

Real Estate and Rights of Way

Detroit Edison

Joint Underground Residential Distribution Right of Way Agreement

SEPTEMBER 27, 1988

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, 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 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 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:

Dec 01
The exact location of said easements shall be shown on a drawing to be recorded 90 days after construction.

B#92 REG/DEEDS PAID
0001 JUL.16'92 12:40PM
6215 MISC 13.00

B#92 REG/DEEDS PAID
0001 OCT.31'88 12:40PM
1464 MISC 7.00

#10

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 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:

B#92 REG/DEEDS PAID
0001 JUL.16'92 12:40PM
6215 RMT FEE 2.00
SEE NEXT PAGE

O.K. - IM

Prepared by: Omer V. Racine
The Detroit Edison Company
30400 Telegraph Rd., Suite. 277
Birmingham, MI 48010

Address: _____

ORV

*13.00
2.00 RMT*

[Signature]

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

RECORDED RIGHT OF WAY NO. 43797

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

Witnesses:

Barclay Square Development Co.
A Michigan Corporation
32770 Grand River, Suite 200
Farmington Hills, Michigan 48024

Colleen M. Belcher
Colleen M. Belcher

David R. Nelson
David R. Nelson, Vice President

Alesa L. Lucky
Alesa L. Lucky

Richard P. Kughn
Richard P. Kughn, President

State of Michigan)
) SS:
County of OAKLAND)

Personally came before me this 27th day of September, 1988, before me, a notary public in and for said county, personally appeared David R. Nelson, and Richard P. Kughn, who being duly sworn did each say that they are the Vice President and President, respectively, 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: 5/13/92

Colleen M. Belcher
Colleen M. Belcher
Notary Public,
Oakland County, Michigan

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., and N. 02°46'41" W. 215.95 ft., and N. 19°26'16" W. 460.00 ft., and N. 40°48'59" W. 140.34 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 and 27, O.C.R.) N. 40°48'59" W. 319.66 ft., and N. 62°11'42" W. 23.48 ft., thence N. 60°11'55" E. 65.00 ft., thence N. 66°57'00" E. 115.00 ft., thence N. 23°33'41" E. 130.00 ft., thence N. 76°28'32" E. 101.71 ft., thence N. 66°37'00" E. 220.00 ft., thence S. 50°12'42" E. 108.79 ft., thence S. 71°26'54" E. 61.39 ft., thence N. 66°57'00" E. 200.00 ft., thence S. 23°03'00" E. 417.48 ft., thence S. 66°57'00" W. 186.88 ft., thence N. 68°03'00" W. 189.67 ft., thence N. 23°03'00" W. 176.18 ft., thence S. 66°57'00" W. 290.07 ft., thence S. 08°05'12" E. 86.93 ft., thence S. 21°57'00" W. 104.67 ft., thence S. 66°57'00" W. 70.00 ft., to the point of beginning. Containing 6.366 acres.

(Sidwell No. 15-26-326-098 (part of))

(now 15-26-326-099 - still current as of 10/13/88)

Above legal covers Pt of Barclay Condo.

15-26-326-000 Ent
except 461

RECORDED RIGHT OF WAY NO. 43197

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

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

TO F rds Center

DATE 8-20-92 TIME _____

Please set up R/W file for:

Barclay Sq Condo Project

Being a part of *S 1/2*

of Section *26* City of *Rochester Hills*

Oakland County, Michigan

RECORDED
RIGHT OF
WAY NO.

43197

COPIES TO: _____

SIGNED

Omer V. Racine

Omer V. Racine

REPORT _____

277 Oakland Division Headquarters

DATE RETURNED _____

TIME _____

SIGNED _____

Applicant Name J. McDonald	Date 9-16-88	Application No. OE 88-26 J
Division OAKLAND	Date 8-23-88	

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.

