

(12ER 11735 PG 890) - 91 020743
LISA 11888 PG 682

Detroit Edison

Granbrook Chase Condo
**Real Estate and Rights of Way
Joint Underground Residential Distribution
Right of Way Agreement**

December 31, 1990

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

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 BOOTH COMMUNICATIONS OF BIRMINGHAM, 645 South Eton, Birmingham, Michigan hereinafter referred to collectively as "UTILITY", 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 Township of Bloomfield, County of Oakland, County of Oakland, State of Michigan, and more particularly described on the attached Appendix "A"; with the full right to the UTILITY 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) ft 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.

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

1. The right of way will be graded to within four inches of final grade before the UTILITY'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 other permanent structures other than UTILITY'S equipment are to be placed within the right of way herein granted. No excavation is to be permitted with said right of way without approval of UTILITY.
3. No shrubs or foliage shall be planted or grown within eight feet of the front door of transformers or switching cabinet enclosures. UTILITY 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 UTILITY'S maintenance of their above ground equipment.
4. If the lines or facilities of UTILITY are damaged by the acts of owners, their agents, employees or contractors, repairs shall be made by the granting 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:

DECO 1

See Next Page

(O.K. - LM)

Prepared by: Omer V. Racine/nkg
The Detroit Edison Company
30400 Telegraph Road, Suite 277
Birmingham, Mi 48010

Address: _____
OK - G.K.

RECORDED RIGHT OF WAY NO. 41290

RETURN TO
J. D. McDONALD
THE DETROIT EDISON COMPANY
30400 TELEGRAPH ROAD, 277 OAKD#
BIRMINGHAM, MICHIGAN 48010

Witness:

LIBER 11735 PG 891 11888 PG 683

HSF Associates V Limited Partnership
A Michigan Limited Partnership

Patricia Anne Wright
Patricia Anne Wright

Anna Marie Kish
Anna Marie Kish

By: Its General Partner
Diversified Asset Corp. II
A Michigan Corporation
30833 Northwestern Hwy., Ste. 300
Farmington Hills, Mi 48334

Gilbert Silverman
Gilbert Silverman, President

RECORDED RIGHT OF WAY NO. 41290

State of Michigan)
County of OAKLAND) SS:

Personally came before me this 31st day of December, 1990, Gilbert Silverman, President of Diversified Asset Corp. II, General Partner of the above named Limited Partnership to me known to be the person who executed the foregoing instrument and to me known to be such General Partner and acknowledged that he executed the foregoing instrument as such General Partner, as the free act and deed of said HSF Associates V Limited Partnership.

My Commission Expires: 10-8-94

Teresa L. Wenson
TERESA L. WENSON
Notary Public, Oakland
County, Michigan

Appendix "A"

A parcel of land located in part of the S.W. 1/4 of Section 28, T2N., R10E., Bloomfield Township, Oakland County, Michigan, a portion of said parcel containing lots 1 through 8 inclusive excepting that portion deeded for road purposes and Reduth Court (60' wide) "Deith Subdivision" recorded in liber 75, page 10, O.C.R. overall parcel described as beginning at a point distant N 89° 54'00" E along the south line of section 28, 45.50 ft., and N 00° 42'00" E 1213.22 ft., and N 87° 30'04" E 55.88 ft., from the SW corner of said section 28; thence from said point of beginning, N 00° 42'00" E along the east R.O.W. line of Telegraph Road, (U.S. 24) (204' wide) said line also being the west line of lots 1 and 8 of "Deith Subdivision" 600.95 ft., thence N 89° 40'57" E along the north line of "Deith Subdivision" 703.56 ft., thence S 00° 09'31" W along the west line of "Thorncrest No. 1" as recorded in liber 78 page 17 O.C.R., said line also being the east line of lots 4 and 5 of "Deith Subdivision" 555.52 ft., thence S 89° 52'00" W 418.00 ft., thence S 39° 00'00" 86.48 ft., thence N 89° 18'00" W 237.15 ft., thence along said east R.O.W. line of Telegraph Rd., (U.S. 24) and west line of "Deith Subdivision" N 00° 42'00" E 16.00 ft., to the point of beginning. Containing 9.38 acres of land and being subject to easements and restriction of record, and the rights of the public and any government agency over Reduth Court (60' wd.) By acceptance of the Rights of Way provided in this agreement, Detroit Edison in behalf of itself, and its successors and assigns, waiver and releases any right of easement in Reduth Court and the southerly 6 feet of lots 5, 6, 7, and 8, also the easterly 6 feet of lots 1 and 8 also the westerly 6 feet of lots 2 and 7 of said "Deith Subdivision."

