex Corporation

P.O. Box 139

Birmingham, Michigan 48012

Attn: Mr. Sami Harb

Regarding King's Cove II (Additional Sec. Building 91)

Gentlemen:

Subject to our agreement with you for the installation of underground electric lines in the above project, The Detroit Edison Company will own, install and maintain its electric lines and equipment and provide trenching in easements six feet (6') in width, which will be subsequently platted or provided by a separate easement instrument. Location of the lines and equipment will be as shown on the combined utility plan as approved by <sup>w. Carlson</sup> you on March 5, 1974.

The cost to you for said electric line installation is \$ 430.00 based on 215 trench feet or 0 lot front feet. Extra charges in addition to the above will be \$ 0 as your contribution for such items as providing primary mains, distribution laterals and primary switching cabinets. These extra charges will only be assessed if involved. All charges are based on rules and rates as filed with the Michigan Public Service Commission and as shown in our current rate book. We will require full payment of the aforementioned charges prior to energizing the system.

Service cable requirements will be fulfilled as per our rules and rates as filed with the Michigan Public Service Commission.

Community antenna systems or other cable systems shall not be installed in the same trench with Company and telephone cables without a separate signed agreement.

If adverse soil or field conditions such as rock, frozen ground or other are encountered, and you require us to trench through, additional charges will be assessed and may be billed at a later date. Additional charges will also be assessed if it is necessary to bore under paved streets or other paved areas.

Page 1

DE FORM PL 101 4-72 CC

RECORDED RIGHT OF WAY NO. 30288

D.E.Co.

Page 2  
The Detroit Edison Company  
Date March 7, 1974

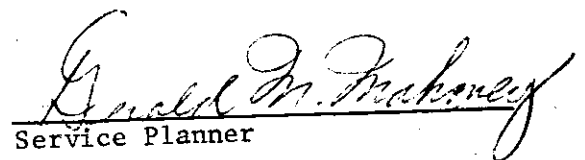
King's Cove II (Additional Sec. Building 91)

The future maintenance of our electric lines in the proposed easements does not include repair of damage to our lines and equipment caused by you, your contractors, agents, employes, successors and assignees. If such damage should occur, we will require reimbursement for any such damage.

Notwithstanding anything herein to the contrary, the installation, ownership and maintenance of electric services and the rates, fees, and charges to be made shall be subject to and in accordance with the orders and rules and regulations adopted and approved from time to time by the Michigan Public Service Commission.

Please sign ~~three~~ <sup>one</sup> of the enclosed copies and return them. You may retain the ~~fourth~~ <sup>second</sup> copy for your file.

Very truly yours,

  
Service Planner

GM:dp

ACCEPTED:

Name V. J. Harris

Title Director of L/D

Name \_\_\_\_\_

Title \_\_\_\_\_

Date 3/18/74

RECORDED RIGHT OF WAY NO. 30288

# THE DETROIT EDISON COMPANY

2000 SECOND AVENUE

DETROIT, MICHIGAN 48226

Date January 15, 1974

Mr. Sami J. Harb

1191 W. Square Lake Road

Bloomfield Hills, Michigan 48013

Regarding King's Cove Phase III of Step I

Gentlemen:

Subject to our agreement with you for the installation of underground electric lines in the above project, The Detroit Edison Company will own, install and maintain its electric lines and equipment and provide trenching in easements six feet (6') in width, which will be subsequently platted or provided by a separate easement instrument. Location of the lines and equipment will be as shown on the combined utility plan as approved by you on January 9, 1974.

The cost to you for said electric line installation is \$10,630.00 based on 5,315 trench feet or 0 lot front feet. Extra charges in addition to the above will be \$ 0 as your contribution for such items as providing primary mains, distribution laterals and primary switching cabinets. These extra charges will only be assessed if involved. All charges are based on rules and rates as filed with the Michigan Public Service Commission and as shown in our current rate book. We will require full payment of the aforementioned charges prior to energizing the system.

Service cable requirements will be fulfilled as per our rules and rates as filed with the Michigan Public Service Commission.

Community antenna systems or other cable systems shall not be installed in the same trench with Company and telephone cables without a separate signed agreement.

If adverse soil or field conditions such as rock, frozen ground or other are encountered, and you require us to trench through, additional charges will be assessed and may be billed at a later date. Additional charges will also be assessed if it is necessary to bore under paved streets or other paved areas.

Page 1

DE FOHM PL 101 4-72 CS

JAN 22 1974

RECORDED RIGHT OF WAY NO. 30288

Page 2  
The Detroit Edison Company  
Date January 15, 1974

King's Cove Phase III of Step I

The future maintenance of our electric lines in the proposed easements does not include repair of damage to our lines and equipment caused by you, your contractors, agents, employes, successors and assignees. If such damage should occur, we will require reimbursement for any such damage.

Notwithstanding anything herein to the contrary, the installation, ownership and maintenance of electric services and the rates, fees, and charges to be made shall be subject to and in accordance with the orders and rules and regulations adopted and approved from time to time by the Michigan Public Service Commission.

Please sign <sup>one</sup>~~three~~ of the enclosed copies and return ~~them~~. You may retain the ~~fourth~~ copy for your file.  
second

Very truly yours,

*Gerald M. Mahoney*  
Service Planner

GM:dp

ACCEPTED:

Name Sam D. Hays  
Title Director of Land Dev.

Name \_\_\_\_\_

Title \_\_\_\_\_

Date 1/28/74

RECORDED COPY OF THE ... 30288

# THE DETROIT EDISON COMPANY

2000 SECOND AVENUE  
DETROIT, MICHIGAN 48226

Date: April 9, 1974

Mr. Sami J. Harb

1191 W. Square Lake Road

Bloomfield Hills, Michigan 48013

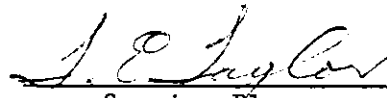
Re: King's Cove Phase III Step I

Gentlemen:

Pursuant to establishing a field construction date for the above named project, it is necessary that the conditions of the grade in the area of construction be determined. Work cannot start until this is accomplished. In addition, you must agree to pay all ~~cost~~<sup>winter</sup> charges if involved, at a cost not to exceed \_\_\_\_\_ per linear foot of trench.

Please sign and return ~~three copies~~<sup>one copy</sup> of the certificate below. You may retain the ~~first~~<sup>second</sup> copy for your file.

Very truly yours,



Service Planner

April 9, 1974

Date

### C-E-R-T-I-F-I-C-A-T-E

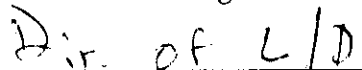
I/We, the undersigned, hereby certify to The Detroit Edison Company that all grading in utility easements and/or the routes of the underground facilities on the above subject development has been completed within four (4) inches of final grade.

I/We, the undersigned, agree to pay all frost charges if involved, at a price not to exceed that shown above and further agree that a stake will be placed at the location of each piece of above grade equipment, indicating the final grade to be achieved. A copy of The Detroit Edison Company underground construction drawing No. A-63652 for this development is in my/our possession and will be used for this purpose.



Signed

Signed



Title

9/18/74

Date

RECORDED FROM THE REC. 30288

THE DETROIT EDISON COMPANY

1970 ORCHARD LAKE ROAD

PONTIAC, MICHIGAN 48053

May 1, 1973

MULTIPLEX CORPORATION  
1191 W. Square Lake Road  
Bloomfield Hills, Mi 48013

RE: KINGS COVE PHASE II

Gentlemen:

We are enclosing herewith a fully executed copy of the Agreement dated March 7th, 1973 for the underground electric and communication services for the above named project.

