

Detroit Edison

Real Estate and Rights of Way  
**Underground  
Right of Way Agreement**

LIBER 10069 PAGE 803

87 157912

July 10, 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 Novi City of Novi, County of Oakland, State of Michigan, further described as:

(That part of E 1/2, Section 14, T1N., R8E.) of SW 1/4 lying S of Hwy. I-96 R/W exc S 265 ft. of W 200 ft., also exc E 220 ft. of S 200 ft., also exc E 100 ft. of balance. 39.87 acres.

Sidwell No: 22-14-376-005

# (1)

A#36 REG/DEEDS PAID  
0001 AUG.19'87 11:14AM  
1600 MISC 19.00

RECORDED RIGHT OF WAY NO. 37456

D6002

as shown on the attached drawing U1-2-3400 which is made a part hereof

The right of way is Ten (10') 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.

Witnesses:

Grantors:

Wolverine IV Limited Partnership,  
A Texas Limited Partnership

[Signature]  
ANDREW G. TRACY

By: [Signature]  
Timothy W. Barrett  
A Managing General Partner

[Signature]  
OMER V. RACINE

FILED AS TO FORM 8-6-87 DATE  
LEGAL DEPARTMENT [Signature]

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

Address: 7071 Orchard Lake Road, Suite #215  
West Bloomfield, MI 48033

STATE OF MICHIGAN)  
COUNTY OF OAKLAND) SS

The foregoing instrument was acknowledged before me this 10 day of July, 1987, by Timothy W. Barrett, a managing general partner of Wolverine IV Limited Partnership, a Texas Limited Partnership, on behalf of the partnership.

My Commission Expires: 1/2/90

Barbara J. Castrodale  
Notary Public, Wayne County, Michigan

BARBARA J. CASTRODALE  
Notary Public, Wayne County, MI  
My Commission Expires Jan. 2, 1990  
Acting in Oakland County, MI

RECORDED RIGHT OF WAY NO. 37456

63 243 123

86 91063

The Grantor(s) Timothy W. Barrett, a single man, whose address is as nominee 7071 Orchard Lake Road, West Bloomfield, Michigan quit-claim(s) to Wolverine IV Limited Partnership, a Texas Limited Partnership whose address is 7071 Orchard Lake Road, West Bloomfield, Michigan the following described premises situated in the City of Novi, County of Oakland and State of Michigan

(See Exhibit A, attached.)

RECORDED  
 DANLAND COUNTY  
 REGISTERED  
 86 JUN -2 13:48  
 LYNN A. ALLEN  
 CLERK, STATE OF MICHIGAN

MAKE YOUR REAL ESTATE TRANSFERS SAFE BY USING FIRST AMERICAN TITLE INSURANCE COMPANY OF MID-AMERICA

for the sum of One Dollar (\$1.00). (Exempt from Real Estate Transfer Tax under MCLA 207.505(a) (1).)  
 Dated this 26th day of June, 19 86

Signed in presence of  
 EDWARD C. DAWDA  
 Paula M. Chmielnicki  
 Timothy W. Barrett, as nominee

STATE OF MICHIGAN }  
 COUNTY OF Wayne } SS

The foregoing instrument was acknowledged before me this 26th day of June 19 86 by Timothy W. Barrett, as nominee

Notary Public, Michigan  
 My commission expires  
 PAULA M. CHMIELNICKI  
 Notary Public, Wayne County, Mich  
 My Commission Expires

When Recorded Return To John R. Turner	Send Subsequent Tax Bills To	Drafted By John R. Turner
(Name) Clark, Klein & Beaumont 1600 First Federal Bldg. (Street Address) Detroit, Michigan 48226 (City and State)		Business Address Clark, Klein & Beaumont 1600 First Federal Bldg. Detroit, Michigan 48226

