

OCT 07 1987 - Tom Wilson took R/W
for audit purposes.

Add to Index Book; type card(s).

RECORDED RIGHT OF WAY NO.

37406

HUNTINGTON PARK, Phase I

87 157924

Detroit Edison

Right of Way Agreement

(86174451)

A#36 REG/DEEDS PAID
0001 AUG.19'87 11:16AM
1600 MISC 19.00

OCT. 9, 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 Avon, 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 easement 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, licenses and assigns of the parties hereto.

IN WITNESS WHEREOF, the undersigned have hereunto set their hand and seal on this 9th day of October, 1986.

Witnesses:

Teresa M. Drake
TERESA M. DRAKE

Omer V. Racine
OMER V. RACINE

Grantors: BEACON DEVELOPMENT, INC.
A Michigan Corporation

Herman D. Allen
Herman D. Allen, President

Prepared By: + Return to DECOB
Omer V. Racine
The Detroit Edison Company
30400 Telegraph Road, 264 OAKDh
Birmingham, Michigan 48010

Address: 152 Northwood
Rochester, Michigan 48063

19.00
7.00
[Signature]

Recorded for purposes of showing the planned "as installed" centerlines of easements granted as shown on drawing attached hereto.

[Signature]

RECORDED RIGHT OF WAY NO. 37406

LIBER 9633 PAGE 279

STATE OF MICHIGAN)
) SS:
COUNTY OF Oakland)

On this 9th day of October 1986, before me appeared Herman D. Allen to me personally known, who being by me severally duly sworn, did say that he is President of BEACON DEVELOPMENT, INC., 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 Herman D. Allen, acknowledged the said instrument to be the free act and deed of the corporation.

VANESSA M. GILMER
Notary Public, Oakland County, Michigan
My Commission Expires May 13, 1990

Vanessa M. Gilmer

My Commission Expires: May 13, 1990 Notary Public, _____ County, Michigan

RECORDED RIGHT OF WAY NO.

37406

APPENDIX "A"

Part of the Northwest 1/4 of Section 16, Town 3 North, Range 11 East, Avon Township Oakland County, Michigan, more particularly described as: Beginning at a point on the north line of said Section 16, said point being South 87°39'55" West 380.00 ft. from the north 1/4 corner of said Section 16; thence South 05°26'55" East 360.52 ft.; thence South 87°39'55" West 904.19 ft.; thence North 02°41'48" West 360.00 ft. to a point on the north line of said Section 16; thence North 87°39'55" East 886.88 ft. along said north section line to the point of beginning, containing 7.401 acres of land, more or less, and also excepting the north 60 ft. of said Parcel deeded for road purposes.

Sidwell #

(15-16-126-007) (046)
(047)
now-048-NW1/4

(And includes) N/A
Huntington Park Condo.
OCCP # 414

Ent 15-16-126-000

9000414

**Detroit
Edison**

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

Phone 645-4388

September 30, 1986

Mr. Herman D. Allen
Beacon Development, Inc.
152 Northwood
Rochester, Michigan 48063

Gentlemen:

Re: HUNTINGTON PARK CONDO, Phase II

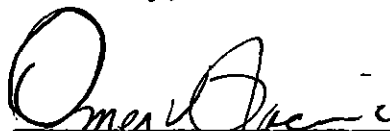
Enclosed is the original and one copy of the Right of Way Agreement for the above described project. Please have the original executed and returned to us. The copy should be retained by you for your records.

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. 3740C

LEGAL DESCRIPTION

Part of the Northwest 1/4 of Section 16, Town 3 North, Range 11 East, Avon Township, Oakland County, Michigan, more particularly described as: Beginning at a point on the north line of said Section 16, said point being south 87 degrees 39 minutes 55 seconds west 380.00 feet from the north-1/4 corner of said Section 16; thence south 05 degrees 26 minutes 55 seconds ~~west~~ ^{EAST} 360.52 feet; thence south 87 degrees 39 minutes 55 seconds west 904.19 feet; thence north 02 degrees 41 minutes 48 seconds west 360.00 feet to a point on the north line of said Section 16; thence north 87 degrees 39 minutes 55 seconds east 886.88 feet along said north section line to the point of beginning, containing 7.401 acres of land, more or less, and also excepting the north 60 feet of said Parcel deeded for road purposes.

Em *[Handwritten initials]* ^{DO}
~~WEST~~ ^{EAST}

RECORDED RIGHT OF WAY NO.