Yours very truly,

*John N. Waterloo*

John N. Waterloo  
Real Estate and R/W Dept

Enclosure

RECORDED RIGHT OF WAY NO.

30288



THE DETROIT EDISON COMPANY

1970 Orchard Lake Road

PONTIAC, MICHIGAN 48053

February 28, 1973

MULTIPLEX CORPORATION  
1191 W. Square Lake Road  
Bloomfield Hills, MI 48013

RE: KINGS COVE PHASE II

Enclosed is the original and three copies of the Agreement-Easement Restrictions for the above described project. Please have the original and two copies executed and returned to us. We will have the Agreement executed by Bell and Edison and return a fully executed copy to you. The fourth copy should be retained by you until you receive the fully executed copy from us.

In order to comply with the recording statutes of the State of Michigan, please have two separate witnesses. The notary can be one of the witnesses. Also, print or type the names of all parties signing the documents, including witnesses, and notary.

Your attention is called to Paragraph No. 3 of this Agreement, whereby you would be responsible for any damages which might occur to the Company's underground lines after installation. It is, therefore, extremely important that not only you, but any contractors working for you, exercise due care to avoid any damage.

Prompt return of these instruments, fully completed, will assist in prompt scheduling of our work to be completed in your project. Please return all documents to: John Waterloo, at 1970 Orchard Lake Road, Pontiac, Michigan 48053.

Yours very truly,

*Walter E. Touchie*

Walter E. Touchie  
Real Estate and Rights of Way Dept

:  
Enclosures

RECORDED RIGHT OF WAY NO. 30288

*Des. Williams*

Send to: ~~Stephen A. McNamee~~  
226 G. O.

APARTMENT PROJECTS - UNDERGROUND SERVICE

1. Name of Project KING'S COVE PHASE II
2. Name of Developer MULTIPLEX CORPORATION
- Address 1191 W. SQUARE LAKE RD Bloomfield Hills  
MICH 48013
- Phone 651 8712 OR 338-4058
3. Description of Property (please attach description)
4. ~~Primary~~ individual metering?
5. When is service wanted? 2-15-73
6. Will entire project be developed at one time? NO
- Single Phase YES? Three Phase \_\_\_\_\_?
8. Cable poles on property YES?
9. Customer service cable NO?
10. Do we furnish trenching? YES
11. Are easements all joint with Bell? YES
12. Do we need additional easement drawings from Bell? YES
13. Bell Engineer J. LARGENT Phone 338-0535
14. Sales Representative G. MAHONEY Phone 75-327

*Construction prints to follow B.M.*

REC'D  
30288

# THE DETROIT EDISON COMPANY

2000 SECOND AVENUE  
DETROIT, MICHIGAN 48226

Date **December 13, 1972**

Mr. Sam J. Herb P.E.

Multiplex Corporation

1191 W. Square Lake Road

~~Bloomfield Hills, Michigan 48013~~

Regarding King's Cove Phase II & Phase I

Gentlemen:

Subject to our agreement with you for the installation of underground electric lines in the above project, The Detroit Edison Company will own, install and maintain its electric lines and equipment and provide trenching in easements six feet (6') in width, which will be subsequently platted or provided by a separate easement instrument. Location of the lines and equipment will be as shown on the combined utility plan as approved by you on December 11, 1972.

The cost to you for said electric line installation is \$~~10,450.00~~ based on 9,225 trench feet or 0 lot front feet. Extra charges in addition to the above will be \$ 0 as your contribution for such items as providing primary mains, distribution laterals and primary switching cabinets. These extra charges will only be assessed if involved. All charges are based on rules and rates as filed with the Michigan Public Service Commission and as shown in our current rate book. We will require full payment of the aforementioned charges prior to energizing the system.

Service cable requirements will be fulfilled as per our rules and rates as filed with the Michigan Public Service Commission.

Community antenna systems or other cable systems shall not be installed in the same trench with Company and telephone cables without a separate signed agreement.

If adverse soil or field conditions such as rock, frozen ground or other are encountered, and you require us to trench through, additional charges will be assessed and may be billed at a later date. Additional charges will also be assessed if it is necessary to bore under paved streets or other paved areas.

Page 1

30288

Page 2  
The Detroit Edison Company  
Date December 13, 1972

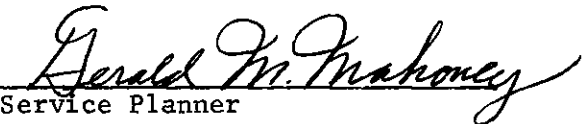
King's Cove Phase II \* PHASE I


The future maintenance of our electric lines in the proposed easements does not include repair of damage to our lines and equipment caused by you, your contractors, agents, employes, successors and assignees. If such damage should occur, we will require reimbursement for any such damage.

Notwithstanding anything herein to the contrary, the installation, ownership and maintenance of electric services and the rates, fees, and charges to be made shall be subject to and in accordance with the orders and rules and regulations adopted and approved from time to time by the Michigan Public Service Commission.

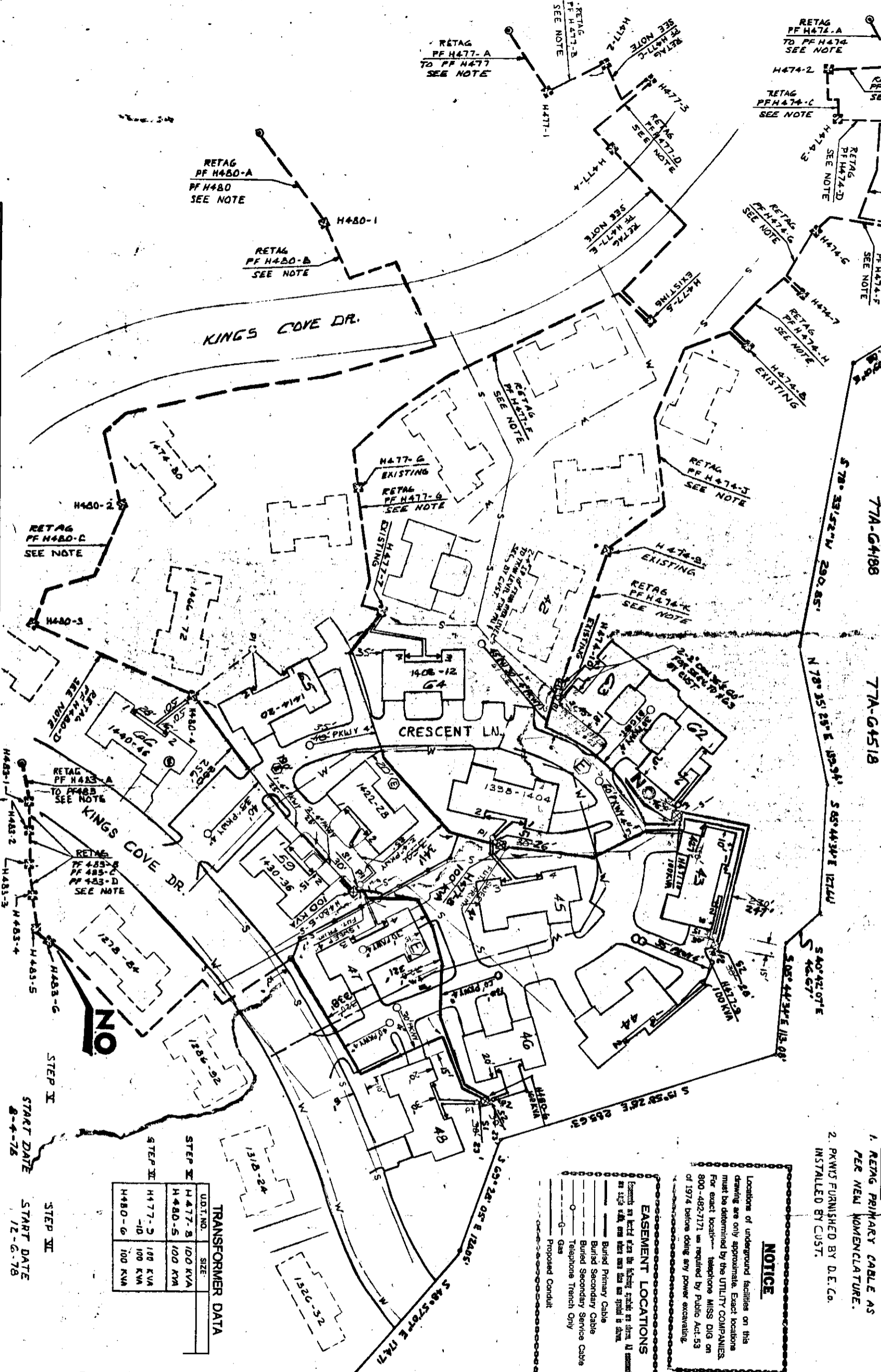
Please sign three of the enclosed copies and return them. You may retain the fourth copy for your file.

