

JOINT OVERHEAD AND UNDERGROUND EASEMENT - CORPORATE

DE FORM PD 303 3-70 CS

For good and valuable considerations, the right is hereby granted to THE DETROIT EDISON COMPANY, 2000 Second Ave. Detroit, Michigan, their licensees, lessees, successors and assigns, to construct aerial and/or underground line facilities for the purpose of providing electric service and communication service including necessary poles, guys, anchors, conduits, wires, cables, manholes, transformers and equipment in, under, upon, over and across the property located in the \_\_\_\_\_ City of \_\_\_\_\_

Southfield, County of Oakland, State of Michigan, further described as follows;

The South 6 feet of the North 600.09 feet of the East 100 feet of the following described property: Part of SW 1/4 of SE 1/4 of Section 8, Township 1 North, Range 10 East, beginning at point distant North 00°06'31" East 60 feet and East 709.28 feet from South 1/4 corner, thence North 00°06'31" East 750.34 feet, thence South 89°49'40" West 3.23 feet, thence North\*

with full right of ingress and egress upon the said premises to employes or appointees of the said grantees to construct, reconstruct, repair, operate and maintain said line facilities, and to trim or cut down any trees which in the opinion of the grantees at any time interfere or threaten to interfere with the construction and operation of said line facilities.

\* 00°12'00" West 500.38 feet, thence North 89°52'04" East 535 feet, thence South 00°04'30" West 600.09 feet, thence South 89°58'23" West 275.58 feet, thence South 00°01'00" West 0.58 feet, thence South 89°47'45" West 223.86 feet, thence South 00°06'31" West 650.35 feet, thence West 30 feet to beginning.

Underground lines are to be located in accordance with attached drawing which is made a part hereof and underground easements are six feet in width unless otherwise noted on said drawing.

This grant is hereby binding upon the heirs, successors and assigns of the undersigned grantor

IN WITNESS WHERE OF I have hereunto set MY hand and seal this 2ND day of NOV., 1977.

WITNESS: Walter E. Touchie WALTER E. TOUCHIE

Janet L. Tracy JANET L. TRACY

Rudolph J. Tress ASST. VICE PRES.

NATIONAL BANK OF SOUTHFIELD SOUTHFIELD, MICHIGAN

A National Banking Association

29201 Telegraph Road

Southfield, Michigan 48034

ADDRESS

PREPARED BY: Walter E. Touchie 30400 Telegraph Birmingham, Michigan 48010

STATE OF MICHIGAN County of OAKLAND } s.s.

On this 2ND day of NOVEMBER A.D. 1977, before me the subscriber, a Notary Public in and for said county appeared Rudolph J. Tress and Asst. Vice President for the National Bank of Southfield, a National Banking Association to me personally known, who being by me duly sworn did say that they are the Assistant Vice President and of National Bank of Southfield, a National Banking Association

and acknowledged said instrument to be the free act and deed of said corporation.

Walter E. Touchie Notary Public, Wayne County, Mich. My Commission Expires 1-7-78 County, Michigan

APPROVED / S TO FORM 11-23-77 DATE LEGAL DEPARTMENT

31457 077 DELE 2 PM 1:26

00°12'00" West 500.38 feet, thence North 89°52'04" East 535 feet, thence South  
00°04'30" West 600.09 feet, thence South 89°58'23" West 275.58 feet, thence  
South 00°01'00" West 0.58 feet, thence South 89°47'45" West 223.86 feet, thence  
South 00°06'31" West 650.35 feet, thence West 30 feet to beginning.

RETURN TO  
J. A. ROBERTSON  
THE DETROIT EDISON COMPANY  
30400 TELEGRAPH ROAD, 272 OAKDH  
BIRMINGHAM, MICHIGAN 48010

RECORDING REQUESTED BY

WHEN RECORDED MAIL TO

SPACE ABOVE THIS LINE FOR RECORDER'S USE

1-643 (6-67 Revised) - 2000

SUBORDINATION TO EASEMENT

Loan No. C 326410

WHEREAS, The Northwestern Mutual Life Insurance Company, 720 East Wisconsin Avenue, Milwaukee, Wisconsin, a Wisconsin corporation, hereinafter called "Northwestern", is the owner of a certain Note (which term shall be construed to include a bond or other instrument evidencing debt) secured by a lien against certain Property described in a Lien Instrument identified as follows:

LIEN INSTRUMENT TITLE	DATED	FACE AMOUNT SECURED
Mortgage (NBS Financial Center, Inc.)	July 26, 1973	\$4,800,000.00

COUNTY AND STATE WHERE RECORDED	DATE	BOOK OR REEL	PAGE OR IMAGE	DOC. NO.
Oakland County, Michigan	July 27, 1973	6136	57	73-066108
Re-recorded Oakland County, Michigan	August 15, 1973	6148	200	73-072632

AND WHEREAS, Northwestern has been requested to subordinate its Lien Instrument to a certain Easement described below: utility easement to The Detroit Edison Company over the following described property. The south 6 feet of the North 600.09 feet of the East 100 feet of the following described property. Part of the Southwest quarter of the Southeast quarter of Section 8, Township 1 North, Range 10 East, beginning at a point distant North 00° 06' 31" East 60 feet and East 709.28 feet from the south quarter corner, thence North 00° 06' 31" East 750.34 feet; thence South 89° 49' 40" West 2.23 feet; thence North 00° 12' 00" West 500.38 feet; thence North 89° 52' 04" East 535 feet; thence South 00° 04' 30" West 600.09 feet; thence South 89° 58' 23" West 275.58 feet; thence South 00° 01' 00" West 0.58 feet; thence South 89° 47' 45" West 223.86 feet; thence South 00° 06' 31" West 650.35 feet; thence West 30 feet to the point of beginning, all in the City of Southfield, County of Oakland, State of Michigan.

If Easement is described in a recorded granting instrument, list recording data below:)

COUNTY AND STATE WHERE RECORDED	DATE	BOOK OR REEL	PAGE OR IMAGE	DOC. NO.
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NOW, THEREFORE, in consideration of one dollar to it in hand paid, the receipt of which is acknowledged, Northwestern subordinates said Lien Instrument to the interest of the Grantee under said Easement and waives the priority of its lien only insofar as the rights of Grantee under said Easement are concerned. No sale or foreclosure of said Property shall in any manner prejudice the rights of the Grantee, and a purchaser at any sale or foreclosure shall acquire the Property specifically subject to the rights described in said Easement. This Subordination to Easement shall be binding on the successors and assigns of Northwestern for the benefit of the grantee, his heirs, executors, administrators and assigns.

31457

Executed this 18th day of November, 1977

In presence of:

Bernice Buse  
Bernice Buse

THE NORTHWESTERN MUTUAL LIFE INSURANCE COMPANY  
720 E. Wisconsin Avenue, Milwaukee, Wisconsin 53202

By David A. Roby  
David A. Roby, Investment Officer

Janet Bykowski  
Janet Bykowski

Attest: George M. Higbee  
George M. Higbee, Ass't Secretary

State of WISCONSIN  
County of MILWAUKEE ss.

Before me a Notary Public in and for said county and state personally appeared the following on the following date:

NAME	TITLE	ADDRESS (N.Y. and elsewhere if required)	DATE
David A. Roby, Investment Officer			November 18, 1977
George M. Higbee, Ass't Secretary			

of THE NORTHWESTERN MUTUAL LIFE INSURANCE COMPANY (each) known to me to hold the title stated above and to have executed the foregoing instrument, and being by me first duly sworn on oath did acknowledge, depose and say that the name and stated above is correct, that the signing, sealing, and delivery of said instrument was done freely and voluntarily for the uses and purposes mentioned therein as the free act and deed of said Company, that the seal affixed thereto is the common and corporate seal of said Company and that all the foregoing was done by authority of the governing board of said Company. Witness my hand and official seal on the date last above written as a Notary Public in said county and state.

Bernice Buse  
Type or Print Name of Notary

Bernice Buse  
Signature of Notary

February 10, 1980  
Commission Expires

This instrument was prepared by George M. Higbee, Attorney for The Northwestern Mutual Life Insurance Company, 720 East Wisconsin Avenue, Milwaukee, Wisconsin 53202  
(Complete only in Wisconsin and elsewhere if required)

Suite 320  
26400 Lahser Road at Northwestern Highway  
Southfield, Michigan ~~48076~~ 48034  
Telephone: 313 352-5666

THE NORTHWESTERN MUTUAL LIFE  
INSURANCE COMPANY • MILWAUKEE



MORTGAGE LOAN REGIONAL OFFICE

January 3, 1978

Mr. Rudolph J. Tress  
Bank Properties Officer  
National Bank of Southfield  
29201 Telegraph Road - Second Floor  
Southfield, Michigan 48034

Re: Loan C-326410, NBS Financial Center, Inc.

