

**Detroit Edison**

**Right of Way Agreement**

B#92 REG/DEEDS PAID  
JUL.29 '87 12:25PM  
7136 MISC 15.00

39  
20  
Ext.

9-19, 19 86

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 Township of Waterford, Oakland County, Michigan, and more particularly described on the attached Appendix "A", with the full right to the UTILITIES of ingress and egress upon said land for the purposes of this grant, and the further right to trim, cut down or otherwise control brush and trees within the easements herein described.

Said easements shall be Ten (10) feet in width unless otherwise indicated and their route is described as follows: 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 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: ROY LILLEY BUILDER, Inc. A Michigan Corporation

Mary S. Thibodeau  
MARY S. Thibodeau  
Edna McLaughlin  
 EDNA McLAUGHLIN

[Signature]  
 Roy LILLEY (PRES)

15.00

Prepared By: Omer V. Racine  
 RETURN TO DECO  
 The Detroit Edison Company  
 30400 Telegraph Road, 264 OakDH  
 Birmingham, Michigan 48010

Address: 165 Woodstone  
Pontiac, Michigan 48054

700  
 [Signature]

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

STATE OF MICHIGAN )  
 ) SS:  
COUNTY OF OAKLAND )

Personally came before me this 19 day of Sept. 1986, Roy Lilley, President, of Roy Lilley Builders, Inc., A Michigan Corporation, to me known to be the person who executed the foregoing instrument, and to me known to be such President of said Corporation, and acknowledged that he executed the foregoing instrument as officer as the free act and deed of said corporation, by its authority.

My Commission Expires: 6-30-90

**EDNA McLAUGHLIN**  
Notary Public, Oakland County, MI  
My Commission Expires June 30, 1990  
*Edna McLaughlin*  
**EDNA McLAUGHLIN**  
Notary Public, OAKLAND County, Michigan

Appendix "A"

Land in the Township of Waterford, Oakland County, Michigan, part of Lots 76 and 77 of "Supervisor's Plat No. 3" a Subdivision of part of the Southeast 1/4 of Section 20, T. 3N., R. 9E., as recorded in Liber 26 of Plats, Page 30, Oakland County Records, said parts being more particularly described as follows:

26030

Beginning at a point located South 89° 25' 00" West, along the South line of said Lot 77, 80.00 feet from the Southeast corner of said Lot 77; thence continuing along said South lot line South 89° 25' 00" West, 60.00 feet; thence North 00° 42' 42" West, 208.00 feet; thence South 89° 25' 00" West, 165.60 feet to the West line of Lot 76; thence North 00° 42' 42" West, 1192.00 feet to the North line of Lots 76 and 77; thence North 89° 25' 00" East, along said line 305.60 feet to the East line of Lot 77; thence South 00° 42' 42" East, along said line 1192.00 feet; thence South 89° 25' 00" West 80.00 feet; thence South 00° 42' 42" East 208.00 feet to the point of beginning and containing 8.619 acres, more or less.

RECORDED RIGHT OF WAY NO. 37392

Part of Sidwell I.D. (13-20-476-004)

*Nikla Woodstone Condominium*  
*Occp # 377*  
*Ent 13-20-476-000*

*9000377*

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

TO Records Center

DATE 8-18-87 TIME \_\_\_\_\_

Please set up R/W file for: WOODSTONE CONDO PHASE IV

Being a part of Southeast 1/4 of Section 20, WATERFORD TWP  
Oakland County, Michigan

COPIES TO: \_\_\_\_\_

SIGNED

*Omer V. Racine*

Omer V. Racine  
264 Oakland Div. Hqters

REPORT \_\_\_\_\_

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

TIME \_\_\_\_\_

SIGNED \_\_\_\_\_

RECORDED  
RIGHT OF WAY  
NO.  
37392

**Detroit  
Edison**

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

Phone 645-4388

September 15, 1986

Mr. Roy Lilley  
Roy Lilley Builder, Inc.  
165 Woodstone  
Pontiac, Michigan 48054

Gentlemen:

Re: WOODSTONE CONDO, Phase IV.

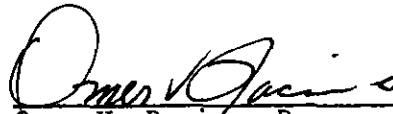
Enclosed is the original and one copy of the Right of Way Agreement for the above described project. Please have the original executed and returned to us. The copy should be retained by you for your records.

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. 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 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.

