

Real Estate and Rights of Way
**Underground
Right of Way Agreement**

**Detroit
Edison**

OCTOBER 29, 19 88

For good and valuable consideration of system betterment, the undersigned hereby grant and convey to THE DETROIT EDISON COMPANY, a Michigan corporation of 2000 Second Avenue, Detroit, Michigan hereinafter referred to as "EDISON," the right to construct, reconstruct, modify, add to, operate and maintain underground line facilities consisting of poles, conduits, wires, cables, manholes, transformers and accessories required to provide electric service in, under, upon and across property located in the City of Ann Arbor, County of Washtenaw, State of Michigan, further described as:

SEE REVERSE SIDE FOR LEGAL DESCRIPTION

*Pittsfield Twp
SEC. 9; NW 1/4 of
Gilbert J. & Juanita R.
SEARS*
39042

RECORDED
WASHTENAW COUNTY MI
Nov 23 11 22 AM '88
ROBERT M. HARRISON
COUNTY CLERK/REGISTER

RECORDED RIGHT OF WAY NO. 39042

The underground easement will be as shown on the attached drawing AS-6572 & Dated 10/11/88 which is made a part hereof.

The right of way is Twelve (12) feet in width.

The rights hereby granted include the right of access to and from the rights of way and the right to trim, cut down or otherwise control trees, brush or roots of any kind either within the right of way or on property adjoining the right of way which in the opinion of EDISON interferes with the construction or operation of the line facilities. It is expressly understood and agreed that EDISON shall, at no time, trim or cut down any trees unless, in EDISON'S opinion, it is absolutely necessary to do so. EDISON shall restore premises to its original condition or as near as can be in the event of damages caused by its employes, contractors, vehicles and equipment entering premises for the purposes set forth herein.

No buildings or structures are to be placed within said right of way herein granted without the written consent of EDISON.

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:
Ronald R. Soorge
RONALD R. SOORGE
Kimberlee G. Manlove
KIMBERLEE G. MANLOVE

Grantors:
Gilbert J. Sears
GILBERT J. SEARS
Juanita R. Sears
JUANITA R. SEARS, His Wife

Prepared by:
Richard Longwish
425 S. Main
Ann Arbor, MI 48104

Address:
1700 N. Woodward Avenue, Suite A
Bloomfield Hills, MI 48013

A part of the Northwest ¼ of Section 9, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan, more particularly described as: Commencing at the Northwest corner of said Section 9; thence S 01°40'20" E 660.14 feet along the West line of Section 9 and following State Road; thence N 87°09'00" E 1253.11 feet to the Point of Beginning on the Easterly right-of-way line of Boardwalk Drive 66 feet wide; thence continuing N 87°09'00" E 40.00 feet; thence N 01°40'20" W 140.03 feet; thence N 87°09'00" E 125.00 feet; thence S 01°40'20" E 140.03 feet; thence N 87°09'00" E 305.48 feet to a Point on the Westerly line of a storm water pond easement as described in Liber 1765, Pages 71 and 72 of Deeds, Washtenaw County Records, the following two courses being along said line: (1) S 21°40'20" W 75.29 feet, and (2) S 30°53'19" E 214.74 feet to a Point in the centerline of a 40 foot wide drainage easement as described in Liber 1765, Pages 67 and 68 of Deeds, Washtenaw County Records, the following five courses being along said centerline: (1) N 52°30'26" E 57.71 feet, (2) N 71°58'23" E 78.52 feet, (3) S 83°17'17" E 20.53 feet, (4) N 72°02'49" E 113.64 feet and (5) N 46°12'44" E 63.10 feet to a Point on the Westerly line of Ann Arbor Railroad 100 feet wide; thence S 08°19'40" E 651.69 feet along said line; thence S 87°21'10" W 459.89 feet; thence N 01°40'20" W 120.00 feet; thence S 87°21'10" W 363.00 feet to a point on the Easterly line of said Broadway Drive; thence N 01°40'20" W 688.28 feet along said line to the Point of Beginning and containing 535,267 square feet or 12.288 acres.