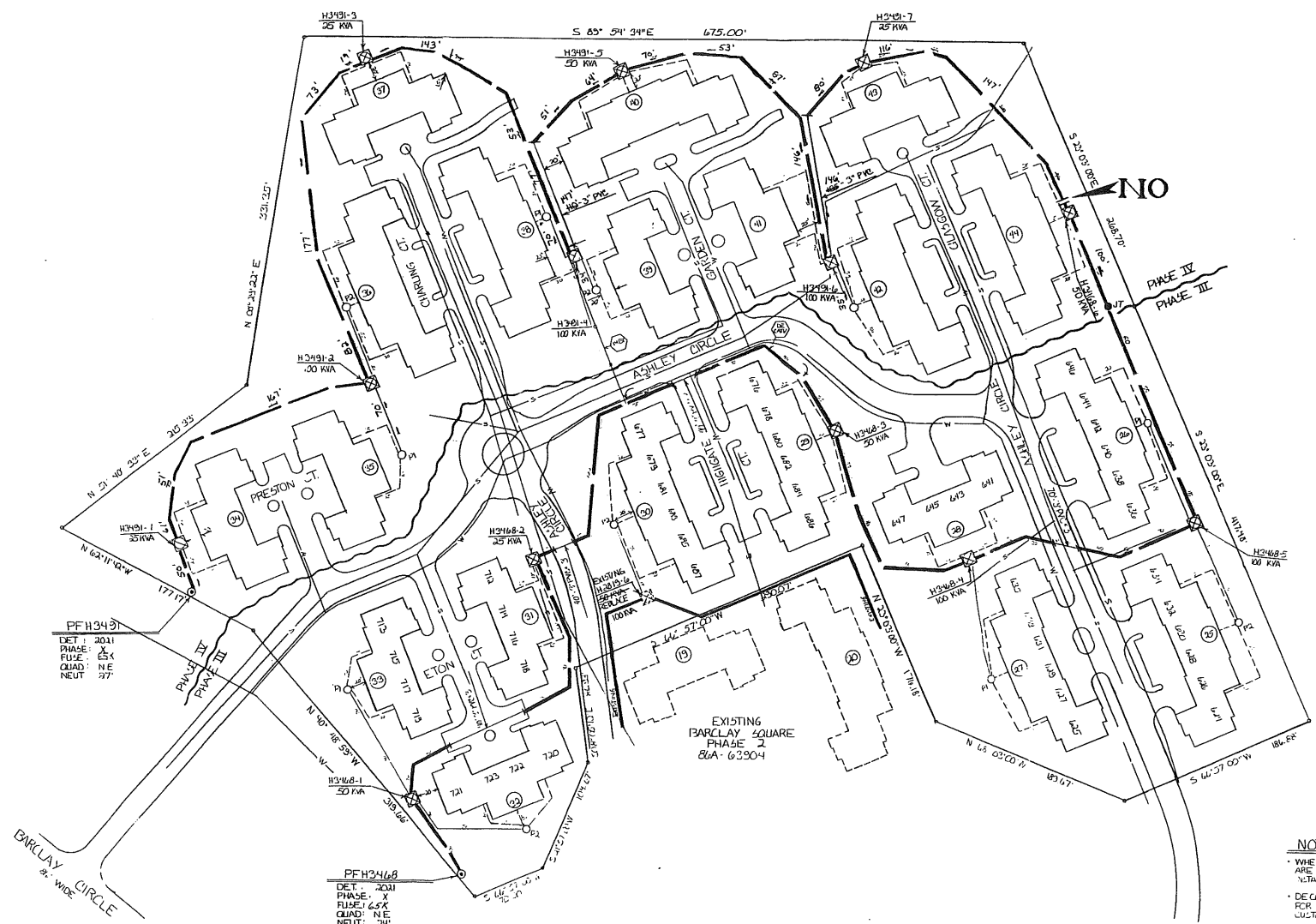
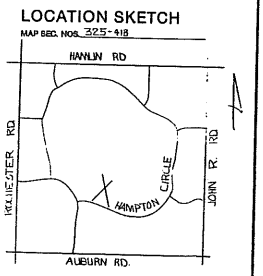
Information

1 Project Name BARCLAY SQUARE, CONDO'S. PHASE III	County OAKLAND
City/Township/Village ROCHESTER HILLS	Section No. 26
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 BARCLAY SQUARE DEVELOPMENT CO.	Phone No. 476-8200
Address 32770 GRAND RIVER SUITE 200 FARMINGTON HILLS MI 48024	
Owner's Representative RICHARD BARNES	Phone No. 476-8200
Date Service is Wanted 10-14-88	
4. Entire Project will be developed at one time	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5. Joint easements required — Michigan Bell Telephone	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
— Consumers Power	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
a Name of Other Utilities If Not Michigan Bell Telephone or Consumers Power UNITED CABLE OF OAKLAND CO.	
b Other Utility Engineer Names	Phone Numbers
Addresses	
6 Additional Information or Comments	

RECORDED RIGHT OF WAY NO. 43197

Note: Trenching letter attached will be submitted later

Service Planner DENNIS DOHERTY	Signed Service Planning Supervisor <i>[Signature]</i>
Phone No. 4156	Address 240 OAK. DIV. HQ.



