

Detroit Edison

LIBER 12761 PG 310
LIBER 14655 PG 008

32 176906
94 128182

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. OE 91-17J
PROJECT NAME WALNUT BROOK ESTATES**

On November 11, 1991, for the consideration of system betterment, Grantor grants to Grantee a permanent underground distribution easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

"Grantor" is:
Rochester Hills Real Estate Development Corporation, a Michigan corporation, 1128 Walnut, Dearborn, Michigan 48124

"Grantee" is:
The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
Michigan Bell Telephone Company, a Michigan corporation, 444 Michigan Avenue, Detroit, Michigan 48226
United Artists of Oakland County, Inc., a Michigan corporation, 4500 Delemere, Royal Oak, Michigan 48073

"Grantor's Land" is in Rochester Hills, Oakland County, described as:

See Attached Appendix "A" 0001 MAY.03/94 11:58AM
9161 MISC 15.00

Sidwell No: 15-32-300-000

The "Right of Way Area" is a part of Grantor's Land and is described as:

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

The right of way is ten (10) feet in width.

- Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain utility line facilities consisting of poles, guys, anchors, wires, manholes, conduits, pipes, cables, transformers and accessories.
- Access:** Grantee has the right of access to and from the Right of Way Area.
- Buildings or other Permanent Structures:** No buildings or other permanent structures shall be placed in the Right of Way Area without Grantee's prior written consent.
- Excavation:** As required by Public Act 53 of 1974, MISS DIG must be called on 1-800-482-7171 before anyone excavates in the Right of Way Area.
- Trees, Bushes, Branches, Roots, Structures and Fences:** Grantee may trim, cut down, remove or otherwise control any trees, bushes, branches and roots in the Right of Way Area (or that could grow into the Right of Way Area) and remove structures and fences in the Right of Way Area that Grantee believes could interfere with the safe and reliable construction, operation and maintenance of Grantee's facilities. No trees, plant life, structures and fences shall be planted, grown or installed within 8 feet of the front door and within 2 feet of the other sides of transformers and switching cabinet enclosures. Grantee shall not be responsible to Grantor for damages to or removal of trees, plant life, structures and fences placed in front of transformer doors.
- Ground Elevation:** Grantor must grade the Right of Way Area to within four inches of final grade before Grantee installs its facilities. Grantor must maintain this ground elevation after Grantee installs its facilities.
- Damages:** If Grantor, its agents, employees or contractors, damage Grantee's facilities, Grantee shall make repairs at Grantor's expense.
- Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors, lessees, licensees and assigns.

9. See attached Release Appendix "B" which is made a part of this right of way

Witnesses:(type or print name below signature)

Patricia A. Leigh
PATRICIA A. LEIGH
Esther A. Leigh
ESTHER A. LEIGH

Grantor:(type or print name below signature)
Rochester Hills Real Estate Development Corporation

Gary R. Leigh
Gary R. Leigh, President
OK - G.K.
O.K. - LM

Acknowledged before me in _____ County, Michigan, on 11-11, 1991 by Gary R. Leigh the President of Rochester Hills Real Estate Development Corporation, a Michigan corporation, for the corporation.

Notary Public, Wayne County, MI
My Commission Expires Feb. 8, 1992

Notary's Stamp

Notary's Signature

Susan E. Leigh
SUSAN E. LEIGH

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. 45-990

off
Dmt.

RECEIVED PUBLIC
0001 JUL.16 '92 12:40PM
6215 MISC 11.00

RECEIVED PHID
0001 MAY.03/94 11:58AM
9161 MISC 15.00

RW #OE 91-17J

Appendix "A"