37392

|   |                        |                                 |  |
|---|------------------------|---------------------------------|--|
| To (Supervisor Rt & R/W)<br><b>J. Mc DONALD</b> | For RE & R/W Dept. Use | Date Received<br><b>9-12-86</b> | Dist. Branch P. No.<br><b>DE 86-37 J</b> |
| Division<br><b>OAKLAND</b>                      | Date                   | Application No.                 |  |

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 **WOODSTONE CONDO'S PHASE II** County **OAKLAND**

City/Township/Village **WATERFORD TWP** Section No. **SE 1/4 SECT 20**

Type of Development  
 Proposed Subdivision       Apartment Complex       Condominium  
 Subdivision       Mobile Home Park       Other

2 Name of Owner **ROY LILLEY** Phone No. **682-1004**

Address **165 WOODSTONE - PONTIAC MICH. 48054**

Owner's Representative **ROY LILLEY** Phone No.

Date Service is Wanted **NOV - 3 - 1986**

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 **R. CHUDO - MICH. BELL TEL** Phone Numbers **540-0201 EXT 56**

Addresses **30700 TELEGRAPH - BIRMINGHAM MICH 48010**

6 Additional Information or Comments  
**THIS IS PHASE #4 - IT WILL COMPLETE PROJECT.**

Note: Trenching letter  attached  will be submitted later

Service Planner **T WILSON** Signed (Service Planning Supervisor)

Phone No. **645-4131** Address **30400 TELEGRAPH - BIRMINGHAM MICH - 48010 RM 240**

RECORDED RIGHT OF WAY NO.

37392

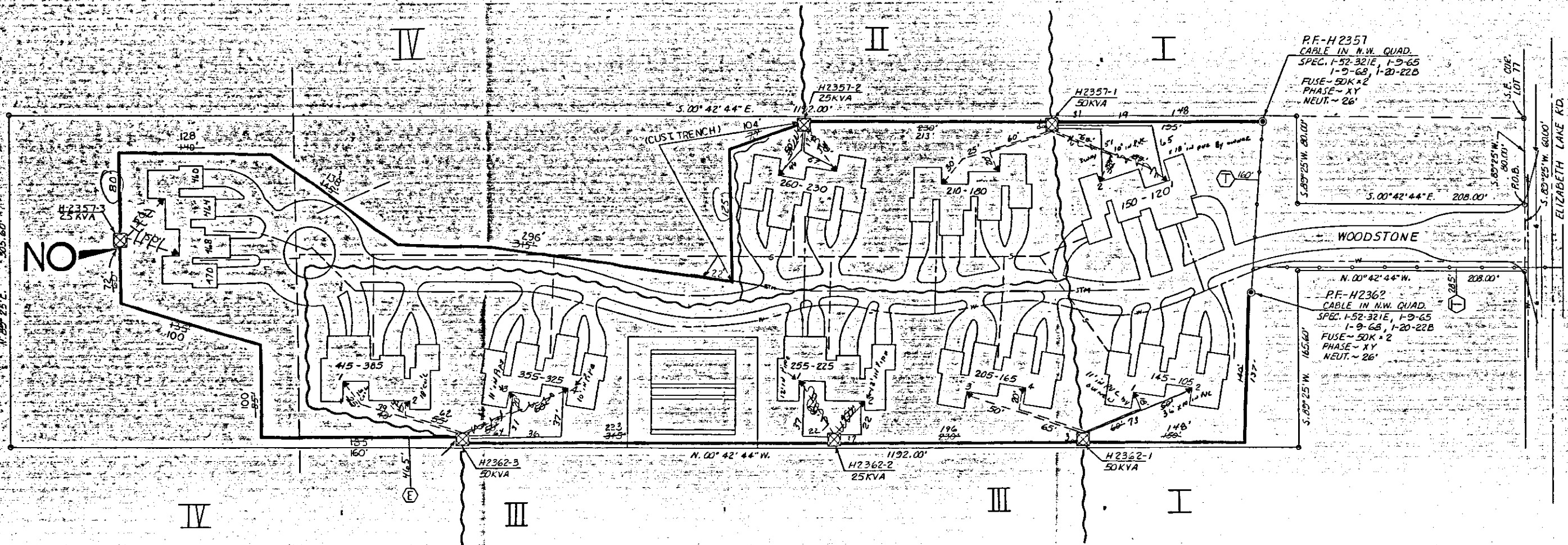
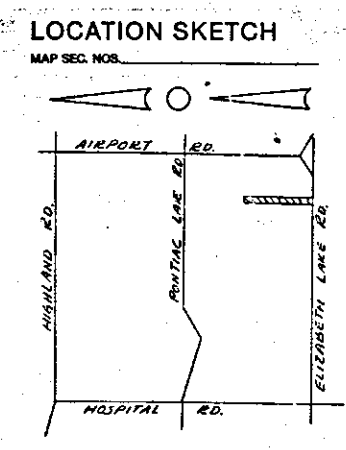
LIBER 10031 PAGE 422