Very truly yours,

  
Service Planner

ACCEPTED:  
Name   
Title PRESIDENT  
Name R. D. Ho  
Title Mgr. Land Development  
Date 12/18/72

GM/ep



- NOTES**
1. RETAG PRIMARY CABLE AS PER NEW NOMENCLATURE.
  2. PDKWIS FURNISHED BY D.E. Co. INSTALLED BY CUST.

**NOTICE**

Locations of underground facilities on this drawing are only approximate. Exact locations must be determined by the UTILITY COMPANIES. For exact location telephone MISS DIO on 800-482-7171 as required by Public Act 53 of 1974 before doing any power excavating.

- EASEMENT LOCATIONS**
- Buried Primary Cable
  - Buried Secondary Cable
  - Telephone Trench Only
  - Proposed Conduit

- CODE -**
- TEMPORARY SECONDARY PEDESTAL
  - DFT DEAD FRONT TYPE
  - UDT (NON-SWITCHING-LIVE FRONT TYPE)
  - UDT (SWITCHING-LIVE FRONT TYPE)
  - DIRECTION OF TRANSFORMER DOOR OPENING
  - SECONDARY PEDESTAL
  - SECONDARY TERMINAL
  - CABLE POLE
  - PRIMARY SWITCH CABINET
  - BURIED PRIMARY CABLE-ALL VOLTAGES
  - BURIED SECONDARY CABLE
  - BURIED SECONDARY SERVICE CABLE
  - DETROIT EDISON TRENCH ONLY
  - TELEPHONE TRENCH ONLY
  - SEWER
  - WATER
  - GAS
  - PROPOSED CONDUIT

**CABLE SUMMARY**

ITEM#	92ALPE X 1 132 KV	713-3088	6421	1555
ITEM#	AP2-300M & 140 000 V.	713-0837	60	708-8
ITEM#	SEEV/C/220 & 1-91 800 V.	713-0816	1130	452

**TRENCH SUMMARY**

JOINT USE	155' x 900'	760	391
D. E. ONLY	220'	369	
TEL ONLY	220'		
TOTAL	595'	1560'	

**TRANSFORMER DATA**

UDI NO.	SIZE
H 477-2	100 KVA
H 480-5	100 KVA
H 477-2	100 KVA
-1D	100 KVA
H 480-6	100 KVA

**- GENERAL NOTES -**

TRENCHING TO BE DONE BY D.E. CO.  
TRENCH AND CABLE LENGTHS ARE APPROXIMATE.  
SEE DRAWING UH-1289 FOR TRANS. MAT. DETAILS.  
SEE PAGE 32-11 (ISIM) DETAIL " " FOR ENTRANCE POINT DETAILS (APTS. ONLY).  
SEE DRAWING UH-4283 FOR PLACEMENT OF CABLES.  
TRANSFORMERS AND PEDESTALS (SUBS) ONLY.  
D.E. SERVICE PLANNERS: JOHN ST. JOHN 338-0780  
TEL. CO.: JOHN ST. JOHN 338-0780

CONTACT "MISS DIG" (647-344) BEFORE DOING ANY EXCAVATION.  
EASEMENTS INDICATED BY OUR CENTERLINES ARE (BT) SIX FEET IN WIDTH UNLESS OTHERWISE NOTED.

**PERMITS REQUIRED**  
AVON TOWNSHIP NOTIFICATION

D	DESCRIPTION	C	REVISIONS	A	DATE	JOB TITLE	
AS INSTALLED	PAVING	77A-G4188-SPP-III	STRATA	1-10-78	FINISH	1-15-79	NUMBER OF HOWS BY KNIGHT
DESIGNED BY	APPROVED BY	DESIGNED BY	APPROVED BY	DESIGNED BY	APPROVED BY	DESIGNED BY	APPROVED BY

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	1-15-79
2	ISSUED FOR PERMITS	1-15-79
3	ISSUED FOR PERMITS	1-15-79

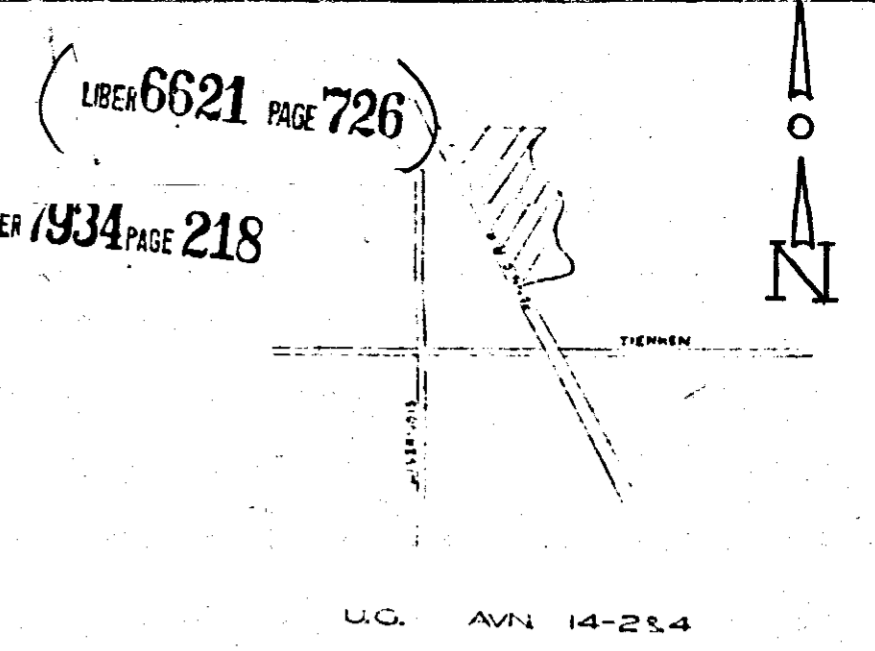
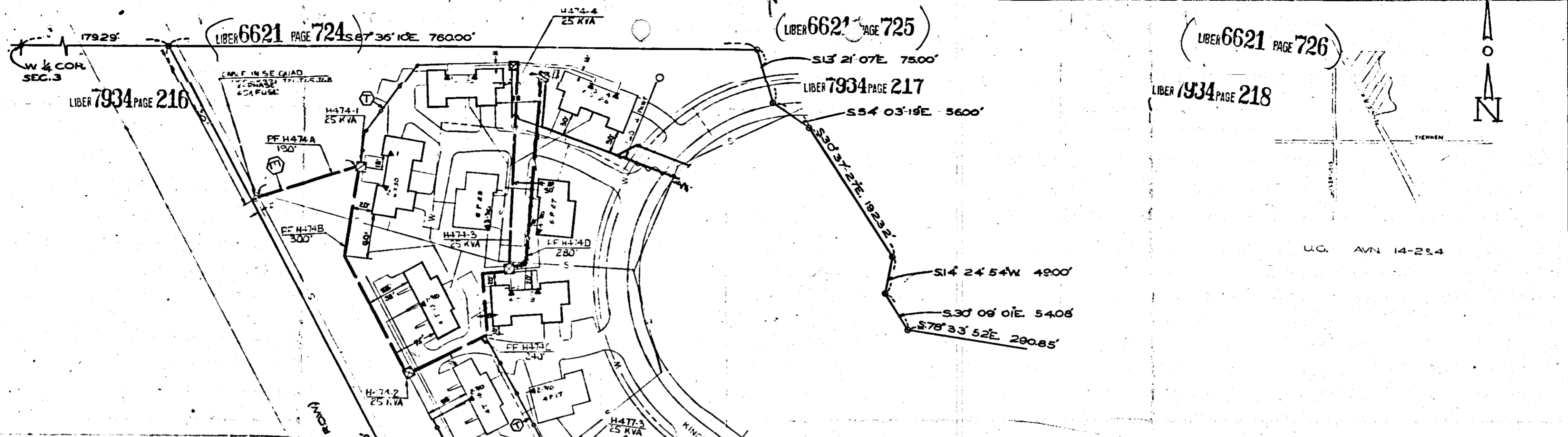
NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	1-15-79
2	ISSUED FOR PERMITS	1-15-79
3	ISSUED FOR PERMITS	1-15-79

