

APPLICATION FOR RIGHT OF WAY

DE 963-0811 5-7485 (MS 80)

Manchester Sub
Job 88-127

PLEASE SECURE RIGHT OF WAY AS FOLLOWS.

DATE July 19, 1988

LOCATION Lockdale South of 12 Mile

APPLICATION NO. _____

DEPT ORDER NO _____

CITY OR V ~~XXXXX~~ Southfield

O F W NO 8GI0B8/H80

TOWNSHIP _____ COUNTY Oakland

BUDGET ITEM NO _____

DATE BY WHICH RIGHT OF WAY IS WANTED 7-19-88

INQUIRY NO. _____

THIS R/W IS 100 % 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 15' x 36' DECo easement as shown on Drawing U1-1-3447 with rights of ingress and egress.

PURPOSE OF RIGHT OF WAY For service to Galleria Office Bldg. IV.

RECORDED RIGHT OF WAY NO. 38866

SIGNED Robert F. Burtwell
Robert F. Burtwell,
Eng/Planning & Layout **Division Services**
OFFICE DEPARTMENT

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

Recordable underground right of way obtained as requested per attached drawing.
Contacts made by Gerald S. Misiak, Representative; Real Estate, Rights of Way & Claims; Oakland Division.

PERMITS IN RECORD CENTER 1 R.E. & R/W DEPT. FILE 1 GRANTOR Milford Nemer

NO OF PERMITS 1 NO OF STRUCTURES _____ NO OF MILES _____ PERMITS TO MBT 0

DATE October 10, 1988 SIGNED James D. McDonald
James D. McDonald, Sr. Representative

September 1, 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 hereinafter referred to as "EDISON," the right to construct, reconstruct, modify, add to, operate and maintain underground line facilities consisting of poles, conduits, wires, cables, manholes, transformers and accessories required to provide electric service in, under, upon and across property located in the City of Southfield, County of Oakland, State of Michigan, further described as:

The south 15' of the easterly 36' of the following described property: Part of lots 1 to 6 inclusive of Supervisor's Plat #6 in the W. 1/2 of Section 17, T1N, R10E as recorded in liber 52 page 46, also described as beginning at a point distant S. 00°25'27" E. 60.00 ft. & W. 43.00 ft. from the N. 1/4 corner, thence S. 00°25'27" E. 686.76 ft., thence N. 89°11'07" W. 511.35 ft., thence N. 00°48'53" E. 24.84 ft., thence N. 89°11'07" W. 79.00 ft., thence N. 00°48'53" E., 13.00 ft., thence N. 89°11'07" W. 35.83 ft., thence N. 00°48'53" E. 158.16 ft., thence N. 89°11'07" W. 51.65 ft., thence N. 30°05'14" W. 70.38 ft., thence N. 00°48'53" E. 420.27 ft., thence due East 699.20 ft. to point of beginning.

(6)

52046

Part of Sidwell #24-17-126-041 - only pt Lot 4

DE 001

RECORDED RIGHT OF WAY NO. 52046

as shown on the attached drawing U1-1-3447 dtd. 7-15-88 which is made a part hereof

The right of way is fifteen (15) feet in width.

The rights hereby granted include the right of access to and from the rights of way and the right to trim, cut down or otherwise control trees, brush or roots of any kind either within the right of way or on property adjoining the right of way which in the opinion of EDISON interferes with the construction or operation of the line facilities. It is expressly understood and agreed that EDISON shall, at no time, trim or cut down any trees unless, in EDISON'S opinion, it is absolutely necessary to do so EDISON shall restore premises to its original condition or as near as can be in the event of damages caused by its employes, contractors, vehicles and equipment entering premises for the purposes set forth herein.

No buildings or structures are to be placed within said right of way herein granted without the written consent of EDISON, except for the masonry wall to be located fifteen (15) feet from the easterly boundry of said right of way. RFB.

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:

Larry M. Nemer
Larry M. Nemer
Patti L. Baum
Patti L. Baum

FCN Associates
A Michigan Co-Partnership
By: Nemer Properties II Limited Partnership,
a Michigan Limited Partnership, a General
Partner
By: Milford Nemer,
Its General Partner 9.00

Gerald S. Misiak
Prepared by: The Detroit Edison Company
30400 Telegraph Rd., Suite 264
Birmingham, MI 48010

Address: 26877 Northwestern Highway, Suite 101
Southfield, MI 48034

State of Michigan)
) SS:
County of Oakland)

On this 8th day of September, 1988, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Milford Nemer, general partner of Nemer Properties II Limited Partnership, A MICHIGAN LIMITED PARTNERSHIP

(a) general/~~managing~~ partner(s), on behalf of FCN Associates, A MICHIGAN CO -
partnership.

My Commission Expires: 1/21/90

Allison C. Dale
Allison C. Dale
Notary Public, Oakland
County, Michigan

RECORDED RIGHT OF WAY NO. 38866

RECORDED RIGHT OF WAY NO. 38866

12 MI. RD. 120' WD

N 1/4 COR
SEC 17
T, 1N, R, 10E,
DUE WEST 43.00'
500'-25'-27"E
60.00'



DUE EAST 699.20'

GALLERIA OFFICE BLDG, III

LIBER 106578117

N 00°-48'-53" E 420.27'

15' x 36'
D. E. C. O. EASEMENT

N 30°-05'-14" W 70.38'

N 89°-11'-07" W 51.65'

N 00°-48'-53" E
158.16'

N 89°-11'-07" W 35.83'

N 00°-48'-53" E 13.00'

N 89°-11'-07" W 79.00'

N 00°-48'-53" E 24.84'

N 89°-11'-07" W 511.35'

5.00'-25'-27" E 686.76'

LOCKDALE 86' WD.

FOR R/W USE ONLY

OFW 8G10B8 / HBD
LANCASTER SUB
JOB 88-127

REFERENCE	DRAWN	7-15-88	TITLE	THE DETROIT EDISON COMPANY	
	O. K.	RAG	PROPOSE 15x36 D. E. C. O.	SCALE	NO. U1-1-3447
	APPROVED	RFB	EASEMENT FOR P. S. C.	NONE	
		7-15-88	CITY OF SOUTHFIELD (AKLAND) CO.		

S.F. 1. - 2, 4