

**Detroit Edison**

LIBER 10109 014

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

OCT 16 1986  
87174467

November 10<sup>TH</sup>, 1986

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 overhead and underground line facilities consisting of poles, guys, anchors, conduits, wires, cables, manholes, transformers and accessories required to provide electric service in, under, upon, over and across property located in the City of Novi, County of Oakland, State of Michigan, further described as:

The northerly (12') twelve feet and also the southerly (12') twelve feet and also the easterly 12 feet of the westerly 36 feet of the following described property: A part of the southeast 1/4 of Section 36, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan; more particularly described as commencing at the southeast corner of said Section 36; thence South 87°20'09" West 1680.38 feet, along the South line of said Section 36 and the centerline of Eight Mile Road; thence North 03°24'04" West 670.96 feet to the point of beginning; thence North 03°24'04" West 740.00 feet; thence North 86°35'56" East 400.00 feet, to the West line of Orchard Hill Road (60 feet wide); thence South 03°24'04" East 638.13 feet, along the westerly line of said Orchard Hill Road; thence along the westerly line of said Orchard Hill Road 102.95 feet, along a curve to the right said curve having a radius of 409.47 feet, a central angle of 14°24'20" and a chord bearing and distance of South 03°48'06" West 102.68 feet, thence South 86°35'56" West 387.13 feet to the point of beginning.

Sidwell ~~22-36-400-023~~

*place*  
*nKa Orchard Hill Condo*  
*9000434*  
*22-36-477-000*

A#36 REG/DEEDS PAID  
0001 SEP.15 '87 02:12PM  
6763 MISC 7.00

as shown on the attached drawing 8306 which is made a part hereof.

The right of way is (12') Twelve feet in width.

The rights hereby granted include the right of access to and from the right 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:

*Cora Mae Gouine*  
Cora Mae Gouine 11/10/86

*Over 700*  
LAND INVESTMENT PARTNERSHIP,  
A Michigan Co-Partnership  
BY: Samelson, Inc.  
A Michigan Corporation, Gen. Partner

*Joan B. Pascouau*  
Joan B. Pascouau 11/10/86

BY: *Randon A. Samelson*  
Randon A. Samelson, President

APPROVED: *J.P. K...* DATE: 8-20-87  
LEGAL DEPARTMENT

Prepared by:  
Stuart Chipman  
The Detroit Edison Company  
30400 Telegraph, Suite 264  
Birmingham, Michigan 48010

Address: 2100 N. Woodward, Suite 180  
Bloomfield Hills, Michigan 48013

RECORDED RIGHT OF WAY NO. 37601

OCT 16 1986

LIBER 10109 'AG' 015

Acknowledgement - Partnership

State of Michigan

County of Oakland ) SS.

On this 10th day of November, 1986, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Samelson, Inc. A Michigan Corporation, General Partner, by Randon A. Samelson, Its President ~~General Partner~~, on behalf of Land Investment Partnership a partnership.

My Commission Expires: 12/13/87

*Joan B. Pasquau*  
JOAN B. PASQUAU  
Notary Public, Oakland County, Michigan

RECORDED RIGHT OF WAY NO. \_\_\_\_\_

RECORDED RIGHT OF WAY NO. 37601

RELEASE OF RIGHT OF WAY

WHEREAS, Land Investment Partnership, a Michigan Co-Partnership by Samelson, Incorporated, a Michigan Corporation, granted to THE DETROIT EDISON COMPANY, a Michigan corporation, 2000 Second Avenue, Detroit, MI 48226, an easement for maintenance of its lines for the transmission and distribution of electricity, dated November 10, 1986 and recorded September 15, 1987 in Liber 10109, Pages 14 and 15, Oakland County Records, upon over and across property located in the City of Novi, Oakland County, Michigan, described as:

The northerly (12') twelve feet and also the southerly (12') twelve feet and also the easterly 12 feet of the westerly 36 feet of the following described property: A part of the southeast 1/4 of Section 36, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan; more particularly described as commencing at the southeast corner of said Section 36; thence South 87°20'09" West 1680.38 feet, along the South line of said Section 36 and the centerline of Eight Mile Road; thence North 03°24'04" West 670.96 feet to the point of beginning; thence North 03°24'04" West 740.00 feet; thence North 86°35'56" East 400.00 feet, to the West line of Orchard Hill Road (60 feet wide); thence South 03°24'04" East 638.13 feet, along the westerly line of said Orchard Hill Road; thence along the westerly line of said Orchard Hill Road 102.95 feet, along a curve to the right said curve having a radius of 409.47 feet, a central angle of 14°24'20" and a chord bearing and distance of South 03°48'06" West 102.68 feet, thence South 86°35'56" West 387.13 feet to the point of beginning

37601

WHEREAS, THE DETROIT EDISON COMPANY has no equipment located within the above described easement,

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, THE DETROIT EDISON COMPANY does, by these presents, expressly release, quit claim and abandon the above-mentioned easement and all rights acquired by virtue of the aforementioned Right of Way Grant dated November 10, 1986

IN WITNESS WHEREOF, THE DETROIT EDISON COMPANY, through its duly authorized officers, has caused this Release to be executed on this 17<sup>th</sup> day of February, 1988.

In the Presence of:

  
MICHAEL C. VENETIS

  
Janet A. Scullen

THE DETROIT EDISON COMPANY

By:   
E. R. Lewksbury, Director, Real Estate and Rights of Way

By:   
Elaine M. Godfrey, Assistant Secretary

STATE OF MICHIGAN)  
                                  )SS  
COUNTY OF WAYNE )

On this 17th day of February, 1988, before me the  
subscriber, a Notary Public in and for said County, appeared  
R. R. Tewksbury and Elaine M. Godfrey,  
to me personally known, who being by me duly sworn did say they are  
the Director-RE&RW and Assistant Secretary and  
of THE DETROIT EDISON COMPANY, a Michigan corporation, and that the  
seal affixed to said instrument is the corporate seal of said  
corporation, and that said instrument was signed in behalf of said  
corporation by authority of its Board of Directors and  
R. R. Tewksbury and Elaine M. Godfrey acknowledged  
said instrument to be the free act and deed of said corporation.

*Janet A. Sullivan*  
Notary Public, Macomb County, Michigan

My Commission Expires: 7-31-89  
Acting in Wayne County

PREPARED BY: Thomas P. Beagen  
2000 Second Avenue  
Detroit, MI 48226

BJD/1/13.0

RECORDED RIGHT OF WAY NO. 37601

Detroit Edison

Real Estate and Rights of Way

Overhead and Underground Right of Way Agreement

LIBER 10109 014

OCT 16 1986 87174467

November 10<sup>TH</sup>, 1986

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

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Sidwell ~~22-36-400-023~~

place  
nka Orchard Hill Condo  
DEED # 434  
22-36-477-000

A#36 REG/DEEDS PAID  
0001 SEP.15 '87 02:12PM  
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as shown on the attached drawing 8306 which is made a part hereof.

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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:

Cora Mae Gouine 11/10/86

Joan B. Pascouau 11/10/86

Grantors:

LAND INVESTMENT PARTNERSHIP,  
A Michigan Co-Partnership  
BY: Samelson, Inc.  
A Michigan Corporation, Gen. Partner

BY: Randon A. Samelson, President

8-20-87 DATE  
LEGAL DEPARTMENT

Prepared by:  
Stuart Chipman  
The Detroit Edison Company  
30400 Telegraph, Suite 264  
Birmingham, Michigan 48010

Address: 2100 N. Woodward, Suite 180  
Bloomfield Hills, Michigan 48013

RECORDED RIGHT OF WAY NO. 37601

OCT 16 1986

LIBER 10109 PAC 015

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State of Michigan

County of Oakland ) SS.

