

LIBER 9231 PAGE 156

12-6, 19 85

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 Farmington Hills, 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.

1-9/9

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

See attached Appendix "B"

RECORDED  
OAKLAND COUNTY RECORDS  
86 JAN -2 14:57

RECORDED RIGHT OF WAY NO. 35941

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.

(2) #

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: The Irvine Group, Inc.  
A Michigan Corporation

Donna M. Chartier  
Donna M. Chartier

Helen K. Levine  
Helen K. Levine

Paul D. Levine  
Paul D. Levine, President

Jeffrey O. Tapper  
Jeffrey O. Tapper, Secretary, Treasurer

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

Address: 7419 Middlebelt Road  
Suite 2  
West Bloomfield, MI 48033

9.00  
filler

ACKNOWLEDGEMENT

State of Michigan) ss.  
County of Oakland)

Personally came before me this 6th day of December, 1985, PAUL D. LEVINE, PRESIDENT AND JEFFREY O. TAPPER, SECRETARY-TREASURER, OF the above named Corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such President and Secretary-Treasurer of said Corporation, and acknowledged that they executed the foregoing instrument as such officers as the free act and deed of said Corporation, by its authority.

My Commission Expires: June 10, 1989 Notary Public Donna M. Chartier  
Donna M. Chartier, Wayne County  
Acting in Oakland County, Michigan

APPENDIX "A"

Proposed "ROLLING OAK WEST", a subdivision of part of the N.E. 1/4 of Section 5, T. 1N., R. 9E., City of Farmington Hills, Oakland County, Michigan.

Described as beginning at the East 1/4 corner of said Section 5; thence N. 89°09'33" W. along the East-West 1/4 Section Line 1533.82 feet (the westerly 669.99 ft. of the above 1533.82 ft. being along the northerly line of "HUNTER'S POINTE No. 2" subdivision as recorded in liber 166 of plats, pages 32 and 33, Oakland County Records; thence N. 00°50'27" E. along the easterly line of "HUNTER'S POINTE NO. 3", subdivision as recorded in liber 184 of plats, pages 6 and 7, Oakland County Records a distance of 822.25 ft. to a point on the southerly line of "WOODBROOK SUBDIVISION" as recorded in liber 89 of plats, page 17, Oakland County Records; thence N 74°00'00" E. along said southerly line 329.06 ft.; thence S. 71°00'00" E. along said southerly line and the extension thereof 296.08 ft.; thence N. 14°20'00" E. 198.25 ft. to a point on the boundary line of said "WOODBROOK SUBDIVISION"; thence S. 75°40'00" E. along said boundary line 32.15 ft.; thence N. 35°54'36" E. along said boundary line 60.00 ft.; thence S. 54°05'24" E. 114.30 ft.; thence S. 79°02'23" E. 64.29 ft.; thence S. 62°56'21" E. 140.04 ft.; thence S. 34°16'35" W. 88.74 ft.; thence S. 01°58'49" W. 75.15 ft.; thence S. 14°23'37" E. 78.64 ft.; thence S. 30°13'07" E. 91.57 ft.; thence S. 58°16'08" E. 116.30 ft.; thence S. 07°48'47" E. 270.72 ft.; thence S. 89°09'33" E. 120.00 ft.; thence S. 84°23'18" E. 60.30 ft.; thence N. 89°51'20" E. 200.00 ft. to a point on the East line of said Section 5; thence S. 00°08'40" E. along said east line 288.47 ft. to the point of beginning.

RECORDED RIGHT OF WAY NO. 35941

Sidwell #23-05-277-005  
#23-05-277(009)

013

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

**Detroit  
Edison**

Oakland Division  
30400 Telegraph Road  
Birmingham, Michigan 48010  
(313) 645-4000

Phone 645-4388

November 27, 1985

The Irvine Group, Inc.  
Mr. Paul D. Levine  
7419 Middlebelt Suite 2  
West Bloomfield, MI 48033

Gentlemen:

Re: Rolling Oaks West

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. 3 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

RECEIVED  
DETROIT EDISON COMPANY  
RIGHTS OF WAY DEPARTMENT  
NOV 29 1985  
35941

To (Supervisor RE & R/W) <b>JIM McDONALD</b>	For RE & R/W Dept Use	Date Received <b>11-25-85</b>	DE/Bell/CP No <b>OE 85-29</b>
Division <b>OAKLAND</b>	Date <b>11-22-85</b>	Application No <b>Ø - 8126</b>	

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 <b>ROLLING OAKS WEST</b>		County <b>OAKLAND</b>
City/Township/Village <b>FAR HILLS</b>		Section No <b>5</b>
Type of Development <input checked="" type="checkbox"/> Proposed Subdivision <input type="checkbox"/> Apartment Complex <input type="checkbox"/> Condominium <input type="checkbox"/> Subdivision <input type="checkbox"/> Mobile Home Park <input type="checkbox"/> Other		
2 Name of Owner <b>THE IRVINE GROUP INC.</b>		Phone No <b>855-2646</b>
Address <b>7419 MIDDLEBELT SUITE 2</b>		
Owner's Representative <b>PAUL LEVINE</b>		Phone No <b>855-2646</b>
Date Service is Wanted <b>JANUARY 27, 1986</b>		

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 Utility If Not Michigan Bell Telephone or Consumers Power

b Other Utility Engineer Names \_\_\_\_\_ Phone Numbers \_\_\_\_\_

Addresses \_\_\_\_\_

6 Additional Information or Comments

\_\_\_\_\_

\_\_\_\_\_

Note: Trenching letter  attached  will be submitted later

Service Planner <b>ROBERT SOUSA</b>	Signature (Service Planning Supervisor)
Phone No <b>645-4111</b>	Address

RECORDED RIGHT OF WAY NO. 35944

MEMORANDUM ORDER  
FOR GENERAL USE  
DE FORM MS 77 12-53

TO ROBERT JANSKA DATE 12-9-85 TIME \_\_\_\_\_

Re: Underground Service - ROLLING OAKS WEST SUB  
Agreement and Easements obtained - OK to proceed with construction.

