

Detroit Edison

Windward Bay Cr... LIBER 11775 PG 076 - 91 037248
Real Est. and Rights of Way
Joint Underground Residential Distribution
Right of Way Agreement M'90 076585

LIBER 11384 PG 149 FEBRUARY 21, 1990

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 and MICHIGAN BELL TELEPHONE COMPANY, a Michigan corporation of 444 Michigan Avenue, Detroit, Michigan, and METROVISION OF OAKLAND COUNTY, INC., a Michigan corporation of 37635 Enterprise Ct., Farmington Hills, MI 48018, 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 and appurtenances including the necessary above ground equipment, connections, poles and accessories required in, under, upon, over and across the property located in the City of Novi, 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) 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 GRANTEE, the undersigned covenant and agree that:

Decl

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 with the right of way herein granted. No excavation is to be permitted with 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, 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:

B#92 REG/DEEDS PAID
0001 MAR.15 '91 11:48AM
3447 MISC 15.00

Grantors:

See Next Page
B#92 REG/DEEDS PAID
0001 MAR.15 '91 11:48AM
3447 RMT FEE 2.00

B#36 REG/DEEDS PAID
0001 MAY.21 '90 09:00AM
6622 MISC 9.00

RECORDED
RIGHT OF WAY NO. 41618

O.K. - LM

9.00
15.00

5.00
2.00
RMT
PL

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

Address: O.K. - LM

Return on Back

THIS EASEMENT IS RE-RECORDED FOR PURPOSES OF SHOWING THE PLANNED "AS INSTALLED" CENTERLINES OF EASEMENTS GRANTED AS SHOWN ON DRAWING ATTACHED HERETO.

THE DETROIT EDISON COMPANY

RETURN TO
J. D. McDONALD
THE DETROIT EDISON COMPANY
20400 TELEGRAPH ROAD, 277 OAKH
BIRMINGHAM, MICHIGAN 48010

Witness:

Windward Bay Development Co, Inc.
A Michigan Corporation
30230 Orchard Lake Road, Suite 250
Farmington Hills, MI 48018

LIBER 11384PG150

LIBER 11775PG077

Irving Layne
Irving Layne

Christine A. Furnish
Christine A. Furnish

Sanford Layne
Sanford Layne, President

State of Michigan)
) SS:
County of Oakland)

Personally came before me on this 21st day of February, 1990, Sanford Layne, President, of the above named corporation, to me known to be the person who executed the foregoing instrument and to me known to be such president, of said corporation, and acknowledged that he executed the foregoing instrument as such officer as his free act and deed of said corporation by its authority.

My Commission Expires: My Commission Expires Sept. 11, 1993

CHRISTINE A. FURNISH
Notary Public, Oakland County, MI

Christine A. Furnish
Christine A. Furnish
Notary Public,
County, Michigan

Witness:

Anthony J. Marszalec
Anthony J. Marszalec

Alexander V. Bogaerts
Alexander V. Bogaerts

Bradley J. Butcher
Bradley J. Butcher

Marilyn E. Bogaerts 2-25-90
Marilyn E. Bogaerts
6501 Parkview
Troy, MI 48098

State of Michigan)
) SS:
County of Oakland)

Personally came before me this 25 day of February, 1990, the above named Alexander V. Bogaerts and Marilyn F. Bogaerts, his wife, to me known to be the persons who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

My Commission Expires: MY COMMISSION EXPIRES 4-20-92

SUSAN TORRENTI
NOTARY PUBLIC - OAKLAND COUNTY, MICH.
MY COMMISSION EXPIRES 4-20-92

Susan Torrenti
Susan Torrenti
Notary Public,
County, Michigan

RECORDED RIGHT OF WAY NO. 41618

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

LIBER 11384 PC 151

LIBER 11775 PC 078

Appendix "A"

