

(87-174468-A)  
88 15430

**Detroit Edison**

# Right of Way Agreement

LIBER 10291 'AG' 007

(LIBER 10109 'AG' 022)

August 28, 1987

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 Township of Lyon 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 90 days after construction.

B#92 REG/DEEDS PAID  
0901 FEB 01 1988  
0505 WSCID .11

RECORDED RIGHT OF WAY NO. 3 2979

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:

11.00  
700

Witnesses:

Grantors:

*Ernie De Carlo*

ERNIE DE CARLO

*Shelby J. Meldrum*

*Shelby J. Meldrum*

*Victor W. Szalma*  
Victor W. Szalma

*Helen Szalma*  
Helen Szalma, His Wife  
9586 Silverside Drive  
South Lyon, MI 48178

*Edward D. Dietrich*  
Edward D. Dietrich

Prepared By: Walter E. Touchie  
The Detroit Edison Company  
30400 Telegraph Road, #264  
Birmingham, MI 48010

Address: *Darlene Yvette Dietrich*  
Darlene Yvette Dietrich, His Wife  
13514 Silver Lake Road  
Brighton, MI 48116

Deco

This attachment is re-recorded for purposes of showing the planned "as installed" centerlines of easements granted as shown on drawing attached hereto, and to add another sidwell.

*Deco*

State of Michigan) SS.  
County of OAKLAND)

On this 28<sup>TH</sup> day of AUG., 1987, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Victor W. Szalma and Helen Szalma, His Wife, an undivided 1/2 interest; and Edward D. Dietrich and Darlene Yvette Dietrich, His Wife, an undivided 1/2 interest.

My Commission Expires: 1-13-88 Ernie De Carlo  
Notary Public, WAYNE County, Michigan

ERNIE DE CARLO  
Notary Public, Wayne County, M'  
My Commission Expires Jan. 13, 1988

Appendix "A"

The south 40 acres of the west 1/2 of the southeast 1/4 of Section 9, Lyon Township, Oakland County, Michigan, together with a strip of land 66 feet in width along east boundary of the northwest 1/4 of the northeast 1/4 of Section 16, Oakland County, Michigan.

SIDWELL NO. 21-09-400-002 - SE 1/4, Sec 9

21-16-201-003 - NE 1/4, Sec 16

3#92 REG. DEEDS PAID  
0001 FEB. 01 '88 01:15PM  
0505 MISC 11.00

RECORDED RIGHT OF WAY NO. 217979

Division OAKLAND      Date 6-16-87      OE 87-25  
4-20-87      EDISON ONLY

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 GREEN VALLEY FARMS R.V. PARK      City/Township/Village OAKLAND  
LYON TWP      Street No.

Type of Development:  
 Proposed Subdivision       Apartment Complex       Condominium  
 Subdivision "VIC"       Mobile Home Park "PON"       Other R.V. PARK

2 Name of Owner VICTOR W. SZALMA / EDWARD D DIETRICH      Phone No. 437-2212, 437-0398

Address 9536 SILVERCILE DR, SOUTH LYON, MI 48178 / 15514 SILVERCILE AVE, LYON, MI 48176

Owner's Representative \_\_\_\_\_

Date Service is Wanted 6-2-87

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 \_\_\_\_\_

Addresses \_\_\_\_\_

6 Additional Information or Comments  
R.V. PARK (CAMPGROUND)  
EASEMENTS

Note: Trenching letter  attached       will be submitted later

Service Planner CARL THOMAS      Signed (Service Planning, Section 5) \_\_\_\_\_  
 Phone No. \_\_\_\_\_      Address \_\_\_\_\_

RECEIVED 6-19-87

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

TO Records Center

DATE 2-25-88 TIME \_\_\_\_\_

Please set up P/W file for: GREEN VALLEY FARMS R.V. PARK  
Being a part of SE 1/4 S29 & NE 1/4 of Section 16, LYON TWP  
Oakland County, Michigan

RECORDED  
RIGHT OF WAY

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

This document has  
been audited by the  
RCA/PW Dept.

SIGNED

*Omer V. Racine*

Omer V. Racine  
264 Oakland Riv. Hqter.

REPORT \_\_\_\_\_

*L. J. ...*

*E. ...*

*...*

37949

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

TIME \_\_\_\_\_

SIGNED \_\_\_\_\_



DTE Energy Company  
2000 2nd Ave., Detroit, MI 48226-1279  
Tel: 313.235.4000

**DTE Energy**



November 14, 2005

David Pawlaczyk  
Mill River Investors, LLC  
3005 University Drive, Suite 100  
Auburn Hills, MI 48326

Re: Release of right of way, NE 1/4 of Sec. 16 and SE 1/4 of Sec 9, South Lyon,  
Oakland County, MI Project No. ROA0503347

Dear Mr. Pawlaczyk;

Attached to this letter is the fully executed release of right of way for the right of way recorded in Liber 10291 Pages 7-10, Oakland County Register of Deeds.

