

Detroit Edison

Estate and Rights of Way
Underground Right of Way Agreement

9994 PAGE 188

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MAY 7, 19 87

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 Madison Heights, County of Oakland, State of Michigan, further described as:

Part of NW 1/4 T1N., R11E., Sec 11 beg at pt dist S 00°06'24" E 60. ft. and S 88°58'36" W 486 ft. from N 1/4 cor, th S 88°58'36" W 345.03 ft., th S 01°18'00" E 28.59 ft., th alg curve to left, rad 37949.83 ft., chord bears S 01°41'52" E 527.09 ft., dist of 527.10 ft. th N 88°58'36" E 578.87 ft., th N 00°05'32" E 211.69 ft., th S 88°58'36" W 241.33 ft., th N 01°31'06" W 344 ft., to beginning. 5.56 acres

Sidwell No: 25-11-127-008) now-013-014

#(1)

0092 REG/DEEDS PAID
0001 JUL 07 '87 03:30PM
2569 MISC 9.00

RECORDED RIGHT OF WAY NO. 37378

as shown on the attached drawing R/W #0-8612 which is made a part hereof.

The right of way is Six (6') 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.

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.

* This agreement is subject to Detroit Edison restoring its work area to its original condition.

Witnesses:

Grantors:

APPROVED AS TO FORM 5-21-87 DATE
LEGAL DEPARTMENT J.B. Kopych

K & F Associates,
A Michigan Co-Partnership

J. J. Kahan
Sheryl Uday
SHERYL UDAY

David Kahan, Co-Partner

Prepared by: Omer V. Racine
The Detroit Edison Company
30400 Telegraph Road, #264
Birmingham, MI 48010

Address: 560 Kirts Blvd., Suite 100
Troy, MI 48084

DETROIT

9.00

Acknowledgement - Partnership

State of Michigan

County of Oakland) SS.

On this 7th day of May, 1987, the foregoing instrument was acknowledged before me, a notary public in and for said county, by _____

DAVID KAHAN, Co-Partner

(a) general/managing partner(s), on behalf of K & F Associates,
~~partnership~~ A Michigan Co-Partnership.

My Commission Expires: 2-22-89

Sheryl Uday Oakland
Notary Public, County, Michigan
SHERYL UDAY

RECORDED RIGHT OF WAY NO. 37378

APPLICATION FOR RIGHT OF WAY

DE 903-0211 8-7455 (MS 80)

Royal Oak Twp
SEC. 11

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

DATE 3-19-87

LOCATION 13 MILE & STEPHENSON

APPLICATION NO. Ø-8612

CITY OR VILLAGE MADISON HTS

DEPT. ORDER NO. _____

O. F. W. NO. 666809/H01

TOWNSHIP _____ COUNTY OAKLAND

BUDGET ITEM NO. 66680-KIH

DATE BY WHICH RIGHT OF WAY IS WANTED 4-70-87

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 _____

Ø' x 6' U.G. EASEMENT

PURPOSE OF RIGHT OF WAY _____

RELOCATE P.F. H2514 BECAUSE OF
C.P. RELOCATION

RECORDED RIGHT OF WAY NO. 37378

SIGNED Darral L. Burton

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 Omer V. Racines, Real Estate, Rights of Way & Claims Representative,

Oakland Division.

