

MEMORANDUM ORDER

FOR GENERAL USE
DE FORM NS 77 12-53

TO Records Center

DATE 2-28-61 TIME _____

Please set up R/W file for: DUNBARTON PINES SUB NO

Being a part of SW 1/4 of Section 27, CITY OF NCM

Oakland County, Michigan

COPIES TO _____

SIGNED

Omer V Racine

Omer V. Racine

264 Oakland Div. Hqters.

REPORT _____

FORWARDED RIGHT OF WAY NO.

37053

DATE RETURNED _____

TIME _____

SIGNED _____

MEMORANDUM ORDER

OR GENERAL USE

FORM 963-0608 (MS-77) 12-93

TO Dave Berman

DATE 4-3-87 TIME _____

Re: Underground Service

DUNBARTON PINES SUB No

Agreement and Easements obtained - OK to proceed with construction.

COPIES TO _____

REPORT _____

SIGNED

Omer V. Racine

Omer V. Racine, Representative
Real Estate, Rights of Way & Claims
264 Oakland Division Headquarters

RECORDED RIGHTS OF WAY NO.

37052

1. (Supervisor or R. K. RW)	2. R. K. RW	3. Date Received	4. Division No.
JAMES McDONALD		2-5-87	DE 86-1
Division	Date	Application No.	
OAKLAND	2-5-87		

We have included the following necessary material and information

Material:

- A Proposed Subdivision
 - 1 copy of complete final proposed plat - All pages
- or
- B Other than proposed subdivision (condo, apts, mobile home park -- other)
 - 1 Property description
 - 2. Site plan
 - 3 title information (deed, title commitment, contract with title commitment, or title search)

Note. Do not submit application for URD easements until all above material has been acquired

Information

1 Project Name: DUNBARTON PINES SUB No. 3

City/Township/Village: CITY OF NOVI

Type of Development:
 Proposed Subdivision
 Apartment Complex
 Condominium
 Subdivision
 Mobile Home Park
 Other

2 Name of Owner: BERTAK CONST. CO

Address: 31731 NORTHWESTERN HWY FARMINGTON HILLS MI 48018

Owner's Representative: WALTER S. KUTCHINS

Phone No: 855-5408

4 Entire Project will be developed at one time Yes No

5 Joint easements required -- Michigan Bell Telephone Yes No
 -- Consumers Power Yes No

a Name of Other Utilities If Not Michigan Bell Telephone or Consumers Power: METRO VISION OF OAKLAND CITY

b Other Utility Engineer Names: 37635 ENTERPRISE CT

Address: 37635 ENTERPRISE CT

Phone No: 853-0760

6 Additional Information or Comments

Note Trenching letter attached will be submitted later

Service Planner: D. CERMAK

Address: 240 DDHQ

Phone No: 645-4430

Signed (Service Planning Supervisor): Rayney

RECORDED RIGHT OF WAY NO. 37635

Detroit

Phone 645-4388

February 10, 1987

Mr. Walter S. Kutchins
Beztak Construction Company
31731 Northwestern Hwy, Suite 200
Farmington Hills, MI 48018

Gentlemen:

Re: Dunbarton Pines Subdivision No. 3

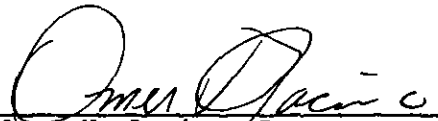
Enclosed is the original and one copy of the Right of Way Agreement for the above described project. Please have the original executed and returned to us. The copy should be retained by you for your records.

In order to comply with the recording statutes of the State of Michigan, please have two separate witnesses. The notary can be one of the witnesses. Also, print or type the names of all parties signing the documents, including witnesses, and notary.

Your attention is called to Paragraph No. 4 of this agreement, whereby you would be responsible for any damages which might occur to the Company's underground lines after installation. It is, therefore, extremely important that not only you, but any contractors working for you, exercise due care to avoid any damage.

Prompt return of this instrument, fully completed, will assist in prompt scheduling of our work to be completed in your project. Please return all documents addressed to: The Detroit Edison Company, 30400 Telegraph Road, Birmingham, Michigan, 48010. Attn: Omer V. Racine, Room 264.

Sincerely,


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

OVR/kw
Enclosures

RECORDED RIGHT OF WAY NO. 3705-2

Detroit Edison

Right of Way Agreement

87 72996

R/way

LIBER 9866 PAGE 819

March 30, 19 87

For valuable consideration, the receipt of which is hereby acknowledged, the undersigned hereby grant and convey to THE DETROIT EDISON COMPANY, a corporation organized and existing concurrently under the laws of the States of Michigan and New York, of 2000 Second Avenue, Detroit, Michigan 48226 hereinafter referred to as "EDISON", the easements and right to erect, lay, maintain, reconstruct and replace underground facilities consisting of wires, cables, conduits, fixtures and appurtenances including the necessary above ground equipment, connections, poles and accessories which may from time to time be required in, under, upon, over and across the land located in the City of Novi, Oakland County, Michigan, and more particularly described on the attached Appendix "A", with the full right to EDISON of ingress and egress upon said land for the purposes of this grant, and the further right to trim, cut down or otherwise control brush and trees within the easements herein described.

Said easements shall be Ten (10) feet in width unless otherwise indicated and their route is described as follows:

See Attached Appendix "B"

B#92 REG/DEEDS PAID
0001 APR.20 '87 01:37PM
7051 MISC 9.00

In order to provide for the proper maintenance and protection of EDISON, the undersigned covenant and agree that:

1. The easements will be graded to within four (4) inches of final grade before EDISON lines are installed and this ground elevation must be maintained after installation of utilities to avoid the pooling of water in, on or around above ground EDISON equipment.

