



LIBER 104750708

88 95610

# Right of Way Agreement

June 26 1988

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 Wixom, 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"

*Handwritten:* #1  
DECO

EDISON RIGHT OF WAY NO.

*Handwritten:* 38541

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:

See Next Page

*Handwritten:* 38541

Omer v. Racine  
The Detroit Edison Company  
30400 Telegraph Rd., Suite 264

Prepared By: Birmingham, MI 48010

Address:

*Handwritten:* [Signature]

Witnesses:

DeMaria Investments  
A Michigan Co-Partnership  
December 29, 1983, Oakland County  
45500 Grand River  
Novi, MI 48050.

Joseph P. Vella  
JOSEPH P. VELLA

Joseph A. DeMaria  
Joseph A. DeMaria - CO PARTNER

Robert F. Newman  
ROBERT F. NEWMAN

Richard DeMaria  
Richard DeMaria CO PARTNER

State of Michigan )  
                          ) SS:  
County of Oakland )

Personally came before me this 23<sup>RD</sup> day of June, 1988, Joseph A. DeMaria, Co-Partner, and Richard DeMaria, Co-Partner of the above named Co-Partnership to me known to be persons who executed the foregoing instrument, and to me known to be such Co-Partners of said Co-Partnership and acknowledge that they executed the foregoing instrument as such Co-Partners as their free act and deed.

RECORDED RIGHT OF WAY NO. 33591

My Commission Expires: 5-28-90

Cheryl A. Smith  
Notary Public, Oakland  
County, Michigan

Witnesses:

CHERYL A. SMITH  
Notary Public, Oakland County, MI  
My Commission Expires May 28, 1990

Mark F. Guidobono  
MARK F. GUIDOBONO

Adalgisa Guidobono  
Adalgisa Guidobono  
21470 Brixton  
Southfield, MI 48075

Jay Clapham  
JAY CLAPHAM

State of Michigan )  
                          ) SS:  
County of Oakland )

Personally came before me this 22<sup>ND</sup> day of JUNE, 1988, the above named Adalgisa Guidobono, to me known to be the person who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

My Commission Expires: August 22, 1989

Joy A. Kangas  
Notary Public, Wayne  
County, Michigan

JOY A. KANGAS  
Notary Public, Wayne County, Michigan  
My Commission Expires August 22, 1990



MEMORANDUM ORDER  
FOR GENERAL USE  
DE FORM NS 77 12-83

TO Records Center

DATE 8-11-88 TIME \_\_\_\_\_

Please set up R/W file for: Grand Oak Commerce Center Sub.  
Being a part of South 1/2 of Section 7, City of Wixom  
Oakland County, Michigan

RECORDED  
RIGHT  
OF  
WAY  
NO.  
38391

**THE SERVICE has  
been certified by the  
REAR/W Dept.**

COPIES TO \_\_\_\_\_  
REPORT \_\_\_\_\_

SIGNED

Omer Racine  
Omer V. Racine  
269 Oakland Div. Hqtrs.

DATE RETURNED \_\_\_\_\_

TIME \_\_\_\_\_

SIGNED \_\_\_\_\_

To (Supervisor, RF & HW) <b>JAMES McDONALD</b>	Date Rec'd <b>6-14-88</b>	DE File # <b>OE 88-23</b>
Division <b>OAKLAND</b>	Date	App. # of C.P. #

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  
**GRAND OAK COMMERCE CENTER**

City/Township/Village  
**WIXOM**

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

2 Name of Owner  
**DE MARIA INVESTMENTS**

Address  
**45500 GRAND KIVER RD, MI 48050**

Owner's Representative  
**DAVE WILSON**

Date Service is Wanted  
**7-1-88**

City  
**OAKLAND**

Phone No.  
**348-8710**

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

b Other Utility Engineer Names

Addresses

6 Additional Information or Comments

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Note: Trenching letter  attached  will be submitted later

Service Planner  
**J. WALLACE**

Phone No. \_\_\_\_\_ Address \_\_\_\_\_

Signed (Service Planning Supervisor)  
*[Signature]*

RECORDED RIGHT OF WAY NO. 38591

# PROPOSED GRAND OAK COMMERCE CENTER

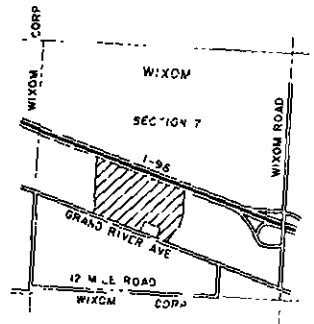
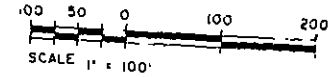
A SUBDIVISION OF PART OF THE SOUTH 1/2 OF SEC. 7,  
T.1 N., R.8 E., CITY OF WIXOM, OAKLAND CO., MICHIGAN