Land in the Northeast 1/4 of Section 3, T1N, R8E, City of Novi, Oakland County, Michigan, described as beginning at a point distant North 89° 53' 46" East, 321.97 ft. along the North line of said Section 3 to the Southwest corner of Section 34, T2N, R8E, Commerce Township, thence East, 1314.83 ft. along a line common to said Section 3 and Section 34 to the point of beginning, thence South 31° 06' 43" West, 282.69 ft., (recorded as 303.85 ft.), thence South 89° 46' 00" East, 1545.58 ft. along a line 10 ft. North of and parallel to the North line of "Lake Wall Subdivision" as recorded in Liber 20, Page 15 of Plats, Oakland County Records, thence North 245.81 ft. to the North line of said Section 3, thence West 318.91 ft. along said North line, thence south 48° 30' 19" East, 35.28 ft., thence South 78° 29' 50" West, 244.20 ft., thence North 11° 30' 10" West, 73.55 ft. to the North line of Section 3, thence West 853.06 ft. along said North line to the point of beginning. containing 7.94 acres more or less and subject to a 33 ft. wide road right of way along the Westerly line of the above described parcel.

Sidwell No. 22-03-126-001 N.K.A. WINDWARD BAY CONDOMINIUM
000 UNITS 1-6
44-51

RECORDED RIGHT OF WAY NO. 41618

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

Applicant Name J. McDonald	Date 2-9-90	Account No. OE 90-1
Division OAKLAND	Date 2-9-90	Account 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 WINDWARD BAY CONDOS	City OAKLAND
City/Township/Village NOVI	ZIP CODE 3

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 WINDWARD BAY ASS	Phone No. 254-1177
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Address
293 PINE RIDGE DR. BLOOMFIELD M. 48013

Owner's Representative BROOKS & LAYNE DEUCO / IRVING LANE	Phone No. 288-6817
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Date Service is Wanted
5-15-90 **ALLEN BROOKS**

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

5. Joint easements required — Michigan Bell Telephone Yes No
 -- Consumers Power Yes No

6 Name of Other Utilities If Not Michigan Bell Telephone or Consumers Power
METRODIVISION OF OAK COUNTY

6 Other Utility Engineer Names Phone Numbers

Addresses

8 Additional Information or Comments

Note: Trenching letter attached will be submitted later

Service Planner D. CERMAK	Signed (Service Planning Supervisor) J. Foley 66B
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Phone No. 4130	Address 240 ODHQ
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RECORDED RIGHT OF WAY NO. 41618

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

TO Records Center DATE 4.3.91 TIME _____

Please set up R/W file for: Windward Bay Condo
Being a part of N.E. 1/4 of Section 3, City of Novi
Oakland County, Michigan

RECORDED RIGHT OF WAY

COPIES TO: _____ SIGNED Omer V. Racine
REPORT _____ Omer V. Racine
277 Oakland Division Headquarters

44618

DATE RETURNED _____ TIME _____ SIGNED _____

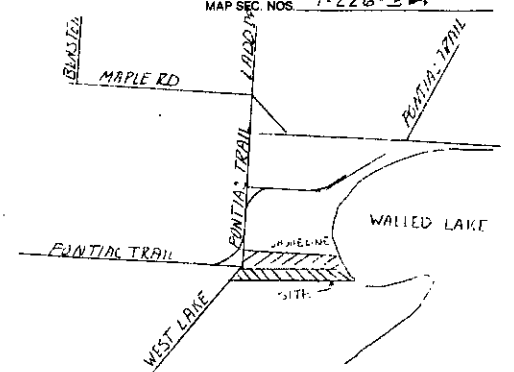
LIBER 11775PC079

LIBER 11775PC080



LOCATION SKETCH

MAP SEC NOS 1-226-274



EASEMENT LOCATIONS

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

TRANSFORMER DATA

U.D.T. NO.	SIZE	ED. STK. NO.
H-2314-1	50 KVA	
H-2311-1	50 KVA	
H-2311-2	25 KVA	661-1151
H-2311-3	50 KVA	661-1152
H-2311-4	50 KVA	661-1152
H-2314-2	50 KVA	661-1152
FROM	RETAG	TO
H-2311-2	~	H-2314-3
CLOSE N.O. AT H-2311-2		

