

Detroit Edison

LIBER 9271 PAGE 02
Right of Way Agreement

LIBER 9686 PAGE 497

86-18724
86-18724

86197391

January 26, 19 86

1-8/24

#

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 hereinafter referred to as "EDISON", the easements 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 Novi, Oakland County, Michigan, and more particularly described on the attached Appendix "A", with the full right to EDISON 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:

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

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

1. The easements will be graded to within four (4) inches of final grade before EDISON 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 EDISON equipment.

2. No buildings or structures other than EDISONS' equipment are to be placed within the easements herein granted. No excavation is to be permitted within said easements without approval of EDISON.

3. No shrubs or foliage shall be planted or grown within five (5) feet of the front door of transformers or switching cabinet enclosures. EDISON 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 EDISONS' maintenance of their equipment.

4. If the lines of facilities of EDISON are damaged by the acts of Owners, their agents, employes or contractors, repairs shall be made by EDISON at the cost and expense of Owners. Owners are defined as those persons owning the land at the time the damage occurred.

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:

Gina Lynn Morelli
GINA LYNN MORELLI

Omer V. Racine
OMER V. RACINE

Grantors:

Alvie W. Fayz
Alvie W. Fayz
Wanda Fayz
Wanda Fayz, his wife

RECORDED RIGHT OF WAY NO.

36793

400

11.00

DECO2

Prepared By: Omer V. Racine
The Detroit Edison Company
30400 Telegraph Rd., 264 ODHq.
Birmingham, MI 48010

Address: 6209 College
Dearborn Heights, MI 48127

"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.

[Handwritten signature]

STATE OF MICHIGAN
COUNTY OF WAYNE

ER 9686 PAGE 498

(LIBER 9271 PAGE 03)

SS:

Personally came before me this 27th day of January, 1986
the above named ALLIE F. FAYZ and WANDA FAYZ, his wife, to me known to be the persons
who executed the foregoing instrument and acknowledged that they executed the same as
their free act and deed.

Gina Lynn Morelli
GINA LYNN MORELLI
Notary Public, WAYNE County, Michigan

My Commission Expires: Nov. 5, 1988

APPENDIX "A"

Part of the Southeast 1/4 of Section 24, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, described as beginning at a point distant South 88°26'40" West, 1327.32 ft. and North 00°03'40" East, 1376.94 ft. and South 89°56'20" East 160.00 ft. and South 71°13'39" East, 373.35 ft. from the Southeast corner of Section 24, Town 1 North, Range 8 East, and proceeding thence North 00°03'40" East, 359.43 ft., thence along the southerly line of Grand River Avenue South 71°13'30" East, 370.00 ft.; thence South 00°03'40" West, 359.42 ft., thence North 71°13'39" West, 370.00 ft. to the point of beginning.

Sidwell #22-24-476-005

RECORDED RIGHT OF WAY NO. 36793

Dec 02

RETURN TO
J. D. DONALD
THE DETROIT ENGINE COMPANY
30400 TELEGRAPH ROAD, 214 CANTON
BIRMINGHAM, MICHIGAN 48010

7

713433 U

Lawyers Title Insurance Corporation

LIBER 9035 PAGE 167

85 70430

Form 561 6-75

WARRANTY DEED—Statutory Form
C.L. 1948, 565.151 M.S.A. 26.571

KNOW ALL MEN BY THESE PRESENTS: That Charles P. Lapham Revocable Trust
dated July 10, 1984.
whose address is 120 E. Main St., Northville, MI 48167

Convey(s) and Warrant(s) to Allie F. Fayz, a married man

whose address is 6209 College, Dearborn Heights, MI 48127

the following described premises situated in the City of Novi
County of Oakland and State of Michigan, to-wit:

Part of the Southeast 1/4 of Section 24, Town 1 North, Range 8 East,
City of Novi, Oakland County, Michigan, described as beginning at a
point distant South 88 degrees 26 minutes 40 seconds West, 1327.32
feet and North 00 degrees 03 minutes 40 seconds East, 1376.94 feet
and South 89 degrees 56 minutes 20 seconds East 160.00 feet and South
71 degrees 13 minutes 39 seconds East, 373.35 feet from the Southeast
corner of Section 24, Town 1 North, Range 8 East, and proceeding
thence North 00 degrees 03 minutes 40 seconds East, 359.43 feet, thence
along the Southerly line of Grand River Avenue South 71 degrees 13
minutes 30 seconds East, 370.00 feet; thence South 00 degrees 03
minutes 40 seconds West, 359.42 feet, thence North 71 degrees 13
minutes 39 seconds West, 370.00 feet to the point of beginning.

for the full consideration of Two Hundred Ninety Six Thousand and no/100's (\$296,000.00)

subject to easements and restrictions of record and any liens or
encumbrances incurred by the parties other than the Grantors
hereof since March 8, 1985, the date of a certain Land
Contract between the parties hereto and covering the above
described property.

