

207964

LIBER 20108 PAGE 184
\$13.00 MISC RECORDING
\$2.00 REMONUMENTATION
06/11/1999 11:01:44 A.M. RECEIPT# 42109
PAID RECORDED - OAKLAND COUNTY
G. WILLIAM CADDELL, CLERK/REGISTER OF DEEDS

Detroit Edison Underground Easement (Right of Way) No. R-210041-3

On May 20, 1999, for the consideration of system betterment, Grantor grants to Grantee a permanent underground easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area."

"Grantor" is:

FCA Real Estate Holdings, L.L.C., a Delaware limited liability company, 6442 City West Parkway, Ste. # 375, Eden Prairie, Minnesota 55344

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226

"Grantor's Land" is in The City of Novi, Oakland County, Michigan described as:

See attached Appendix "A". Sidwell No. 22-36-200-034

The "Right of Way Area" is a part of Grantor's Land and is described as:

As shown on attached Detroit Edison Company drawing No. R-210041-3, dated April 22, 1999.

Width of Right of Way is twenty (20) feet.


The legal description of the Right of Way Area is contained on Appendix B attached hereto.

1. **Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain underground utility line facilities consisting of poles, guys, anchors, wires, manholes, conduits, pipes, cables, transformers and accessories.
2. **Access:** Grantee has the right of access to and from the Right of Way Area.
3. **Buildings or other Permanent Structures:** No buildings or other permanent structures are allowed in the Right of Way Area without Grantee's prior written consent.
4. **Excavation:** Under 1974 Public Act 53, you must call MISS DIG (1-800-482-7171) before excavating in the Right of Way Area.
5. **Trees, Bushes, Branches, Roots, Structures and Fences:** Grantee may trim, cut down, remove or otherwise control any trees, bushes, branches and roots in the Right of Way Area (or that could grow into the Right of Way Area) and remove structures and fences in The Right of Way Area that Grantee believes could interfere with the safe and reliable construction, operation and maintenance of Grantee's facilities. No trees, plant life, structures and fences can be planted, grown or installed within 8 feet of the front door and within 2 feet of the other sides of transformers and switching cabinet enclosures. Grantee will not be responsible to Grantor for damages to or removal of trees, plant life, structures and fences placed in front of transformer doors.
6. **Restoration:** If Grantee's employees, contractors, vehicles or equipment damage Grantor's Land while entering Grantor's Land for the purposes stated in this Right of Way, then Grantee will restore Grantor's Land as nearly as can be to its original condition.
7. **Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors and assigns.
8. **Exemption:** Exempt under MCL 207.505 (a) and MCL 207.526 (a).

(2) **Witnesses:** (Type or print name below signature)

Grantor: (Type or print name below signature)

FCA Real Estate Holdings, L.L.C., by
a Delaware limited liability company ^{ITS MEMBER,}
LIFE TIME FITNESS, INC., A MINNESOTA
CORPORATION.
BY: Life Time Fitness, Inc., its Member



John Heller

RECORDED R/W FILE NO. R61926

40
R
C

O.K. - ML

APENDIX "A"

LIBER 20108 PGC 185

PROPERTY DESCRIPTION:

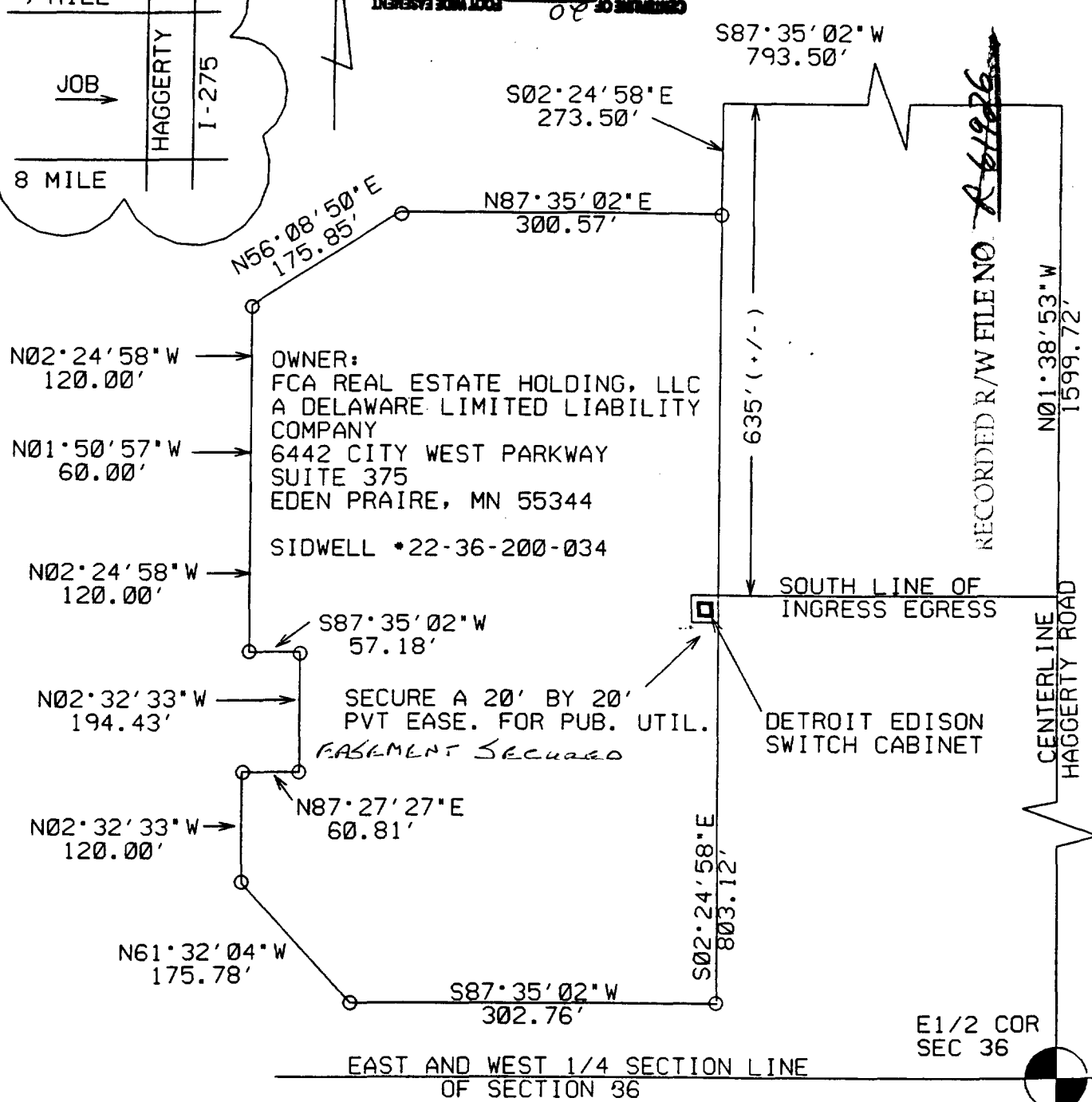
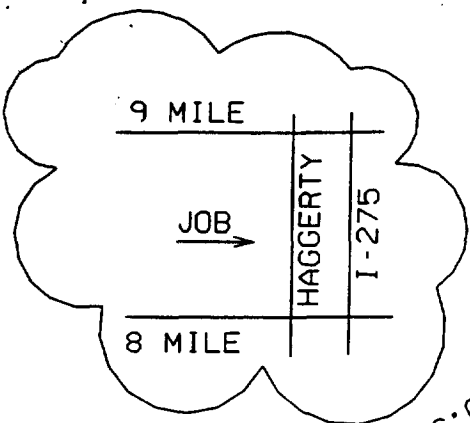
01 T1N, R8E, SEC 36
 02 PART OF NE 1/4
 03 BEG AT PT DIST
 04 N 01-38-53 W 1599.72 FT &
 05 S 87-35-02 W 793.50 FT &
 06 S 02-24-58 E 273.50 FT
 07 FROM E 1/4 COR,
 08 TH S 02-24-58 E 803.12 FT,
 09 TH S 87-35-02 W 302.76 FT,
 10 TH N 61-52-04 W 175.78 FT,
 11 TH N 02-32-33 W 120 FT,
 12 TH N 87-27-27 E 60.81 FT,
 13 TH N 02-32-33 W 194.43 FT,
 14 TH S 87-35-02 W 57.18 FT,
 15 TH N 02-24-58 W 127.50 FT,
 16 TH N 01-50-57 W 60 FT,
 17 TH N 02-24-58 W 120 FT,
 18 TH N 56-08-50 E 175.85 FT,
 19 TH N 87-35-02 E 300.57 FT
 20 TO BEG 7.76 A
 21 9-4-98 FR 031

