

GRANT OF EASEMENT

1-0
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AGREEMENT made this 15th day of March, 1985, by and between MACCABEES CENTER LIMITED PARTNERSHIP, a Michigan limited partnership, whose address is 17515 West Nine Mile Road, Southfield, Michigan 48075 (hereinafter referred to as the "Grantor") and THE DETROIT EDISON COMPANY, a Michigan corporation, whose address is 2000 Second Avenue, Detroit, Michigan 48226 (hereinafter referred to as "Grantee").

WITNESSETH:

WHEREAS, Grantee is desirous of obtaining an easement for the purpose of installation, maintenance and repair of underground electrical facilities for the transmission and distribution of electricity covering certain property situated in the City of Southfield, County of Oakland, State of Michigan, as more particularly described on Exhibit A attached hereto and made a part hereof (hereinafter referred to as the "Property"); and

WHEREAS, Grantor is willing to grant such an easement on the terms and conditions hereinafter set forth.

NOW, THEREFORE, for One Dollar (\$1.00) and other good and valuable consideration, the receipt and adequacy of which are hereby confessed and acknowledged, the parties hereto hereby agree as follows:

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1. Grantor hereby grants and conveys to Grantee a nonexclusive easement over, under and through the Property in the location set forth on Exhibit B attached hereto and made a part hereof (hereinafter referred to as the "Easement Area") for the purpose of the installation, maintenance, repair and replacement, if required, of underground electrical facilities.

2. Any installation, maintenance, repair and replacement of said underground electrical facilities by Grantee shall be performed as expeditiously as possible so as to minimize any interference with the use of the Property including the flow of pedestrian and vehicular traffic, and Grantee shall restore such Easement Area to a condition as good as or better than it was prior to such installation, maintenance, repair and replacement.

3. Grantee shall maintain, repair and replace the underground electrical facilities located in the Easement Area so that the same shall always be in good condition and so as to avoid any adverse consequences to the surface of the Easement Area and surrounding land.

4. Grantor hereby reserves the right to locate other utilities in the Easement Area and further reserves the right to use the surface of the Easement Area for any purpose whatsoever so long as the same do not substantially interfere with Grantee's right to install, maintain, repair and replace such underground electrical facilities. The use of the surface area for vehicular parking, vehicular and pedestrian traffic and for landscaping does not substantially interfere with Grantee's rights hereunder.

5. Grantor hereby reserves the right from time to time in its sole discretion to relocate, at its expense, such underground electrical facilities. If

RECORDED RIGHT OF WAY NO. 35476

13.00
8/2

such electrical facilities are relocated, Grantor will grant to Grantee a new easement and Grantee will release the existing easement. Furthermore, in the event Grantee, its successors and assigns shall no longer require the use of all or any part of the easement rights herein granted, the part no longer required shall automatically revert to Grantor thereof and Grantee shall release such easement rights which Grantee shall no longer require.

6. Grantee hereby expressly agrees to indemnify, defend and hold harmless Grantor from and against any and all claims, costs, liability or expense resulting from the acts or omissions of Grantee.

7. This Agreement shall be binding upon the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

WITNESSES:

MACCABEES CENTER LIMITED PARTNERSHIP,
a Michigan limited partnership

By: MACCABEES CENTER VENTURE LIMITED
PARTNERSHIP, a Michigan limited
partnership, General Partner

By: NORTHWESTERN/CIVIC CENTER
VENTURE, INC., a Michigan
corporation, General Partner

By: David W. Schostak
David W. Schostak
Its Secretary

"Grantor"

Stephen J. Duzynski
STEPHEN J. DUZYNSKI
Rosemarie Owen
ROSEMARIE OWEN

James D. McDonald
JAMES D. McDONALD

Stuart R. Chipman
STUART R. CHIPMAN

THE DETROIT EDISON COMPANY,
a Michigan corporation

By: Leonard F. Lucas
LEONARD F. LUCAS
Its: Dir of Div. Engineering

And By: _____

Its: _____
"Grantee"

STATE OF MICHIGAN)
COUNTY OF Oakland) ss.

The foregoing instrument was acknowledged before me this 15th day of March, 1985, by David W. Schostak, Secretary of Northwestern/Civic Center Venture, Inc., a Michigan corporation, General Partner of Maccabees Center Venture Limited Partnership, a Michigan limited partnership, General

RECORDED RIGHT OF WAY NO. 354716

Partner of Maccabees Center Limited Partnership, a Michigan limited partnership,
on behalf of said partnership.

Mary Sue Street
Notary Public, Oakland County,
Michigan
My commission expires: 5/31/85

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 25th day of
MARCH, 1985, by LEONARD P. LUCAS, DIRECTOR, DIVISION ENGINEERING & PLANNING of The Detroit
Edison Company, a Michigan corporation, on behalf of said corporation.