Walnut Brook Estates Condominium, according to the Master Deed recorded in Liber 10163 page 652 and amendment to Master Deed recorded in Liber 10260, page 288, Oakland County Records, and designated as Oakland County Condominium Subdivision Plan No. 515 together with rights in general common elements and limited common elements, as set forth in the above master deed and being further described as: Land in the City of Rochester Hills, part of the west 1/2 of Section 32, T3N., R11E., Oakland County, Michigan, described as follows: Commencing at the south 1/4 corner of said Section 32; thence north 04°59'41" west, along the east line of "Supervisor's Plat of Messmore Farms Subdivision" (recorded in Liber 66 of Plats, page 16, Oakland County Records); 60.23 feet to the north right-of-way of South Boulevard; thence N 89°56'37" W., along said right-of-way line, 494.01 feet to the southeast corner of Lot 7 of said subdivision, and the point of beginning of this description; thence continuing N 89°56'37" west, along the south line of Lot 7, 164.67 feet to the southwest corner of said Lot 7; thence N 06°15'53" W., along the line between Lots 6 and 7 of said subdivision, 406.02 feet; thence S 83°22'49" W., 165.82 feet to the west line of Lot 6; thence N 06°34'58" W., along said west line, 870.00 feet to the north-west corner of said Lot 6; thence S 89°39'00" W., along the north line of said subdivision, 193.16 feet thence N 01°30'27" W., 1,233.84 feet; thence S 88°35'30" W., 330.01 feet; thence N 02°55'15" W., 30.01 feet, along the southerly extension of the west line of the west line of Rockhaven Road, to the east-west 1/4 line of said Section and the south line of "Coolidge Highway Subdivision", as recorded in Liber 48 of Plats, Page 34, Oakland County Records; thence N 88°35'30" E., 30.01 feet to the southeast corner of Rockhaven Road and the southeast corner of "Coolidge Highway Subdivision"; thence N 02°55'15" W., along the east line of said Rockhaven Road (30 feet wide) 175.18 feet; thence S 89°59'10" E., 1,226.48 feet to the north-south 1/4 line of said Section 32; thence S 05°40'56" E., along said line, 145.08 feet to the center of Section 32; thence S 06°48'48" E., along the north-south 1/4 line, 1,288.98 feet, to the northeast corner of said "Supervisor's Plat of Messmore Farms Subdivision"; thence S 89°39'00" W., along the north line of said subdivision, 514.68 feet to the northeast corner of Lot 7 of said subdivision; thence S 05°56'48" E., along the east line of said Lot 7, 1,257.77 feet to the point of beginning; subject to all easements and restrictions of record and all governmental limitations.

Walnut Brook Estates
Sub 15-32-300-000
units 1-93, OCC# 515
9000515

RECORDED RIGHT OF WAY NO. 45790

RETURN TO:
TERRY L. BENEDICT
THE DETROIT EDISON COMPANY
1470 OAKLAND LAKE ROAD
SYLVAN LAKE, MI 48320

PLAT 15-32-300-000
RECORDED IN LIBER 14655 PG 009

Return to:
TERRY L. BENEDICT
38 Orchard Lake Road
Sylvan Lake, MI 48320

RETURN TO:
TERRY L. BENEDICT
THE DETROIT EDISON COMPANY
1970 ORCHARD LAKE ROAD
SYLVAN LAKE, MI 48320

LIBER 14655 PG 010

LIBER 12761 PG 312

RW #OE 91-17J

Appendix "B"

This release is intended to be a covenant running with the land and is associated with an easement which I am granting to The Detroit Edison Company, 2000 Second Avenue, Detroit, Michigan 48226 on this land.

I realize that Detroit Edison wishes to install the underground residential distribution facilities to serve my development called Walnut Brook Estates along and adjacent to the roadways. This location provides for direct access for equipment repairs, maintenance and/or replacement, which in turn results in faster service restoration during equipment failures or breakdowns. Having the services in the front also help eliminate interference of patios and decks with the repair or replacement of the service cables. Nevertheless, I want Detroit Edison to install the underground distribution facilities along the rear of the units in my development, along the route of my choice. I realize that this location is less accessible for equipment repairs, maintenance and/or replacement, and probably will result in longer service restoration time during equipment failures or breakdowns. The potential for interference of patios and decks with the service cables also is much greater in the rear of the units.

Therefore, for the consideration of Detroit Edison installing its underground distribution facilities in the location and along the route of my choice (as indicated by my stakes) and as mutually agreed to, I agree to allow Detroit Edison vehicular access to the underground distribution facilities at all times, and to release Detroit Edison from liability for:

Property damage which I, my successors and assigns may incur because of the installation, operation, maintenance or replacement of this underground equipment. This damage includes, but is not limited to, loss of trees, shrubs or other landscaping, damage to decks, patios, driveways, sidewalks, and grass/sod caused by vehicles driving to and working at the equipment locations.

This release does not apply to damages arising out of Edison's gross negligence or departure from industry standards.

I further agree that I will make the above restrictions and explanations a part of the sales agreements that I execute with the future individual owners of the units and property, and also a part of the by-laws of the Association governing the operation of the project.

