LIBER 6621 PAGE 12

(LIBER 5980 PAGE 324)

(72 99023)

76 10479

OXFORD OAKS CONDOMINIUMS
APARTMENTS

AGREEMENT - EASEMENT - RESTRICTIONS

This instrument made this 17TH day of OCTOBER, 1972, 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."

W I T N E S S E T H :

WHEREAS, Owners are erecting apartments known as OXFORD OAKS CONDOMINIUMS, on land in the Township of Oxford, 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, rearragement 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. 3032



DE FORM LE 11 11-71 CS

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

(other side back)

5.00
15.00

RETURN TO
J. A. ROBERTSON
THE DETROIT EDISON COMPANY
1970 ORCHARD LAKE ROAD
PONTIAC, MICHIGAN 48053

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:

C. George Williams
C. GEORGE WILLIAMS

Irene C. Kata
IRENE C. KATA

Diana Yezbick
DIANA YEZBICK

Marsha Pavelka
MARSHA PAVELKA

THE DETROIT EDISON COMPANY

By W. C. Arnold
W. C. Arnold, Director, Real Estate and Rights 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 RIGHT OF WAY NO. 30327



DE FORM LE 11 11-71 CS

RETURN TO
J. A. ROBERTSON
THE DETROIT EDISON COMPANY
1970 ORCHARD LAKE ROAD
PONTIAC, MICHIGAN 48053

DEREAL CORPORATION
A Michigan Corporation
95 South Washington
Oxford, Michigan 48051

Witness:

John N. Waterloo
JOHN N. WATERLOO

Walter E. Touchie
WALTER E. TOUCHIE

John G. VanSteenis
JOHN G. VANSTEENIS
President
PRESIDENT

STATE OF MICHIGAN )
) SS.
COUNTY OF OAKLAND )

On this 17TH day of OCTOBER 1972, before me appeared JOHN G. VANSTEENIS ~~and~~ _____ to me personally known, who being by me severally duly sworn, did say that ~~they are~~ HE IS respectively PRESIDENT ~~and~~ _____ of DEREAL CORPORATION, A Michigan Corporation, and that the said instrument was signed in behalf of said corporation, by authority of its Board of Directors and the said JOHN G. VANSTEENIS ~~and~~ _____ acknowledged the said instrument to be the free act and deed of the said DEREAL CORPORATION.

John N. Waterloo
JOHN N. WATERLOO
Notary Public, MACOMB County, Michigan

My Commission Expires: FEB. 15, 1974

APPENDIX "A"

Part of the NE¼ of the NE¼ of Sec 28, T5N,R10E, Oxford Township, Oakland County, Michigan, described as: Beg at the NE cor of said Sec 28; th S. 00°27'55" E. 1000 ft along the E. line of Sec 28; th N. 89°16'35" W. 300 ft; th N. 62°42'35" W. 268.33 ft; th N. 89°16'35" W. 180 ft; th N. 00°27'55" W. 260 ft; th N. 47°45'30" E. 288.09 ft; th N. 27°33'30" E. 128 ft; th N. 06°35' E. 130 ft; th N. 00°27'55" W. 180 ft to the North line of Sec 28; th S. 89°16'35" E. 426.51 ft along the North Sec line to the point of beginning.

PREPARED BY: John N. Waterloo
1970 Orchard Lake Road
Pontiac, Michigan 48053

RECORDED RIGHT OF WAY NO. 30327

LIBER 6080 PAGE 327

DRAKE CORPORATION
A Michigan Corporation
25 South Washington
Oxford, Michigan 48051

Address:

JOHN A. WATERLOO

PRESIDENT

JOHN C. VANSTEENIS

SECRETARY

STATE OF MICHIGAN )
) SS.
COUNTY OF OAKLAND )

On this 27th day of October 1972, before me appeared John C. VanSteenis and _____ to me personally known, who being by me severally duly sworn, did say that they are respectively President and _____ of DRAKE CORPORATION, a Michigan Corporation, and that the said instrument was signed in behalf of said corporation by authority of its Board of Directors and the said John C. VanSteenis and _____ acknowledged the said instrument to be the free act and deed of the said DRAKE CORPORATION.

John A. Waterloo
JOHN A. WATERLOO
Notary Public, Macomb County, Michigan

My Commission expires: April 15, 1974

APPENDIX "A"

Part of the NE ¼ of the NW ¼ of Sec 26, T5N,R10E, Oxford Township, Oakland County, Michigan, described as: Beginning at the N ¼ cor of said Sec 26; th S. 00°27'55" E. 1000 ft along the E. line of Sec 26; th W. 89°16'35" W. 200 ft; th N. 00°27'55" W. 243.33 ft; th W. 89°16'35" W. 160 ft; th N. 00°27'55" W. 240 ft; th N. 89°16'30" E. 260.09 ft; th N. 27°33'30" W. 328 ft; th N. 00°35' E. 130 ft; th N. 00°27'55" W. 180 ft to the North line of Sec 26; th S. 89°16'35" E. 1250.51 ft along the North Sec line to the point of beginning.