Sidwell No: 19-28-301-002-003-004-005, 19-28-351-001,002-003-004-005-006
lot 1 lot 2 lot 3 lot 4 lot 5 lot 6 lot 7 lot 8 SW 1/4
NKA 19-28-301-034 - lots 4-8 and pt lots 1-3 Deith Sub.
vac Reduth Ct and pt SW 1/4 Sec 28

above also includes Ent
Cranbrook Chase Condo. OCC P# 700
units 1-4 19-28-303-000
9000700

RETURN TO
J. D. McDONALD
THE DETROIT EDISON COMPANY
30400 TELEGRAPH ROAD, 277 OAKDH
BIRMINGHAM, MICHIGAN 48010

| | | | |
|---|------------------------|---------------------------------|--------------------------------------|
| To (Supervisor, RE, & R/W) <i>Jim McDonald</i> | For RE & R/W Dept. Use | Date Received <i>9-10-90</i> | DE/Bell/C.P. No. <i>OE 90-16T</i> |
| Division <i>Oakland</i> | 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 <i>Cranbrook (formerly Bloomfield) Chase</i> | County <i>Oakland</i> |
| City/Township/Village <i>Bloomfield</i> | Section No. <i>28</i> |
| Type of Development <input type="checkbox"/> Proposed Subdivision <input 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 <i>Holtzman & Silverman</i> |
| Address <i>36833 Northwestern Hwy S300 Farmington Hills 48618-5625</i> | Phone No. <i>851-9600</i> |
| Owner's Representative <i>Jeff Roberts</i> | Phone No. <i>851-9600</i> |
| Date Service is Wanted <i>10-15-90</i> | |

- 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 <i>Booth Communications - Deereforsemen</i> | |
| b. Other Utility Engineer Names | Phone Numbers |

Addresses

6. Additional Information or Comments

Note: Trenching letter attached will be submitted later

| | |
|----------------------------------|---|
| Service Planner <i>J. Boy</i> | Signed (Service Planning Supervisor) <i>Dennis L. Brewer</i> |
| Phone No. | Address |

RECORDED RIGHT OF WAY 4/12/90

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

TO Records Center

DATE

6-18-91

TIME

Please set up R/W file for:

CRANBROOK CHASE COND.

Being a part of

SW 1/4

of Section

28

Bloomfield Twp

Oakland County, Michigan

COPIES TO:

SIGNED


Omer V. Racine

REPORT

277 Oakland Division Headquarters

DATE RETURNED

TIME

SIGNED

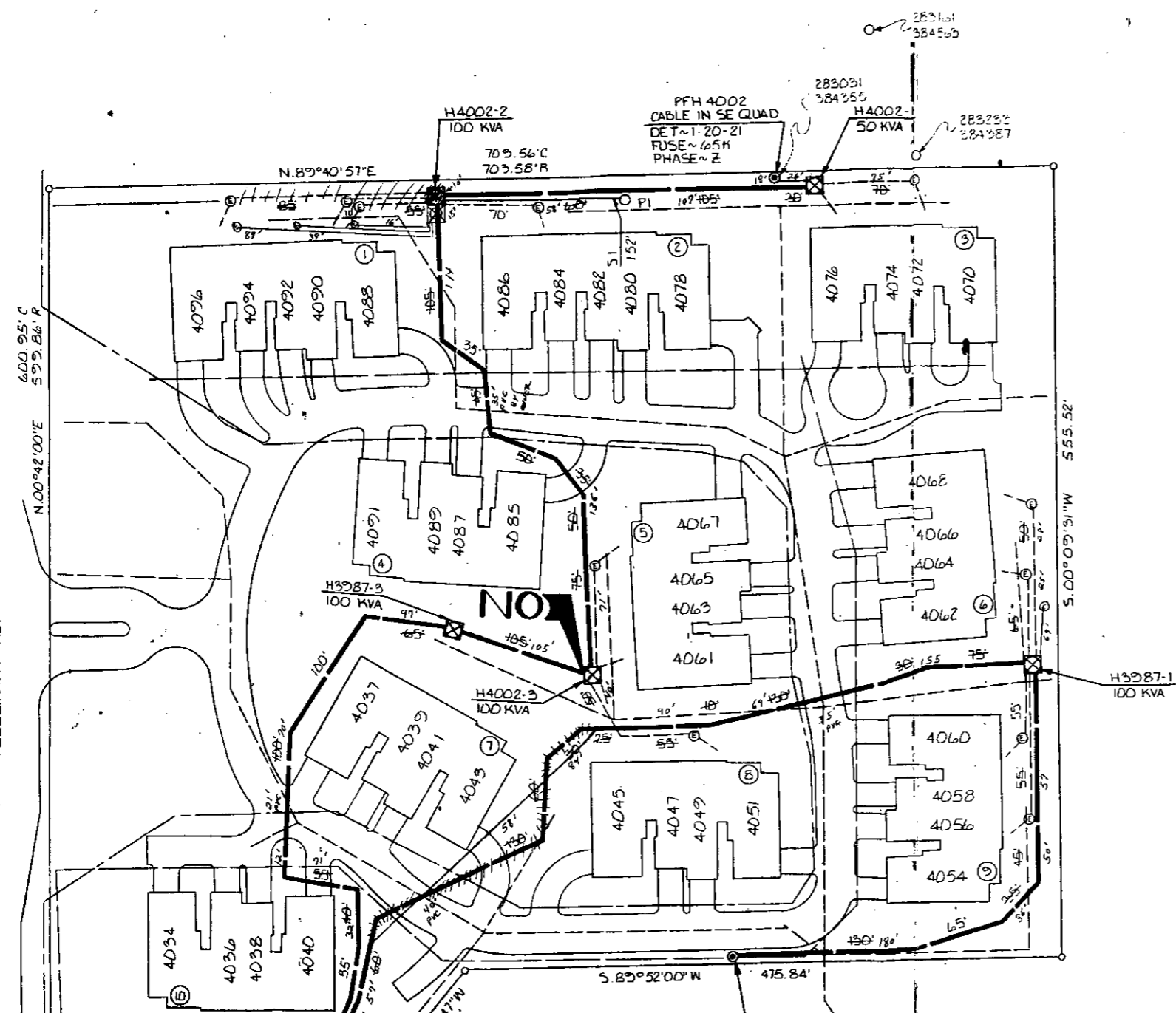
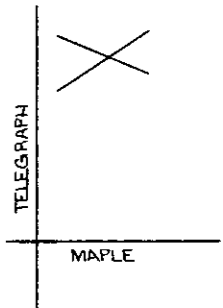
RECORDED
RIGHT OF
WAY
48290

LIDER 11888PG685



LIDER 11888PG686

LOCATION SKETCH
MAP SEC. NOS. 1-283-382



TRANSFORMER DATA

| U.D.T. NO. | SIZE | ED. STK. NO. |
|------------|---------|--------------|
| H3987 -1 | 100 KVA | 6661-1153 |
| H3987 -2 | 50 KVA | 6661-1152 |
| H3987 -3 | 100 KVA | 6661-1153 |
| H4002 -1 | 50 KVA | 6661-1152 |
| H4002 -2 | 100 KVA | 6661-1153 |
| H4002 -3 | 100 KVA | 6661-1153 |

TRANSFORMER SPECS 1-17-261
PEDESTAL AMOUNT 1 SPEC. 1
TEMPORARY CABLE MARKERS AMOUNT 12 SPEC. 1
SECONDARY CONNECTION BOX AMOUNT 1 SPEC. 1