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	1-15-79
2	ISSUED FOR PERMITS	1-15-79
3	ISSUED FOR PERMITS	1-15-79

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	1-15-79
2	ISSUED FOR PERMITS	1-15-79
3	ISSUED FOR PERMITS	1-15-79

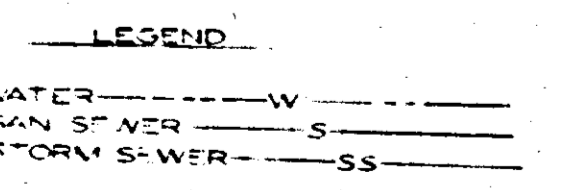


**CODE**

- DOT IRON FRONT TYPE
- DOT IRON SWITCHING - LIVE FRONT TYPE
- DIRECTION OF TRANSFORMER DOOR OPENING
- SECONDARY PEDestal
- SECONDARY TERMINAL
- CABLE POLE
- PRIMARY SWITCH CABINET
- BURNED PRIMARY CABLE - ALL VOLTAGES
- BURNED SECONDARY CABLE
- BURNED SECONDARY SERVICE CABLE
- DETROIT EDISON TRENCH ONLY
- SEWER
- WATER
- GAS
- PROPOSED CONDUIT

**NOTE** - THE LOCATION OF THE SECONDARY SERVICES ON THIS DRAWING ARE NOT GUARANTEED. CALL DETROIT EDISON BEFORE ADDING ANY EXCAVATION.

ELEMENTS INDICATED BY OUR CENTER LINES ARE (6" - 18" FEET IN WIDTH UNLESS OTHERWISE NOTED



**CABLE SUMMARY**

ITEM#	DESCRIPTION	STEP I	STEP II
1	2 APEC X 1132 KV 713-3029	2570'	2885'
2	AP2-350M#1-1-1/2 600V-713-0537	155'	115'
3	AP2-210 #1-1-1/2 600V-713-0614	1410'	180'
4	AP2-30 #1-1-1/2 600V-713-0536	1370'	1920'

NOTE: SEC SERVICES ARE 1/2 UNLESS NOTED

**TRANSFORMER DATA**

D.F.T.	SIZE	ED STK#	UNITS
H474-1	25 KVA	661-1151	76 UNITS
H477-1			
H480-1			
STEP I H483-1	50 KVA	661-1152	
H485-1			104 UNITS
H489-1	25 KVA	661-1151	

TRANS SPEC-1-52-370E/1-17-24  
PEDESTAL SPEC-1-9-251

**NOTE**  
DE CO TO DO TRENCHING  
TRENCH / CABLE LENGTH ARE APPROX  
SEE DAG 01-2349 FOR TRANS. MAT. DETAIL  
SEE PAGE 3-2-11(S.I.M.) DETAIL E FOR ENTERANCE METHOD  
DE SER PLANNER T. TAYLOR - 644-3040 EXT 75-283  
M.B.T. ENGINEER: A. BARTZ - 338-0535-PCN

**TRENCH SUMMARY**

ITEM	STEP I	STEP II
JOINT USE	4250'	
DE ONLY	295'	05'
M.B.T. ONLY	250'	015'
TOTAL	4795'	530'