On this 10th day of November, 1986, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Samelson, Inc. A Michigan Corporation, General Partner, by Randon A. Samelson, Its President ~~(a General Partner)~~, on behalf of Land Investment Partnership a partnership.

My Commission Expires: 12/13/87

Joan B. Pasquau  
JOAN B. PASQUAU  
Notary Public, Oakland County, Michigan

RECORDED RIGHT OF WAY NO. 37601

# CROSS REFERENCE

NAME OR SUBJECT RECORDED RIGHT OF WAY NO. 37601 FILE NO.

REGARDING Indenture of Release (10505/009), (906/178), DATE June 7, 1988  
Bankers Trust Company to The Detroit  
Edison Company.

## SEE

NAME OR SUBJECT MORTGAGE - GENERAL AND REFUNDING FILE NO.  
Release from Lien of Mortgage  
Release No. 433

Detroit  
Edison

REAL ESTATE AND RIGHTS OF WAY

Project No.

RO 2358

Date: February 18, 1988  
To: Vicki Sullivan  
Records Center  
From: M. C. Venetis *MV*  
Subject: Release of Right of Way No. 37601

Attached are papers related to the Release of Right of Way granted to Land Investment Partnership, whose address is 2100 North Woodward, Suite 180, Bloomfield Hills, Michigan 48013, on February 17, 1988.

The property is located in the SE 1/4 of Section 36 in the City of Novi, Oakland County, Michigan.

Please incorporate these papers into Records Center File No. 37601.

Approved:

*Barbara A. Fulton*

Barbara A. Fulton  
Supervisor, Real Estate Services

RECORDED RIGHT OF WAY NO. 37601

attachments

cc: D. Barkley  
R. A. Gloger  
A. L. Heitsch  
J. D. McDonald  
BJD/2/16.0

Serving Customers

*We're all a part of it!*



THE DETROIT EDISON COMPANY

SIGNATURE

DATE

3760

RECORDED RIGHT OF WAY NO.

REPLY:

SIGNATURE  
S. L. CHISHMAN

THANKS,

TAKEN

MESSAGE: PLEASE RELEASE EXISTING EASEMENT -  
NEW EASEMENT OF WATERWAY SOFT TO BE

SUBJECT: CHANGE OF EASEMENT

TO: Barbara Newton-Fulton  
448 G.O.  
FROM: S. L. CHISHMAN  
264 O.D. HQ

memorandum  
DATE 12-23-84

Date: January 21, 1988  
To: M. C. Venetis  
Real Estate Coordination Specialist  
From: D. J. Cash, Supervising Engineer *DK*  
Substation Projects  
Subject: Release of Right of Way No. 37601  
SE 1/4 of Section 36  
City of Novi, Oakland County

The attached request to release of Right of Way No. 37601, has been reviewed.

This agreement is for distribution, therefore, Power System, Construction, and Planning have no objections to granting this release.

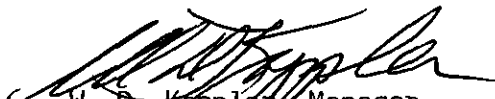
The Oakland Division should be contacted for their comments and recommendations.

Approved:



I. E. Olivier, Director  
Engineering Design

Approved:



W. D. Kappler, Manager  
Power System

DB/

attachments

cc: File RO 2358

RECORDED RIGHT OF WAY NO. 37601

Detroit  
Edison

MEV

Date: January 25, 1988  
To: B. A. Fulton  
From: J. D. McDonald JM  
Subject: Project No. RO 2358 - Release of Right of Way No. 37601,  
S.E.  $\frac{1}{4}$  of Section 36, City of Novi, Oakland County, MI

The Oakland Division has no objections to the release of Right of  
Way No. 37601.

JDM/vkc

APPROVED:

*ffo* Maurice L. Vermeulen  
Maurice L. Vermeulen  
Manager, Oakland Division

RECORDED RIGHT OF WAY NO. 37601