

Real Estate and Rights of Way

Detroit Edison

Joint Underground Residential Distribution
Right of Way Agreement

88151922

LIBER 10613 PG 488

JUNE 16, 19 87

For good and valuable consideration of system betterment, the undersigned hereby grant and convey to ~~CONSUMERS POWER COMPANY, a Michigan corporation of 212 West Michigan Avenue, Jackson, Michigan,~~ THE DETROIT EDISON COMPANY, a Michigan corporation of 2000 Second Avenue, Detroit, Michigan, MICHIGAN BELL TELEPHONE COMPANY, a Michigan corporation of 444 Michigan Avenue, Detroit, Michigan, and UNITED CABLE TELEVISION OF OAKLAND, a Michigan corporation of 4500 Delemere, Royal Oak, MI 48073, hereinafter referred to collectively as "GRANTEE", the right to erect, lay, maintain, reconstruct, add to and replace underground facilities consisting of wires, cables, conduits, fixtures, piping, venting, gas facilities and appurtenances including the necessary above ground equipment, connections, poles and accessories required to provide gas, electric and communication services with the usual services, connections and accessories in, under, upon, over and across the property located in the City of Rochester Hills, County of Oakland, State of Michigan, and more particularly described on the attached Appendix "A"; with the full right to the GRANTEE of ingress and egress upon said property for the purposes of this grant, and the further right to trim, cut down or otherwise control brush and trees within the right of way herein described.

Said right of way shall be ten (10) feet in width unless otherwise indicated and the route is described as follows:

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

[Handwritten initials/signature]
OC
DEC 2

B#92 REG/DEEDS PAID
0001 JUL.07'87 03:33PM
2569 MISC 7.00
1986 REG/DEEDS PAID
0001 SEP.27'86 01:00PM
2568 MISC 1.00

RECORDED RIGHT OF WAY NO. 386774

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

1. The right of way will be graded to within four inches of final grade before the GRANTEE'S lines are installed and this ground elevation must be maintained after installation of utilities to avoid the pooling of water in, on or around GRANTEE'S above ground equipment.
2. No buildings or structures other than GRANTEE'S equipment are to be placed within the right of way herein granted. No excavation is to be permitted within said right of way without approval of GRANTEE.
3. No shrubs or foliage shall be planted or grown within eight feet of the front door of transformers or switching cabinet enclosures. GRANTEE 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 right of way causing an interference with GRANTEE'S maintenance of their equipment
4. If the lines or facilities of GRANTEE are damaged by the acts of owners, their agents, employes 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 property 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(s) on the date of this agreement.

Witnesses:

Grantors:

See Page 2 11.00

Prepared by: Omer V. Racine
Pet The Detroit Edison Company
30400 Telegraph Rd., Suite #264
Birmingham, MI 48010

Address: _____
[Handwritten signature]

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

WITNESSES:

BARCLAY SQUARE DEVELOPMENT CO
A Michigan Corporation
31390 Northwestern Hwy., Suite A
Farmington Hills, MI 48018

Carol Kull
Carol Kull

David R. Nelson
David R. Nelson, Vice President

Omer V. Racine
OMER V. RACINE

State of Michigan)
) SS:
County of Oakland)

On this 16 day of June, 1987, before me, a notary public in and for said county, personally appeared David R. Nelson who being duly sworn did each say that he is the Vice President of BARCLAY SQUARE DEVELOPMENT CO., a Michigan corporation, and that said instrument was signed in behalf of said corporation by authority of its Board of Directors, and acknowledged said instrument to be the free act and deed of said Corporation.

My Commission Expires: 10-24-90

Linda L. Linder
Linda L. Linder
Notary Public, Wayne acting in
County, Michigan Oakland

APPENDIX "A"