EXCEPT

A part of the Northwest ¼ of Section 9, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan, more particularly described as: Commencing at the Northwest corner of said Section 9; thence S 01°40'20" E 660.14 feet along the West line of Section 9 and following State Road; thence N 87°09'00" E 1253.11 feet to the Point of Beginning on the Easterly line of Boardwalk Drive, 66 feet wide; thence continuing N 87°09'00" E 40.00 feet; thence N 01°40'20" W 140.03 feet; thence N 87°09'00" E 125.00 feet; thence S 01°40'20" E 140.03 feet; thence N 87°09'00" E 74.40 feet; thence S 02°51'00" E 122.74 feet; thence S 88°19'40" W 241.87 feet to a Point on the Easterly right-of-way line of said Boardwalk Drive; thence N 01°40'20" W 117.79 feet along said line to the Point of Beginning.

Acknowledgement-Individual

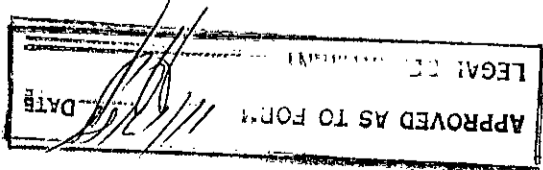
STATE OF MICHIGAN

County of Oakland)SS

On this 28th day of October, 19 88, the foregoing instrument was acknowledged before me, a notary public in and for said county, by GILBERT J. SEARS and JUANITA R. SEARS, His Wife

Claudia A. Riedel
Claudia A. Riedel
Notary Public, Washtenaw County, Michigan
acting in Oakland

My commission expires 12/3/89



RETURN TO:
RICHARD LONGWISH
THE DETROIT EDISON COMPANY
425 S. MAIN STREET, ROOM 332
ANN ARBOR, MI 48104

Pittsfield Twp SEC 9

To (Supervisor, RE & R/W) RICHARD LONGWISH	For RE & R/W Dept. Use	Date Received	DE/Bell/C.P. No.
Division ANN ARBOR	Date 10-13-88	Application No. AS-6572	

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.

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH BY <u><i>Richard Longwish</i></u> DATE <u><i>1-13-89</i></u> DATE WANTED _____ DISTRICT FIELDMAN <u><i>Richard Longwish</i></u>	PERMITS TO: RECORD CENTER R/W FILES MBT ORIGINATOR TOTAL
	3 1 1 1 1
	RECORDED RIGHT OF WAY NO. <u>39040-39042</u>

Information

1. Project Name BOARDWALK DEVELOPMENT	County WASHTENAW
City/Township/Village ANN ARBOR	Section No. 9
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 VARIOUS	Phone No.
Address	
Owner's Representative	
Date Service is Wanted	

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 _____

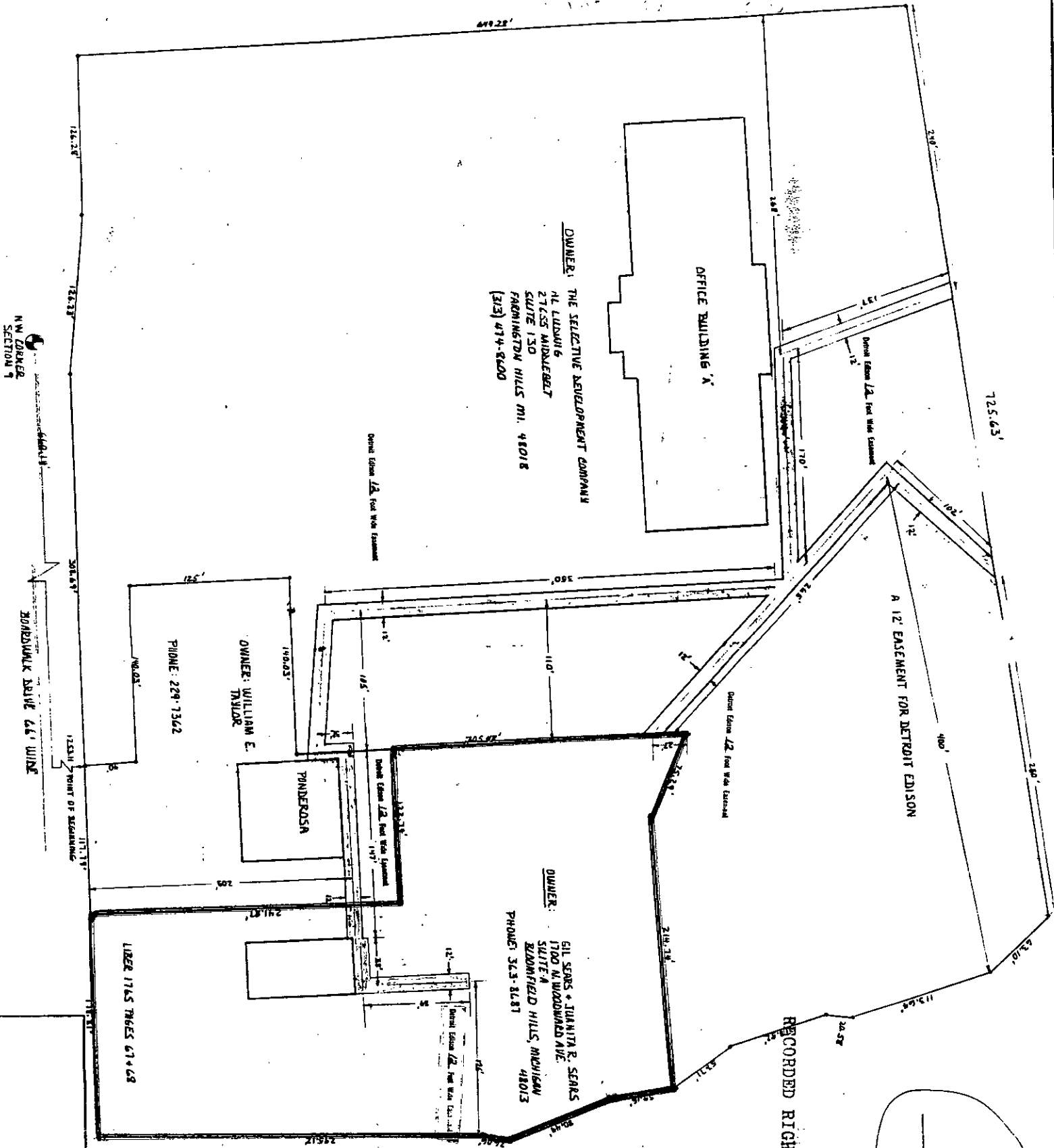
6. Additional Information or Comments
MAIL TO: SEE ATTACHED SHEET.