Tax Parcel # \_\_\_\_\_ Recording Fee \_\_\_\_\_ Transfer Tax Exempt

\* TYPE OR PRINT NAMES UNDER SIGNATURES

*Done*

LAND IN THE CITY OF NOVI, OAKLAND COUNTY, MICHIGAN DESCRIBED AS:  
 PARCEL 1  
 Land in the southwest 1/4 of Section 14 and the northwest 1/4 of Section 23, Town 1 North, Range 8 East, commencing at the southwest corner of Section 14; thence along the west section line north 2 degrees 40 minutes 33 seconds west 67.00 feet to the point of beginning;  
 thence along the west section line north 2 degrees 40 minutes 33 seconds west 177.10 feet;  
 thence north 86 degrees 52 minutes 49 seconds east 330.00 feet;  
 thence north 2 degrees 40 minutes 33 seconds west 87.91 feet;  
 thence north 86 degrees 04 minutes 47 seconds east 48.02 feet;  
 thence north 2 degrees 40 minutes 33 seconds west 149.25 feet;  
 thence south 86 degrees 04 minutes 27 seconds west 378.09 feet to a point on the west section line;  
 thence along the west section line, north 2 degrees 40 minutes 33 seconds west 52.31 feet;  
 thence north 87 degrees 15 minutes 12 seconds east 325.56 feet;  
 thence north 1 degree 48 minutes 33 seconds west 187.06 feet;  
 thence south 87 degrees 31 minutes 47 seconds west 328.40 feet to a point on the west section line;  
 thence along the west section line, north 2 degrees 40 minutes 33 seconds west 461.54 feet;  
 thence north 87 degrees 19 minutes 47 seconds east 105.41 feet to a point on the limited access Right of Way line for Highway I-96 and Novi Road ramp;  
 thence north 3 degrees 19 minutes 27 seconds east 363.19 feet;  
 thence north 14 degrees 52 minutes 02 seconds east 113.62 feet;  
 thence north 38 degrees 03 minutes 11 seconds east 113.62 feet;  
 thence north 61 degrees 12 minutes 20 seconds east 113.62 feet;  
 thence north 83 degrees 45 minutes 51 seconds east 178.46 feet;  
 thence north 88 degrees 46 minutes 54 seconds east 719.62 feet;  
 thence south 89 degrees 43 minutes 08 seconds east 146.06 feet;  
 thence south 86 degrees 43 minutes 04 seconds east 146.06 feet;  
 thence south 85 degrees 13 minutes 06 seconds east 60.72 feet;  
 thence leaving said Right of Way line south 2 degrees 40 minutes 33 seconds east 1759.56 feet to a point on the south section line of Section 14;  
 thence along the south section line, south 87 degrees 28 minutes 51 seconds west 22.02 feet;  
 thence south 2 degrees 00 minutes 21 seconds west 200.00 feet;  
 thence south 87 degrees 28 minutes 51 seconds west 200.00 feet;  
 thence south 2 degrees 00 minutes 21 seconds west 289.89 feet to a point on the northerly Right of Way line of Grand River Avenue;  
 thence along said Right of Way line north 73 degrees 44 minutes 04 seconds west 185.79 feet;  
 thence south 1 degree 22 minutes 29 seconds east 17.84 feet;  
 thence north 73 degrees 44 minutes 04 seconds west 53.45 feet;  
 thence north 6 degrees 27 minutes 01 second east 183.62 feet;  
 thence north 4 degrees 42 minutes 23 seconds east 216.50 feet to a point on the southerly 33 foot Right of Way line of 11 Mile Road;  
 thence along said Right of Way line, south 87 degrees 28 minutes 51 seconds west 243.87 feet;  
 thence south 13 degrees 38 minutes 41 seconds west 314.43 feet to a point on the northerly Right of Way line of Grand River Road;  
 thence along said Right of Way line, north 74 degrees 00 minutes 17 seconds west 690.55 feet;  
 thence north 3 degrees 08 minutes 23 seconds west 115.75 feet;  
 thence north 2 degrees 40 minutes 33 seconds west 67.00 feet;  
 thence south 87 degrees 28 minutes 51 seconds west 183.50 feet to the point of beginning.