Part of the S. 1/2 of Section 26, T3N, R11E, City of Rochester Hills, Oakland County, Michigan, being more particularly described as follows: Beginning at a point which is S 89°35'00" W. 20.00 ft. along the South line of Section 26 and N. 00°25'00" W. 1160.00 ft. and N. 27°40'46" W. 405.98 ft. and N. 17°05'30" W. 96.28 ft. from the South 1/4 corner of Section 26, T3N, R11E, Thence, along the boundary of "Hampton Office Park Sub. NO. 2" (Liber 156, Pages 26 & 27, Oakland County Records) N. 02°46'41" W. 215.95 and N. 19°26'16" W. 175.88 ft., thence N. 66°57'00" E. 107.90 ft., thence N. 21°57'00" E. 14.14 ft., thence N. 66°57'00" E. 126.00 ft., thence N. 23°03'00" W. 73.80 ft., thence N. 21°57'00" E. 115.65 ft., thence N. 66°57'00" E. 93.36 ft., thence S. 68°03'00" E. 76.82 ft., thence S. 23°03'00" E. 217.69 ft., thence S. 77°57'09" E. 22.00 ft., thence S. 23°03'00" E. 40.05 ft., thence N. 66°57'00" E. 232.78 ft.; thence Due South 227.27 ft., thence S. 28°01'33" W. 463.62 ft., thence N. 78°57'43" W. 126.31 ft., thence Westerly 152.22 ft. along a curve concave to the North (Radius of 690.64 ft., central angle of 12°37'43", long chord bears N. 72°38'52" W. 151.92 ft.), thence Westerly 180.05 ft. along a curve concave to the South (Radius of 643.00 ft., central angle of 16°02'37", long chord bears N. 74°21'18" W. 179.46 ft.), to the point of beginning.

Containing 8.511 Acres.

5113 WILL NO (15-26-326-005)

(Now 15-26-326-026 386 and SEI)
(parent # - new # not available)

9/27/88-All is n/k/a
(also includes Barclay Condo)
except 461

9000461
Ent 15-26-326-000

RECORDED RIGHT OF WAY NO. 386/74

MEMORANDUM ORDER
FOR GENERAL USE
DE FORM 05 77 12-63

TO Records Center

DATE 10-13-84 TIME _____

Please set up R/W file for:

Being a part of South 1/2 of Section 26, CITY OF ROCHESTER MI
Oakland County, Michigan

COPIES TO: _____

SIGNED

Omer V. Racine

Omer V. Racine
264 Oakland Div. Hqters.

REPORT _____

Aurora Township
SEC. 26; S1/2 of

DATE RETURNED _____

TIME _____

SIGNED _____

RECORDED
RIGHT OF WAY NO.
38674

To (Supervisor, Hill & Hill)	For Review (Date)	Date Received	By
J. MCDONALD	4-28-87	5-14-87	CE 87-17.J
Division	File No.	Asst. No.	
OAKLAND	4-28-87		

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: BARCLAY SQUARE CONDO'S, PHASE II County: OAKLAND

City/Township/Village: CITY of ROCHESTER HILLS Precinct No.: 26

Type of Development:

Proposed Subdivision Apartment Complex Condominium

Subdivision Mobile Home Park Other

2 Name of Owner: BARCLAY SQUARE ASSOCIATES Phone No.: 855-8900

Address: 31390 NORTHWESTERN HWY SUITE "A" FARMINGTON HILLS, MI. 48018

Owner's Representative: GEORGE KAROS Phone No.: 855-8900

Date Service is Wanted: 6-22-87

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

5. Joint easements required -- Michigan Bell Telephone Yes No

~~Consumer's Power~~ Yes No

a Name of Other Utilities if Not Michigan Bell Telephone or Consumer's Power: UNITED CABLE T.V. of OAKLAND