TRANSFORMER SPECS 1-17-241
 PEDESTAL SPEC.
 NO OF PEDESTALS
 NO. OF TEMPORARY CABLE MARKERS 5
 TEMPORARY CABLE MARKER SPEC.
 SECONDARY CONNECTION BOX SPEC.

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

CABLE SUMMARY

ITEM #	DESCRIPTION	REV "A"	REV "A"
ITEM #	#2AXLPEC x 1 132 KV	1516	713308 = 1421 1182
ITEM #	AP2350M & 140 600 V	7130537 =	283 178
ITEM #	AP220 & 141 600 V	290	7130814 =

TRENCH SUMMARY

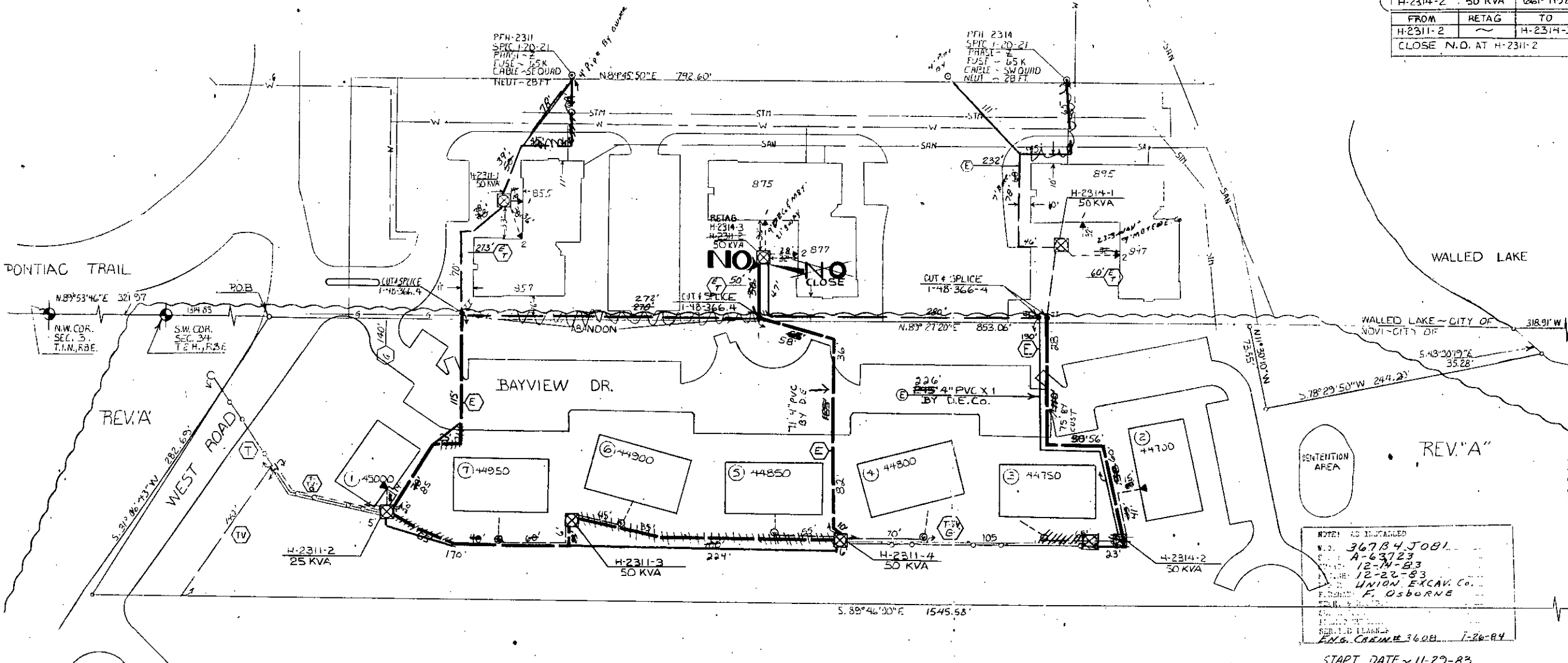
JOINT USE	DEPT TEL	GAZ-TV	550	653	44	399
D.E. ONLY			232	235		347
TEL ONLY						159
GAS ONLY			140	143	46	39
OTHERS	DEPT TEL		283	225		665
TOTAL			1305	1256	308	1609

