

Detroit Edison

LIBER 10677 PC 396
Real Estate and Rights of Way
**Underground
Right of Way Agreement**

88177822

10-4, 19 88

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:

Land in the N.W. 1/4 of Section 21, T1N, R10E, described as: Commencing at the W. 1/4 corner of Section 21, thence N. 01°55'50" W., 1376.32 ft. along the W. line of Section 21 and the centerline of Berg Road to the Point of Beginning, thence continuing N. 01°55'50" W., 246.79 ft. along the W. line of Section 21 and the centerline of Berg Road, thence N. 88°04'10" E. 43.00 ft. to a point on the Southerly right-of-way line of the I-696 Service Drive, thence along the Southerly right-of-way line of the I-696 Service Drive and a curve concave to the Southeast of Radius 457.00 ft., a central angle of 48°12'20" whose chord bears N. 22°10'21" E., 373.26 ft., an arc distance of 384.50 ft., thence S. 00°28'03" E. 174.98 ft., thence N. 89°31'57" E. 315 ft., thence S. 48°30'08" E., 199.19 ft., thence N. 89°31'57" E. 259.00 ft., thence N. 00°28'03" W. 478.00 ft. to a point on the Southerly right-of-way line of the I-696 Service Drive, thence along the Southerly right-of-way line and a curve concave to the South of radius 970.00 ft., a central angle of 00°38'05", whose chord bears S. 80°57'39" E., 10.75 ft., an arc distance of 10.75 ft., thence continuing along said Southerly right-of-way line S. 80°38'57" E. 50.13 ft., thence S. 00°28'03" E., 625.38 ft., thence N. 89°31'57" E., 320.00 ft., thence S. 00°28'03" E., 436.54 ft. partially along the W. line of the Southfield Cemetery, thence S. 88°03'31" W., 1241.14 ft., thence N. 01°55'50" W., 342.99 ft. along the 33 ft. right-of-way line of Berg Road, thence S. 88°04'10" W., 33.00 ft. to the Point of Beginning.

Part of Sidwell #24-21-100-131 ^{now} -135 - Pt Lot 40, All of Lot 41 slip #1 and Pt NW 1/4, Sec 21, Southfield

seco 1

as shown on the attached drawing R/W 0-9073 (DATED 6-2-88) which is made a part hereof.

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

#36 REG/DEEDS PAID
0001 NOV.15'88 01:49PM
3974 MISC 11.00 52042

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 employees, 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.

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:

Dale M. Canning
Dale M. Canning
Wendi H. Davis
Wendi H. Davis

The Remington Apartments Limited Partnership
a Michigan limited partnership
Reggie L. Belanger
Reggie L. Belanger, General Partner

Prepared by: C. George Williams
The Detroit Edison Company
30400 Telegraph Road, Suite 277
Birmingham, MI 48010

Address: 29433 Southfield Rd., Suite 207
Southfield, MI 48037

LIBER 106776397

State of Michigan)
) SS:
County of Oakland)

On this 4th day of October, 1988, the foregoing instrument was acknowledged before me, a notary public, in and for said county by _____

Reggie L. Belanger REGGIE L. BELANGER

(a) general/~~managing~~ partner(s), on behalf of The Remington Apartments Limited Partnership, a Michigan limited partnership.

SANDI L. BEVAK
Notary Public, Oakland County, MI
My Commission Expires Feb. 19, 1992

My Commission Expires: _____

Sandi L. Bevak
SANDI L. BEVAK
Notary Public, Oakland County, Michigan

RECORDED RIGHT OF WAY NO. 38976

APPLICATION FOR RIGHT OF WAY

DE FORM MS 50 5-74 55

PLEASE SECURE RIGHT OF WAY AS FOLLOWS

DATE 6-3-88

LOCATION 27027 NORTHWESTERN

APPLICATION NO. RW-# D-9073

BERG & NORTHWESTERN

DEPT ORDER NO _____

CITY OR VILLAGE SOUTHFIELD

O F W NO _____

TOWNSHIP SOUTHFIELD COUNTY OAKLAND

BUDGET ITEM NO _____

DATE BY WHICH RIGHT OF WAY IS WANTED JUNE -30 1988

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 10' RECORDED RIGHT OF WAY

EASEMENT FOR PUBLIC UTILITIES (DIE. CO. ONLY)

PURPOSE OF RIGHT OF WAY DECO BURIED DUCT & PRIMARY CABLE INSTALLED

WITH ASSOCIATED EQUIPMENT REQUIRED TO PROVIDE SERVICE

ACROSS ONE PARCEL TO ADJOINING PARCEL. - THIS IS TO

BE FOR PRIMARY FDR. SEE ATTACHED SKETCH

SIGNED [Signature]

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 C. George Williams, Representative, Real Estate, Rights of Way &

Claims; Oakland Division.