FUTURE JOINT USE MEMO # 4880

UNITED CABLE TELEVISION of OAKLAND JEFF WOOD 549-1236

b Other Utility Engineer Names: _____

Addresses: _____

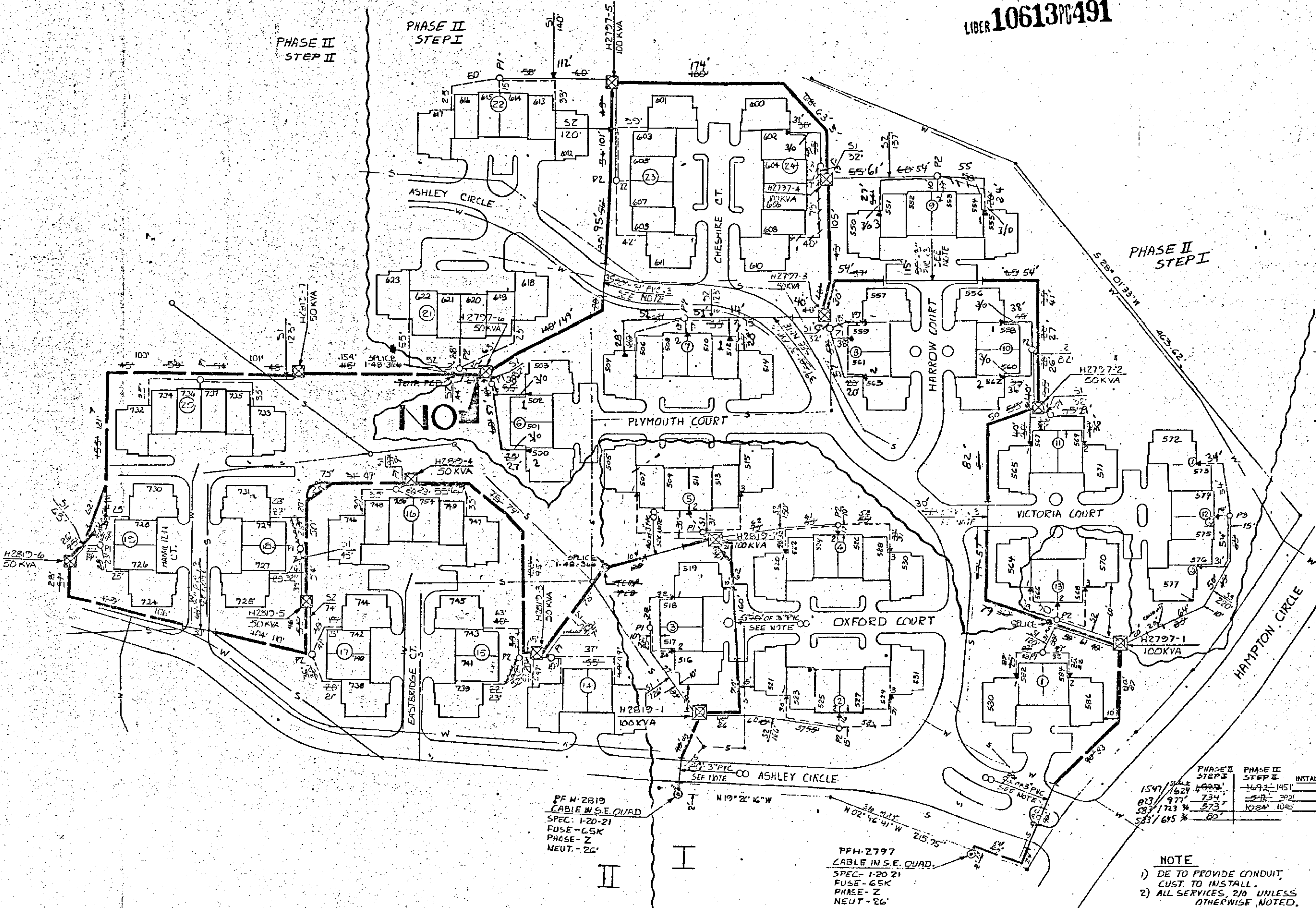
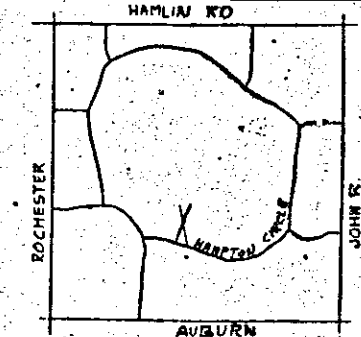
6 Additional Information or Comments: THIS REQUEST INCLUDES BLDG'S # 12, 11, 6, 7, 8, 9 & 10 OF PHASE I AND ALL BLDG'S IN PHASE II

Note: Trenching letter attached will be submitted later

Service Planner: DENNIS DOHERTY Signed (Service Planning Supervisor): [Signature] 5/1/87

Phone No: 645-4156 Address: RM 240 OAK. DIV. HQ.

RECEIVED OFFICE OF THE CITY CLERK OF OAKLAND 5/1/87



TRANSFORMER DATA

UDT. NO.	SIZE	ED STK NO
H2797-1	100 KVA	PHASE I
H2B19-1	100 KVA	
H2797-2	50 KVA	PHASE II STEP I
-3	50 KVA	
-4	100 KVA	
-5	100 KVA	
H2B19-3	50 KVA	PHASE II STEP II
-4	50 KVA	
-5	50 KVA	
-6	50 KVA	

TRANSFORMER SPEC. 1-17-261
 PEDESTAL AMOUNT 10 SPEC.
 TEMPORARY CABLE MARKERS AMOUNT SPEC.
 SECONDARY CONNECTION BOX AMOUNT SPEC.