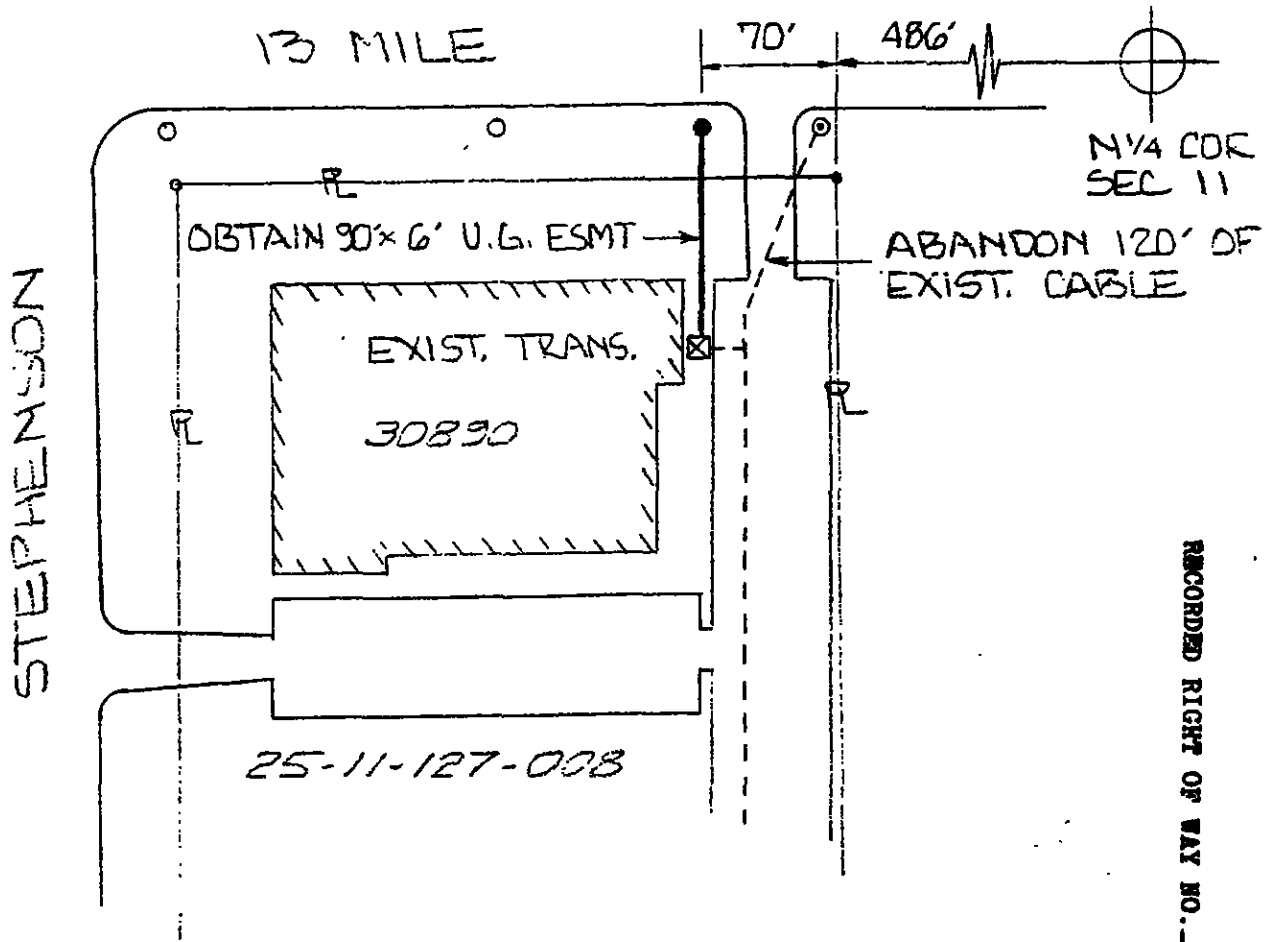
PERMITS IN RECORD CENTER 1 R.E. & R/W DEPT. FILE 1 GRANTOR K & F Associates