Rochester Hills Real Estate Development Corporation

Gary R. Leigh

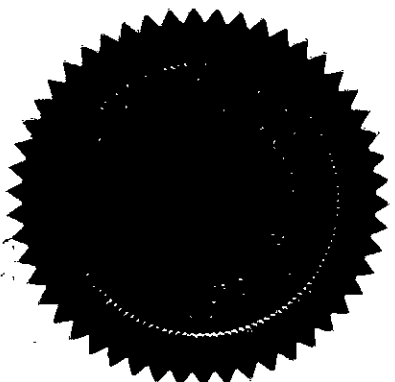
Gary R. Leigh, President

RECORDED
RIGHT OF WAY NO. 45790

Prepared by and Return to: Omer V. Racine, 30400 Telegraph Road, Room 277, Birmingham, Michigan 48025

RECORDED
INDEXED
MAY 19 1991
BIRMINGHAM, ALA.

RECORDED
INDEXED
MAY 19 1991
BIRMINGHAM, ALA.



11/15/77

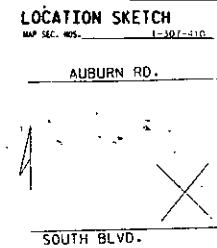
~~PROPERTY OF~~
~~THE DETROIT EDISON COMPANY~~
~~3000 WAGNER ROAD, DETROIT, MI 48226~~
~~ENCLAVE # 1115, MI 48023~~

RETURN TO:
TERRY L. BENEDICT
THE DETROIT EDISON COMPANY
1970 ORCHARD LAKE ROAD
SYLVAN LAKE, MI 48320



LIBER 14655pc 011

LIBER 14655pc 012



CENTERLINE OF 14' FOOT WIDE EASEMENT
Note: The easement centerline may vary if field construction problems arise. Therefore, for the as-installed easement centerline call 1-800-482-7171 (Miss Dig).

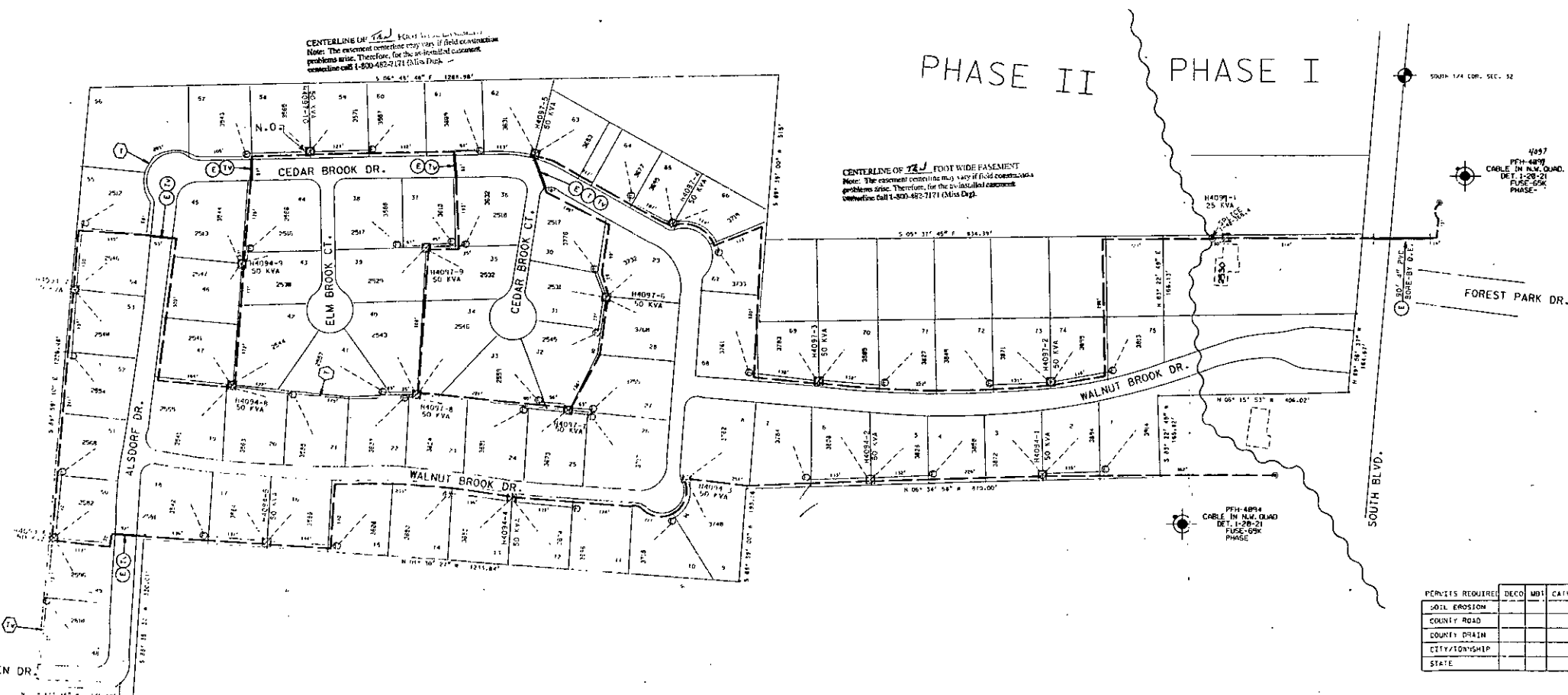
NOTE: ALL ROAD CROSSINGS TO BE 3" PVC BY CUSTOMER.