LIBER 10031 PAGE 421



LIBER 10031 PAGE 424

LIBER 10031 PAGE 423



**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 DIG on 800-482-7171 as required by Public Act 53 of 1974 before doing any power excavating.

**TRANSFORMER DATA**

| U.D.T. NO.  | SIZE  | ED. STK. NO. |
|-------------|-------|--------------|
| I H2357-1   | 50KVA | 661-1157     |
| II H2362-1  | 50KVA | 661-1157     |
| III H2362-2 | 25KVA | 661-1151     |
| IV H2357-3  | 25KVA | 661-1152     |

**TRANSFORMER SPEC. 1-17-263 1-17-261**

| 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
  - OFF (GAS FRONT TYPE)
  - NOT SWITCHING—LIVE FRONT TYPE
  - NOT 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 DOWN CABINET

**CABLE SUMMARY**

| (SLACK)    | IV       | III      | II       | I        |
|------------|----------|----------|----------|----------|
| 1353' R25' | 1437'    | 579' 65" | 222' 25" | 208' 00" |
| 757'       | 670' 83" | 183' 34" | 183' 34" | 183' 34" |

**TRENCH SUMMARY**

| IV                       | III             | II                                     | I        |
|--------------------------|-----------------|--|----------|
| 642' - JOINT DE TEL. 84' | 578' 575"       | 222' - JOINT DE TEL. 84' EV. 495' 483' | 208' 00' |
| 432' - D.E. CATV. 465'   |                 | 445' 7'                                |          |
| 251' - CUSTOMER TR.      |                 |  |          |
| 1325' TOTAL              | 1310' 578' 626" | 330' 490'                              | 236'     |

SITE SUPT. ROY LILLEY PHONE NO. 665-7400

**GENERAL NOTES**

TRENCHING TO BE DONE BY D.E. CO.

TRENCH AND CABLE LENGTHS ARE APPROXIMATE.

SEE SECTION 56 (LX) LINE CONSTRUCTION STANDARDS FOR TRANS. MAT. DETAILS.

SEE PAGE 32-11 (S14) DETAIL FOR ENTRANCE POINT DETAILS (APTS. ONLY).

SEE SECTION 41 (US) LINE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES.

TRANSFORMERS AND PEDESTALS SUBJECTS ONLY.

D.E. SERVICE PLANNER: TOM WILSON - 645-4131

TEL. CO. RAY CHUDO - 520-0201 EXT. 56

GAS CO. CHSIS CIAX - 674-0974

OTHERS: CATV: CHSIS CIAX - 674-0974

CONTACT "MISS DIG" (800-482-7171) BEFORE DOING ANY EXCAVATION.

EASEMENTS INDICATED BY OUR CENTERLINE ARE IN WIDTH UNLESS OTHERWISE NOTED.

**PERMITS REQUIRED**

CITY OF \_\_\_\_\_ COUNTY, NOTIFICATION ONLY YES

STATE YES NO WFD, TWP.

| REVISION | DATE                    | BY | DESCRIPTION |
|----------|-------------------------|----|-------------|
| D        | AS INSTALLED, PHASE III |    |             |
| C        | ADDED PHASE II          |    |             |
| B        | ADDED PHASE III         |    |             |
| A        | ADDED PHASE II          |    |             |

**WOODSTONE CONDOS**  
BEING PART OF LOTS 76477 OF SUPERVISORS PLAT NO. 3 S.E. 1/4 SEC. 20

SCALE: 1" = 50'

NUMBER OF UNITS: II

WORK ORDER NUMBER: 36784J231

DISTRICTION CIRCUIT: 8853 TEGSERDINE-113.2KV

DIST. ORDER NUMBER: 84A-64003

SHEET: 1 OF 1 SHEETS

RECORDED RIGHT OF WAY NO. 37392

RETURN TO  
J. D. McDONALD  
THE DETROIT EDISON COMPANY  
30400 TELEGRAPH ROAD, 264 DAKDH  
BIRMINGHAM, MICHIGAN 48110