RECORDED RIGHT OF WAY NO. 38976

PERMITS IN RECORD CENTER 2 R.E. & R/W DEPT. FILE 2 GRANTOR Marrriott Corporation & Remington Apts. Part.

NO OF PERMITS 2 NO OF STRUCTURES _____ NO OF MILES _____ PERMITS TO MBT _____

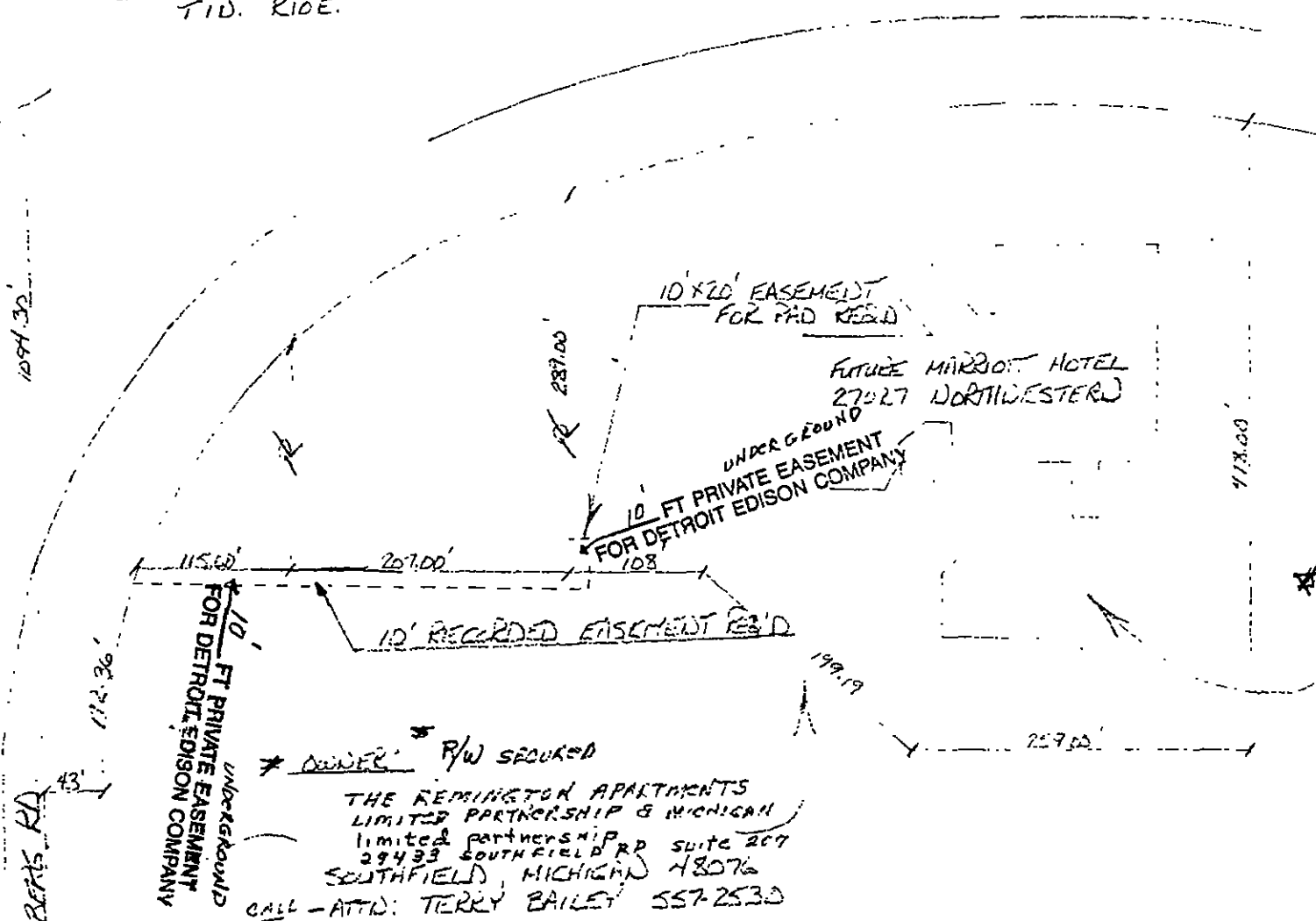
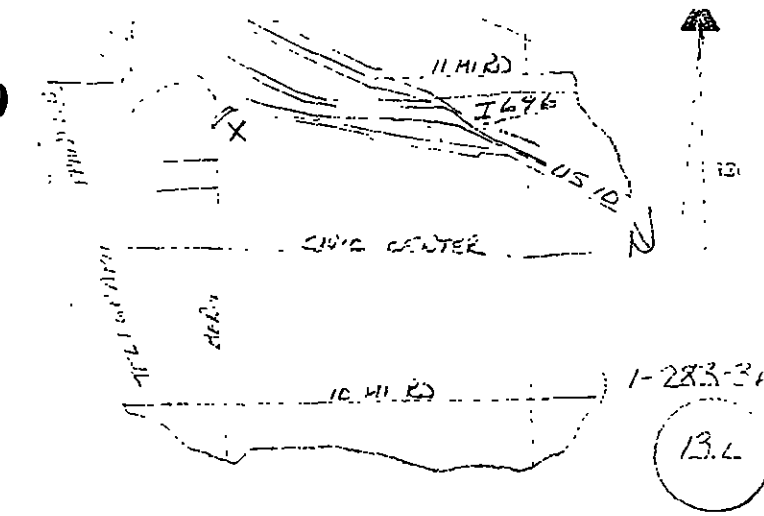
DATE October 28, 1988 SIGNED James D. McDonald