- CODE —**
- ⊙ TEMPORARY SECONDARY PEDESTAL/TEMPORARY CABLE MARKER
 - ⊠ DFT (DEAD FRONT TYPE)
 - ⊡ DFT (NON SWITCHING - LIVE FRONT TYPE)
 - ⊞ DFT (NON 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
 - ⊞ DWELLING
- NOTE:**
 METER SHALL BE LOCATED IN SHADED AREA CLOSEST TO D.E. CO. MOUNTAGE.

CABLE SUMMARY

ITEM #	DESCRIPTION	ESTIMATED
ITEM #	#2ALPEC X 1 1/2 KV	713302 = 1000
ITEM #	AP2 300 & 1-40 800 V	713337 = 200
ITEM #	AP2 20 & 1-41 800 V	713314 = 100

TRENCH SUMMARY

ITEM #	DESCRIPTION	ESTIMATED
ITEM #	1821 1800	1000
ITEM #	310	100
TOTAL	1182	1100

NOTE
 1) DE TO PROVIDE CONDUIT, CUST. TO INSTALL.
 2) ALL SERVICES, 210 UNLESS OTHERWISE NOTED.

RETURN TO
J. D. McDONALD
 THE DETROIT EDISON COMPANY
 30400 TELEGRAPH ROAD, 264 OAKDH
 BIRMINGHAM, MICHIGAN 48010

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J. D. McDONALD
 THE DETROIT EDISON COMPANY
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 BIRMINGHAM, MICHIGAN 48010

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 800-492-7171 as required by Public Act 53 of 1974 before doing any power excavating.

— GENERAL NOTES —
 TRENCHING TO BE DONE BY DE CO.
 TRENCH AND CABLE LENGTHS ARE APPROXIMATE.
 SEE SECTION 56 UG LINE CONSTRUCTION STANDARDS FOR TRANS. MAT. DETAILS.
 SEE PAGE 32-11 (SJM) DETAIL FOR ENTRANCE POINT DETAILS (APTS. ONLY).
 SEE SECTION 43 UG LINE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES.
 TRANSFORMERS AND PEDESTALS (SUBS ON V).
 D.E. SERVICE PLANNER **D. DOWERY** 645-4156
 TEL. CO. **M. NAJOLNY** 540-0201
 GAS CO. **JEFF WOODS** 540-1236
 OTHERS: **JEFF WOODS** 540-1236

PERMITS REQUIRED
 COUNTY NOTIFICATION TO
 CITY OF **ROCHESTER**
 STATE YES NO

START DATE 12-1-87

D	REVISION	C	B	A	REFERENCE
D04 A2340	ADDED PHASE II STEP II D.O. 87A-63610 W.D. 367B4 JB73 7 UNITS START 12-1-87	REVISION AS INSTALLED D.O. 87A-64623 START 6-22-87 FINISH 6-29-87 NOTES & MEAS. BY CORRY ENG. 7-8-87 HARLAN	REVISION AS INSTALLED D.O. 87A-63904 NO. 367 B4 J51 START 10-8-86 FINISH 11-9-86 LABOR - CARBY ENERGY RECORDS R. VAN PRAET ENG. BY HARLAN 11-12-86	ADD PHASE 2 STEP I 77A-LAL13 11 BLDG START DATE - 6-17-87	URD AVN-91

DRAWN BY	NAME	DATE	JOB TITLE
DRAWN BY	R. PAPER	6-28-86	
CHECKED BY	D. HARLAN	9-18-86	
APPROVED BY	J. D. McDONALD	7-22-86	
SEAL TO MEET		7-11-86	

THE DETROIT EDISON COMPANY
 SERVICE PLANNING
 SCALE 1" = 50'
 NUMBER OF UNITS 52
 WORK ORDER NUMBER 367B4 JB73
 LATEST REVISION D
 DISTRIBUTION CIRCUIT B940 SENECA 13.2
 DEPT. CABLE NUMBER 86A-63904
 CITY ROCHESTER HILLS COUNTY OF OAKLAND

RECORDED RIGHT OF WAY NO. 38674