**STEP II**  
DE WO-36764JW/K  
DE DO-116356D  
M.B.T. JOB-

**SITE SUPT**  
S. HARB-651-8712

**PERMIT REQUIRED**  
AVON TWP

**STEP I**  
DE WO-36784J599  
DE DO-U-63352  
M.B.T. JOB-

DIST. CIR. 8131 DOVER -132KV-

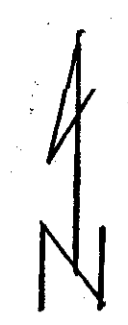
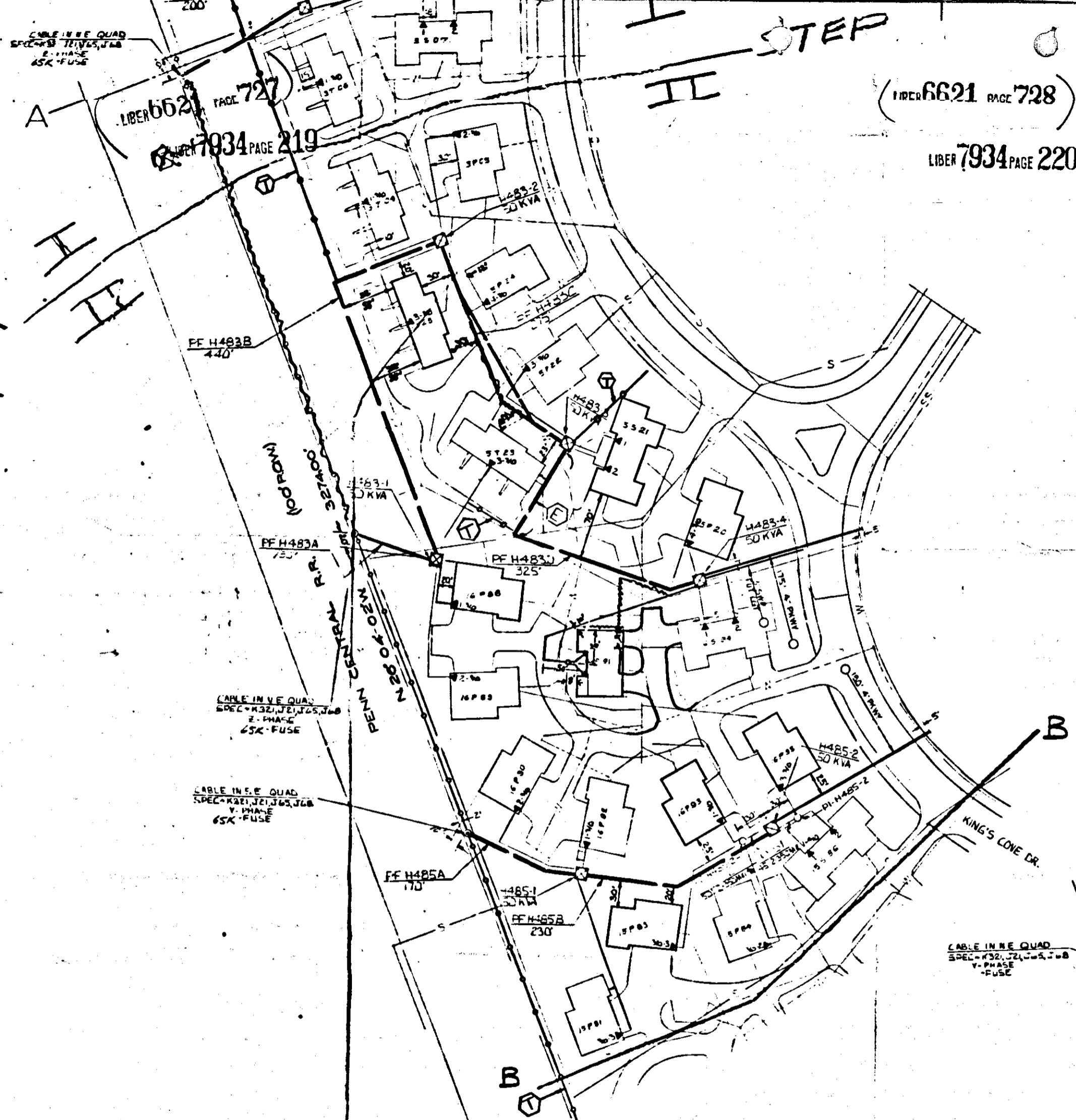
DATE	1-24-73	SCALE	1" = 50'
DESIGNED BY	W. J. VAN	CHECKED BY	W. J. VAN
DRAWN BY	W. J. VAN	DATE	3-21-73
PROJECT	KING'S COVE PHASE II		
LOCATION	SW 1/4 SEC 3 T.3N, R.11E.		
OWNER	AVON TWP. OAKLAND CO		
PROJECT NO.	U-63352		
SHEET	1 OF 2		

RECORDED RIGHT OF WAY NO.

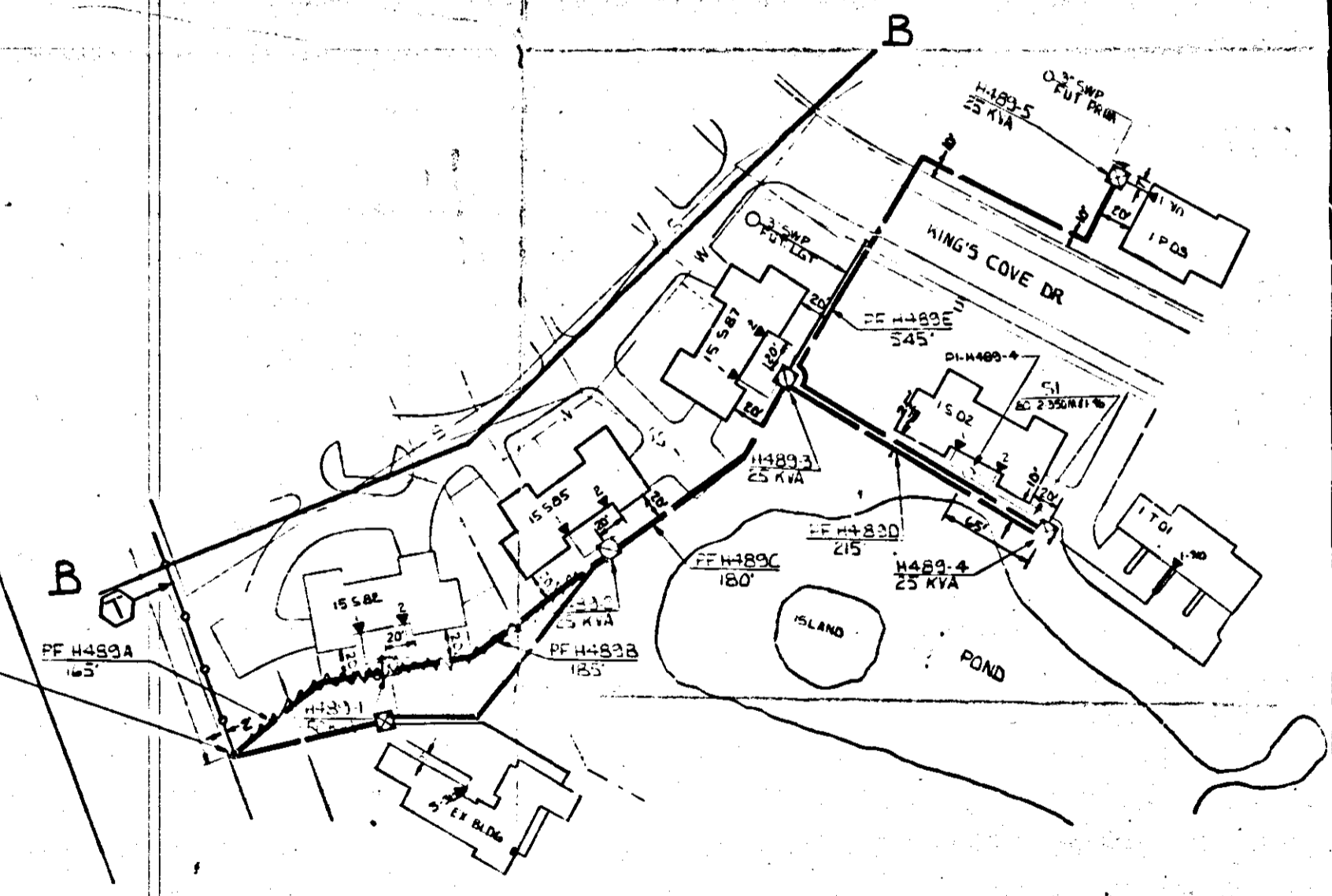
30288

RETURN TO  
J. A. ROBERTSON  
THE DETROIT EDISON COMPANY  
30400 TELEGRAPH ROAD, 272 OAKDH  
BIRMINGHAM, MICHIGAN 48010

STEP  
H  
II



LIBER 7934 PAGE 221



REVISIONS				DATE				BY				CHECKED				APPROVED							
<b>"AS-INSTALLED"</b>																PROJECT: <b>KINGS COVE PHASE II</b> LOCATION: <b>SW 1/4 SEC 3 T. 3N, R. 11E.</b> COUNTY: <b>AVON TWP OAKLAND CO.</b>				SCALE: <b>1" = 50'</b> SHEET: <b>2 OF 2</b>			
THE BATHURST EDGON COMPANY SERVICE PLANNING DEPARTMENT U-63352																							



RECORDED RIGHT OF WAY NO.