CODE

- ⊕ TEMPORARY SECONDARY PEDESTAL/TEMPORARY CABLE MARKER
- ⊠ DFT (DEAD FRONT TYPE)
- ⊡ UDT (NON-SWITCHING—LIVE FRONT TYPE)
- ⊞ UDT (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 CONN CABINET

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

CABLE SUMMARY

| INSTALLED | ESTIMATED |
|-------------------------------|-----------------|
| ITEM # 12AXLPEC x 1 13.2 KV | 713300 = 2311' |
| ITEM # AP2-350M & 1-40 600 V. | 7130537 = 1322' |
| ITEM # AP2-20 & 1-41 600 V. | 7130614 = |

EASEMENT LOCATIONS

(Locations are located where the following symbols are shown. All easements are single width, even where more than one symbol is shown.)

- Buried Primary Cable
- Buried Secondary Cable
- Buried Secondary Service Cable
- Telephone Trench Only
- Gas
- Proposed Conduit

TRENCH SUMMARY

JOINT USE: L 125' E 115' S 225' E 61' S 150' E 61' N 150' S 1095'

D.E. ONLY 678'

TEL ONLY

GAS ONLY 30'

OTHERS

TOTAL 2585' 2597'

SITE SUPT. JOHN DEPORRE PHONE NO. 8519600

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

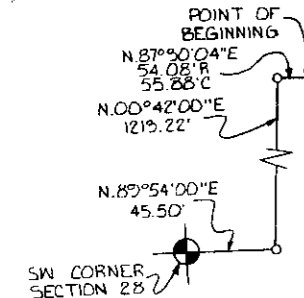
TRENCHING TO BE DONE BY THE DETROIT EDISON CO.
TRENCH AND CABLE LENGTHS ARE APPROXIMATE.
SEE SECTION 58 UG LINE CONSTRUCTION STANDARDS FOR TRANS. MAT. DETAILS.
SEE PAGE 32-11 (S1M) DETAIL " " FOR ENTRANCE POINT DETAILS (APTS. ONLY)
SEE SECTION 43 UG LINE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES.
TRANSFORMERS AND PEDESTALS (SUBDS ONLY)
D.E. SERVICE PLANNER JENNY BOYES 645-4967
TEL. CO. PAUL CORLISS 456-0848
GAS CO. BILL VERNAGUS 433-5730
OTHERS: CATV: DAVE FORSMAN 540-6794

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

PERMITS REQUIRED

CITY OF _____ COUNTY _____ NOTIFICATION TO _____
STATE YES NO

START DATE 11-15-90



| D | REVISION | C | REVISION | B | REVISION | A | REVISION AS INSTALLED | REFERENCE | NAME | DATE | JOB TITLE | THE DETROIT EDISON COMPANY SERVICE PLANNING | | | |
|---|----------|---|----------|---|----------|---|--|-----------|-----------------------------------|---------|-----------|--|---------------------------------|-------------------------------------|--------------------------------|
| | | | | | | | D.O. N-64242 W.D. 36784 J-915 START 1-14-91 FINISH 1-21-91 LARA UNION EAC NOTES F 0580400 ENER 2-22-91 CREW 3039 | | RALPH M WINCEL | 10-3-90 | | CRANBROOK CHASE PART OF SW 1/4 SEC. 28 T. 2 N., R. 10E | SCALE 1" = 50' | NUMBER OF UNITS 42 | WORK ORDER NUMBER 36784J715 |
| | | | | | | | | | CHECKED BY <i>[Signature]</i> | 11-2-90 | | | LATEST REVISION | DISTRIBUTION CIRCUIT 8916 ALPINE | |
| | | | | | | | | | APPROVED BY <i>[Signature]</i> | 11-2-90 | | | DEPT. CHIEF NUMBER 90A-64242 | | SHEET _____ OF _____ SHEETS |
| | | | | | | | | | | | | TWP OF BLOOMFIELD COUNTY OF OAKLAND | | | |