

Detroit Edison

Right of Way Agreement

84 11073

1.9 / 3.2

August 11, 19 83

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 MICHIGAN BELL TELEPHONE COMPANY, a Michigan corporation, of 444 Michigan Avenue, Detroit, Michigan 48226 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 City of Farmington Hills, 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.

① #

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

The exact location of said easements will be shown on a drawing to be recorded within 90 days after construction.

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, employees 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, licensees and assigns of the parties hereto.

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

Witnesses:

Grantors:

Linda Vinson
Linda Vinson
Kristina Scarlett
Kristina Scarlett

John F. Uznis
John F. Uznis
Evelyn R. Uznis
Evelyn R. Uznis

RECORDED RIGHT OF WAY NO. 34909

RECORDED
INDEXED
AUG 11 1983
DEARBORN MI 48124

Prepared By: James McDonald
30400 Telegraph
Birmingham, MI 48010

Address: 24610 Michigan Ave.
Dearborn, MI 48124 1700

"as installed"

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

Ret. over DEC 01

gld 5.00

1925 001 1 a

1925 001 1 a

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

NE 1/4 APPENDIX "A"

Part of Section 32, T1N, R9E, City of Farmington Hills, Oakland County, Michigan, described as: Beginning at the East 1/4 corner of said Sec. 32; thence from said point of beginning South 00 degrees 02 minutes 13 seconds East, 660.33 feet along the East line of said Sec. 32; thence North 89°46'26" West 1317.03 ft., thence South 00°07'36" East 292.00 ft., thence North 47°49'41" West, 410.71 ft., thence North 20°02'44" East, 112.40 ft., thence 422.59 ft. along the arc of a curve to the right, Radius 345.00 ft., central angle 70°10'51", Chord length 396.66 ft. and a chord bearing of North 55°08'09" East; thence South 89°46'26" East, 193.81 ft., thence 555.59 ft. along the arc of a curve to the left, radius 565.00 ft., central angle 56°20'30", chord length 533.48 ft. and a chord bearing of North 62°03'19" East; thence North 33°53'04" East, 130.22 ft., thence 376.60 ft. along the arc of a curve to the left, radius 370.00 ft., central angle 58°19'06", chord length 360.56 ft. and a chord bearing of North 04°43'31" East, thence North 33°35'07" West, 130.22 ft., thence 123.36 ft. along the arc of a curve to the left, radius 565.00 ft., central angle 12°30'34" chord length 123.11 ft. and a chord bearing of North 39°50'24" West; thence North 40°01'27" East, 35.24 ft., thence 50.55 ft. along the arc of a curve to the right, radius 170.00 ft., central angle 17°02'15", chord length 50.37 ft. and a chord bearing North 48°32'35" East; thence South 32°56'17" East, 110.29 ft., thence South 89°47'58" East, 285.31 ft; thence North 75°25'40" East, 90.33 ft., thence North 48°15'54" East, 80.41 ft., thence North 37°15'53" East, 88.54 ft., thence North 89°50'52" East 60.00 ft., thence South 00°08'13" East 745.89 ft. along the East line of said Section 32 to the point of beginning.

23-32-279-001

STATE OF MICHIGAN)
 County of Wayne) SS.

On this 11th day of August, A.D. 1983,
 before me, the undersigned, a notary public in and for said county,
 personally appeared John F. Uznis and Evelyn R. Uznis, his wife,
 known to me to be the persons who executed the foregoing instrument, and
 acknowledged the same to be their free act and deed.

Kristina Scarlett
 Kristina Scarlett
 Notary Public, Wayne County, Mich.

My Commission Expires: 4-5-86

RECORDED RIGHT OF WAY NO.

34909

DETROIT EDISON COMPANY

676 JAN 6868

APPROVED		DATE
BLDG. & PROP. DEPT.		
DIV. ORG.	<i>J. Robertson</i>	<i>DM</i>
INS. DEPT.		
LEGAL DEPT.		
RE & ENW DEPT.		
SYSTEM ENG. DEPT.		
TAX DEPT.		