Dear Mr. Tress:

Thank you for the check in the amount of \$100.00  
representing the service fee for the Subordination  
to Easement action for Detroit Edison.

The Subordination Agreement is enclosed.

Sincerely,

  
Ruth Roberts

/grr  
Enclosure

RECORDED  
INDEXED  
SERIALIZED  
FILED

31457



Detroit Edison Company  
30400 Telegraph Road  
Birmingham, Michigan 48010

October 17, 1977

ATTENTION: Walter E. Touchie

Re: Telegraph Road Easement

Mr. Touchie,

Enclosed is the signed easement you requested on August 19, 1977. Listed below as part of the easement agreement are the salient points we discussed in reviewing the easement.

The easement and adjacent property will remain in good condition, in a sanitary and safe condition in accordance with the laws of the State of Michigan and MIOSHA, in compliance with all local laws and ordinances.

Access to easement shall be reasonable and will not interfere with the existing driveway or parking spaces unless expressly requested and granted in writing for the specific time and situation as requested by Edison or its subcontractors.

The existing property will remain in as good condition and repair as it is on the date of our inspection, August 21, 1977.

The proposed easement and (re)location of the service pole are to be planned giving full consideration to the existing tree, three shrubs, one Evergreen and other parking lot or greenbelt improvements located in or near the easement. The expressed intent is to minimize disruption to the functional and ecological process now established. Enclosed is a description of the easement area of this date.

Please note agreement to the items mentioned above by signing approval below.

Sincerely,

Rudolph J. Tress  
Bank Properties Officer

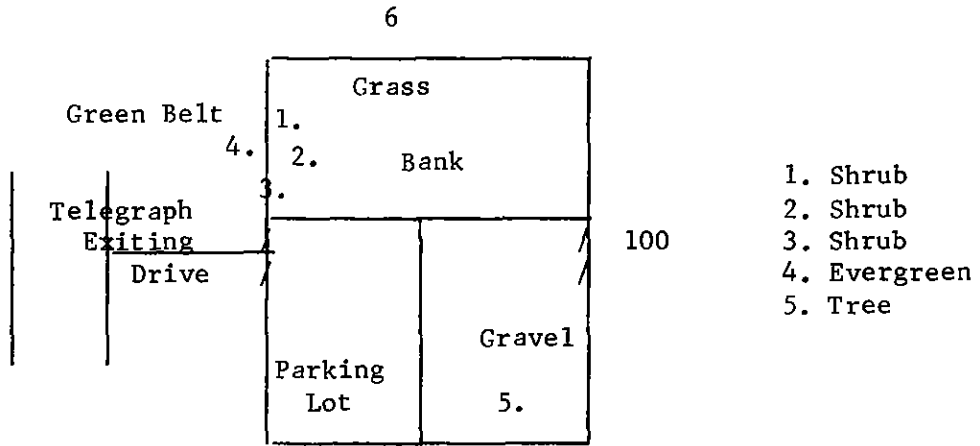
RJT/jlt  
Encls.

Approval James A. Robertson Date October 31, 1977  
James A. Robertson, Supervisor  
Real Estate, Rights of Way & Claims

RECORDED  
INDEXED  
3/11/57

# NBS

August 23, 1977



Picture and Verbal Description

Enlarge Dimensioned Sketch

31457

# Burton Abstract and Title Company

General Office 1650 W. Big Beaver Rd. Troy Michigan 48084, Phone (313) 643-4000

## Record Title Search

Reference No. 63-11934

Furnished to: Detroit Edison Company

We have searched the records in the Office of the Register of Deeds affecting property in the Township                      of Southfield,                      Oakland County, Michigan, described as:

Parcel 24-08-451-002

from 1925, to the certification date set forth below and have found the following conveyances and undischarged encumbrances:

Release of Right of Way, Liber 750, page 432, Register No. 312637.  
Right of Way, Liber 16 MC, page 300, Register No. 248011.  
Grant of Easement, Liber 5113, page 21.  
Easement, Liber 5499, page 58.  
Certificate of Survey, Liber 6056, page 452. (Reference)  
Warranty Deed, Liber 6073, page 725.  
Lease, Liber 6136, page 14.  
General Assignment of Leases and Rents, Liber 6136, page 54.  
Mortgage, Liber 6136, page 57.  
Mortgage (re-recorded) Liber 6148, page 200.  
Quit Claim Deed, Liber 6176, page 631.  
Highway Easement Release, Liber 6384, page 313.  
Easement, Liber 6583, page 316. \*See below  
NO SEARCH has been made for any instrument, however designated, which has been filed as a financing statement pursuant to the Uniform Commercial Code.

NO SEARCH of the records of the Circuit, Probate or other Courts, or of any records other than those in the office of the Register of Deeds, has been made.

No undischarged Notice of Federal or State Tax Lien has been filed or recorded in said Register of Deeds Office against any party appearing to have had a record interest in subject property at any time during the period covered by this Search, except such notices as were filed or recorded against such a party after said party's interest in subject property appears to have terminated of record.

Unpaid County Taxes:

Unpaid City Taxes:

Unpaid Special Assessments:

\*Revised Water Easement, Liber 6583, page 318.  
(See attached copies.)

Certified to: August 23, 1977 at 8:00 A.M.

**BURTON ABSTRACT AND TITLE COMPANY**

By Margery K. Lockman  
Authorized Signature

NOTE: In consideration of the fact that the above information is to be used for reference purposes only and not relied upon as evidence of title, it is furnished at a reduced rate and this Company's liability is limited to the amount paid for this information. If evidence of title is desired, an application for title insurance should be made to Burton Abstract and Title Company.

RECORDED  
PICTURE OF MAP NO. 31457

PLEASE SECURE RIGHT OF WAY AS FOLLOWS.

DATE July 6, 1977

LOCATION West side of Telegraph Road and North of  
12 Mile Road.

APPLICATION NO. U1-1-3239

CITY OR VILLAGE Southfield

DEPT ORDER NO \_\_\_\_\_

TOWNSHIP \_\_\_\_\_ COUNTY Oakland

O F W NO \_\_\_\_\_

DATE BY WHICH RIGHT OF WAY IS WANTED August 15, 1977

BUDGET ITEM NO \_\_\_\_\_

THIS R/W IS \_\_\_\_\_% OF TOTAL PROJECT NO. \_\_\_\_\_ ACCUM. \_\_\_\_\_%

INQUIRY NO. \_\_\_\_\_

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 6' x 100' Detroit Edison Company  
easement with ingress and egress as per Drawing U1-1-3239.

PURPOSE OF RIGHT OF WAY To construct and maintain 5" conduit to cable pole for added  
distribution.

SIGNED L. P. Belletini 12713  
L. P. Belletini, Supvr.  
Eng. Planning & Layout  
OFFICE