30288

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J. A. ROBERTSON  
THE DETROIT EDISON COMPANY  
30400 TELEGRAPH ROAD, 272 OAKDH  
BIRMINGHAM, MICHIGAN 48010

LIBER 6621 PAGE 730

LIBER 7934 PAGE 222

LIBER 6621 PAGE 731

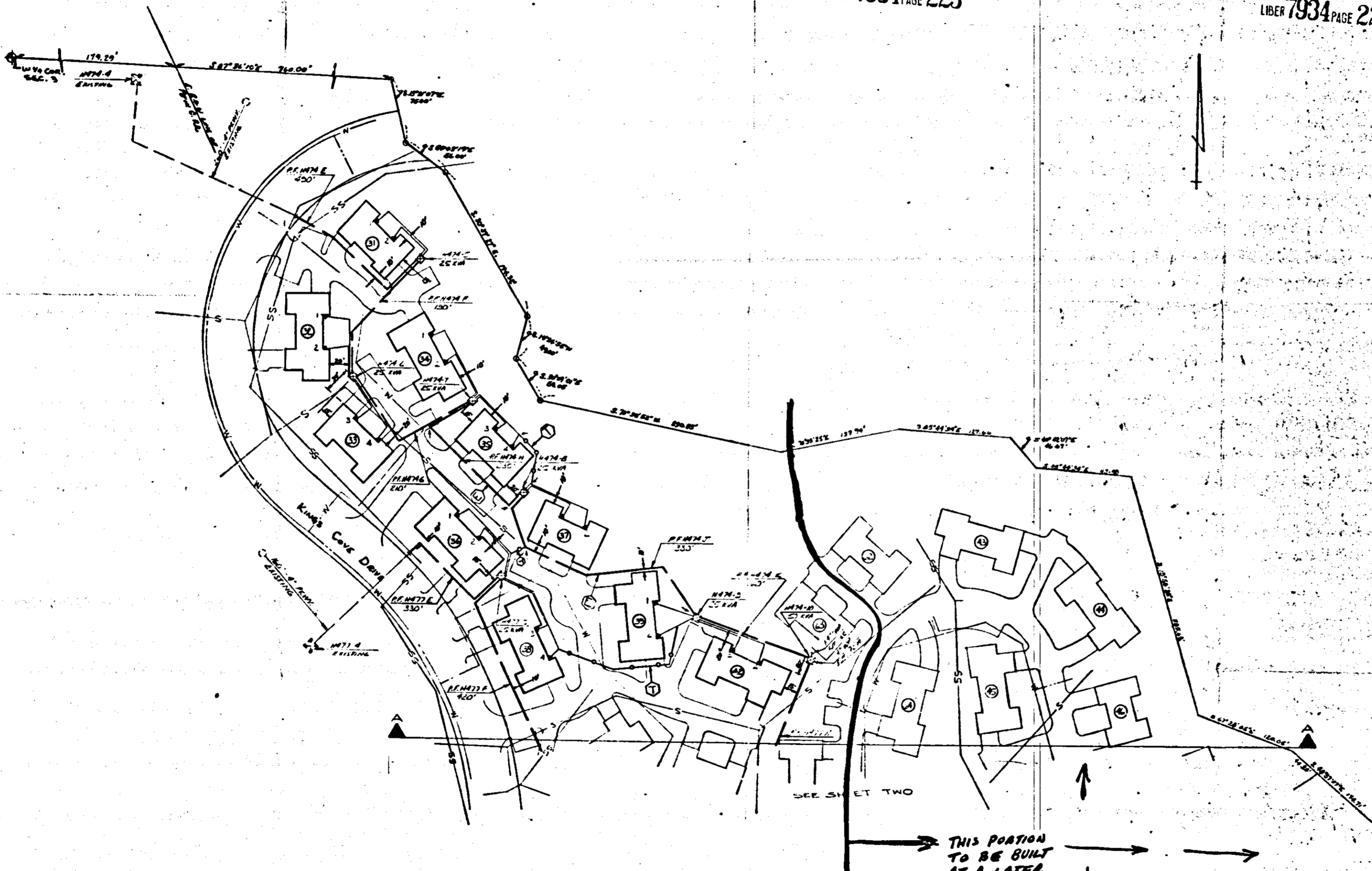
LIBER 7934 PAGE 223

LIBER 6621 PAGE 732

LIBER 7934 PAGE 224



TRANSFORMER DATA		
U.D.T. NO.	SIZE	NO. OF PEDESTALS
1774-5	500	3
1775-5	500	3
1776-5	500	3
1777-5	500	3
1778-5	500	3
1779-5	500	3
1780-5	500	3



TRANSFORMER SPEC. 1-17-261  
 PEDESTAL SPEC. - 1-3-231  
 NO. OF PEDESTALS 3

- CODE -

- ⊙ TEMPORARY SECONDARY PEDESTAL
- ⊠ OPT. DEAD FRONT TYPE
- ⊡ LOT SWITCHING - LIVE FRONT TYPE
- ⊞ LOT SWITCHING - LIVE FRONT TYPE
- DIRECTION OF TRANSFORMER DOOR OPENING
- SECONDARY PEDESTAL
- △ SECONDARY TERMINAL
- CABLE POLE
- PRIMARY SWITCH CABINET
- BURIED PRIMARY CABLE - ALL VOLTAGES
- BURIED SECONDARY CABLE
- BURIED SECONDARY SEP. 2E 1/2"
- DETROIT EDISON TRENCH ONLY
- TELEPHONE TRENCH ONLY
- WATER
- GAS
- PROPOSED CONDUIT

CABLE SUMMARY

ITEM	22AFEC X 1 132 KV	713-202	3530'
ITEM	APP 2288 & 140 800 V.	713-203	300'
ITEM	APP 210 & 11 800 V.	713-204	3130'

TRENCH SUMMARY

JOINT USE	2140'	1730'
B. & E. ONLY	720'	
TEL. ONLY	810'	
TOTAL	3270'	

SITE SUPT. WILLIAM D. CAPRON  
 PHONE NO. 451-426

- GENERAL NOTES -

TRENCHING TO BE DONE BY D.E.C.O.  
 TRENCH AND CABLE LENGTHS ARE APPROXIMATE.  
 SEE DRAWING U-4-2288 FOR TRANS. MAT. DETAILS.  
 SEE PAGE 3-11 (S.I.M.) DETAIL "A" FOR ENTRANCE POINT DETAILS (APTS. ONLY).  
 SEE DRAWING U-4-2283 FOR PLACEMENT OF CABLES, TRANSFORMERS AND PEDESTALS (SUBS. ONLY).  
 D.E. SERVICE PLANNER: G. MCGONAGLE 357-7652  
 T.E. CO. J. CARROLL 358-0225 FAX

CONTACT "MRS. D.G." 447-3448 BEFORE DOING ANY EXCAVATION.  
 BASEMENTS INDICATED BY OUR CENTER LINES ARE 6" SIX FEET IN WIDTH UNLESS OTHERWISE NOTED.

PERMITS REQUIRED

AVON TAX (APPROXIMATE ONLY)

THIS PORTION TO BE BUILT AT A LATER DATE.

CONST. START 4-8-74

REFERENCE: U-4-2288 CONC. FOUND. I & II U-4-2312 SEC. OPER. AVENUE 20										DATE: 3-5-74		JOB TITLE: KINGS COVE PHASE III SW 1/4 OF SEC. 3 (II) T.3N. R.1E.		783 DETROIT EDISON COMPANY SERVICE PLANNING DEPARTMENT	
DRAWN BY: J. MARSHALL										DATE: 3-5-74		SCALE: 1"=50'		SHEET NO. 72 OF 72	
CHECKED BY: G. MCGONAGLE										DATE: 3-4-74		LAYOUT BY: S. J. G. WEL - H.2.N.		PHONE CABLE NUMBER: 367847809	
APPROVED BY: J. MARSHALL										DATE: 3-19-74		LAYOUT BY: S. J. G. WEL - H.2.N.		SHEET NO. 1 OF 2	
AS-INSTALLED										DATE: 3-19-74		AVON TWP OAKLAND CO		1-63652	

RECORDED RIGHT OF WAY NO.