## APPENDIX "B"

RECORDED RIGHT OF WAY NO. 31591

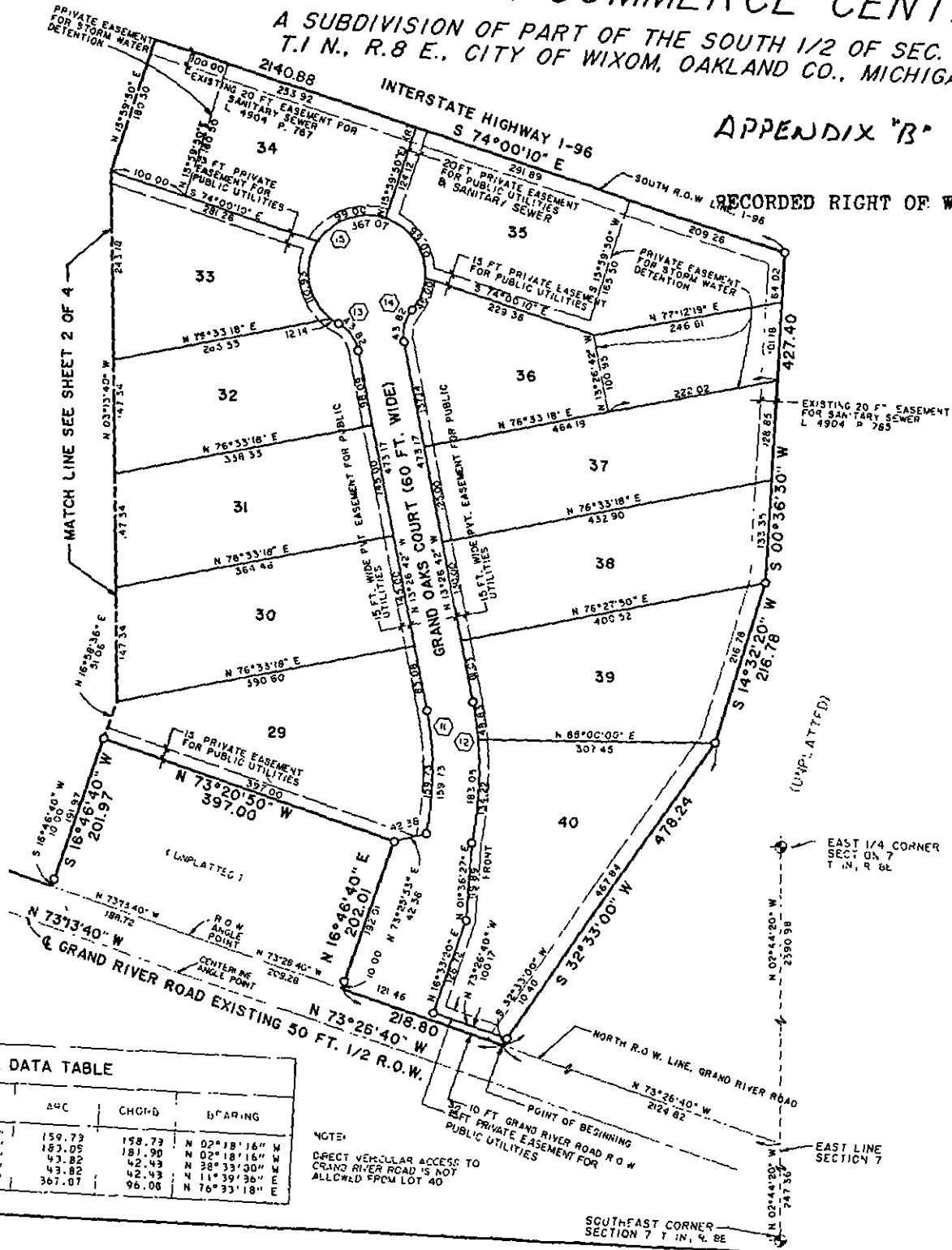
SHEET 1 OF 4

**LEGEND**  
 ALL DIMENSIONS ARE SHOWN IN FEET  
 ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC.  
 THE SYMBOL "O" INDICATES A CONCRETE MONUMENT, WHICH IS 4" IN DIAMETER X 36" LONG, ENCASED A 1/2" IRON ROD.  
 THE SYMBOL (R) DENOTES A RADIAL LOT LINE.  
 ALL LOT MARKERS ARE 3/4" IRON PIPE AND ARE 18" IN LENGTH CAPPED WITH YELLOW PLASTIC CAPS BEARING THE SURVEYOR'S REGISTRATION NUMBER # 21581.  
 BEARINGS WERE ESTABLISHED FROM M.D.O.T. R.O.W. PLAN 83-29-1 SHEET 7 AND CONFIRMED BY ASTRONOMIC OBSERVATION ON MAY 6, 1997.