James D. McDonald, Sr. Representataive

LIBER 115771000

LIBER 106777399

N.W. CORNER SEC. 21
TID. RIDE.



REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH	PERMITS TO:
BY: <u>C. GEORGE WILLIAMS</u>	RECORD CENTER <u>2</u>
DATE: <u>10-10-88</u>	R/W FILES <u>11</u>
DATE WANTED	APP <u>11</u>
DISTRICT	ORIGINATOR <u>2</u>
F. E. D. MAN	TOTAL <u>20</u>

* R/W SECURED
 9/5 STEPHEN THERSCH
 MARKIOTT CORPORATION
 INTERNATIONAL HEADQUARTERS
 ONE FIFTH ST. N. WENT 2222
 WASHINGTON D.C. 20005

* OWNER R/W SECURED
 THE REMINGTON APARTMENTS
 LIMITED PARTNERSHIP 8 MICHIGAN
 LIMITED PARTNERSHIP
 29433 SOUTHFIELD RD SUITE 207
 SOUTHFIELD, MICHIGAN 48076
 CALL - ATTN: TERRY BAILEY 557-2530

R/W NOTES
 10' RECORDED EASEMENT AS SHOWN
 MS-80 ATTACHED

RETURN TO
 J. D. McDONALD
 THE DETROIT EDISON COMPANY
 30400 TELEGRAPH ROAD, 277 OAKDALE
 BIRMINGHAM, MICHIGAN 48010

LEGEND				THE DETROIT EDISON COMPANY - SERVICE PLANNING DEPARTMENT				
○	FOREIGN POLE	CITY	SOUTHFIELD	COUNTY	OSHTON	QTR. & TWP. SECT. NO.	DEPT. ORDER NO.	
○	EXIST. D.E. CO. POLE	MAP SECT.	1-283-360	TOWN	10E	RANGE	JOINT R/W REQUIRED	
○	PROPOSED POLE	PROJECT NAME	ELECTRICITY TO MARKIOTT HOTEL				R/W NO.	E-9273
○	EXIST. ANCHOR	CIRCUIT	8175 A-12 BROOKS 132 KW				PROJ. OR PART NO.	
○	PROPOSED ANCHOR	REASON	PROVIDE SERVICE TO MARKIOTT HOTEL				D.F.W. S.O. OR P.E. NO.	
○	TREE	PLANNER	FRANK WALLIS				BUDGET ITEM NO.	
—	120/240 V LINE	DATE	6-2-88					
—	4800 V LINE	SCALE	1" = 100'					
—	13,200 V LINE							
—	40,000 V LINE							