37/06

WARRANTY DEED

STATUTORY FORM FOR PARTNERSHIP

KNOW ALL MEN BY THESE PRESENTS: That **AMSW DEVELOPMENT COMPANY**, a Michigan co-partnership a registered co-partnership, the address of which is* 7382 Radcliff, West Bloomfield, Michigan, 48033

Conveys and Warrants to **BEACON DEVELOPMENT, INC.**, a Michigan corporation

whose street number and postoffice address is 1145 Bear Creek, Rochester, Michigan, 48063

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

In accordance with the Legal Description which is attached hereto and made a part hereof.

together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, for the sum of One Hundred Fifty-eight Thousand and no/100 Dollars (\$158,000.00)

subject to all applicable building and use restrictions and easements affecting the premises and further subject to acts and omissions other than by the Grantors from and after March 30, 1981, the date of a certain Land Contract in pursuance of which this deed is given.

Dated this 30th day of March 19 81

Signed in the presence of:

Eugene F. Hanlon
EUGENE F. HANLON
Ralph Sosin
RALPH SOSIN

Signed by:
AMSW DEVELOPMENT COMPANY, a Michigan co-partnership
By: Sidney Weinberger
Sidney Weinberger, Partner
By: Erwin Murnick
Erwin Murnick, Partner
By: Stanley L. Aaron
Stanley L. Aaron, Partner, and as Authorized Partner of Aaron Enterprises Partner
By: Sophie Willseck
Sophie Willseck, Personal Representative of the Estate of Frank Willseck, Partner

STATE OF MICHIGAN }
COUNTY OF OAKLAND }

On this 30th day of March 19 81 before me personally appeared **SIDNEY WEINBERGER, ERWIN MURNICK, STANLEY L. AARON, & SOPHIE WILSECK**, above-named Partners, Trustees & Representative who, being by me duly sworn did say that he is a partner (they are partners) of **AMSW DEVELOPMENT COMPANY**, a Michigan co-partnership and that the said instrument was signed in behalf of said partnership by authority of its articles of agreement; and the said partner(s) acknowledged the said instrument to be the free act and deed of said partnership.

My Commission expires

19 Theresa M. Wojtalowicz Notary Public,
Notary Public, Oakland County, Michigan
My Commission Expires February 23, 1985
County, Michigan

County Treasurer's Certificate

City Treasurer's Certificate

When recorded return to:

F IAFRATE
22417 - KAPIT

Recording Fee _____
Rev. Stamps _____

Drafted by: *
Business address:

RALPH SOSIN
30100 TELEGRAPH RD
STE 302
Bloomfield Hills MI 48301

*See note re P.A. 1963, No.150, on reverse side.

BURTON ABSTRACT AND TITLE COMPANY HAS OPERATED CONTINUOUSLY SINCE 1866

RECORDED RIGHT OF WAY NO. 314706
MAKE YOUR REAL ESTATE TRANSFERS SAFE BY USING BURTON-TITLE INSURANCE

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

TO Records Center

DATE 9-8-87 TIME _____

Please set up R/W file for: HUNTINGTON PARK Phase 1A
Being a part of Northwest 1/4 of Section 16, AVON TOWNSHIP
Oakland County, Michigan

RECORDED
RIGHT OF WAY

THIS document has
been audited by the
Michigan State Auditor

COPIES TO: _____

SIGNED

Omer V. Racine

Omer V. Racine
264 Oakland Div. Hqter.

REPORT _____

• Avon Twp.
SEC. 16

37406

DATE RETURNED _____

TIME _____

SIGNED _____

ATTN UMAR RACINE:

PLEASE EXPIDITE

Detroit Edison

DP # 86A-63827

J. STRATTON

Application for U.R.D. Easements

DE 963-5145 9-73CS (RR 11)

To (Supervisor, RE & R/W) E. JENSEN	For RE & R/W Dept Use	Date Received 9-29-86	DE/Bell/C P No 0E86-41J
Division OAKLAND	Date 9-17-86	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 **NO PAINT ON**
- 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 HUNTINGTON PARK CONDO'S, PHASE II	County OAKLAND
City/Township/Village ROCHESTER HILLS	Section No 16

Type of Development

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

2 Name of Owner BEACON DEVELOPMENT CO	Phone No 651-0880
---	-----------------------------

Address
152 NORTHWOOD, ROCHESTER, MI, 48063

Owner's Representative BUD ALLEN	Phone No 651-0880
--	-----------------------------