James D. McDonald
Notary Public, JAMES D. McDONALD County,
Michigan OAKLAND
My commission expires: 4-15-87

Drafted by ~~and when~~
~~recorded return to:~~

Lawrence D. McLaughlin, Esq.
Honigman Miller Schwartz and Cohn
2290 First National Building
Detroit, Michigan 48226

RECORDED RIGHT OF WAY NO. 35476

EXHIBIT A

Legal Description

Land in part of the Southeast 1/4 of Section 22, Town 1 North, Range 10 East, City of Southfield, Oakland County, Michigan, described as commencing at the center of said Section 22; thence South 89 degrees 59 minutes 59 seconds East, 276.31 feet along the East-West 1/4 line of said section; thence South 41 degrees 38 minutes 03 seconds East, 44.15 feet; thence South 89 degrees 59 minutes 59 seconds East, 41.28 feet; thence South 00 degrees 00 minutes 01 seconds West, 10.00 feet; thence along the southerly right-of-way line of 10-1/2 Mile Road (Civic Center Drive), said line being 43.00 feet south of and parallel to the East-West 1/4 line of said section, South 89 degrees 59 minutes 59 seconds East, 820.46 feet; thence South 27 degrees 36 minutes 24 seconds East, 69.38 feet to the Point of Beginning; thence South 64 degrees 36 minutes 24 seconds East, 29.91 feet; thence South 27 degrees 36 minutes 24 seconds East, 33.64 feet; thence South 38.84 feet; thence North 27 degrees 36 minutes 24 seconds West, 91.95 feet to the Point of Beginning.

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TAX PARCEL # 24-22-426-001 - SE 1/4

dy

85 MAR 27 14:44

DATA

30 4000

RECORDED RIGHT OF WAY NO.

35476

110
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KNOW ALL MEN BY THESE PRESENTS: That MACCABEES MUTUAL LIFE INSURANCE COMPANY, a Michigan insurance corporation, whose address is 25900 Northwestern Highway, Southfield, Michigan 48075

Convey(s) and Warranty to MACCABEES CENTER LIMITED PARTNERSHIP, a Michigan limited partnership, whose address is Tenth Floor, 17515 West Nine Mile Road, Southfield, Michigan 48075

the following described premises situated in the City of Southfield, County of Oakland and State of Michigan, to-wit:

More particularly described on Exhibit A. attached hereto

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RECORDED
WAYNE COUNTY MICHIGAN
REGISTERED
24 FEB 16 16:32
CLERK-REGISTER OF DEEDS
YANN D. ALLEN

for the full consideration of One Dollar (\$1.00) and other good and valuable consideration subject to easements and restrictions of record.

Dated this 23 day of December, 1983

Witnesses:
Douglas S. McDougal
DOUGLAS S. MCDUGAL
Michael A. McGrath
MICHAEL A. MCGRATH

Signed and Sealed:
MACCABEES MUTUAL LIFE INSURANCE COMPANY, a Michigan insurance corporation (L.S.)
By: Alexander B. Ritchie (L.S.)
Its: Secretary, V. President (L.S.)

STATE OF MICHIGAN
COUNTY OF WAYNE

RECORDED RIGHT OF WAY NO. 35474

The foregoing instrument was acknowledged before me this 23rd day of December, 1983, by ALEXANDER B. RITCHIE, the SECRETARY, V. PRESIDENT of Maccabees Mutual Life Insurance Company, a Michigan insurance corporation, on behalf of said corporation. My commission expires SOPHIA E. SKYLACOS

Notary Public, Wayne County, Michigan
My Commission Expires August 24, 1984
Notary Public, Wayne County, Michigan
Honigman Miller Schwartz & Cohn, 2290 First National Bldg., Detroit, MI 48226

Instrument Drafted by Lawrence D. McLaughlin, Sec.
1.00
2/16/84
7614
MICHIGAN DONAHY, County Treasurer

City Treasurer's Certificate
5.00
When recorded return to HONOR Lawrence D. McLaughlin, Honigman Miller Schwartz & Cohn, 2290 First National Bldg., Detroit, MI 48226
Send subsequent tax bills to Grantee

Recording Fee 91078
State Transfer Tax 244.40
Revenue stamps to be affixed after recording.
Tax Parcel #

EXHIBIT A

LEGAL DESCRIPTION

Land in the City of Southfield, County of Oakland, State of Michigan,
described as:

Land in part of the Southeast 1/4 of Section 22, T1N, R10E, City of Southfield, Oakland County, Michigan, described as commencing at the center of said Section 22; thence South 89 degrees 59 minutes 59 seconds East, 276.31 feet along the East-West 1/4 line of said section; thence South 41 degrees 38 minutes 03 seconds East, 44.15 feet; thence South 89 degrees 59 minutes 59 seconds East, 41.28 feet; thence South 0 degrees 00 minutes 01 seconds West, 10.00 feet to the Point of Beginning: Thence along the southerly right-of-way line of 10-1/2 Mile Road (Civic Center Drive), said line being 43.00 feet south of and parallel to the East-West 1/4 line of said section, South 89 degrees 59 minutes 59 seconds East, 820.46 feet; thence South 27 degrees 36 minutes 24 seconds East, 471.48 feet; thence South 67 degrees 25 minutes 05 seconds West, 575.00 feet; thence North 40 degrees 12 minutes 50 seconds West, 774.37 feet to a point of curve; thence 22.88 feet along a curve to the left, radius 3978.72 feet, central angle 0 degrees 19 minutes 46 seconds, chord bears North 40 degrees 12 minutes 43 seconds West, 22.88 feet; thence 31.65 feet along a curve to the left, radius 35.00 feet, central angle 51 degrees 48 minutes 25 seconds, chord bears North 12 degrees 46 minutes 27 seconds East, 30.58 feet to the Point of Beginning, containing 9.362 Acres.

24-22-426-001

ROUTE OF LINES:

B1/34

94078

APPLICATION FOR RIGHT OF WAY

DE 903-0811 2-7455 (MS 80)

ANGOLA SUB
85-009

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

DATE January 17, 1985

LOCATION Northwestern Highway, south of Civic Center Dr. APPLICATION NO. U1-2-3373A

DEPT. ORDER NO. _____

CITY OR ~~VILLAGE~~ Southfield O. F. W. NO. _____

TOWNSHIP _____ COUNTY Oakland BUDGET ITEM NO. _____

DATE BY WHICH RIGHT OF WAY IS WANTED February 25, 1985 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 D. E. Co.'s wide easement with rights of ingress and Egress as shown on Drawing U1-2-3373A.

PURPOSE OF RIGHT OF WAY purpose of Easement is to provide service to the new Maccabee Building.

SIGNED R. F. Burtwell
R. F. Burtwell, Supervisor
Engineering, Planning & Layout Division Services
OFFICE DEPARTMENT

RECORDED RIGHT OF WAY NO. 357776

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

Recorded right of way secured as requested on the attached sketch.
Contacts by S. Chipman, Real Estate & Rights of Way - Oakland Division.

R. F. Burtwell 1 Maccabees Center Limited Partnership
PERMITS IN RECORD CENTER 1 R.E. & R/W DEPT. FILE _____ GRANTOR David W. Schostak, Secretary

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

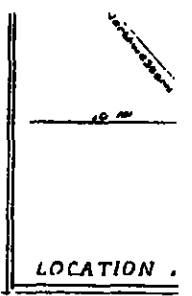
DATE 5-25-85 SIGNED James D. McDonald
James D. McDonald, Representative

1-21-85 WD 2-21-85

108
 276.31'
 1.18



CIVIC CENTER DR 96' WD



$S 47^{\circ} 16' 05'' E$
 $41.28'$
 $S 89^{\circ} 59' 59'' E$
 $41.28'$
 $300^{\circ} 00' 10'' W$ 10.00'
 $S 89^{\circ} 59' 59'' E$ 820.46'
 $WAD: 35.00'$ $ARC: 31.65'$
 $CHD: N 12^{\circ} 46' 27'' E$ 30.58'
 $RAD: 3978.72'$ $ARC: 22.86'$
 $CHD: N 40^{\circ} 12' 43'' W$ 22.86'

MACCABEES CENTER

NORTHWESTERN HWY (U.S. 10)
 $S 40^{\circ} 12' 50'' W$ 724.37'
 310' WD.

PROPOSED 5' WIDE DECO BASEMENT

$S 67^{\circ} 25' 05'' W$ 573.00'
 CIVIC CENTER

RECORDED MAP OF WAY NO. 35476

R/W O.K.
 MACCABEES CENTER
 FOR R/W USE ONLY
 DAVID SCHOSTAK
 GEN PARTNER
 JOB 85-009

OFW 5GG3B8/HO2

ANGOLA SUB

MOVE REVISIONS RETURN TO UNDERGROUND LINES DEPT ALL PRINTS MADE PREVIOUS TO LAST REVISION	REFERENCE	NO.	DATE	DESCRIPTION
			1-1985	PROPOSE 5' WIDE DECO BASE.
			1-1985	
				CITY OF SOUTHFIELD OAKLAND CO

THE DETROIT EDISON COMP
 TRANSMISSION AND DISTRIBUTION DEPT. DETR
 SCALE NONE PRINTED 111 2-3