Dec 01

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

To (Supervisor, RE & R/W) JAMES ROBERTSON	For RE & R/W Dept. Use	Date Received	DE/Bell/C.P. No.
Division OAKLAND	Date 8-8-83	Application No. OE-83-14J	

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 GREENHILL COMMONS (PHASE 4)	County OAKLAND
City/Township/Village FARMINGTON HILLS	Section No. 32

Type of Development

<input type="checkbox"/> Proposed Subdivision	<input checked="" 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 JOHN F. UZNIS	Phone No. 605-9850
--	------------------------------

Address
24610 MICHIGAN AVE., DEARBORN, MICHIGAN, 48124

Owner's Representative JOHN UZNIS JR.	Phone No. 605-9850
---	------------------------------

Date Service is Wanted
OCT 30, 1983

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

5. Joint easements required — Michigan Bell Telephone Yes No
 — Consumers Power Yes No

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

b. Other Utility Engineer Names WILL BUCHANAN	Phone Numbers 540-0201 (x34)
---	--

Addresses
30700 TELEGRAPH RD RM 3400

6. Additional Information or Comments

Note: Trenching letter attached will be submitted later

Service Planning George White	Signed (Service Planning Supervisor) George White (acting supervisor)
Phone No. 4109	Address RM 240 O.D.HQ.

RECORDED RIGHT OF WAY NO. 34909

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

TO RECORDS CENTER

TE 2-13-89 TIME _____

Please set-up R/W file for: GREENHILL COMMONS - PH-4

Being a part of N.E. 1/4

of Section 32, CITY OF FARMINGTON

HILLS, Oakland County, Michigan.

COPIES TO: _____

SIGNED

Walter E. Louche

~~James D. McDonald~~

272 Oakland Division Hqtrs.

REPORT _____

DATE RETURNED _____

TIME _____

SIGNED _____

RECORDED RIGHT OF WAY NO.

34909

Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS
RICHMOND, VIRGINIA

COMMITMENT FOR TITLE INSURANCE

SCHEDULE A

1. Effective date July 25, 1983 at 8:00 A.M.

Case No. T83-25275-F

2. Policy or policies to be issued:

(a) ALTA Owner's Policy—Form B-1970 (Rev. 10-17-70)
Proposed insured:

Amount \$ AMOUNT OF
PURCHASE PRICE

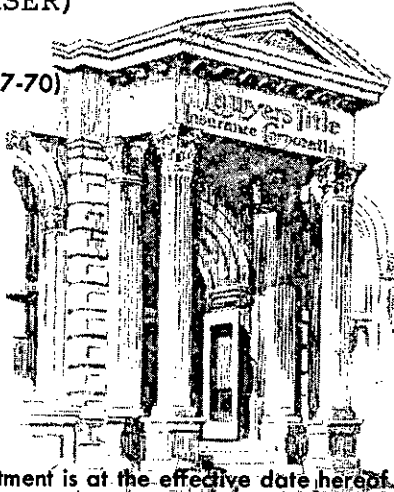
TO BE ADVISED (PURCHASER)

(b) ALTA Loan Policy, 1970 (Rev. 10-17-70)
Proposed insured:

Amount \$ _____

(c)
Proposed insured:

Amount \$ _____



3. Title to the fee simple estate or interest in the land described or referred to in this Commitment is at the effective date hereof vested in:

John F. Uznis and Evelyn R. Uznis, his wife (Titleholder)

4. The land referred to in this Commitment is described as follows:

See Attached Page 2.

RECORDED RIGHT OF WAY NO. 34909

FOR INFORMATION CALL: 649-3322

Countersigned at TROY METRO CENTER

M. Poul

Authorized Officer or Agent

EXAMINING MATTERS:

Donna Harry
8/4/83

Schedule A—Page 1—No. **DC 476005**

Lawyers Title Insurance Corporation

112112

NATIONAL HEADQUARTERS
RICHMOND, VIRGINIA

COMMITMENT FOR TITLE INSURANCE

LAWYERS TITLE INSURANCE CORPORATION, a Virginia corporation, herein called the Company, for valuable consideration, hereby commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor, all subject to the provisions of Schedules A and B and to the Conditions and Stipulations hereof.