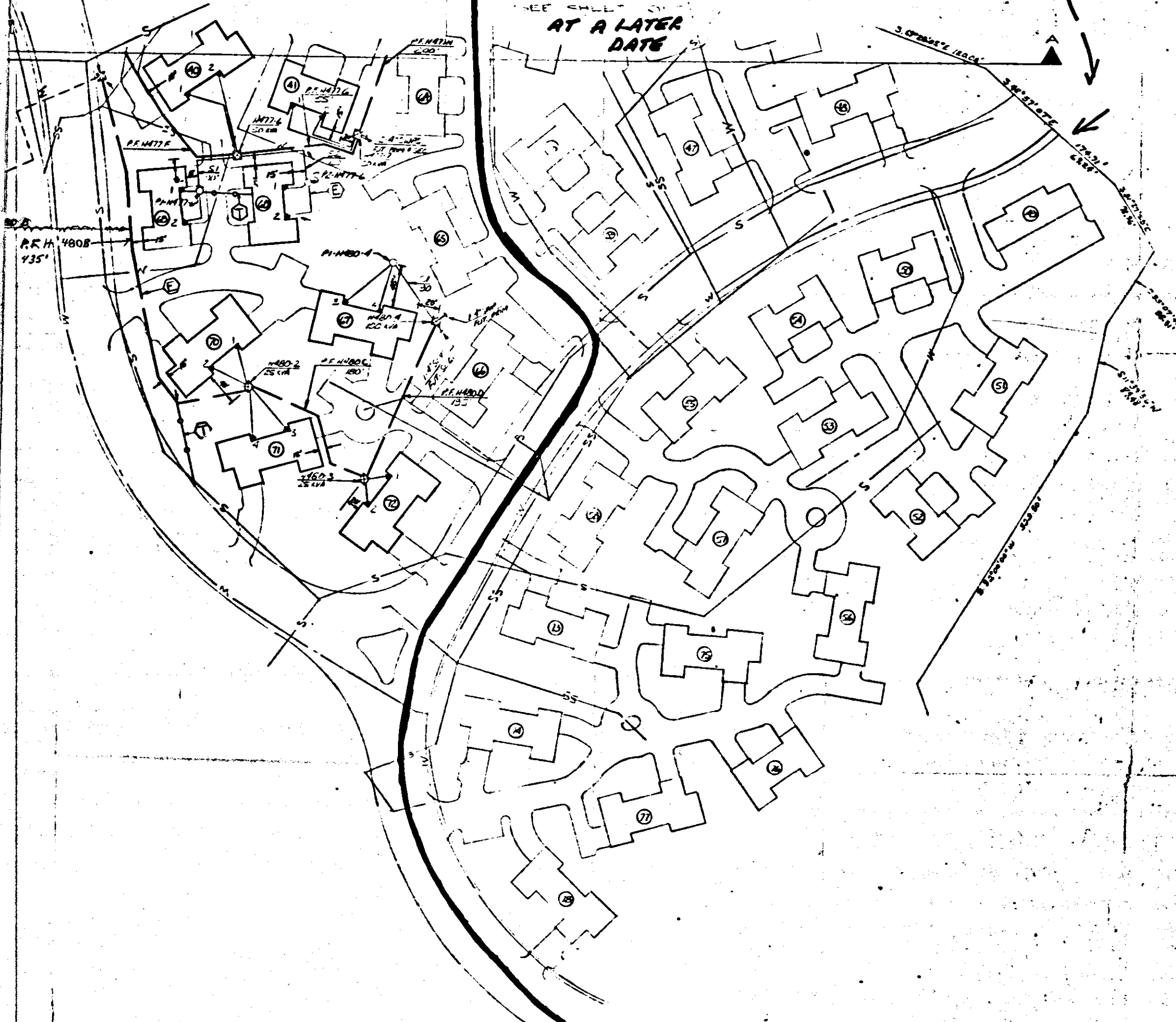
30288

RETURN TO  
J. A. ROBERTSON  
THE DETROIT EDISON COMPANY  
30400 TELEGRAPH ROAD, 272 OAKDH  
BIRMINGHAM, MICHIGAN 48010



TRANSFORMER DATA		
U.S.T. NO.	SIZE	ED. STK. NO.

THIS PORTION TO BE DONE AT A LATER DATE



TRANSFORMER SPEC. \_\_\_\_\_  
 PEDestal SPEC.-R13 \_\_\_\_\_  
 NO. OF PEDESTALS \_\_\_\_\_

- CODE -

- TEMPORARY SECONDARY PEDESTAL
- DFT (DEAD FRONT TYPE)
- DFT (NON-SWITCHING-LIVE FRONT TYPE)
- DFT (SWITCHING-LIVE FRONT TYPE)
- SECTION OF TRANSFORMER DOOR OPENING
- SECONDARY PEDESTAL
- △ SECONDARY TERMINAL
- CABLE POLE
- PRIMARY SWITCH CABINET
- BURIED PRIMARY CABLE-ALL VOLTAGES
- BURIED SECONDARY CABLE
- BURIED SECONDARY SERVICE CABLE
- DETROIT EDISON TRENCH ONLY
- TELEPHONE TRENCH ONLY
- SEWER
- WATER
- GAS
- PROPOSED CONDUIT

CABLE SUMMARY

ITEM# \_\_\_\_\_ #3APEC K 1 13.2 KV 713-3029  
 ITEM# \_\_\_\_\_ AP2-380M & 1-40 800 V. 713-9537  
 ITEM# \_\_\_\_\_ AP2-30 & 1-01 800 V. 713-8814

TRENCH SUMMARY

JOINT USE \_\_\_\_\_  
 S. E. ONLY \_\_\_\_\_  
 TEL ONLY \_\_\_\_\_  
 TOTAL \_\_\_\_\_

SITE SUPT. \_\_\_\_\_  
 PHONE NO. \_\_\_\_\_

- GENERAL NOTES -

TRENCHING TO BE DONE BY \_\_\_\_\_  
 TRENCH AND CABLE LENGTHS ARE APPROXIMATE.  
 SEE DRAWING UI-2308 FOR TRENCH DETAILS.  
 SEE PAGE 3-2-11 (S.I.M.) DETAIL " " FOR ENTRANCE POINT DETAILS (APTS. ONLY).  
 SEE DRAWING UI-4-2263 FOR PLACEMENT OF CABLES, TRANSFORMERS AND PEDESTALS (BUS-DS ONLY).  
 D.E. SERVICE PLANNER: \_\_\_\_\_  
 TEL. CO.: \_\_\_\_\_

CONTACT "MISE DIG" (847-346) BEFORE DOING ANY EXCAVATION.  
 DIMENSIONS INDICATED BY OUR CENTERLINES ARE 60 INCH FEET IN WIDTH UNLESS OTHERWISE NOTED.