22-14-376-005  
 22-23-126-001  
 "002  
 -101-004  
 -010  
 -011  
 -012  
 -008  
 -014  
 -013  
 -009

22-14-351-045  
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22-14-351-046  
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22-14-376-001  
 -003

over

**PARCEL II (KAYS PARCEL)**

Part of the southwest 1/4 of the southeast 1/4 of Section 14, Town 1 North, Range 8 East, commencing at the southwest corner of said Section 14;  
 thence along the west line of said Section north 2 degrees 40 minutes 33 seconds west 416.90 feet to the point of beginning;  
 thence continuing along said west line, north 2 degrees 40 minutes 33 seconds west 49.50 feet;  
 thence north 87 degrees 19 minutes 27 seconds east 330.00 feet;  
 thence south 2 degrees 40 minutes 33 seconds east 49.50 feet;  
 thence south 87 degrees 19 minutes 27 seconds west 330.00 feet to the point of beginning,  
 Except the west 38 feet thereof taken for road purposes as deeded to the Oakland County Road Commission (liber 7203, page 870, Oakland County Records).

22-14-251-015

**PARCEL III (CLEMENS PARCEL)**

Land in the northwest 1/4 of Section 23, Town 1 North, Range 8 East, commencing at the north 1/4 corner;  
 thence along the north section line, south 87 degrees 28 minutes 51 seconds west 1292.76 feet;  
 thence south 2 degrees 00 minutes 21 seconds west 540.40 feet to the centerline of Grand River Road;  
 thence along said centerline south 74 degrees 16 minutes 33 seconds east 86.22 feet to the point of beginning;  
 thence north 2 degrees 46 minutes 49 seconds east 51.32 feet;  
 thence north 6 degrees 47 minutes 48 seconds east 97.40 feet;  
 thence north 2 degrees 46 minutes 49 seconds east 68.75 feet;  
 thence south 85 degrees 52 minutes 56 seconds east 100.00 feet;  
 thence south 4 degrees 07 minutes 04 seconds west 238.21 feet to the centerline of Grand River Road;  
 thence along said centerline, north 74 degrees 16 minutes 33 seconds west 103.78 feet to the point of beginning.  
 Except for the southerly 50.00 feet for highway purposes.

22-23-126-013

**PARCEL IV (GOLD PARCEL)**

Part of the east 1/2 of the northwest 1/4 of Section 23, Town 1 North, Range 8 East described as: Beginning at point distant east 433.70 feet and south 200 feet from the northwest corner of the east 1/2 of the northwest 1/4;  
 thence west 200 feet;  
 thence south 08 degrees 08 minutes 00 seconds west 401.50 feet to the center of the US-16 Highway;  
 thence south 79 degrees 30 minutes 00 seconds east along said centerline, 260 feet;  
 thence north 480.00 feet to beginning.  
 Except that part deeded to County of Oakland by Deed recorded in liber 5, page 191, Miscellaneous Records of Oakland County.

**PARCEL V (CHEESEMEN PARCEL)**

Part of the northwest 1/4 of Section 23, Town 1 North, Range 8 East, described as beginning at a point on the north line of Section 23, also being the centerline of 11 Mile Road, distant south 88 degrees 51 minutes 20 seconds west 902.55 feet from the north 1/4 corner of Section 23, Town 1 North, Range 8 East, and proceeding thence south 00 degrees 25 minutes 34 seconds east 200.00 feet;  
 thence south 89 degrees 02 minutes 05 seconds west 203.45 feet;  
 thence north 03 degrees 29 minutes 00 seconds east 200.00 feet;  
 thence along the north line of Section 23, also being the centerline of 11 Mile Road, north 88 degrees 51 minutes 20 seconds east 189.82 feet to the point of beginning.

22-23-126-003

Detroit  
Edison

91

REAL ESTATE, RIGHTS OF WAY & CLAIMS

Date: JULY 28, 1987

To: Legal Department  
688 W.C.B.

From: OMER V RACINE  
Real Estate, Rights of Way & Claims  
264 Oakland Division Headquarters

Will you please have the attached agreements approved and returned to this office.

Please note any deficiencies so that we may have them corrected.

R/W Application # 86-072

Grantor WOLVERINE IV LIMITED PARTNERSHIP

RECORDED RIGHT OF WAY NO. 37452

APPLICATION FOR RIGHT OF WAY

DK 903-0211 5-7455 (MS 80)

Job 86-072  
Akron Substation

PLEASE SECURE RIGHT OF WAY AS FOLLOWS.

DATE Sept. 11, 1986

LOCATION Novi Town Center - 11 Mile

APPLICATION NO. U1-2-3400

(vacated), East of Novi Rd.