This Commitment shall be effective only when the identity of the proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A hereof by the Company, either at the time of the issuance of this Commitment or by subsequent endorsement.

This Commitment is preliminary to the issuance of such policy or policies of title insurance and all liability and obligations hereunder shall cease and terminate six (6) months after the effective date hereof or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue such policy or policies is not the fault of the Company. This Commitment shall not be valid or binding until countersigned by an authorized officer or agent.

IN WITNESS WHEREOF, the Company has caused this Commitment to be signed and sealed, to become valid when countersigned by an authorized officer or agent of the Company, all in accordance with its By-Laws. This Commitment is effective as of the date shown in Schedule A as "Effective Date."



Lawyers Title Insurance Corporation

Robert C. Dawson

President

Attest:

Roy McLeod

Secretary.

Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS
Richmond, Virginia

Case No. T83-25275-F

SCHEDULE A cont'd.

Land in the City of Farmington Hills, County of Oakland, State of Michigan, described as:

PROPOSED GREEN HILL APARTMENTS, PHASE IV
FARMINGTON HILLS, OAKLAND COUNTY, MICHIGAN

Part of Section 32, Town 1 North, Range 9 East, City of Farmington Hills, Oakland County, Michigan, described as: Beginning at the East 1/4 corner of said Section 32; thence from said point of beginning South 00 degrees 02 minutes 13 seconds East, 660.33 feet along the East line of said Section 32; thence North 89 degrees 46 minutes 26 seconds West, 1317.03 feet; thence South 00 degrees 07 minutes 36 seconds East, 292.00 feet; thence North 47 degrees 49 minutes 41 seconds West, 410.71 feet; thence North 20 degrees 02 minutes 44 seconds East, 112.40 feet; thence 422.59 feet along the arc of a curve to the right, Radius 345.00 feet, central angle 70 degrees 10 minutes 51 seconds, chord length 396.66 feet and a chord bearing of North 55 degrees 08 minutes 09 seconds East; thence South 89 degrees 46 minutes 26 seconds East, 193.81 feet; thence 555.59 feet along the arc of a curve to the left, radius 565.00 feet, central angle 56 degrees 20 minutes 30 seconds, chord length 533.48 feet and a chord bearing of North 62 degrees 03 minutes 19 seconds East; thence North 33 degrees 53 minutes 04 seconds East, 130.22 feet; thence 376.60 feet along the arc of a curve to the left, radius 370.00 feet, central angle 58 degrees 19 minutes 06 seconds, chord length 360.56 feet and a chord bearing of North 04 degrees 43 minutes 31 seconds East; thence North 33 degrees 35 minutes 07 seconds West, 130.22 feet; thence 123.36 feet along the arc of a curve to the left, radius 565.00 feet, central angle 12 degrees 30 minutes 34 seconds, chord length 123.11 feet and a chord bearing of North 39 degrees 50 minutes 24 seconds West; thence North 40 degrees 01 minutes 27 seconds East, 35.24 feet; thence 50.55 feet along the arc of a curve to the right, radius 170.00 feet, central angle 17 degrees 02 minutes 15 seconds, chord length 50.37 feet and a chord bearing North 48 degrees 32 minutes 35 seconds East; thence South 32 degrees 56 minutes 17 seconds East, 110.29 feet; thence South 89 degrees 47 minutes 58 seconds East, 285.31 feet; thence North 75 degrees 25 minutes 40 seconds East, 90.33 feet; thence North 48 degrees 15 minutes 54 seconds East, 80.41 feet; thence North 37 degrees 15 minutes 53 seconds East, 88.54 feet; thence North 89 degrees 50 minutes 52 seconds East, 60.00 feet; thence South 00 degrees 08 minutes 13 seconds East, 745.89 feet along the East line of said Section 32 to the point of beginning.