SIDWELL NO: 22 36 200 034

RECORDED R/W FILE NO. R61926

Note: The easement centerline may vary if field construction problems arise. Therefore, for the as-installed easement centerline call 1-800-482-7171 (Miss Dig).

Centerline of 20 Foot Wide Easement
 Note: The easement centerline may vary if field construction problems arise. Therefore, for the as-installed easement centerline call 1-800-482-7171 (Miss Dig).



JPL

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT

LEGEND

- EXIST. D.E.CO. POLE
- PROPOSED POLE
- FOREIGN POLE
- ┌ EXIST. ANCHOR
- └ PROPOSED ANCHOR
- ☁ TREE
- 120/240 V LINE
- 4800 V LINE
- 13,200 V LINE
- 40,000 V LINE

CITY OR TWP.	COUNTY	TWP SEC QTR	DEPT. ORDER NO.
NOVI	OAKLAND	36 E	
MAP SECT.	TOWN RANGE	JOINT R/W REQ'D	R/W NO.
	1N 8E	NO	R-210041-3
PROJECT NAME	TEL. ENGR. & DIST.		MBT MEMO#
TOWNSHIP	SERVICE CENTER	COMP. CODE	MAILING CITY
NOV	NHS		
CIRCUIT			O.F.W.
REASON	PLANNER		BUDGET ITEM NO.
EASEMENT - LIFE TIME FITNESS	JERRY WITALEC		
	SCALE	DATE	
	1" = NTS'	04-22-99	

DESCRIPTION FOR A 20' WIDE DETROIT EDISON EASEMENT



RECORDED K/W FILE NO. R 61926

A 20' WIDE EASEMENT FOR DETROIT EDISON:

A PART OF THE NORTHEAST ¼ OF SECTION 36, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST ¼ CORNER OF SAID SECTION 36; THENCE NORTH 01°38'53" WEST 1599.72 FEET ALONG THE EAST LINE OF SAID SECTION 36, ALSO BEING THE CENTERLINE OF HAGGERTY ROAD; THENCE SOUTH 87°35'02" WEST 793.50 FEET; THENCE SOUTH 02°24'58" EAST 634.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 87°35'02" WEST 20.00 FEET; THENCE SOUTH 02°24'58" EAST 20.00 FEET; THENCE NORTH 87°35'02" EAST 20.00 FEET; THENCE NORTH 02°24'58" WEST 20.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.009 ACRES OR 400 SQ. FT. OF LAND. SUBJECT TO OTHER EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

CLIENT: KENNEDY & GRAVEN, CHARTERED		PROJECT NO. 300831-01	
FILE 0599 TINROE S36	DESCRIPTION FOR A 20' WIDE DETROIT EDISON EASEMENT, BEING PART OF THE NE 1/4 OF SECTION 36, T1N., R8E., CITY OF NOVI, OAKLAND COUNTY, MICHIGAN.	DRAWN	S.H.
		DATE	05-07-99
		CHECKED	CSL
		REVISED	-
		DATE	-
		CHECKED	-
		FIELD BOOK	- PG. -
		SHEET	2 OF 2
		P:\proj13\ 97414-01\SURVEY LFT_0199.DWG	
	PROFESSIONAL SURVEYOR NO. 41914		
 Ayres, Lewis, Norris & May, Inc. Engineers • Planners • Surveyors		3959 RESEARCH PARK DRIVE ANN ARBOR, MICHIGAN 48108 (734) 761-1010	
		 SCALE 1 IN = 100 FT	