PREPARED BY: John A. Waterloo
1970 Orchard Lake Road
Pontiac, Michigan 48053

RETURN TO
J. A. ROBERTSON
THE DETROIT EDISON COMPANY
1970 ORCHARD LAKE ROAD
PONTIAC, MICHIGAN 48053

STATE OF MICHIGAN )
) SS.
COUNTY OF WAYNE )

On this 23rd day of October, 1972, before me the subscriber, a Notary Public in and for said County, appeared W. C. Arnold and Lillian J.H. Carroll, to me personally known, who being by me duly sworn did say 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 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.

Irene C. Kata
IRENE C. KATA
Notary Public, Wayne County, Michigan

My Commission Expires: May 14, 1976

1976 FEB 11 PM 3:52

STATE OF MICHIGAN )
) SS.
COUNTY OF OAKLAND)

On this 26th day of October, 1972, 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 Co., A Michigan corporation, and that 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.

Melford Hartman
Notary Public, County, Michigan

My Commission Expires:

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

RECORDED RECEIVED ON MAY NO. 30327



DE FORM LE 18 6-72 CS

RETURN TO
J. A. ROBERTSON
THE DETROIT EDISON COMPANY
1970 ORCHARD LAKE ROAD
PONTIAC, MICHIGAN 48053

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

TO Engineering Coordinator Supervisor DATE 10-18-72 TIME

Bldg H. Room 250 W.S.C.

RE: Underground Service - Oxford Oaks Condominiums, Oxford Twp, Oakland Co.
and
Agreements and Easements obtained - OK to proceed with construction.

COPIES TO: L. McHaught, Service Planning, P.S.C. SIGNED John N. Waterloo
John N. Waterloo
Real Estate and R/W Dept.

REPORT File

DATE RETURNED TIME SIGNED

RECORDED RIGHT OF WAY NO. 30377

Detroit Edison
Oakland Division
30400 Telegraph Road
Bingham Farms, Michigan 48010
(313) 645-4000
Phone 645-4378

February 19, 1976

Oxford Oaks Condominiums
71 Oxford Oaks Drive
Oxford, Michigan 48051

Gentlemen:

Re: Oxford Oaks Condominiums

We are enclosing herewith a copy of the "as installed" Drawing No. U-63261 for the underground electric and communication services for the above named project.

Sincerely,

John N. Waterloo

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

RECORDED RIGHT OF WAY NO. 30327

THE DETROIT EDISON COMPANY

1970 ORCHARD LAKE ROAD

PONTIAC, MICHIGAN 48053

November 20, 1972

OXFORD OAKS CONDOMINIUMS
95 S. Washington
Oxford, Michigan 48051

RE: OXFORD OAKS CONDOMINIUMS

Gentlemen:

We are enclosing herewith a fully executed copy of the Agreement dated October 17, 1972 for the underground electric and communication services for the above named project.

Yours very truly,

John N. Waterloo

John N. Waterloo
Real Estate and Rights of Way Dept

Enclosure

RECORDED RIGHT OF WAY NO. 30327

AREA CODE 313
TELEPHONE 962-2100

# THE DETROIT EDISON COMPANY

2000 SECOND AVENUE
DETROIT, MICHIGAN 48226

October 4, 1972

OXFORD OAKS CONDOMINIUMS
95 South Washington
Oxford, Michigan 48051

ATTN: J. VanSteenis

RE: OXFORD OAKS CONDOMINIUMS

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 N. Waterloo, at 1970 Orchard Lake Rd
Pontiac, Michigan 48053 (phone number ~~962-2100~~ 334-4701, extension 75-258).

Yours very truly,

John N. Waterloo

John N. Waterloo
Real Estate and R/W Dept.

:JNW/jcg
Enclosures

RECORDED RIGHT OF WAY NO. 30327

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

## APARTMENT PROJECTS - UNDERGROUND SERVICE

1. Name of Project OXFORD OAKS CONDOMINIUMS
2. Name of Developer JOHN VAN STEENIS
   Address 95 SOUTH WASHINGTON - OXFORD - 48051
   Phone 628-4851 (4852) (4866) Construction Office
3. Description of Property (please attach description)
4. Primary or individual metering?
5. When is service wanted? 12-1-72
6. Will entire project be developed at one time? NO.
7. Single Phase YES ? Three Phase LATER (Pumps)
8. Cable poles on property NO ?
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? NO
13. Bell Engineer B. PFAHLERT Phone 338-4272
14. Sales Representative L. MCNAUGHT Phone X-75-288

RECORDED RIGHT OF WAY NO. 30327

AREA CODE 313
TELEPHONE 962-2100

# THE DETROIT EDISON COMPANY

2000 SECOND AVENUE
DETROIT, MICHIGAN 48226

Date September 11, 1972

Mr. John VanSteenis

95 South Washington

Oxford, Michigan

Regarding Oxford Oaks Condominiums

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 August 16, 1972.