Date Service is Wanted
10-1-86

4. Entire Project will be developed at one time **(THIS COMPLETES PROJECT)** 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

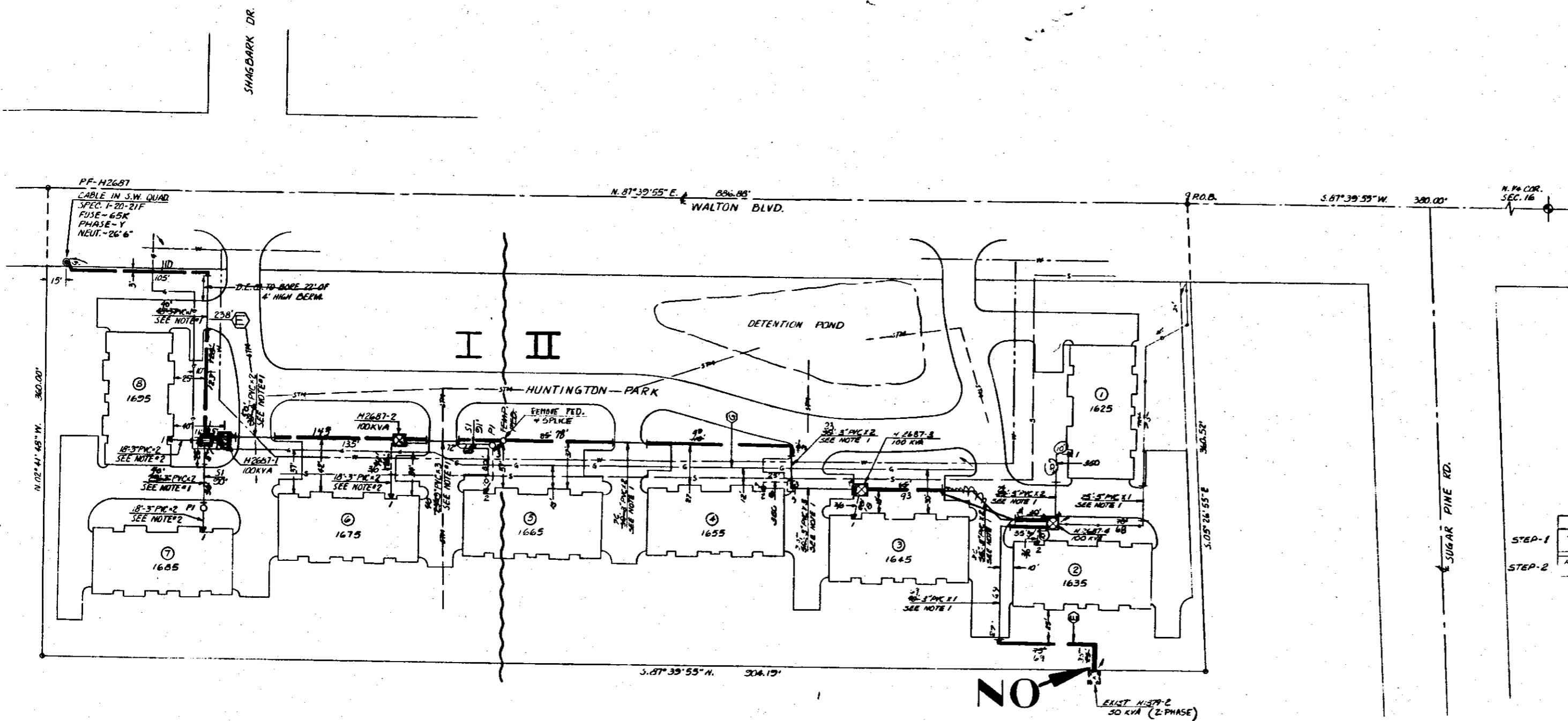
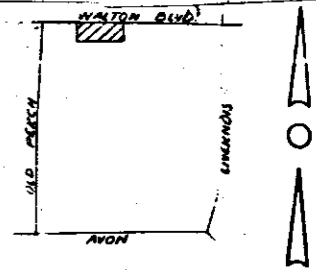
6 Additional Information or Comments

Note: Trenching letter attached will be submitted later

Service Planner J. STRATTON	Signed (Service Planning Supervisor) <i>J. Stratton</i> 9/22/86.
Phone No 645-4153	Address

RECORDED
INDEXED
OF MAY MO. 87406

X



TRANSFORMER DATA

U.D.T. NO.	SIZE	ED. STK. NO.
2687-1	100 KVA	
2687-2	100 KVA	
2687-3	100 KVA	
2687-4	100 KVA	

TRANSFORMER SPEC. 1-17-261
 PEDESTAL AMOUNT 3 SPEC.
 TEMPORARY CABLE MARKERS AMOUNT SPEC.
 SECONDARY CONNECTION BOX AMOUNT SPEC.