RECORDED RIGHT OF WAY NO. 36793

Dated this 27TH day of JUNE 19 85

Witnesses:

Signed and Sealed:

Caroline Zamarka
CAROLINE ZAMARKA

Charles P. Lapham Trustee (L.S.)
Charles P. Lapham, Trustee of the
Charles P. Lapham Revocable Trust
dated July 10, 1984 (L.S.)

Herman Moehlman
HERMAN MOEHLMAN

(L.S.)

STATE OF MICHIGAN }
COUNTY OF OAKLAND } ss.

(L.S.)

The foregoing instrument was acknowledged before me this 27TH day of JUNE 19 85
by Charles P. Lapham, Trustee of the Charles P. Lapham Revocable Trust
dated July 10, 1984.

My commission expires
5/14/86

Herman Moehlman
HERMAN MOEHLMAN
Notary Public OAKLAND County, Michigan

Instrument Drafted by Herman Moehlman Business Address 127 E. Main St., Northville, MI 48167

County Treasurer's Certificate

City Treasurer's Certificate

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: PHEASANT RUN PLAZA

Being a part of Southeast 1/4 of Section 24, City of New

Oakland County, Michigan

COPIES TO: _____

SIGNED

Omer Racine

Omer V. Racine

REPORT _____

264 Oakland Div. Hq. pers.

RECORDED
RIGHT OF
WAY

NO.

36793

DATE RETURNED _____

TIME _____

SIGNED _____

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

TO DALE CERMAK.

DATE 1-30-86 TIME _____

R e: Underground Service - PHEASANT RUN PLAZA

Agreement and Easements obtained - OK to proceed with construction

COPIES TO _____

REPORT _____

SIGNED

Omer V. Racine
Omer V. Racine, Representative
Real Estate, Rights of Way & Cla
264 Oakland Division Headquarter

To, Supervisor RE & RW)	For RE & RW Dept Use	Date Received	Dr, Bell/C P No
OMER RACINE		1-15-86	OE 86-2
Division:	Date	Application No	
OAKLAND	1-15-86		

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	County
PHEASANT RUN PLAZA	OAKLAND
City/Township/Village	Section No
CITY OF NOVI	24

Type of Development

<input type="checkbox"/> Proposed Subdivision	<input type="checkbox"/> Apartment Complex	<input type="checkbox"/> Condominium
<input type="checkbox"/> Subdivision	<input type="checkbox"/> Mobile Home Park	<input checked="" type="checkbox"/> Other

2 Name of Owner	Phone No
ALLIE F FAYZ	562-6661

Address
6209 COLLEGE DR AC BORN HEIGHTS MI. 48127

Owner's Representative	Phone No
VISION TRENDS LTD (EO PEARSEL	354-7222

Date Service is Wanted
2-3-86

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	Phone Numbers
Addresses	

6 Additional Information or Comments

Note Trenching letter attached will be submitted later

Service Planner	Signed (Service Planning Supervisor)
DALE A. CERMIK	David Foley
Phone No.	Address
4130	240 00HQ

RECORDED RIGHT OF WAY NO. 36793

**Detroit
Edison**

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

Phone 645-4388

January 22, 1986

Mr. Allie F. Fayz
6209 College
Dearborn Heights, MI 48127

Gentlemen:

Re: Pheasant Run Plaza

Enclosed is the original and one copy of the Right of Way Agreement for the above described project. Please have the original executed and returned to us. The copy should be retained by you for your records.

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. 4 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 this instrument, fully completed, will assist in prompt scheduling of our work to be completed in your project. Please return all documents addressed to: The Detroit Edison Company, 30400 Telegraph Road, Birmingham, Michigan, 48010. Attn: Omer V. Racine, Room 264.