Note: Trenching letter attached will be submitted later

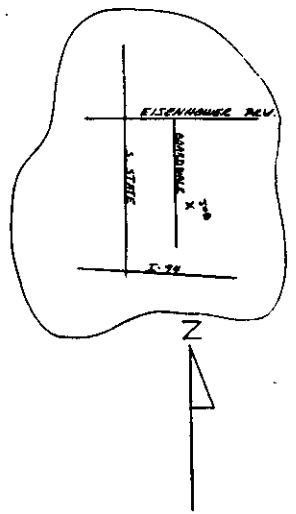
Service Planner ROD TURMAN	Signed (Service Planning Supervisor)
Phone No. 761-4080	Address

EISENHOWER PKY.

419.22'



RECORDED RIGHT OF WAY NO. 39042



NW CORNER SECTION 7

BONDIWALK DRIVE C&W WINE

THE SELECTIVE DEVELOPMENT COMPANY

OWNER	THE SELECTIVE DEVELOPMENT COMPANY
ADDRESS	2755 MADISON BLVD, SUITE 130, FARMINGTON HILLS, MI 48018
PHONE	313 474-8200
OWNER	GIL SEARS & JUANITA R. SEARS
ADDRESS	1700 N WOODWARD AVE, SUITE X, BLOOMFIELD HILLS, MICHIGAN 48013
PHONE	313-8687
OWNER	WILLIAM E. TAYLOR
PHONE	229-7362
OWNER	PINDEROSA
PHONE	229-7362
OWNER	GIL SEARS & JUANITA R. SEARS
ADDRESS	1700 N WOODWARD AVE, SUITE X, BLOOMFIELD HILLS, MICHIGAN 48013
PHONE	313-8687