RECORDED RIGHT OF WAY NO. 34909

Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS
RICHMOND, VIRGINIA
SCHEDULE B—Section 1

Case No. T83-25275-F

Requirements

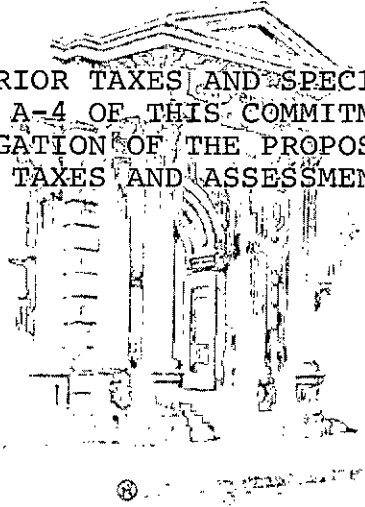
The following are the requirements to be complied with:

Item (a) Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest to be insured.

Item (b) Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record, to-wit:

Item (c). Deed from the TITLE HOLDER(s) vesting fee simple title in the PURCHASER(s).

Item (d). CURRENT AND PRIOR TAXES AND SPECIAL ASSESSMENTS ON THE LAND RECITED IN SCHEDULE A-4 OF THIS COMMITMENT HAVE NOT BEEN EXAMINED. IT IS THE OBLIGATION OF THE PROPOSED INSURED PARTY TO ASSURE HIMSELF THAT SAID TAXES AND ASSESSMENTS HAVE BEEN PAID.



RECORDED RIGHT OF WAY NO. 34909

REQUIREMENTS FOR ISSUANCE OF MORTGAGE POLICIES:

FOR ALL MORTGAGE POLICIES:

Requirement: Estoppel certificate on form provided by the Company, signed by or on behalf of all mortgagors; acknowledging receipt of the mortgage consideration and making representations as to the ages of individual mortgagors and such other matters as are therein set forth.

FOR A.L.T.A. MORTGAGE POLICIES WITHOUT EXCEPTIONS:

Requirement: Proper sworn statements, releases and waivers of lien in connection with improvements made on subject land which might create mechanics' and materialmen's lien rights, or satisfactory evidence that no such improvements have been made.

Requirement: Satisfactory survey by an approved surveyor showing no variations in location or dimensions, encroachments or adverse rights; and such evidence of possession as may be required.

If any requirement is not satisfied, the policy will be issued subject to the exception which would have been eliminated by compliance therewith. The policy will also contain exceptions as to any matters affecting the title to subject land which may arise after the date hereof and are not disposed of to the satisfaction of the Company. This commitment is subject to the exclusions from coverage and the provisions of the conditions and stipulations contained in the form of policy requested by the applicant. Owner's Policies and Mortgage Policies with exceptions will be issued with the standard exceptions set forth below.

STANDARD EXCEPTIONS INCLUDED IN SCHEDULE B OF:

Owner's Policies:

1. Rights or claims of parties in possession not shown of record.
2. Unrecorded water, mineral and oil rights, unrecorded easements and claims of easement, boundary line disputes not disclosed of record and any matters which would be disclosed by an accurate survey and inspection of the premises.
3. Mechanics' liens not of record.
4. The dower or homestead rights, if any, of the wife of any individual insured or of any individual shown herein to be a party in interest.
5. Building and use restrictions not appearing of record in the chain of title, but omitting those, if any, based on race, color, religion or national origin.

Mortgage Policies with exceptions:

1. Rights or claims of parties in possession not shown of record.
2. Mechanics' liens not of record.
3. Such state of facts as would be disclosed by an accurate survey and personal inspection of the premises.

CONDITIONS APPLICABLE TO ALL COMMITMENTS:

If, at the time the policy is issued, the estate or interest of the insured in the subject land described therein is created or evidenced by instruments any one of which has not been recorded in the office of the register of deeds for the county in which the subject land is located, the policy will contain an exception providing that there shall be no liability thereunder for loss or damage arising from failure to evidence such estate or interest of record.

This commitment is delivered and accepted upon the understanding that the party to be insured has no personal knowledge or intimation of any defect, objection, lien or encumbrance affecting subject land other than those set forth herein and in the title insurance application. Failure to disclose such information shall render this commitment, and any policy issued pursuant thereto, null and void as to such defect, objection, lien or encumbrance.