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

DATE June 1, 1987 SIGNED James D. McDonald

James D. McDonald, Sr. Representative

3-19-87 W.D. 4-30-87



RECORDED RIGHT OF WAY NO. 37378

LEGEND		THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT			
	FOREIGN POLE	CITY OR TOWNSHIP	COUNTY	QTR. & TWP. SECT. NO.	DEPT. ORDER NO.
	EXIST. D.E. CO. POLE	MADISON HTS	OAKLAND	W 1/2 SEC 11	
	PROPOSED POLE	MAP SECT.	TOWN	RANGE	JOINT R/W REQUIRED
	EXIST. ANCHOR	1-375-372	IN	11E	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
	PROPOSED ANCHOR	PROJECT NAME	TEL ENGR & DIST		R/W NO.
	TREE				07-8612
	120/240 VOLT LINE	CIRCUIT			O.F.W. S.O. OR PE NO.
	4900 VOLT LINE	DC 8293 CHESTNUT			666809/HQ
	13,200 VOLT LINE	REASON			BUDGET ITEM NO.
	40,000 VOLT LINE	C.P. RELOCATION			66680-K14
		PLANNER			DATE
		D. J. ESCHENBACH	SCALE 1" = 100'		3-17-87

KNOW ALL MEN BY THESE PRESENTS: That COLE-TOV INVESTMENTS, a Michigan Co-Partnership

whose address is 755 W. Big Beaver, Suite 2100, Troy, Michigan 48084

Convey(s) and Warrant(s) to K & F ASSOCIATES, a Michigan Co-Partnership

whose address is 755 W. Big Beaver, Suite 2100, Troy, Michigan 48084

the following described premises situated in the City of Madison Heights
County of Oakland ^{RO} and State of Michigan, to-wit: Part of the Northwest 1/4 of Fractional
Section 11, T.1 N., R.11 E., City of Madison Heights, Oakland County, Michigan, more parti-
cularly described as beginning at a point distant South 00 degrees 06 minutes 24 seconds
East 60.0 feet and South 88 degrees 58 minutes 36 seconds West 486.00 feet from the North
1/4 corner of Section 11, T.1 N., R.11 E., and proceeding thence South 01 degree 31 minutes
06 seconds West 344.00 feet; thence North 88 degrees 58 minutes 36 seconds East 241.33 feet;
thence South 00 degrees 05 minutes 32 seconds West 211.69 feet; thence South 88 degrees 58
minutes 36 seconds West 578.87 feet; thence along a curve to the right along the East line
of Stephenson Highway, Radius 37,949.83 feet, an arc distance of 527.10 feet and whose
chord bears North 01 degree 41 minutes 52 seconds West a distance of 527.09 feet; thence
North 01 degree 18 minutes 00 seconds West 28.59 feet; then North 88 degrees 58 minutes
36 seconds East 345.03 feet to the point of beginning. Containing 5.5557 acres. Subject
to easements of record, or any part thereof taken, used or deeded for road right-of-way.

for the full consideration of One & 00/100 (\$1.00) Dollar, exempt pursuant to Public Act 327 of 1968,
subject to easements and restrictions of record. Sec. 5 (a)

Dated this 26th day of

February 19 85

Witnesses:

Signed and Sealed

Douglas N. Kahan
Douglas N. Kahan
Diane C. Eller
Diane C. Eller

COLE-TOV INVESTMENTS

By: Jeffrey J. Kahan (L.S.)
Jeffrey J. Kahan, AUTHORIZED PARTNER

85 APR 15 - 8:31
OAKLAND COUNTY RECORDS

STATE OF MICHIGAN
COUNTY OF OAKLAND

26th day of February 1985

The foregoing instrument was acknowledged before me this
by Jeffrey J. Kahan, for Cole-Tov Investments

DEBORAH K. FIELDER
Notary Public, Macomb County, MI
My Commission Expires Aug. 29, 1988

Notary Public Macomb County, Michigan
"Acting in Oakland County"

Instrument - Denise Tiatze
Drafted by Farban/Stein and Company

Business 755 W. Big Beaver, Suite 2100
Address Troy, Michigan 48084

City Treasurer's Certificate

County Treasurer's Certificate
1.00
4-8-85

Recording Fee 5.00 Fmt

State Transfer Tax 0

Tax Parcel # 25-11-127-008
14740

When recorded return to
K & F ASSOCIATES
755 W. Big Beaver, Suite 2100, Troy, MI 48084

Send subsequent tax bills
to K & F ASSOCIATES
755 W. Big Beaver, Suite 2100, Troy, MI 48084