LIBER 1765 TRACES 67468

U.S. LINE EXTENSION

ROAD TRAIL

916

RECORDED

WASHTENAW COUNTY MI

Nov 23 11 22 AM '88

ROBERT M. HARRISON
COUNTY CLERK/REGISTER

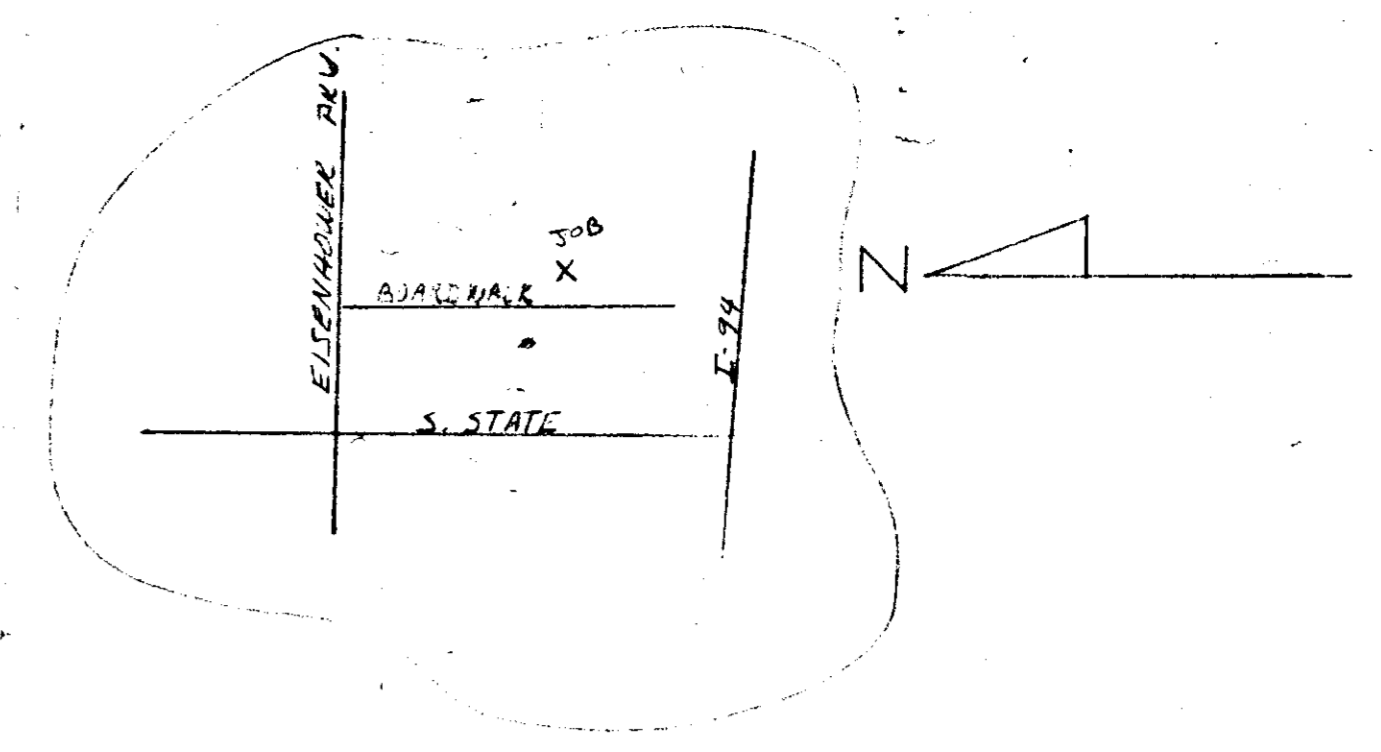
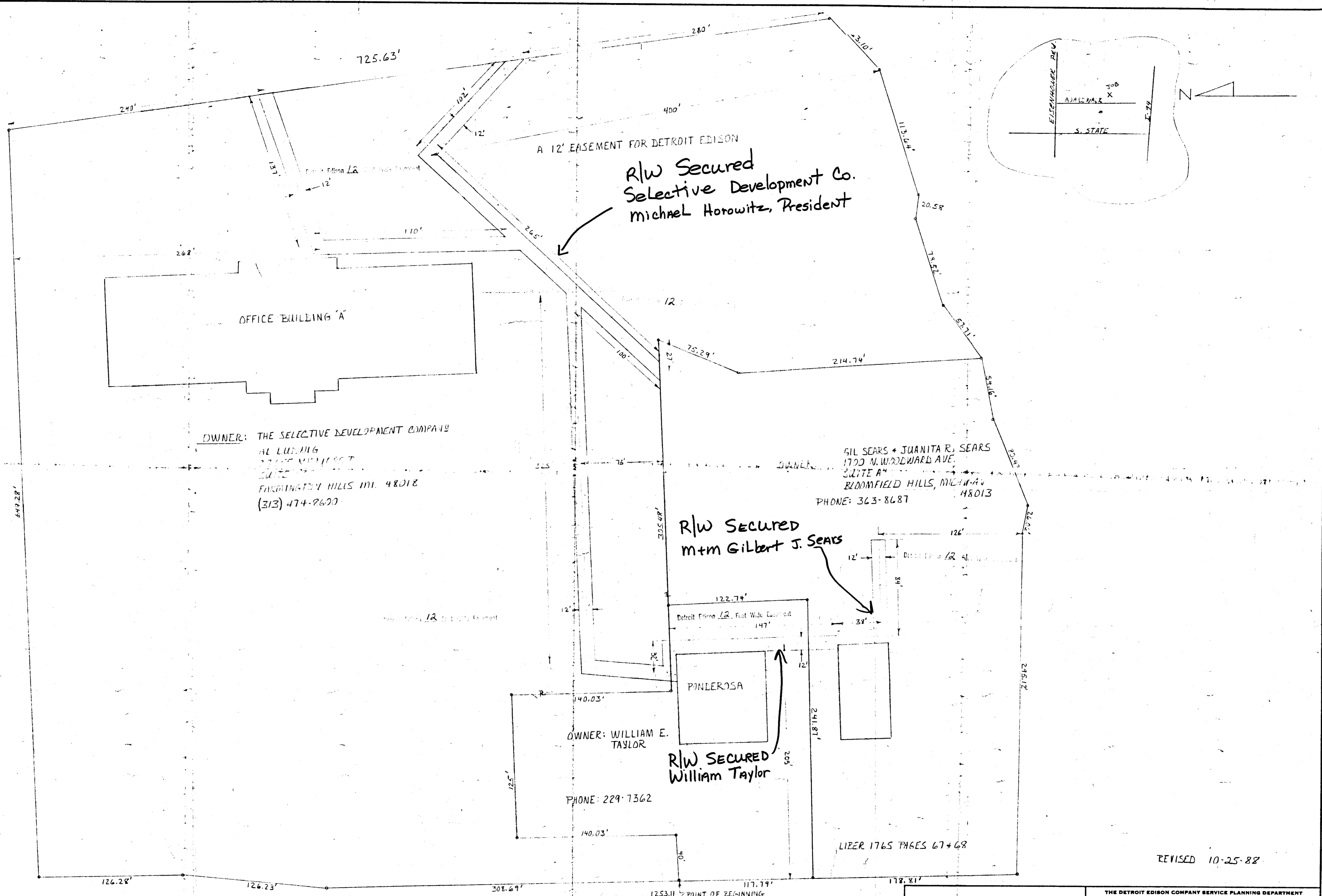
Handwritten signature
to noted