NOTE: WHEN THE REQUIREMENTS HAVE BEEN SATISFIED, PLEASE ORDER THE POLICY ON THE ATTACHED FORM.

Lawyers Title Insurance Corporation

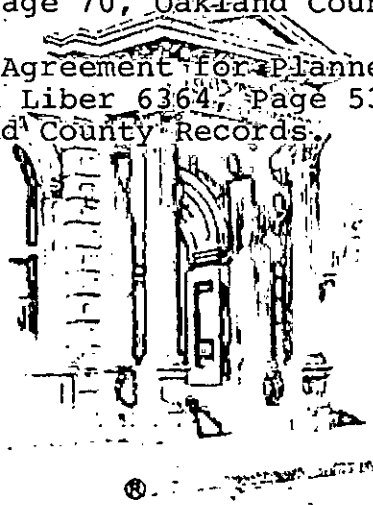
NATIONAL HEADQUARTERS
RICHMOND, VIRGINIA
SCHEDULE B—Section 2

Case No. T83-25275-F

Exceptions

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Easement granted to City of Farmington Hills to construct, operate and maintain sanitary sewer across and through the land as recited in Liber 6600, Page 70, Oakland County Records.
3. Terms and Conditions of Agreement for Planned Residential Development as set forth in Liber 6364, Page 533 and amended in Liber 6586, Page 73, Oakland County Records.



RECORDED RIGHT OF WAY NO. 34909

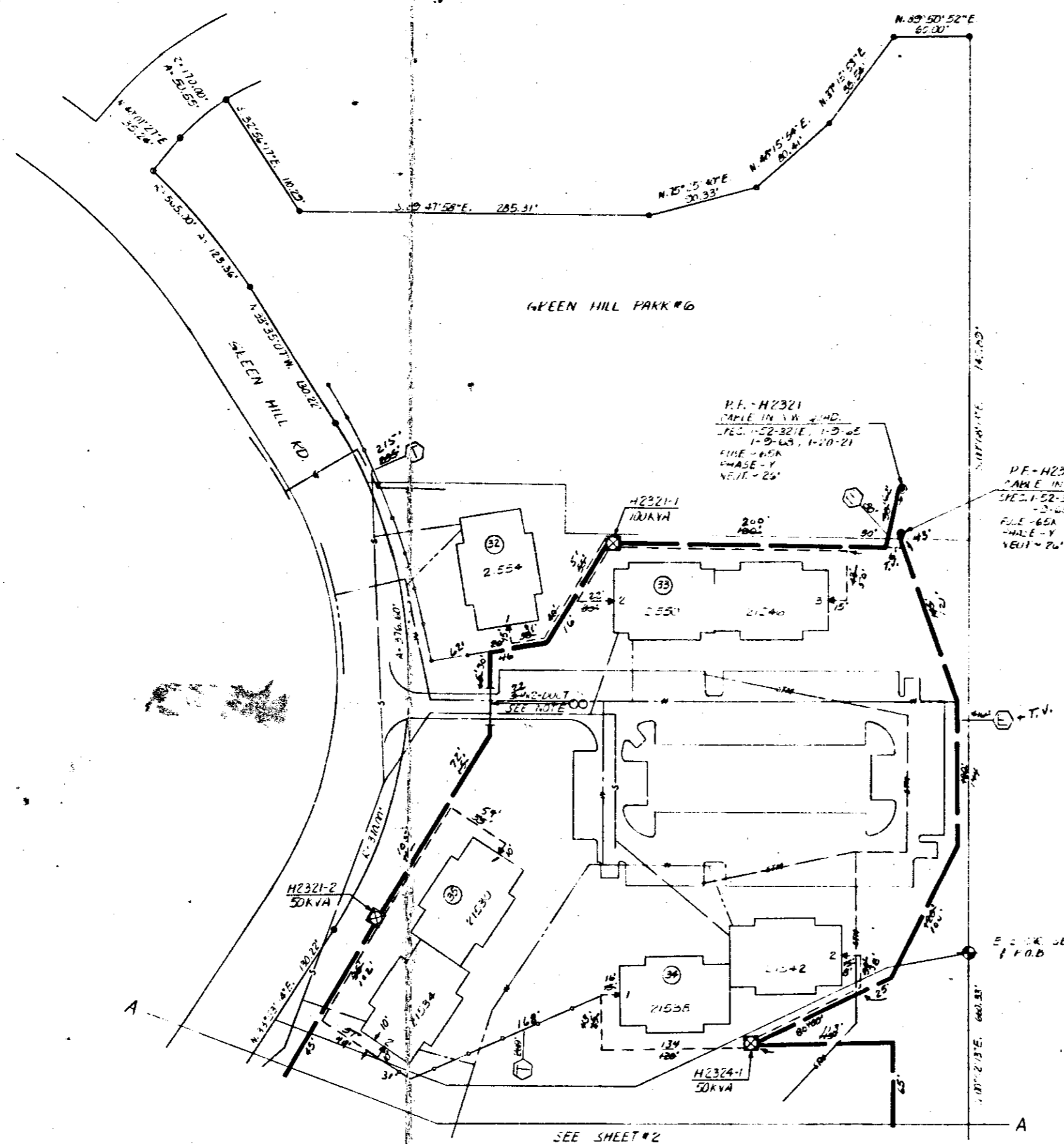
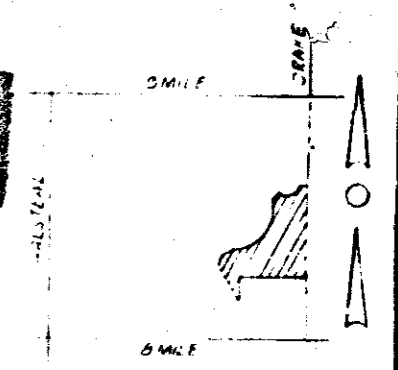
NOTE: If policy is to be issued in support of a mortgage loan, attention is directed to the fact that the Company can assume no liability under its policy, the closing instructions, or Insured Closing Service for compliance with the requirements of any consumer credit protection or truth in lending law in connection with said mortgage loan.

