

11/10/74

For good and valuable considerations, the right is hereby granted to The Detroit Edison Company, 2000 Second Avenue, Detroit, Michigan 48226, its successors and assigns, to construct, reconstruct, operate and maintain its underground lines for the transmission and distribution of electricity and Company communication facilities including the necessary conduits, fixtures, cables and cable poles, manholes and equipment under and across the property described hereinafter. The rights hereby granted include the right of access to and from the said premises, the right to construct, reconstruct, modify, operate and maintain said line facilities, and to trim or cut down any trees belonging to the grantor, either within said right of way or upon the lands of the grantor adjoining said right of way which, in the opinion of the grantee, at any time interfere with the construction and operation of said line facilities. It is expressly understood and agreed that the grantee shall, at no time, trim or cut down any trees unless, in the grantee's opinion, it is absolutely necessary to do so. Upon the written consent of the grantee, buildings or structures may be placed within said right of way. This grant shall be binding upon the successors and assigns of the grantors. The Company shall reimburse the grantors and assigns for all damage caused by its men, vehicles and equipment in entering said property for the purposes set forth herein. (see page 2 hereof)

The property over which this grant is conveyed is situated in the City of Southfield County of Oakland, State of Michigan and further described as follows:

The North 456.70 feet of the South 471.70 feet of the West 12 feet of the following described property: Land in the City of Southfield, Oakland County, Michigan described as: A parcel of land being part of the northwest 1/4 of Section 14, Township 1 North, Range 10 East, City of Southfield described as follows: Beginning at a point, said point being South 0°6'29" East 60.0 feet and South 89°59'56" East 228.0 feet from the Northwest corner of Section 14, Township 1 North, Range 10 East; thence South 89°59'56" East 459.99 feet; thence South 0°3'46" East 479.03 feet; thence South 89°59'56" East 136.00 feet; thence South 0°3'46" East 200.00 feet; thence North 89°53'57" West 763.46 feet; thence North 0°6'29" West 471.70 feet; thence South 89°59'56" East 168.00 feet; thence North 0°6'29" West 206.00 feet to the point of beginning.

Witness: X Barbara C. Rose (Signed) X Aziz Behnan, a single man X Jean Creech X Jimmy B. Jardack X Gloria O. Jardack, his wife

Prepared By: Walter E. Touchie 1970 Orchard Lake Rd. Pontiac, Michigan 48053

20220 Roseland-Southfield, Mich. 48076 RECORDED RIGHT OF WAY NO. 30207 1975 SEP 17 AM 10:27

STATE OF MICHIGAN) COUNTY OF OAKLAND) SS.

On this 13th day of August A.D. 1975, before the undersigned, a Notary Public in and for said County, personally appeared Aziz Behnan, a single man, Jimmy B. Jardack, and Gloria O. Jardack, his wife,

known to me to be the persons who executed the foregoing instrument and acknowledged the same to be their free act and deed.

Southfield Twp Sec. 14, NW 1/4, 21W 14 E

Barbara C. Rose Notary Public, Oakland County, Michigan 500

My Commission Expires: 11/26/78

APPROVED AS TO FORM 4-5-75 DATE LEGAL DEPARTMENT

TWELVE MILE-EVERGREEN DEVELOPMENT COMPANY
A Registered Michigan Co-Partnership

WITNESS:

Edward E. Smith
Edward E. Smith

Jack D. Hamburger
Jack D. Hamburger

Roslyn Burton
Roslyn Burton

23777 Greenfield, Suite 320 - Southfield, Mich. 48075

STATE OF MICHIGAN)
) SS:
COUNTY OF Oakland)

On this 18th day of August 1975, before me, a Notary Public in and for said County, personally appeared Jack D. Hamburger and _____ partners doing business as TWELVE MILE-EVERGREEN DEVELOPMENT COMPANY, A Registered Michigan Co-Partnership to me known and who executed the within instrument and acknowledged the same to be their free act and deed for the above co-partnership.