LOCATION MAP

SCALE 1" = 2000



LIBER 104757761

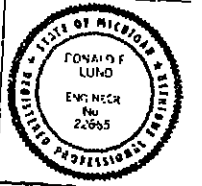
CLR #	RAD. L.	DEF. A	ΔC	CHORD	BEARING
11	410.74	22°16'55"	159.73	158.73	N 02°18'16" W
12	470.74	22°16'48"	181.05	181.90	N 02°18'16" W
13	50.00	50°12'36"	43.82	42.43	N 38°33'30" W
14	50.00	50°12'36"	43.82	42.43	N 11°39'36" E
15	75.00	280°25'12"	367.07	96.08	N 76°33'18" E

NOTE:  
 DIRECT VEHICULAR ACCESS TO GRAND RIVER ROAD IS NOT ALLOWED FROM LOT 40

PREPARED AND DRAFTED BY  
 McNAMEE, PORTER, AND SEELEY  
 3151 SOUTH STATE STREET  
 ANN ARBOR, MICHIGAN 48108  
 313-665-6000

*Arvin N. Butterfield*  
 ARVIN N. BUTTERFIELD P.L.S.  
*Donald E. Lund*  
 DONALD E. LUND P.E., PARTNER

McNAMEE  
 PORTER & SEELEY  
 ENGINEERS ARCHITECTS  
 ANN ARBOR, MICHIGAN



# PROPOSED GRAND OAK COMMERCE CENTER

A SUBDIVISION OF PART OF THE SOUTH 1/2 OF SEC. 7,  
T.1 N., R.8 E., CITY OF WIXOM, OAKLAND CO., MICHIGAN

APPENDIX "B"

RECORDED RIGHT OF WAY NO. 38591

SHEET 2 OF 4

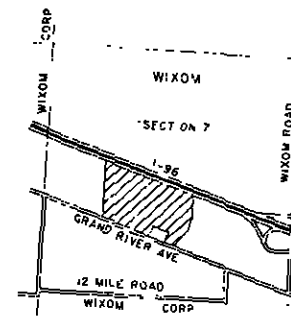
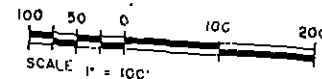
LEGEND  
ALL DIMENSIONS ARE SHOWN IN FEET  
ALL CURVILINEAR DIMENSIONS ARE SHOWN  
ALONG THE ARC

