

LIBER 20108 PAGE 181  
\$11.00 MISC RECORDING  
\$2.00 REMONUMENTATION  
06/11/1999 11:01:34 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 April 29, 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:**

Summit Pointe, L.L.C., a Michigan limited liability company, 39555 Orchard Hill Place, Ste. # 400, Novi, Michigan 48375

**"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. 22-36-200-033

**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 fifteen (15) feet.

- 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.
- Access:** Grantee has the right of access to and from the Right of Way Area.
- 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.
- Excavation:** Under 1974 Public Act 53, you must call MISS DIG (1-800-482-7171) before excavating in the Right of Way Area.
- 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.
- 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.
- Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors and assigns.
- 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) **ML**  
Summit Pointe, L.L.C.,  
a Michigan limited liability company

BY: [Signature]  
Mark B. Churella

ITS: MEMBER

① [Signature]  
JOAN KALADJIAN

② [Signature]  
AMY McNAMARA

RECORDED R/W FILE NO. R-210041-3

Acknowledged before me in Oakland County, Michigan, on April 29, 1999, by Mark B. Churella the MEMBER of Summit Pointe, L.L.C., a Michigan limited liability company, for the Limited Liability Company.

Notary's Stamp JAYNE LEDIET  
Notary Public, Oakland County, Michigan  
My Commission Expires Oct. 1, 2001

Notary's Signature [Signature]

(Notary's name, county, and date commission expires)

APPENDIX "A"

LIBER 20108 PG 182

PROPERTY DESCRIPTION:

- 01 T1N, R8E, SEC 36
- 02 PART OF NE 1/4
- 03 BEG AT PT DIST
- 04 N 01-38-53 W 516.03 FT
- 05 FROM E 1/4 COR,
- 06 TH S 87-27-27 W 470.01 FT,
- 07 TH S 01-38-53 E 516.03 FT,
- 08 TH S 87-27-27 W 1024.83 FT,
- 09 TH N 06-40-13 W 313.59 FT,
- 10 TH N 08-48-26 W 82.46 FT,
- 11 TH N 25-33-41 W 70.24 FT,
- 12 TH N 42-12-14 E 48.03 FT,
- 13 TH N 62-33-21 E 86.60 FT,
- 14 TH N 63-05-11 E 60 FT,
- 15 TH ALG CURVE TO LEFT,
- 16 RAD 1431.81 FT, CHORD BEARS
- 17 N 27-10-44 W 13.26 FT,
- 18 DIST OF 13.26 FT,
- 19 TH N 27-26-39 W 17.29 FT,
- 20 TH N 62-33-21 E 120 FT,
- 21 TH S 27-26-39 E 35 FT,
- 22 TH N 72-26-28 E 53.06 FT,
- 23 TH S 61-52-04 E 175.78 FT,
- 24 TH N 87-35-02 E 302.76 FT,
- 25 TH N 02-24-58 W 803.12 FT,
- 26 TH S 87-35-02 W 300.57 FT,
- 27 TH S 56-08-50 W 175.85 FT,
- 28 TH S 87-35-02 W 187.79 FT,
- 29 TH N 36-25-01 W 315 FT,
- 30 TH N 72-25-07 W 200 FT,
- 31 TH N 66-48-50 E 100.61 FT,
- 32 TH N 87-35-02 E 1701.92 FT,
- 33 TH S 01-38-53 E 1083.72 FT
- 34 TO BEG 38.41 A
- 35 9-4-98 FR 031

SIDWELL NO: 22 36 200 033

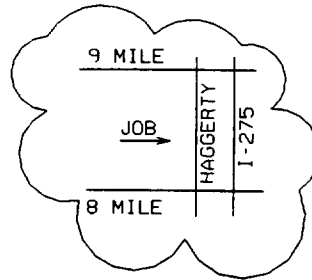
RECORDED R/W FILE NO. R 61927

OWNER:  
 SUMMIT POINTE, L.L.C.,  
 A MICHIGAN LIMITED LIABILITY COMPANY  
 39555 ORCHARD HILL PLACE DRIVE  
 SUITE 400  
 NOVI, MICHIGAN 48375