- CODE**
- TEMPORARY SECONDARY PEDESTAL/TEMPORARY CABLE MARKER
 - DFT DEAD FRONT TYPE
 - DFT SWITCHING-LIVE FRONT TYPE
 - DFT 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 EDITION TRENCH ONLY
 - TELEPHONE TRENCH ONLY
 - SEWER
 - WATER
 - GAS
 - PROPOSED CONDUIT
 - SFP CONN CABINET

NOTE:-
 METER SHALL BE LOCATED IN SHADED AREA CLOSEST TO D.E.CO. SOURCE.

STEP 2

759	160
-----	-----

CABLE SUMMARY

ITEM #	DESCRIPTION	ESTIMATED
1	40#ALPVC x 1132 KV	3075
2	APC 200 x 1-00 600 V	713007
3	APC 200 x 600 V	713007

TRENCH SUMMARY

ITEM	STEP 1	STEP 2
JOINT LINE F.P.L.	400' 27"	400' 31"
D.E. ONLY	240' 23"	250' 13"
TEL. ONLY		200' 14"
GAS ONLY		
OTHERS		
TOTAL	640' 50"	650' 54"

SITE SUPT. SKIP PETERSON PHONE NO. 651-2880

NOTE

① CONDUIT FOR ROAD & DRIVEWAY CROSSINGS FURNISHED BY DE CO. & INSTALLED BY BUNLDER. (585 FT)

NOTE DEVELOPER'S CONTRACTOR:
 INSTALL 3" PVC AT A DEPTH OF 42".
 PVC ENDS MUST BE SEALED & IDENTIFIED BY POSSIBLY A 2X4 OR 2X6 BOARD

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.

GENERAL NOTES

TRENCHING TO BE DONE BY D.E.CO.
 TRENCH AND CABLE LENGTHS ARE APPROXIMATE.
 SEE SECTION 58 UG LINE CONSTRUCTION STANDARDS FOR TRANS. MOUNTING DETAILS.
 SEE PAGE 32-41 (S.M.) DETAIL " " FOR ENTRANCE POINT DETAILS (APPL. ONLY).
 SEE SECTION 43 UG LINE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES.
 TRANSFORMERS AND PEDESTALS SHOWN ONLY.
 D.E. SERVICE PLANNER J. STRATTON - 645-4153
 TEL. CO. L. JENSEN - 540-0201
 GAS CO. OTHERS:

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

PERMITS REQUIRED

CITY OF ROCHESTER HILLS COUNTY OF OAKLAND NOTIFICATION TO CITY OF ROCHESTER HILLS

START DATE 9-15-86

D	REVISION	C	REVISION	B	REVISION	A	REVISION	DATE	BY	CHECKED BY	APPROVED BY	JOB TITLE	THE DETROIT EDITION COMPANY
			AL INSTALLED		ADDED STEP II		REVISED	11-23-85	D. STORK	J. STRATTON	J. STRATTON	HUNTINGTON PARK CONDO'S	SCALE 1"=40'
			ADD # 367 84 3421		DO# 864-43827		REVISED	2-4-86	J. STRATTON	J. STRATTON	J. STRATTON	N.W. 1/4 SEC. 16	NUMBER OF SHEETS 16
			START 10-7-86		NO# 267 84 3421		REVISED	2-5-86	L. JENSEN	L. JENSEN	L. JENSEN		WORK ORDER NUMBER 3678-4J058
			FINISH 10-7-86		UNITS-33		REVISED						DISTRIBUTION CHECK 8191 DOVER - 13.2 KV
			ENG. BY HARLAN -10-23-86		START DATE 9-15-86		REVISED						DEPT. OF ENGINEERING 85A-63547
							REVISED						SHEET 1 OF 1

RECORDED RIGHT OF WAY NO. 37406