To remove the existing easement from the Wayne County records, you will need to take this release document to the Oakland County Register of deeds for recording.

If you have any questions, please call me on 313 235-8313.

Sincerely,

A handwritten signature in cursive script that reads "Diane Francisco".

Diane Francisco  
Real Estate Associate

RECORDED R/W FILE NO.

37979

**RELEASE OF RIGHT OF WAY**

On Nov 11, 2005, for one dollar and other valuable consideration, Edison releases all the rights that Edison has in a certain Right of Way.

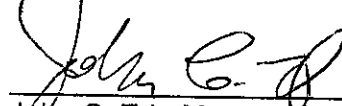
**"Edison" is:**

The Detroit Edison Company, a Michigan corporation,  
2000 Second Avenue, Detroit, Michigan 48226

**The "Right of Way":**

- a) Was granted to Edison by Victor W. Szalma and Heln Szalma husband and wife and Edward D. Dietrich and Darlene Yvette Dietrich husband and wife on August 28, 1987.
- b) Is recorded in Liber 10291 Pages 107 through 110 of Oakland County Records.
- c) Concerns land in the SE 1/4 of Sec 9, and the NE 1/4 of Section 16 in South Lyon Township, Oakland County, Michigan.

**The Detroit Edison Company**

  
\_\_\_\_\_  
John C. Erb, Manager  
Real Estate Administration

Acknowledged before me in Wayne County, Michigan, on Nov 11, 2005,  
by John C. Erb, Manager, Real Estate Administration, of The Detroit Edison Company, a  
Michigan corporation, for the corporation.  
DIANE LYNN FRANCISCO  
NOTARY PUBLIC MACOMB CO., MI  
Notary's MY COMMISSION EXPIRES Feb 17, 2008  
Stamp: ACTING IN WAYNE COUNTY, MI Notary's Signature: Diane Lynn Francisco  
(Notary's name, county and date commission expires)

Prepared by: George Hathaway, Detroit Edison, 2000 Second Avenue, Detroit, MI 48226

RECORDED R/W FILE NO. 37979

# Mill River Investors L.L.C.

3005 University Drive, Suite 100  
Auburn Hills, Michigan 48326  
(248) 340-9400 voice (248) 340-9401 facsimile

Detroit Edison Real Estate  
2000 Second Avenue, Suite 2086 WCB  
Detroit, Michigan 48226

Attn Diane Franchisco

Re: Right of Way Release  
Green Valley RV Park,  
Lyon Township

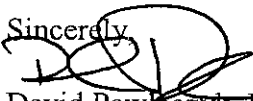
September 23, 2005

Dear Ms. Franchisco

Enclosed is a check for \$350 to cover the processing fee to release the Edison Easement @ the Green Valley RV Park. The facilities have been removed and the land is being developed as part of a residential housing development, all of the information that you sent to me is correct, however the land is now owned in fee by Mill River Investors LLC.

Thank you for your cooperation in this matter, if you have any questions, please contact me @ 248-250-0084