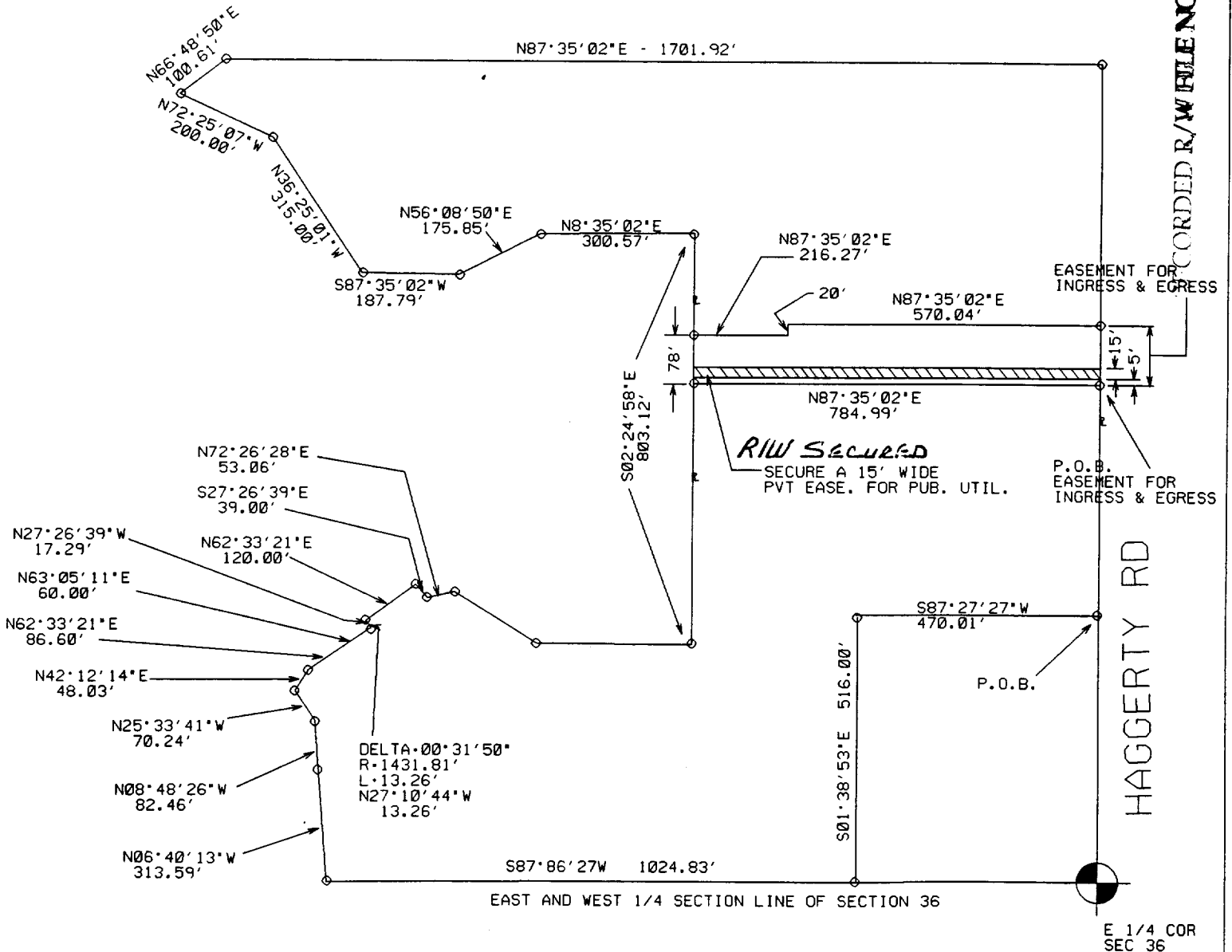
SIDWELL \*22-36-200-033

CENTERLINE OF 15 FOOT WIDE EASEMENT

Note: The easement boundaries may vary if field construction problems arise. Therefore, for the as-located easement boundaries call 1-800-462-7171 (plus Dig).



CORDED R/W FILE NO. R-61927



**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

JPL

THE DETROIT EDISON COMPANY—SERVICE PLANNING DEPARTMENT

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