Nedda Henwood

My Commission Expires: NEDDA HENWOOD Notary Public, _____ County, Michigan
Notary Public, Oakland County, Michigan
My Commission Expires February 8, 1977

Any provision hereof to the contrary notwithstanding, the right-of-way granted herein shall be non-exclusive and does not grant or imply any rights except as expressly stated herein, Grantee shall not install any of its lines or facilities above ground. Grantor may use the premises for any purpose which does not interfere with Grantee's right-of-way. Grantee shall reimburse, indemnify and hold harmless Grantor, its successors and assigns, for any and all damage, liability, costs and fees resulting from the installation, maintenance or use of Grantee's lines and facilities. Grantee shall, after completion of its work at its sole cost and expense, restore the premises to their condition prior to the performance of any work thereon.

It is expressly understood, however, that the provisions of the paragraph hereinabove relating to save harmless and indemnifying Grantor shall not apply where the loss, damage or injury to persons or property is the result of the negligence of Grantor, its officers, agents, employees or representatives.

It is expressly agreed and understood that it is the intention of the parties hereto that the paragraph hereinabove shall not be construed to give to a third party any claim to which said third party would not otherwise be lawfully entitled.

RETURN TO
J. A. ROBERTSON
THE DETROIT EDISON COMPANY
1970 ORCHARD LAKE ROAD
PONTIAC, MICHIGAN 48053

APPLICATION FOR RIGHT OF WAY

DE FORM MS 80 6-58

Hickory Sub
Job No. - 75-066

PLEASE SECURE RIGHT OF WAY AS FOLLOWS

DATE June 20, 1975

LOCATION Evergreen Road South of 12 Mile Road

APPLICATION NO. _____

CITY OR ~~VILLAGE~~ Southfield

DEPT ORDER NO. _____

TOWNSHIP _____ COUNTY Oakland

O F W NO. _____

DATE BY WHICH RIGHT OF WAY IS WANTED July 21, 1975

BUDGET ITEM NO. _____

INQUIRY NO. _____

THIS R/W IS _____ % OF TOTAL PROJECT NO _____ ACCUM _____ %

JOINT RIGHT OF WAY REQUIRED YES NO

NOTE: Identify on print or sketch the subdivisions as to section location and liber and page.

KIND AND DESCRIPTION OF RIGHT OF WAY REQUESTED Proposed 12' x 456.70' Detroit Edison Company easement with rights of ingress and egress as shown on drawing U1-1-3199

PURPOSE OF RIGHT OF WAY To install primary switch cabinets in order to feed Evergreen Plaza.

SIGNED Louis P. Belletini
L. P. Belletini - Supervisor
Planning & Layout Group Division Services
OFFICE DEPARTMENT

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT

Recordable R/W secured as shown on the attached sketch.

Contacts by W. E. Touchie, Real Estate & Rights of Way Dept.

RECORDS CENTER
RECEIVED NOV 7 1975
TICHLER MADE
CLASSIFIED

RECORDED RIGHT OF WAY NO. 30304

Southfield Twp.