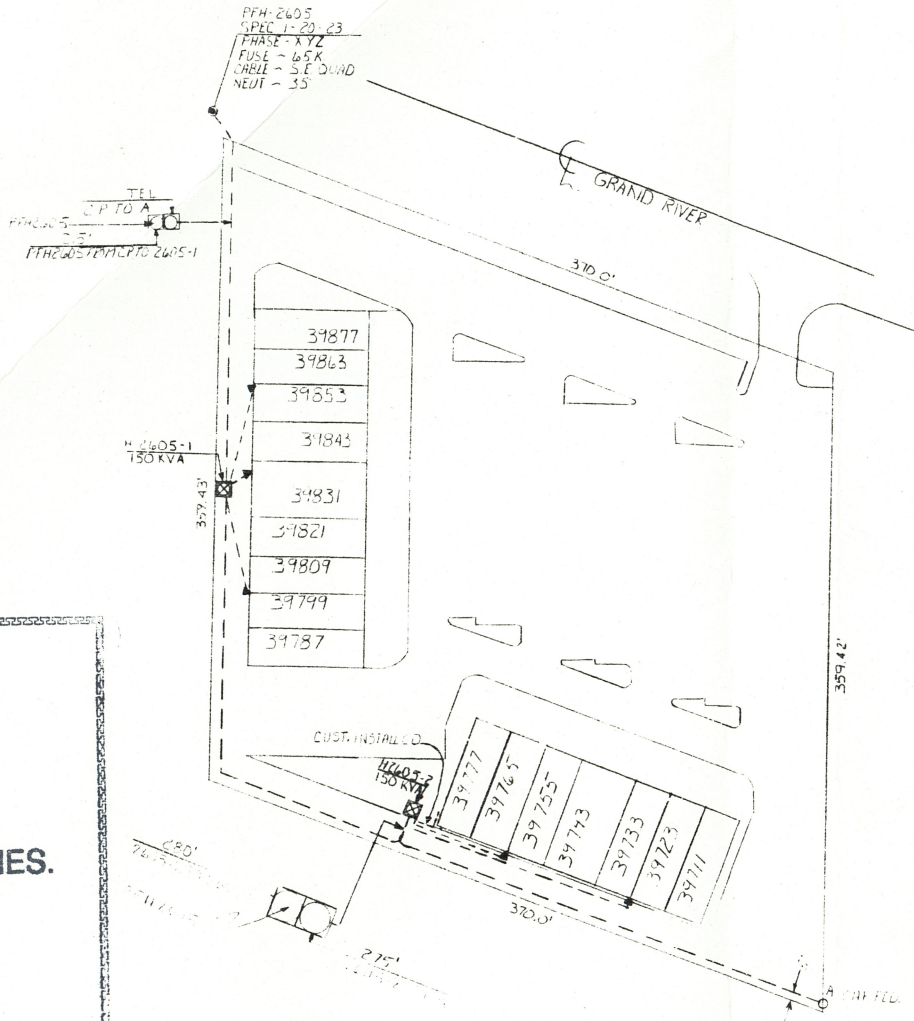
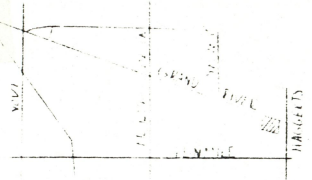
Sincerely,



Omer V. Racine, Representative
Real Estate, Rights of Way & Claims

OVR/kw
Enclosures

RECORDED RIGHT OF WAY NO. 3673



TRANSFORMER DATA

U.D.T. NO.	SIZE	PAGE 1-17-224 CONN. LB.
H-2605-1	150 KVA	661-0601
-2	150 KVA	661-0601

TRANSFORMER SPECS. 1-17-270
 PEDESTAL SPEC. _____
 NO. OF PEDESTALS _____
 NO. OF TEMPORARY CABLE MARKERS _____
 TEMPORARY CABLE MARKER SPEC. _____
 SECONDARY CONNECTION BOX SPEC. _____

— CODE —

- ⊙ TEMPORARY SECONDARY PEDESTAL/TEMPORARY CABLE MARKER
- ⊠ DFT (DEAD FRONT TYPE)
- ⊡ UDT (NON-SWITCHING—LIVE FRONT TYPE)
- ⊣ UDT (SWITCHING—LIVE FRONT TYPE)
- ⤴ DIRECTION OF TRANSFORMER DOOR OPENING
- SECONDARY PEDESTAL
- ⊕ SECONDARY CONNECTION BOX
- ⊙ 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
- ⊠ SEP CONN CABINET

S.C.C. NO. _____

CABLE SUMMARY

ITEM #	6-11-11-13.2 KV	713-081 = 900'
ITEM #	AP-2-20-1-1-1 600 V.	713-081 = 350'
ITEM #	AP-2-20 & 1-1-1 600 V.	713-0814 = 50'

TRENCH SUMMARY

JOINT USE	
D.E. ONLY	
TEL. ONLY	
GAS ONLY	
OTHERS	
TOTAL	
SITE SUPT. ED. PURSELL	PHONE NO. 354-7222

— GENERAL NOTES —

TRENCHING TO BE DONE BY CUST
 TRENCH AND CABLE LENGTHS ARE APPROXIMATE.
 SEE SECTION 56 UG LINE CONSTRUCTION STANDARDS FOR TRANS. MAT. DETAILS.
 SEE PAGE 32-11 S.I.M. DETAIL " " FOR ENTRANCE POINT DETAILS (APTS. ONLY).
 SEE SECTION 43 UG LINE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES, TRANSFORMERS AND PEDESTALS (SUBS ONLY).
 D.E. SERVICE PLANNER: D. CERMAK — 345-4130
 TEL. CO.: _____
 GAS CO.: _____
 OTHERS: _____

CONTACT "MISS DIG" (800-482-7171) BEFORE DOING ANY EXCAVATION.
 EASEMENTS INDICATED BY OUR CENTERLINE ARE _____
 IN WIDTH UNLESS OTHERWISE NOTED.

PERMITS REQUIRED

COUNTY. NOTIFICATION ONLY _____

NOTICE

underground facilities on this only approximate. Exact locations determined by the UTILITY COMPANIES. Call before digging. Telephone MISS DIG on 71 as required by Public Act 53 before doing any power excavating.

NOTE: ALL DIMENSIONS SHOWN IN THIS PLAN SHALL BE AS SHOWN BY CUSTOMER 12-16-95

RECORDED RIGHT OF WAY NO. 36793