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TRANSFORMER DATA

PHASE	U.D.I. NO.	SIZE	ED. STR. NO.
PHASE 1	H4097-1	25 KVA	661-1152
PHASE 2	H4097-2	50 KVA	661-1152
	H4097-3	50 KVA	661-1152
	H4097-4	50 KVA	661-1152
	H4097-5	50 KVA	661-1152
	H4097-6	50 KVA	661-1152
	H4097-7	50 KVA	661-1152
	H4097-8	50 KVA	661-1152
	H4097-9	50 KVA	661-1152
	H4097-10	50 KVA	661-1152
	H4097-11	50 KVA	661-1152
	H4097-12	50 KVA	661-1152
	H4097-13	50 KVA	661-1152
	H4097-14	50 KVA	661-1152
	H4097-15	50 KVA	661-1152
	H4097-16	50 KVA	661-1152
	H4097-17	50 KVA	661-1152
	H4097-18	50 KVA	661-1152
	H4097-19	50 KVA	661-1152
	H4097-20	50 KVA	661-1152



TRANSFORMER SPEC: 1-12-261

PEDESTAL SPEC: _____

NO. OF PEDESTALS: _____

NO. OF TEMPORARY CABLE WADERS: 34

TEMPORARY CABLE WADERS SPEC: _____

SECONDARY CONNECTION BOX SPEC: _____

- CODE ---
- TEMPORARY SECONDARY PEDESTAL/TEMPORARY CABLE WADERS
 - DFI (DEAD FRONT TYPE)
 - LDFI (LIVE FRONT TYPE)
 - LDFI (LIVE FRONT TYPE) - LIVE FRONT TYPE
 - LDFI (LIVE FRONT TYPE) - 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
 - CABLE TV
 - IMPROVED CONDUIT
 - SEP. COMM. CABINET

CABLE SUMMARY

ITEM # 22 AL 21 713-3073-5822 5225'

ITEM # 230M 713-0519-1501 1501'

ITEM # 220 212L 713-0814-2202 426.6'

TRENCH SUMMARY

JOINT USE	E+E+TV=	551'	E+TV=	121'
SOIL EROSION				
COUNTY ROAD				
COUNTY DRAIN				
CITY/TOWNSHIP				
STATE				

- GENERAL NOTES ---
- TRENCHING TO BE DONE BY THE CUSTOMER.
- TRENCH AND CABLE LEADING ARE APPROXIMATE.
- SEE SECTION 34 FOR LINE CONSTRUCTION STANDARDS FOR TRANS. MAT. DETAILS.
- SEE PAGE 3-2-11 S.E.M. DETAIL "A" FOR ENTRANCE POINT DETAILS (APPLICABLE).
- SEE SECTION 43 FOR LINE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES, TRANSFORMERS AND PEDESTALS (SUBJECT ONLY).
- D.E. SERVICE PLANNING - 8003 EUCLD - 13.2 KV
- TEL. CO. 313-487-2500
- GAS CO. 1-800-482-7171
- CITY: JEFF WOOD 649-1235
- OTHER: _____
- CONTACT "MISS DIG" (800-482-7171) BEFORE DOING ANY EXCAVATION.
- EASEMENTS INDICATED BY OUR CENTERLINE ARE "AS-BUILT" UNLESS OTHERWISE NOTED.

START DATE: 07-15-92

NO.	REVISION	DATE	BY	APP. BY
1	AS BUILT	11-20-92	J.M.	J.M.

U.H.U. - ADDJCS

URD AVN-131

DATE: 11-20-92

DESIGNED BY: J.M.

CHECKED BY: J.M.

APPROVED BY: J.M.

THE DETROIT EDISON COMPANY SERVICE PLANNING

WALNUT BROOK ESTATES

RT OF THE WEST 1/2 IN SEC. 32 T3N-R11E

MP. AVON COUNTY OAKLAND 92A-64731

SCALE: 1"=100'

NO. 2 367B4J300

A 8003 EUCLD 13.2 KV

RECORDED RIGHT OF WAY NO. 45720

AUGUST 1911

W. W. RALPHS
SHERIFF
COUNTY OF ...