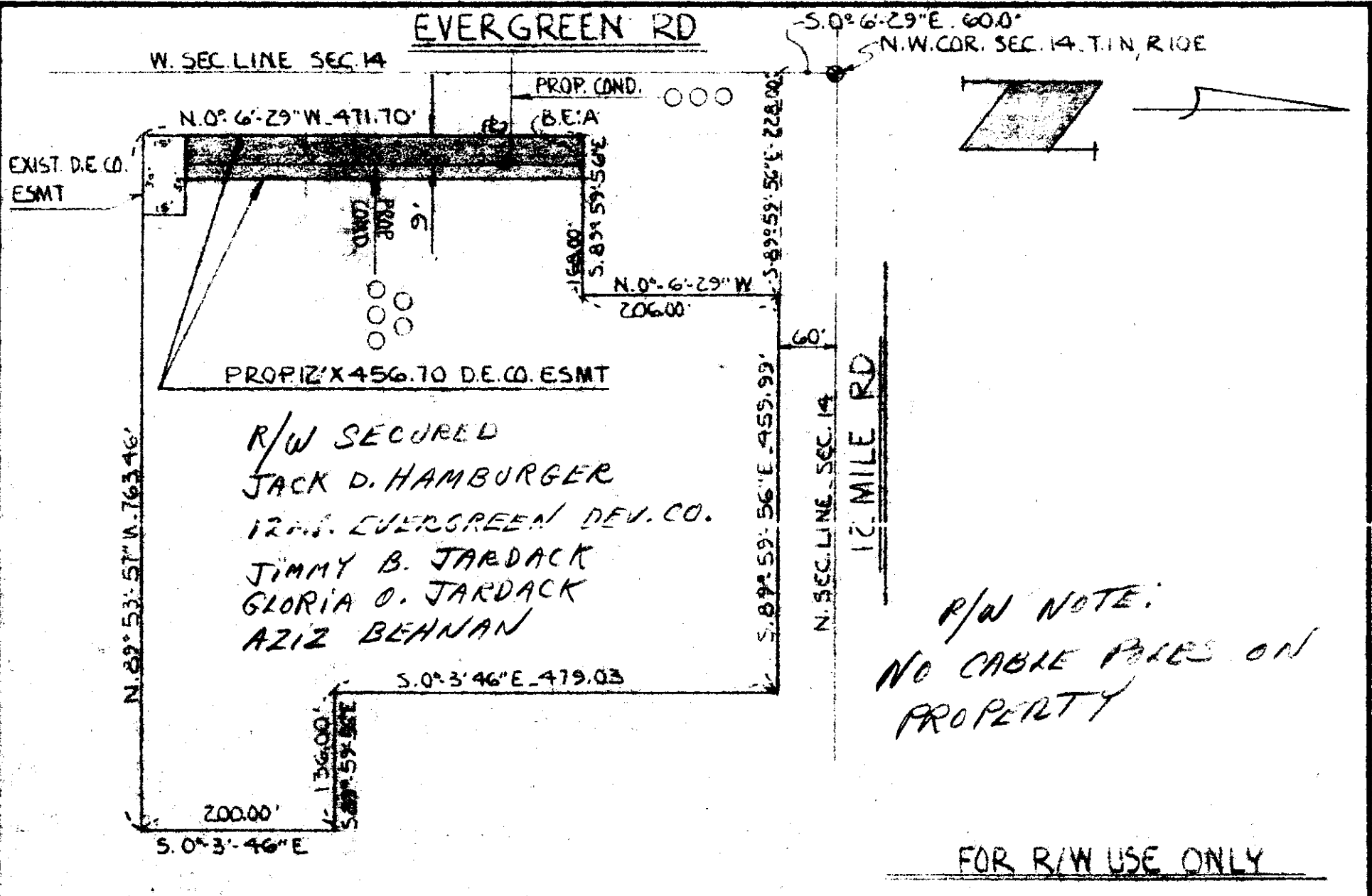
Ser. Pln. 1
PERMITS IN GENERAL FILES 1 R/W DEPT. FILE _____ GRANTOR A. Behnan

NO OF PERMITS 1 NO OF STRUCTURES _____ NO OF MILES _____ PERMITS TO MBT _____

DATE 9-16-75 SIGNED James A. Robertson
JAMES A. ROBERTSON

6-24-75 WD 1-25-75

EVERGREEN RD



R/W SECURED
 JACK D. HAMBURGER
 JIMMY B. JARDACK
 GLORIA O. JARDACK
 AZIZ BEHMAN

R/W NOTE:
 NO CABLE POLES ON
 PROPERTY

FOR R/W USE ONLY

OFW_5JB4A8/HOI

HICKORY SUB

JOB NO. 75-066

REFERENCE	DRAWN	DATE	TITLE	THE DETROIT EDISON COMPANY UNDERGROUND LINES DEPT. DETROIT, MICH.
U3-3-8777	O.K.	6-20-75	PROPOSED 12' X 456.70 D.E.CO. ESMT.	
	APPROVED	6-20-75	CITY OF SOUTHFIELD - OAKLAND CO.	

NO SCALE NO. U1-1-3199