The cost to you for said electric line installation is $ ~~3,270.00~~ 1340.00 based on ~~1,635~~ 670 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, and in the case of Multiple Occupancy buildings are included in the above costs.

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.

TOTAL $ 2010.00

John Van Steenis

Check # 423

RECORDED HIGH CO. REV. NO. 30327



DE FORM PL 101 10-71

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

Title

Date

LOMcN/dp

RECORDED RIGHT OF WAY NO. 30327



DE FORM PL 101 10-71

SEYMOUR LAKE RD.

S.89°16'35"E. 426.61'

N.E. CORNER SEC. 28

LIBER 6621 PAGE 716

LIBER 6621 PAGE 717

LIBER 6621 PAGE 718

NORTH ARROW

N.00°27'35"W. 180.00'

N.00°35'00"E. 180.00'

N.00°27'35"E. 1000.00'

N.47°28'30"E. 288.00'

N.47°28'30"E. 100.00'

N.00°27'35"W. 200.00'

N.89°16'35"W. 180.0'

N.89°16'35"W. 300.00'

N.67°47'35"W. 268.38'

DAVIS LAKE HIGHLANDS SUBN. #1

DAVIS LAKE HIGHLANDS #3 SUBN.

INDIAN KNOLLS DR.

BLDG. #16

BLDG. #15

BLDG. #12

BLDG. #13

BLDG. #14

BLDG. #11

BLDG. #10

P.F. N370 A 200'

P.F. N370 B 245'

P.F. N370 C 28'

P.F. N365 235'

CABLE IN S.E. QUAD. SPECS-A321, J21, J25, J28 Y-PHASE 65K-FUSE

OXF. UG. 77-1

UGT (DEAD FRONT TYPE)
UGT (NON-SWITCHING – LIVE FRONT TYPE)
UGT (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

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

EASEMENTS INDICATED BY OUR CENTERLINES ARE 16' ON FEET OR WIDTH UNLESS OTHERWISE NOTED.

DETAIL OF C.P. #1
SPECS-A321, J-2, J28, J21
X-PHASE
65K FUSE

C.P. #1

— NOTES —
M.E.T. TO DO TRENCHING.
TRENCH & CABLE LENGTHS ARE APPROX.
SEE DWG. U1-1-2269 FOR TRENCH PLAT DETAILS.
SEE PAGE 3 & 11 S.I.M. DETAIL 10 FOR ENTRANCE POINT DETAILS.
L.E. DEV. PLANNER: L. McNAULT - 649 3040 EXT. 75 DEB.
M.S.D. ENGINEER: W. PEARLART - 338-4272 - PRIM.
CONTACT MISS DIG FOR STAKING OF OTHER UTILITIES.

TRANSFORMER DATA

| | D.T.E. # | SIZE | EL. STA. # |
|---|---|---|---|
| STEP II | [illegible] | [illegible] | [illegible] |
| STEP I | N370-1 | 75 KVA | [illegible] |
| STEP I | N370-2 | 75 KVA | [illegible] |
| STEP II | N370-3 | [illegible] | [illegible] |

TRANS. SPECS-P321 & K21
PED. SPEC. ALL

STEP I — 1 UNIT
STEP II — 17 UNITS

CABLE SUMMARY

| | STEP I | STEP II |
|---|---|---|
| ITEM # [illegible] | 445' | 520' |
| ITEM # [illegible] | 255' | 320' |
| ITEM # [illegible] | 575' | 330' |

NOTE: SEC. MAINS TO BE 350 M
SEC. SERVS. TO BE 4/0

TRENCH SUMMARY

| | STEP I | STEP II |
|---|---|---|
| [illegible] | 70' | [illegible] |

SITE SUPT: TOM VAN SPERENS 852-4951

| | D.O. NO. | W.O. NO. |
|---|---|---|
| STEP I | U-63261 | 36784 J513 |
| STEP II | U-62471 | 36784 J710 |

RECORDED R/W FILE NO. 303287

LEGEND
WATER —W—
GAS CARLES —G—
STORM SEWER —ST—

| REVISION | REVISION | REVISION | REVISION |
|---|---|---|---|
| | | "AS-INSTALLED" | A ADDED STEP II |

PHASE I
OXFORD OAKS CONDOMINIUMS
PART OF E½ SEC. 28
T. 5N. R. 10E.
OXFORD TWP. OAKLAND CO.

THE DETROIT EDISON COMPANY
SERVICE PLANNING DEPARTMENT

SCALE 1" = 30'

U-63261*

SHEET 1 OF 1 SHEETS

30327

RECORDED RIGHT OF WAY NO. 30327