2. No buildings or structures other than EDISONS' equipment are to be placed within the easements herein granted. No excavation is to be permitted within said easements without approval of EDISON.

3. No shrubs or foliage shall be planted or grown within five (5) feet of the front door of transformers or switching cabinet enclosures. EDISON shall not be responsible to Owners for damages to or removal of trees or plant life planted in front of said door or within the easement causing an interference with EDISONS' maintenance of their equipment.

4. If the lines of facilities of EDISON are damaged by the acts of Owners, their agents, employes or contractors, repairs shall be made by EDISON at the cost and expense of Owners. Owners are defined as those persons owning the land at the time the damage occurred.

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 and seal on this date:

Witnesses:

Grantors:

John P. Babcock
Sheryl A. Gazdag

Beztak Dunbarton Limited Partnership
A Michigan Limited Partnership
31731 Northwestern Hwy, Suite 200
Farmington Hills, MI 48018

By: Beztak Construction Company
Its General Partner

W.S. Kutchins
Walter S. Kutchins, Vice President

Prepared By: Omer V. Racine
The Detroit Edison Company
30400 Telegraph Rd., Suite 264
Birmingham, MI 48010

Address:
Omer 900

RECORDED RIGHT OF WAY NO. 37052

STATE OF MICHIGAN)
) SS
COUNTY OF OAKLAND)

Personally came before me this 30th day of March, 1987, Walter S. Kutchins, Vice-President of the Beztak Construction Company, its general partner of the Beztak Dunbarton Limited Partnership, to me known to be the person who executed the foregoing instrument, and to me known to be such Vice-President General Partner, of said limited partnership, and acknowledged that he executed the foregoing instrument as such officer as the free act and deed of said limited partnership, by its authority.

My Commission Expires: _____

Sheryl A. Gazdag

SHERYL A. GAZDAG
Notary Public, Wayne County, Michigan
Acting in Oakland County
My Commission Expires February 9, 1988

Notary Public, Oakland County, Michigan

APPENDIX "A"

Proposed "Dunbarton Pines Subdivision No. 3 and being a part of the Southwest 1/4 of Section 27, T1N, R8E, City of Novi, Oakland County, Michigan; more particularly described as commencing at the W. 1/4 corner of Section 27; thence S. 02°27'05" W., 625.00 ft., along the W. line of said Section 27 and the centerline of Taft Road and the Westerly line of "Dunbarton Pines Subdivision No. 2", as recorded in Liber 191, Pages 23, 24 and 25, Oakland County records to the Southwest corner of said "Dunbarton Pines Subdivision No. 2" and to the point of beginning; thence the following bearings and distances along the Southerly line of said "Dunbarton Pines Subdivision No. 2"; thence S. 87°32'55" E., 60.00 ft.; thence N. 77°26'37" E., 160.26 ft.; thence N. 84°32'39" E., 25.45 ft.; thence S. 87°32'55" E., 88.50 ft.; thence N. 02°27'05" E., 110.00 ft.; thence N. 22°09'57" E., 63.74; thence N. 02°27'05" E., 95.00 ft.; thence N. 58°01'35" E., 50.09 ft.; thence S. 89°31'25" E.; 515.80 ft.; thence S. 00°28'35" W., 180.00 ft.; thence S. 89°31'25" E., 36.35 ft.; thence S. 00°28'35" W., 120.00 ft.; thence S. 89°31'25" E., 8.65 ft.; thence S. 00°28'35" W., 184.52 ft.; thence 36.90 ft., along a curve to the right, said curve having a radius of 150.00 ft., a central angle of 14°05'39" and a chord bearing and distance of N. 83°25'45" E., 36.81 ft.; thence S. 89°31'25" E., 14.67 ft.; thence S 00°28'35" W., 120.00 ft.; thence N. 89°31'25" W., 43.66 ft.; thence S. 02°27'05" W., 294.85 ft.; thence N. 87°32'55" W., 120.00 ft.; thence S. 02°27'05" W., 25.00 ft.; thence S. 87°32'55" E., 75.00 ft.; thence S. 64°04'16" E., 125.00 ft.; thence S. 33°55'39" E., 153.60 ft.; thence S. 15°52'52" W., 103.07 ft., to a point on the Southerly line of said "Dunbarton Pines Subdivision No. 2", and to a point on the Northerly line of "Dunbarton Pines Subdivision No. 1" as recorded in Liber 164, Pages 40, 41 and 42 of Oakland County records; thence the following bearings and distances along the Northerly line of said "Dunbarton Pines Subdivision No. 1"; thence S. 27°30'16" W., 108.02 ft.; thence N. 87°59'53" W., 85.35 ft.; thence S. 88°34'42" W., 85.35 ft.; thence S. 86°52'00" W., 342.02 ft.; thence N. 88°38'24" W., 60.00 ft.; thence S. 74°53'53" W., 119.41 ft.; thence S. 64°43'41" W., 170.12 ft.; thence N. 87°32'55" W., 235.75 ft., to the Northwest corner of said "Dunbarton Pines Subdivision No. 1" and a point of the West line of said Section 27 and the centerline of said Taft Road; thence N. 02°27'05" E., 1089.18 ft. along the West line of said Section 27 and the centerline of said Taft Road, to the point of beginning. All of the above containing 28.491 Acres.

SIDWELL NO. 22-27-301-003 SW 1/4 sec 27 Novi

RECORDED RIGHT OF WAY NO. 37052