DEED 9.00
8333 0333003 7405 11:17AM 11/23/88

RETURN TO:
RICHARD LONGWISH
THE DETROIT EDISON COMPANY
425 S. MAIN STREET, ROOM 332
ANN ARBOR, MI 48104

RECORDED RIGHT OF WAY
R.39042

EISENHOWER PKWY



OWNER: THE SELECTIVE DEVELOPMENT COMPANY
AL LUDWIG
2700 MILLIKEN BLVD
SUITE 200
FARMINGTON HILLS MI. 48018
(313) 474-2600

OWNER: GIL SEARS + JUANITA R. SEARS
1700 N. WOODWARD AVE.
SUITE A
BLOOMFIELD HILLS, MI 48013
PHONE: 343-8687

OWNER: WILLIAM E. TAYLOR
PHONE: 229-7362

R/W SECURED
William Taylor

PANDEROSA

R/W Secured
m+m Gilbert J. SEARS

R/W Secured
Selective Development Co.
Michael Horowitz, President

A 12' EASEMENT FOR DETROIT EDISON

OFFICE BUILDING 'A'

LIZER 1765 PAGES 67+68

REVISED 10-25-88

NW CORNER SECTION 9
BOARDWALK DRIVE 66' WIDE

THE DETROIT EDISON COMPANY SERVICE PLANNING DEPARTMENT			
CITY OR TOWNSHIP ANN ARBOR	COUNTY WASHTENAW	TWP. SECT. NO. 9	DEPT. ORDER NO.
MAP SECT. 30	RANGE 1-5	JOINT R/W REQUIRED YES	R/W NO. 45-572
TELEPHONE ENGINEER G-E	TELEPHONE DISTRICT	G.F.W. S.O. OR P.L. NO.	
CIRCUIT	PROJECT NAME BOARDWALK DEVELOPMENT	BUDGET ITEM NO.	
REASON U.G. LINE EXTENSION	SCALE 1" = 40'	DATE 10-11-88	
LAYOUT BY R.D. THOMAS			

R39042

39040-
39042
RECORDED RIGHT OF WAY NO.