THE SYMBOL "O" INDICATES A CONCRETE  
MONUMENT, WHICH IS 4" IN DIAMETER X 36"  
LONG, ENCASED IN A 1/2" IRON ROD

THE SYMBOL (R) DENOTES A RADIAL LOT  
LINE

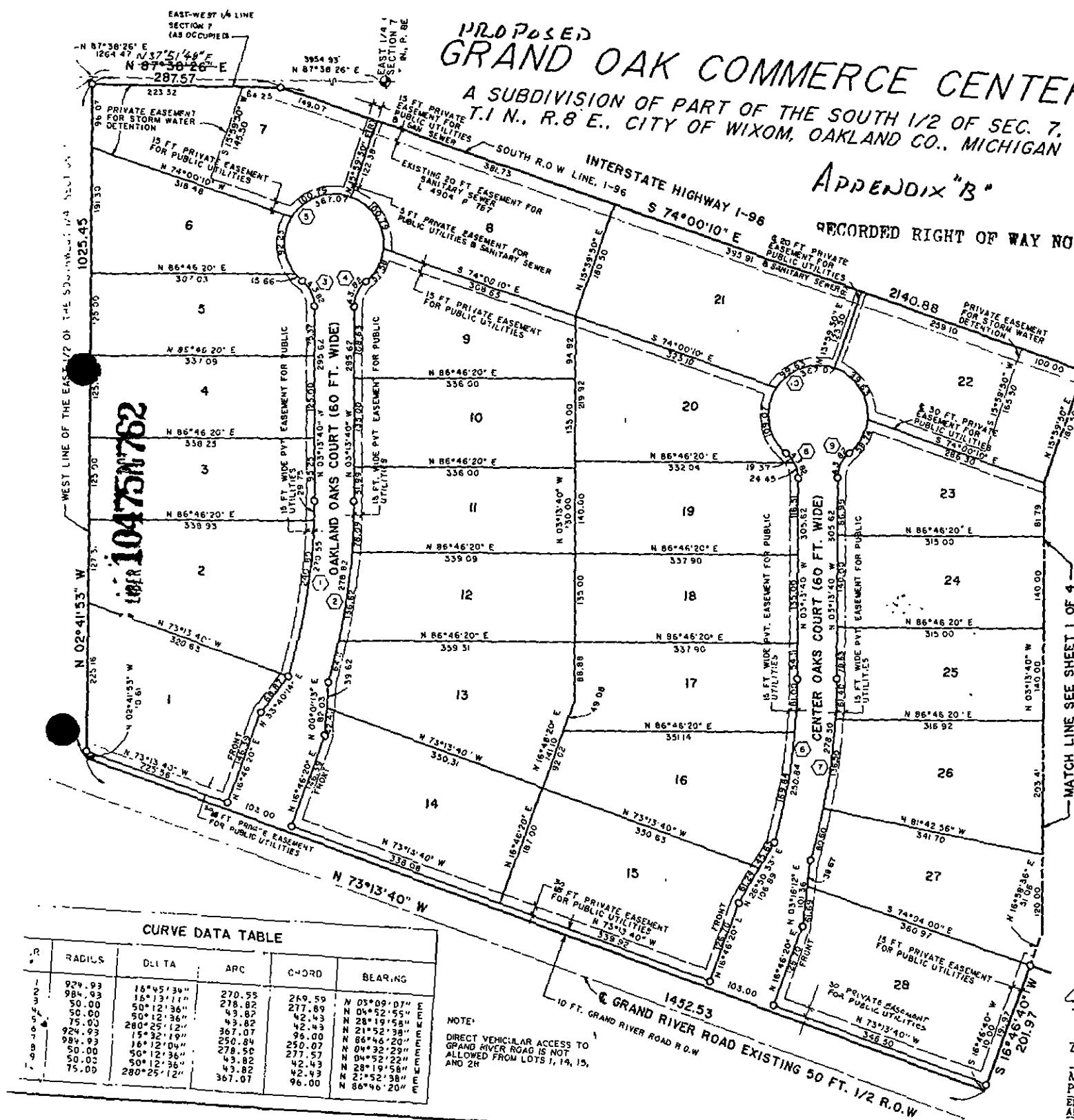
ALL LOT MARKERS ARE 3/4" IRON PIPE AND  
ARE 18" IN LENGTH CAPPED WITH YELLOW  
PLASTIC CAPS BEARING THE SURVEYOR'S  
REGISTRATION NUMBER # 21566

BEARINGS WERE ESTABLISHED FROM  
442.07' R.O.W. PLAN 63-R-1 SHEET 7  
AND CONFIRMED BY ASTRONOMIC OBSERVATIONS  
ON MAY 6, 1987



LOCATION MAP

SCALE 1" = 2000'



CURVE DATA TABLE

NO.	RADIUS	DELTA	ARC	CHORD	BEARING
1	924.93	18°45'34"	270.55	249.59	N 03°09'07" E
2	984.43	18°13'11"	278.82	277.89	N 04°52'55" E
3	50.00	50°12'36"	43.82	42.43	N 28°19'58" E
4	50.00	50°12'36"	43.82	42.43	N 21°52'38" E
5	75.00	280°25'12"	367.07	95.00	N 86°46'20" E
6	924.93	15°32'19"	250.84	250.07	N 04°32'29" E
7	984.43	16°12'04"	278.56	277.57	N 04°52'22" E
8	50.00	50°12'36"	43.82	42.43	N 28°19'58" E
9	50.00	50°12'36"	43.82	42.43	N 21°52'38" E
10	75.00	280°25'12"	367.07	96.00	N 86°46'20" E

NOTE:  
DIRECT VEHICULAR ACCESS TO  
GRAND RIVER ROAD IS NOT  
ALLOWED FROM LOTS 1, 14, 15,  
AND 28

PREPARED AND DRAFTED BY  
McNAMEE, PORTER, AND SEELEY  
3131 SOUTH STATE STREET  
ANN ARBOR, MICHIGAN 48108  
313-665-6000

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