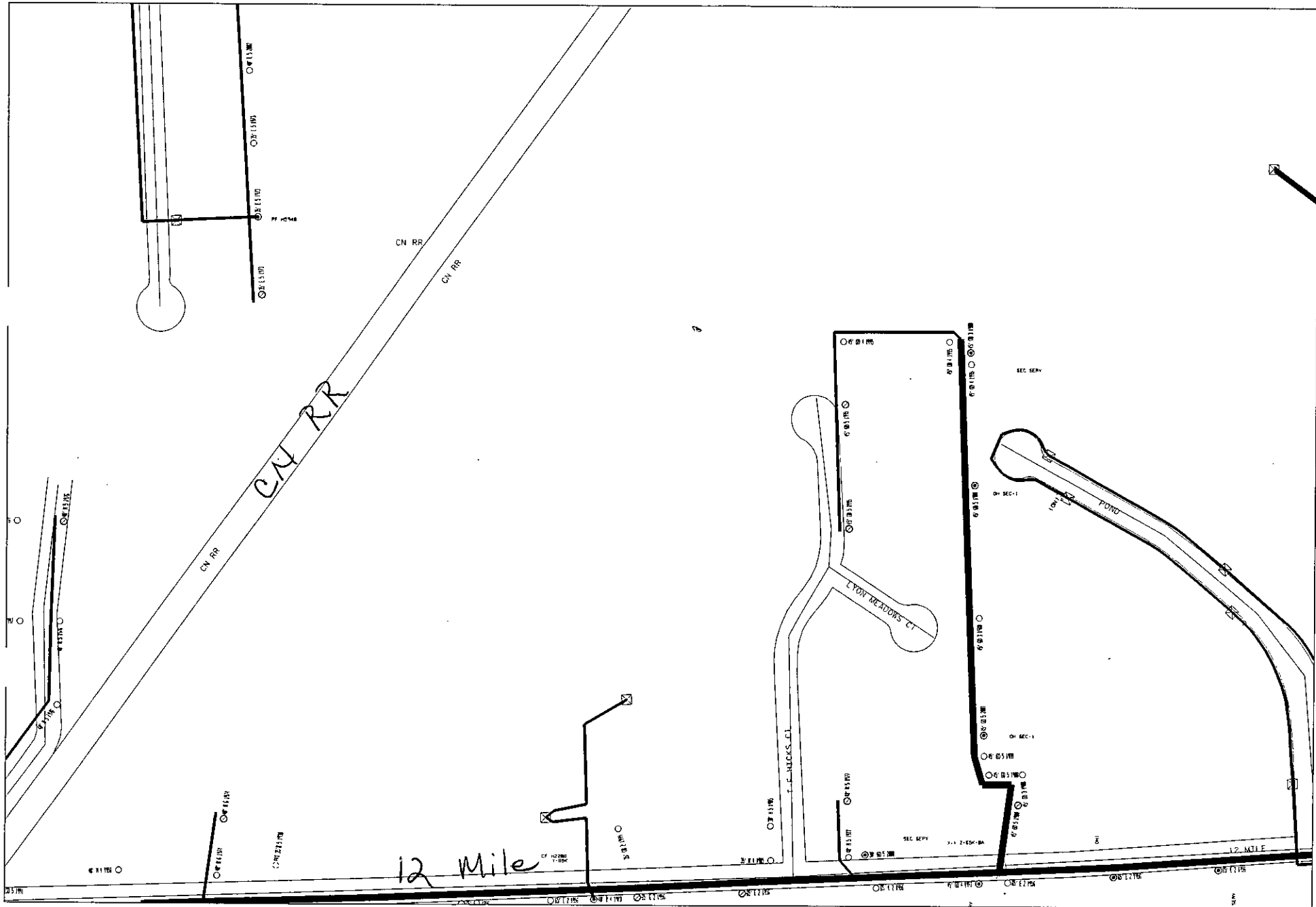
Sincerely,

  
David Pawlaczyk, Project Manager

Cc: Florence Washington, New Hudson Service Center  
Tony Hernandez

RECORDED R/W FILE NO. 37979





12 Mile

Milford Road

Date: September 06, 2005

Time: 10:27 AM

Scale: 1 In = 332.7 Feet

Notes: Index for Tie 4501 subtran maintenance map

Field View 3.0.17

THIS CHECK IS VOID WITHOUT A BLUE & RED BACKGROUND AND A TRUE WATERMARK - HOLD UP TO THE LIGHT TO VERIFY

Mill River Investors LLC  
3005 University Drive Ste 100  
Auburn Hills MI 48326

Comerica Bank  
Detroit, Michigan  
9-9720

000186

DATE: Sep 09 2005 AMOUNT: \$350.00

PAY: Three Hundred Fifty Dollars and 00 Cents

TWO SIGNATURES REQUIRED

TO THE DETROIT EDISON  
ORDER ATTN REAL ESTATE  
OF 2000 SECOND AVE STE 2086 WGB  
DETROIT MI 48226

⑈ 186 ⑈ ⑆ 072000096 ⑆ 1852004355 ⑈

Remitted By

Mill River Investors, LLC

General Ledger Coupon

DE 963-0409 11-98

- Type
- Agents Remittance
  - Cash Group
  - Change Orders
  - Commissions
  - Deferred Credit
  - Energy Drafts
  - Gift Certificate
  - Insurance
  - Land Contracts/Rentals
  - Processing Fee
  - Legal
  - Overages/Shortages
  - Refrigerator Replacement
  - Refunds
  - Returned Checks
  - Savings Plan
  - State of Michigan
  - Subsidiaries

Project # RDA 0503347

Prepared By: Diane Francisco Ext 58313 Date: 7-30-05 Check No. 000186

Management Information Key (MIK) Distribution (Bus. Unit is Mandatory) Amount

MIK - Bus Unit	Std Actv	Rsrc Type	Src Dept	Usr Dept	Sub Proj	Amount
CORPS	253DD1	700	C9999	C9999		\$350.00
Actv Occ		Proc	Actv Eqmt	Prod	Cust	

Subtotal from Back Here

For your convenience Additional MIK fields on reverse side

Grand Total

\$350.00

⑆ 5588 ⑆ 5588 ⑆

RECORDED R/W FILE NO.