**DIVISION SERVICES**  
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 & Claims.

RECORDED RIGHT OF WAY NO. 31457

Permits to  
Underground 1

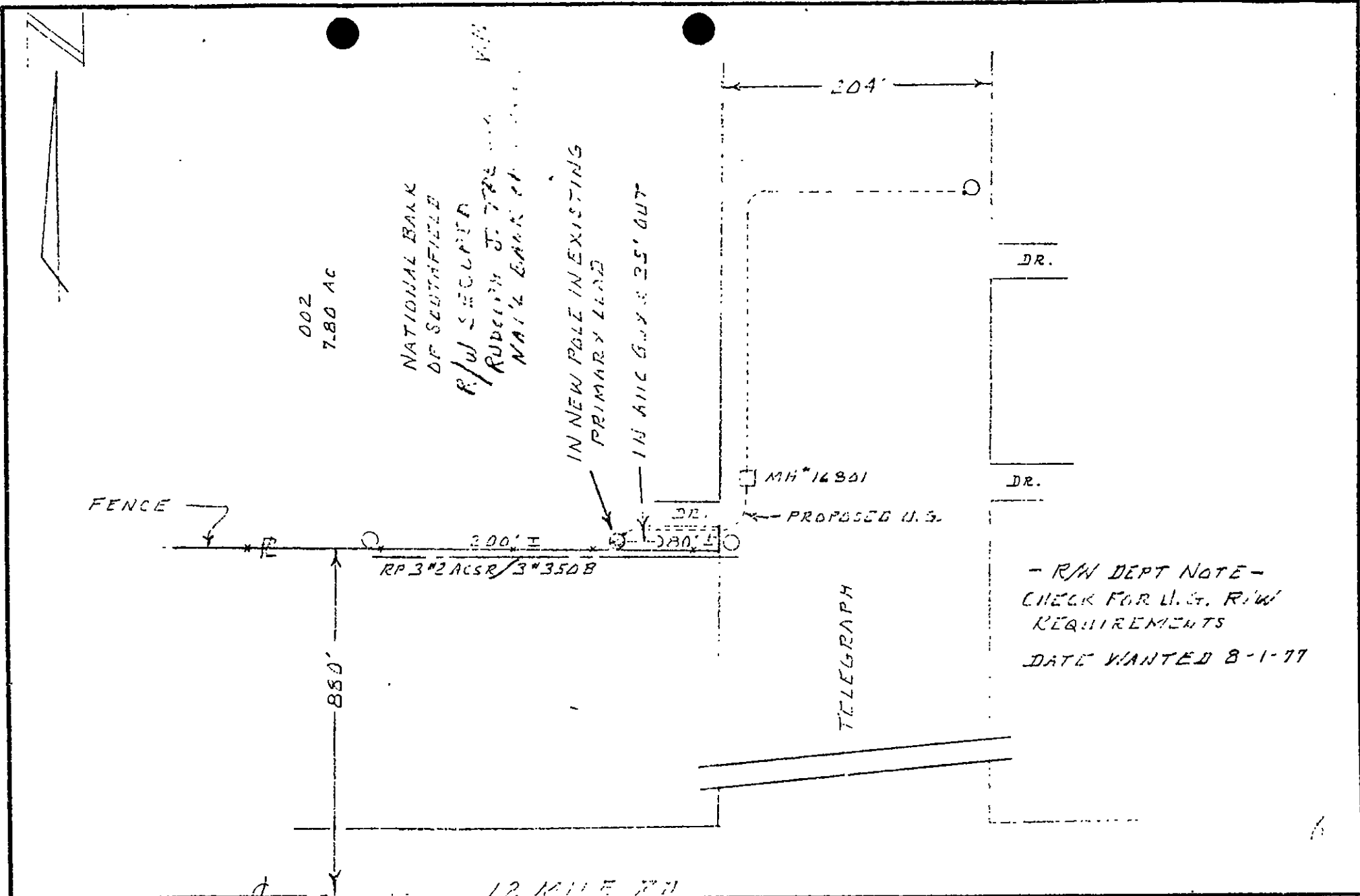
PERMITS IN RECORD CENTER 1 R.E. & R/W DEPT. FILE \_\_\_\_\_ GRANTOR Natl. Bank of Southfield

NO OF PERMITS 1 NO. OF STRUCTURES \_\_\_\_\_ NO OF MILES \_\_\_\_\_ PERMITS TO MBT 1

DATE 12-15-77 SIGNED James A. Robertson  
**JAMES A. ROBERTSON**

7-7-77 WD 9-1-77





DR.

DR.