GENERAL NOTES

TRENCHING TO BE DONE BY DECO
 TRENCH AND CABLE LENGTHS ARE APPROXIMATE
 SEE SECTION 56 UG LINE CONSTRUCTION STANDARDS FOR TRANS-MAT-DETAILS
 SEE PAGE 3-2-11 S.I.M. DETAIL " " FOR ENTRANCE POINT DETAILS (APTS. ONLY)
 SEE SECTION 43 UG LINE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES, TRANSFORMERS AND PEDESTALS (SUBS ONLY)
 D.E. SERVICE PLANNING: DICK CLEMEN ~ 445-4130
 TEL CO: TOM CROWLEY ~ 456-0833
 GAS CO: STEVE MEYER ~ 432-5731
 OTHERS: CATV ~ BOB HENZEL ~ 636-1823
 CONTACT "MISS DIG" (800-482-7171) BEFORE DOING ANY EXCAVATION.
 EASEMENTS INDICATED BY OUR CENTERLINE ARE IN WIDTH UNLESS OTHERWISE NOTED.

PERMITS REQUIRED

CITY OF WALLED LAKE _____ COUNTY, NOTIFICATION ONLY YES
 STATE YES NO



NOTES AS INDICATED
 W.O. # 36784 JOBL
 A-63723
 12-N-B3
 12-22-83
 UNION EXCAV. CO.
 F. OSBORNE
 REVISED PLANS
 ENCL. DRAWING # 3608 1-26-84

START DATE ~ 11-29-83

D	REVISION	C	REVISION	B	REVISION	A	REVISION	REFERENCE	DRAWN BY	NAME	DATE	JOB TITLE	THE DETROIT EDISON COMPANY SERVICE PLANNING		
				AS INSTALLED		INSTALL CABLE TRANSFORMERS AT WINDWARD BAY CONDO'S				J. KENNELLY	9-7-83	CITY OF WALLED LAKE	SCALE	NUMBER OF UNITS	WORK ORDER NUMBER
				D.O. # A-63717		D.O. # SDA-63717				D.L.C.	11-7-83	WINDWARD BAY CONDOMINIUMS	1" = 50'	76	36784/083
				START 8-15-90		W.O. # 36784 J 354					11-7-83	CITY LINE WEST APTS	LATEST REVISION	DISTRIBUTION CIRCUIT	
				FINISH 8-17-90		CUST. W.O. # 5301303/15					11-7-83	SE 1/4 SEC 34 (WALLED LAKE-CITY OF)	"A"	8239 WIXOM	132KV
				L.A.C.P. UNION C.K.C.		START DATE ~ 7-17-1990					11-7-83	N.W. 1/4 SEC 3 T1N, R8E (NOVI-CITY OF)	DEPT ORDER NUMBER		
				NOTES F. OSBORNE		UNITS ~ 21									
				ENTER 9-12-90											
				CREW 3612											
				DRAWN BY R.M.		DRAWN BY R.M. STIND									
				CHECKED BY R.M.		CHECKED BY D. CLEMEN									
				APPROVED BY		APPROVED BY									
				1-25-91		2-27-90									

FCG/EWB 6-26-90