PERMITS REQUIRED

D. REVISIONS		C. DATE		B. DESCRIPTION		A. REVISIONS		REFERENCE	DATE	BY	JOB TITLE	THE DETROIT EDISON COMPANY SERVICE PLANNING DEPARTMENT		
								AS-INSTALLED	3-1-74	J. J. [Signature]	ENGINEER	SCALE	NUMBER OF SHEETS	BOOK ORDER NUMBER
									3-1-74	[Signature]	PROJECT ENGINEER	1:50	72	367847805
												LATEST REVISION	DATE OF REVISION	
													8/31 OVER ~ 13.2 KV.	
												DATE OF REVISION		
												AVON TWP OAKLAND CO		

RECORDED RIGHT OF WAY NO. 30288

RETURN TO  
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THE DETROIT EDISON COMPANY  
30400 GRAPHS ROAD, 272 OAKDH  
BIRMINGHAM, MICHIGAN 48010

REVISED BY	DATE	DESCRIPTION	REVISED BY	DATE	DESCRIPTION	REVISED BY	DATE	DESCRIPTION	REVISED BY	DATE	DESCRIPTION
A-63823	10-26-79	AS INSTALLED PER PLAN									
A-63823	10-26-79	FINISH & MOUNT BY KNIGHT									
A-63823	10-26-79	START									
A-63823	10-26-79	FINISH & MOUNT BY KNIGHT									
A-63823	10-26-79	START									
A-63823	10-26-79	FINISH & MOUNT BY KNIGHT									

AVON TWP (NOTIFICATION ONLY)  
 PERMITS REQUIRED  
 SIX FEET IN WIDTH UNLESS OTHERWISE NOTED.  
 EASEMENTS INDICATED BY OUR CENTERLINES ARE (S) DOING ANY EXCAVATION.  
 CONTACT "MISS DIG" (617734) BEFORE  
 TRENCHING TO BE DONE BY DELO  
 TRENCH AND CABLE LENGTHS ARE APPROXIMATE.  
 SEE DRAWING UI-1309 FOR TRANS. MAT. DETAILS.  
 SEE PAGE 32-11 (S.I.M.) DETAIL " " FOR ENTRANCE  
 POINT DETAILS (APTS. ONLY)  
 SEE DRAWING UI-4283 FOR PLACEMENT OF CABLES.  
 TRANSFORMERS AND PEDESTALS (SUBS ONLY)  
 D.E. SERVICE PLANNER: G. MAHONEY 6-5-8157  
 TEL. CO.: 311 81 JOHN 3-2-7732

**EASEMENT LOCATIONS**

- Proposed Conduit
- Gas
- Telephone Trench Only
- Buried Secondary Service Cable
- Buried Primary Cable

**TRENCH SUMMARY**

PHASE I	577' 11"	112'	30'	175' 31"	9-5	1450'	352' 137'
PHASE II	577' 11"	112'	30'	175' 31"	9-5	1450'	352' 137'
PHASE III	577' 11"	112'	30'	175' 31"	9-5	1450'	352' 137'

**CABLE SUMMARY**

ITEM#	DESCRIPTION	QUANTITY	UNIT
713-3062	713-3062	222	FT
713-0537	713-0537	222	FT
713-0619	713-0619	115	FT

**NOTICE**

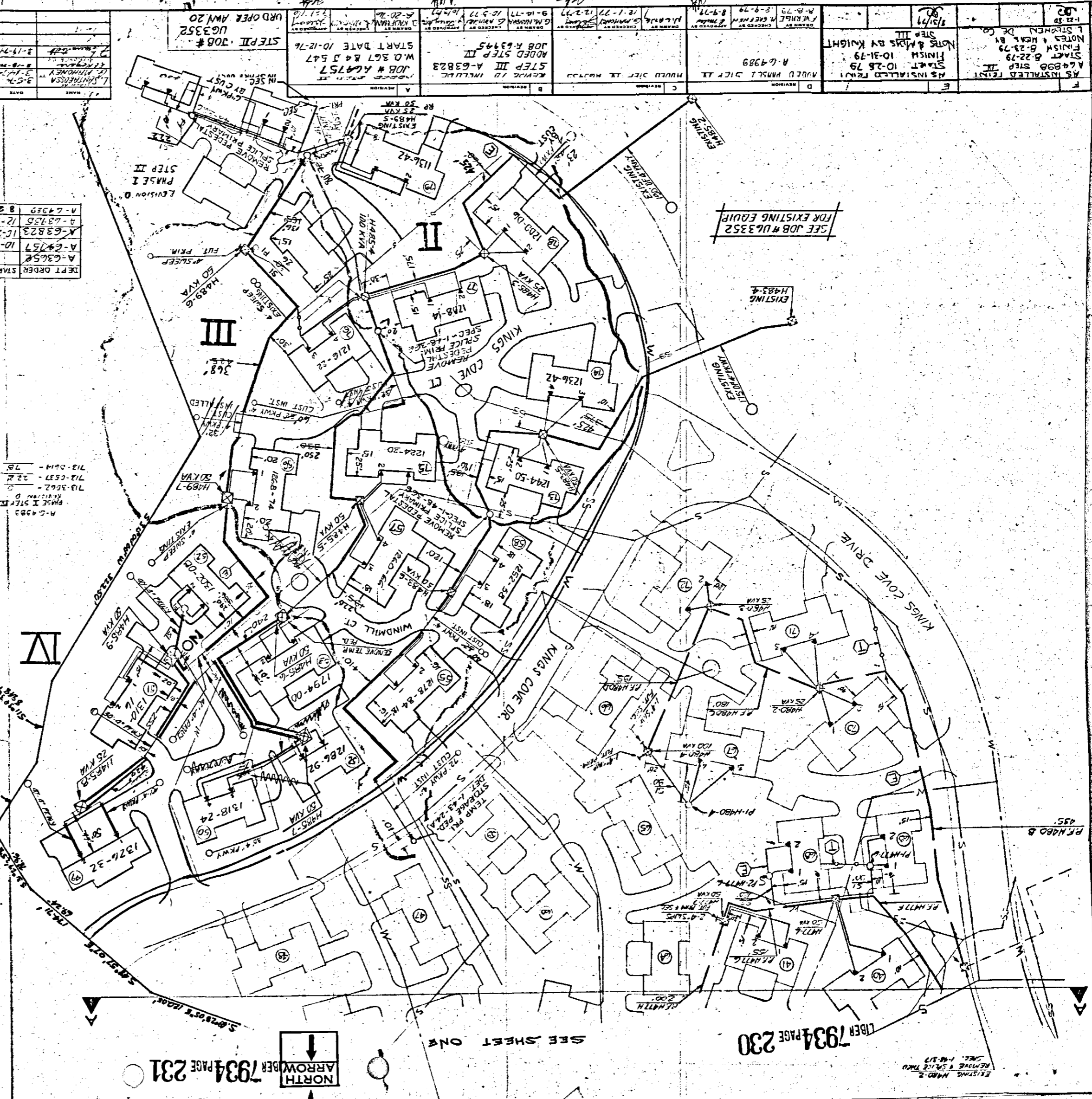
Locations of underground facilities on this drawing are only approximate. Exact locations must be determined by the UTILITY COMPANIES. For exact locations, telephone MISS DIG on 800-482-7171 as required by Public Act 53 of 1974 before doing any power excavating.

**LOCATION SKETCH**

U.G. MAP SEC. NOS. AVON 15-1-K

**TRANSFORMER DATA**

U.D.T. NO.	SIZE	STEP II	STEP III	STEP IV
H483-5	50 KVA	H483-5	50 KVA	H483-5
H483-3	25 KVA	H483-3	25 KVA	H483-3
H483-4	100 KVA	H483-4	100 KVA	H483-4
H483-6	50 KVA	H483-6	50 KVA	H483-6
H483-7	50 KVA	H483-7	50 KVA	H483-7
H483-8	25 KVA	H483-8	25 KVA	H483-8
H483-9	50 KVA	H483-9	50 KVA	H483-9
H483-5	50 KVA	H483-5	50 KVA	H483-5
H483-5	50 KVA	H483-5	50 KVA	H483-5
H483-5	50 KVA	H483-5	50 KVA	H483-5
H483-5	50 KVA	H483-5	50 KVA	H483-5



RETURN TO  
J A ROBERTSON  
THE DETROIT EDISON COMPANY  
30400 TELEGRAPH ROAD, 212 OAKDALE  
BIRMINGHAM, MICHIGAN 48010