- R/W DEPT NOTE -  
CHECK FOR U.S. R/W  
REQUIREMENTS  
DATE WANTED 8-1-77

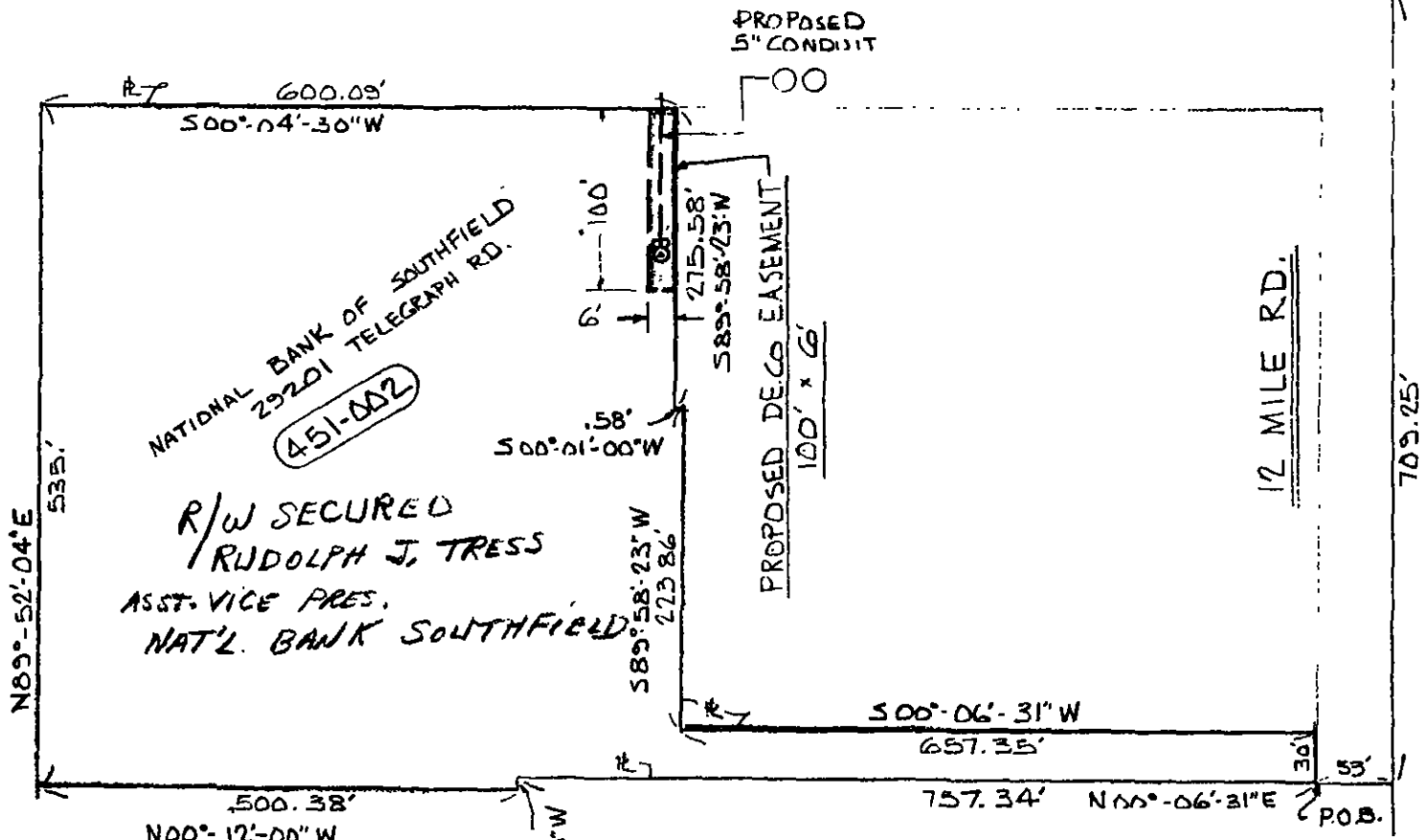
CITY OF SFD - SFD-30	APPROVED	THE DETROIT EDISON COMPANY GENERAL ENGINEERING DEPARTMENT	
	DFW	LAYOUT BY	DRAWN BY
E 1/2 SEC 8 TIN RIGID - NO TOWER	RELOCATED	DATE 7-5-77	DRAWING NUMBER
RELOCATE LEAD IN CONFLICT WITH TELEGRAPH W/	RELOCATED	SCALE 1"=100'	77-056-4



RECORDED RIGHT OF WAY NO. 31457

TELEGRAPH RD.

SW 1/4 COR. SEC. #8



S.W. 1/4 COR. SEC. #8  
 SOUTHFIELD TWP.  
 TIN. RIDE  
 JOB NO. -77-046

LANCASTER SUB.

REFERENCE	DRAWN	M. KILAR	7-6-77	TITLE	PROPOSED D.E. Co. EASEMENT (100' x 6')	THE DETROIT EDISON COMPANY UNDERGROUND LINES DEPT. DETROIT, MICH.
	O. K.	RFB	7-6-77		W SIDE TELEGRAPH RD. & N. OF 12 MILE RD. CITY OF SOUTHFIELD OAKLAND CO.	N. T. S. NO. 11-1-3239
	APPROVED					