DEPT. ORDER NO. \_\_\_\_\_

CITY OR VILLAGE Novi

O F W NO. 6JA3A8/H04

TOWNSHIP \_\_\_\_\_ COUNTY Oakland

BUDGET ITEM NO. \_\_\_\_\_

DATE BY WHICH RIGHT OF WAY IS WANTED Nov. 15-1986

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 1-10' x 755'+ , 1-15' x 20' and 2-15' x 76'

Underground Easements with rights of Ingress and Egress as per Drawing #  
U1-2-3400

PURPOSE OF RIGHT OF WAY To provide primary switch cabinets for service to the Novi  
Town Center

*Robert F. Burtwell / RAB*

SIGNED Robert F. Burtwell

520 S.B.  
OFFICE

Division Services  
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. Racine, Representative, Real Estate, Rights of Way & Claims,  
Oakland Division.

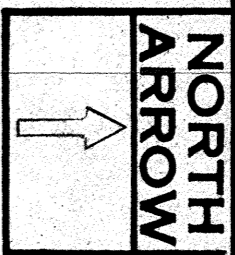
RECORDED RIGHT OF WAY NO. 37462  
37464

PERMITS IN RECORD CENTER 9 R.E. & R/W DEPT. FILE 9 GRANTOR Wolverine IV Ltd. Part. Timothy W. Barrett

NO. OF PERMITS 9 NO. OF STRUCTURES \_\_\_\_\_ NO. OF MILES \_\_\_\_\_ PERMITS TO MBT 0

DATE August 11, 1987 SIGNED James D. McDonald  
James D. McDonald, Sr. Representative

9-15-86 WD 10-15-86



LIBER 10069 307 805

11 MILE RD 66' WD (VACATED)

PROPOSED 15' X 7 1/2' DE CO EASEMENT

PROPOSED 15' X 7 1/2' DE CO EASEMENT

NOVI RD

SW CORNER SEC 14

PROP PRI SW CAB

1602.65' SW COR. SEC. 14 TO POINT (500)

SEC 14

SEC 23

11 MILE RD

PROP PRI SW CAB

PROP PRI SW CAB

PROPOSED 15' X 20' DE CO EASEMENT FOR PRI SW CAB.

PROPOSED 10' X 75.5' DE CO EASEMENT

N.B.D PROPERTY

TRAMMEL CROW CO. PROPERTY OFFICE - 7071 ORCHARD LAKE RD WEST BLOOMFIELD, MI 48033

PROPOSED ROAD S.A.D.#79,80,81,82 BY JCK & ASSOCIATES INC CLARKSTON, MI

PROP. CONDUIT

20' UTIL. ESMT.

20' UTIL. ESMT.

20' UTIL. ESMT.

20' UTIL. ESMT.

NOTE:

REFER TO CONSTRUCTION DRAWINGS

1. SITE PLANS - JOB 85068 BY PROFESSIONAL ENGINEERING ASSOCIATES 950 N. HUNTER BIRMINGHAM
2. PROPOSED ROAD - SAD 79,80,81,82 JOB NH30 BY JCK AND ASSOCIATES, INC. 9215 DIXIE HWY CLARKSTON, MI.
3. PROPOSED CONDUIT BY DETROIT EDISON CO JOB 86-072 - 2000 3RD ROOM 5205B - DETROIT

LIBER 10069 307 808

RETURN TO J. D. McDONALD THE DETROIT EDISON COMPANY 30400 TELEGRAPH ROAD, 264 OAKDA BIRMINGHAM, MICHIGAN 48010

RECORDED R/W FILE NO. R37456

PART OF SW 1/4 SEC 14 AND NW 1/4 SEC 23 - NOVI TP. T2N, R8E

FOR R/W USE ONLY

JOB # 86-072 OFW 6JAZA8/104

NOTE REVISIONS: RETURN TO UNDERGROUND LINE DEPT. ALL PRINTS MADE REFERENCE TO LAST REVISION

REFERENCE

USE DIMENSIONS ONLY

DRAWN BY CRYSTAL 9-4-84

NOVI TOWN CENTER PROPOSED DECO EASEMENTS OAKLAND CO CITY OF NOVI

THE DETROIT EDISON COMPANY TRANSMISSION AND DISTRIBUTION DEPT. DETROIT, MICH. SCALE NONE PRINTED 11-2-3400