37979

New Hudson Service Center  
56500 Grand River Ave., New Hudson, MI 48165-0564

**Detroit Edison**



ROAD503347

Date: August 31, 2005  
To: Diane Francisco  
Corporate Real Estate Services  
From: Florence Washington  
Facilitator - Right of Way  
New Hudson Service Center

*[Handwritten signature]*

Subject: Request to Release Existing Easement

*248250-0084*

A request has been submitted by Dave Pawlaczyk of Mocerri Company for Detroit Edison to grant an easement release. The property is located in the SE 1/4 of Section 9, and the NE 1/4 of Section 16, Lyon Township, Oakland County,

Detroit Edison currently has a recorded Right of Way agreement on the above parcel. A copy of the Right of Way in favor of Detroit Edison dated August 28, 1987 is attached. The Right of Way was recorded in Liber 10291 Pages 7-10, Oakland County Records.

New Hudson Service Center has reviewed the site and has no objection to this request. Please execute the release of this ROW and forward the original document to me at New Hudson Service Center for recording.

If you have any questions, I may be reached at (248) 486-6437.

Attachments

cc: Stephen J. Nicol  
Dennis L. Brewer  
Antonio Z. Hernandez

*9-2-05 do not charge \$350.00*

RECORDED R/W FILE NO. 37979

# Detroit Edison



Date: November 3, 2005

To: Karen Bourdage  
✓ Diane Francisco  
Corporate Real Estate Administration  
2086 WCB

From: Cheryl Groncki *cg*  
Property Inquiry Coordinator  
Project Management  
565 SB

Subject: Release of R/W  
**ROA0503347**  
Lyon Twp., Oakland County

Request to release Right of Way, SE ¼ of Sec. 9 and the NE ¼ of Sec. 16, South Lyon, Oakland County, is **APPROVED.**

Easement was for the Green Valley Farms R.V. Park. The property is going to be redeveloped and the equipment has been removed. Additional easements were secured – the property owner has granted Detroit Edison another easement for their equipment.

The property is bounded on the west by the CN railroad, east by Milford Rd., south by 12-Mile and is the Green Valley Mobile Home Park.

/cag

Approved:

*Steven M. Topolewski*  
Steven M. Topolewski  
Principal Engineer  
Project Management

RECORDED R/W FILE NO.

37979

# MEMO

DTE Energy  
Corporate Real Estate Administration  
313-235-7169  
313-235-6390 (Fax)

Date: October 9, 2006

To: Iron Mountain

From: Michele Prentice  
Customer ID - DM012  
Department ID FA/CRE

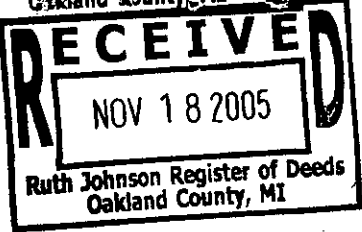
**Subject: R37979**

Please attach to R37979 located in box number 320.

If you need additional information, please call me at 313-235-7162.

Thanks,

Michele



327282  
LIBER 36652 PAGE 158  
\$10.00 MISC RECORDING  
\$4.00 REINUMENTATION  
11/22/2005 02:36:17 P.M. RECEIPT# 131838

PAID RECORDED - OAKLAND COUNTY  
RUTH JOHNSON, CLERK/REGISTER OF DEEDS

RELEASE OF RIGHT OF WAY

On Nov 11, 2005, for one dollar and other valuable consideration, Edison releases all the rights that Edison has in a certain Right of Way.

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c) Concerns land in the SE 1/4 of Sec 9, and the NE 1/4 of Section 16 in South Lyon Township, Oakland County, Michigan. Being described as: The South 40 acres of the West 1/2 of the South East 1/4 of Section 9, together with a strip of land 66 feet in width along the East Boundary of the Northwest 1/4 of the South West 1/4 of Section 16, Lyon Township Oakland County Michigan.

21-09-400-008  
21-09-400-009 Part of

John C. Erb  
John C. Erb, Manager  
Real Estate Administration

RECORDED R/W FILE NO. 37979

RIP  
GT

Acknowledged before me in Wayne County, Michigan, on Nov 11, 2005, by John C. Erb, Manager, Real Estate Administration, of The Detroit Edison Company, a Michigan corporation, for the corporation.  
DIANE LYNN FRANCISCO  
NOTARY PUBLIC MACOMB CO., MI  
Notary's MY COMMISSION EXPIRES Feb 17, 2006  
Stamp: ACTING IN WAYNE COUNTY, MI  
Notary's Signature: Diane Lynn Francisco  
Comm. Exp. 2-17-08  
(Notary's name, county and date commission expires)

Prepared by: George Hathaway, Detroit Edison, 2000 Second Avenue, Detroit, MI 48226

Return

O.K.-A.N.

GRECO