TRANSFORMER DATA

U.D.T. NO.	SIZE	ED. STK. NO.
H2418-1	50 KVA	661-1192
-2	25 KVA	-1151
-3	50 KVA	-1152
-4	100 KVA	-1153
-5	100 KVA	-1154
-6	50 KVA	221-1152
H2418-7	25 KVA	-1151
-2	25 KVA	-1151
-3	25 KVA	-1151
-4	50 KVA	-1152
-5	100 KVA	-1153
-7	25 KVA	-1151

H2418-6 REPLACE EXISTING 50 KVA WITH 100 KVA PHASE III

TRANSFORMER SPEC. 1-17-261
 PEDESTAL SPEC. 711-0072
 NO. OF PEDESTALS 5
 NO. OF TEMPORARY CABLE MARKERS 5
 TEMPORARY CABLE MARKER SPEC. 711-0072
 SECONDARY CONNECTION BOX SPEC. 711-0072

- CODE**
- TEMPORARY SECONDARY PEDESTAL/TEMPORARY CABLE MARKER
 - CITY (GRID FRONT TYPE)
 - LOT (ON-SWITCHING—LIVE FRONT TYPE)
 - LOT (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

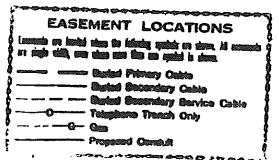
ITEM #	QUANTITY	UNIT	REMARKS
715-3073	2400	FT	REPLACED X 1 1/2" KV
715-0537	350	FT	APP. 30MM & 140 800 V.
			APP. 20 & 141 800 V.

TRENCH SUMMARY

ITEM #	QUANTITY	UNIT	REMARKS
PH. III (DE-T+TV) 1793	153	FT	JOINT USE (DE NET CATV, + 2300" (DE CATV) - 330"
DE ONLY	30	FT	
TEL ONLY	12	FT	
T+TV	6	FT	
T	6	FT	
OTHERS	50	FT	
TOTAL	2227	FT	

NOTES

- WHEN 3 PRIMARY CABLES ARE IN THE SAME TRENCH INSTALL 1 P.C. 4" x 1" P.C.
- DECO TO PROVIDE P.V.C. FOR ROAD AND CUSTOMER TO INSTALL.



GENERAL NOTES

- TRENCHING TO BE DONE BY DECO
- TRENCH AND CABLE LENGTHS ARE APPROXIMATE
- SEE SECTION 86 US LINE CONSTRUCTION STANDARDS FOR TRANS. MAT. DETAILS.
- SEE PAGE 32-11 (S14) DETAIL " " FOR ENTRANCE POINT DETAILS (APTS. ONLY)
- SEE SECTION 43 US LINE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES, TRANSFORMERS AND PEDESTALS (BURIED ONLY)
- D.E. SERVICE PLANNER: DENNIS DOHERTY 412-1126
- TEL. CO.: J. O'BERRY 412-6224
- GAS CO.: CATV: JIM KRAMER 513-1126
- OTHERS: CONTACT "MISS DOD" (800-423-7171) BEFORE DOING ANY EXCAVATION.
- EASEMENTS INDICATED BY OUR CENTERLINE ARE IN WIDTH UNLESS OTHERWISE NOTED.

PERMITS REQUIRED

CITY OF ROCHESTER HILLS COUNTY, NOTIFICATION ONLY YES NO

NO.	REVISION	DATE	BY	DESCRIPTION
0	REVISION			
1	REVISION AS INSTALLED			
2	REVISION PHASE III			

START DATE 9-18-89

NO.	REVISION	DATE	BY	DESCRIPTION
0	REVISION			
1	REVISION AS INSTALLED			
2	REVISION PHASE III			

PROJECT: BARCLAY SQUARE CONDOS PHASE III & IV
 CITY OF ROCHESTER HILLS, MICHIGAN
 SHEET 13 OF 14

RECORDED RIGHT OF WAY NO. 43197