STANDARD FORM

COMMITMENT



Lawyers Title
Insurance Corporation
NATIONAL HEADQUARTERS
RICHMOND, VIRGINIA



RECORDED RIGHT OF WAY NO. 34929

TRANSFORMER DATA

Table with 3 columns: UDT NO., SIZE, ED STR. NO. It lists transformer specifications for various units.

TRANSFORMER SPEC... PEDESTAL SPEC... NO. OF PEDESTALS... NO. OF TEMPORARY CABLE MARKERS... TEMPORARY CABLE MARKER SPEC... SECONDARY CONNECTION BOX SPEC...

CODE

- Legend for symbols used in the plan: DPT DEAD FRONT TYPE, UDT SWITCHING-LIVE FRONT TYPE, etc.

CABLE SUMMARY

Table summarizing cable types and quantities: ITEM #, QUANTITY, VOLTAGE, etc.

TRENCH SUMMARY

Table summarizing trench types and lengths: JOINT LINE, DE ONLY, TEL ONLY, etc.

GENERAL NOTES

TRENCHING TO BE DONE BY... TRENCH AND CABLE LENGTHS ARE APPROXIMATE... SEE SECTION 32 FOR LINE CONSTRUCTION STANDARDS... CONTACT '888 DCO' BEFORE DOING ANY EXCAVATION...

PERMITS REQUIRED

CITY OF... STATE... COUNTY NOTIFICATION ONLY...

AS IS TALKED... 367843034... 10-31-83... UNION EX. CO. F. GIBSON

THE DATE PER IS RESPONSIBLE FOR ALL ON-SITE SURVEILLANCE AND DOCUMENTATION.

Project information block including revision table, job title (GREEN HILL COMMONS APTS. PHASE 4), address (5873 FARMINGTON), and contact info (83A 63773).

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

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