COPIES TO \_\_\_\_\_ SIGNED Omer V. Racine  
REPORT \_\_\_\_\_ Omer V. Racine, Representative  
Real Estate, Rights of Way & Claim  
264 Oakland Division Headquarters

DATE RETURNED \_\_\_\_\_ TIME \_\_\_\_\_ SIGNED \_\_\_\_\_

RECEIVED  
OFFICE OF  
RIGHTS OF  
WAY  
3594

MEMORANDUM ORDER  
FOR GENERAL USE  
DE FORM MS 77 12-53

TO Records Center

DATE 1-21-86

TIME

Please set up R/W file for:

ROLLING OAKS WEST SUBDIVISION

Being a part of N.E. 1/4

of Section 5, City of Farmington Hills

Oakland County, Michigan

RECORDED  
INDEXED  
DATE  
OF  
MAX. NO.

COPIES TO

SIGNED

*Omer V. Racine*

Omer V. Racine  
272 Oakland Div. Hqtrs.

REPORT

35941

DATE RETURNED

TIME

SIGNED

SURVEYOR'S CERTIFICATE

I, Paul J. Monohon, Surveyor, certify that I have surveyed, divided and mapped the land shown on this plat, described as follows:

"ROLLING OAKS WEST", a subdivision of part of the N.E. 1/4 of Section 5, T. 18., R. 9 E., City of Farmington Hills, Oakland County, Michigan.

Described as beginning at the East 1/4 Corner of said Section 5; thence W. 89°09'33" W. along the East-West 1/4 Section Line 1533.82 feet (the westerly 669.59 feet of the above 1533.82 feet being along the westerly line of "HUNTER'S POINTE No. 2" subdivision as recorded in Liber 166 of plats, pages 32 and 33, Oakland County Records; thence N. 00°50'27" E. along the Easterly line of "HUNTER'S POINTE No. 3" subdivision as recorded in Liber 184 of plats, pages 6 and 7, Oakland County Records a distance of 822.25 feet to a point on the Southerly line of "WOODBROOK SUBDIVISION" as recorded in Liber 89 of plats, page 17, Oakland County Records; thence N. 74°00'00" E. along said Southerly line 329.06 feet; thence S. 71°00'00" E. along said Southerly line and the extension thereof 296.08 feet; thence N. 14°20'00" E. 198.25 feet to a point on the boundary line of said "WOODBROOK SUBDIVISION"; thence S. 75°40'00" E. along said boundary line 32.15 feet; thence N. 35°54'36" E. along said boundary line 60.00 feet; thence S. 54°05'24" E. 114.30 feet; thence S. 79°02'23" E. 64.29 feet; thence S. 62°56'21" E. 140.04 feet; thence S. 34°16'35" W. 88.74 feet; thence S. 01°58'49" W. 75.15 feet; thence S. 14°23'37" E. 78.64 feet; thence S. 30°13'07" E. 91.57 feet; thence S. 58°16'08" E. 116.30 feet; thence S. 07°48'47" E. 270.72 feet; thence S. 89°09'33" E. 200.00 feet; thence S. 84°23'18" E. 60.30 feet; thence N. 89°09'33" E. 200.00 feet to a point on the East line of said Section 5; thence S. 00°08'40" E. along said East line 288.47 feet to the point of beginning.

Said plat consists of 24 lots numbered 1 through 24 inclusive and one Park named MINNOW POND PARK (PRIVATE), and contains 25.160 acres.

That I have made such survey, land-division, and plat by the directions of the owners of such land.

That such a plat is a correct representation of all the exterior boundaries of the land surveyed and the subdivision of it.

That the required monuments and lot markers have been located in the ground or that surety has been deposited with the municipality, as required by Section 125 of the Act.

That the accuracy of survey is within the limits required by Section 126 of the Act.

That the bearings shown on the plat are expressed as required by Section 126 (3) of the Act and as explained in the legend.

Date \_\_\_\_\_ Paul J. Monohon Associates  
3265 Orchard Lake Road  
Orchard Lake, Michigan 48033

Paul J. Monohon, Sole Proprietor  
Registered Land Surveyor #6201

LEGEND:

- ALL DIMENSIONS ARE GIVEN IN FEET.
- CURVE DISTANCES SHOWN ARE MEASURED ALONG ARC OF CURVE.
- THE SYMBOL "O" INDICATES CONCRETE MONUMENT.
- ALL LOT MARKERS ARE STEEL BARS 16" LONG AND 1/2" IN DIAMETER.
- (NR) DENOTES NON-RADIAL LINE.
- ALL BEARINGS ARE SHOWN IN RELATION TO THE "WOODBROOK SUBDIVISION" AS RECORDED IN LIBER 89, PAGE 17 OF PLATS, OAKLAND COUNTY RECORDS, OAKLAND COUNTY, MICHIGAN

NOTE  
LOTS 1 AND 24 SHALL NOT HAVE DIRECT VEHICULAR ACCESS TO DRAKE ROAD

Preliminary  
EAST 1/4 CORNER SECTION 5 T. 1 N., R. 9 E.

PAUL J. MONOHON ASSOCIATES  
CIVIL ENGRS. & LAND SURVEYORS  
3265 ORCHARD LAKE ROAD  
ORCHARD LAKE, MICHIGAN 48033

PROPOSED

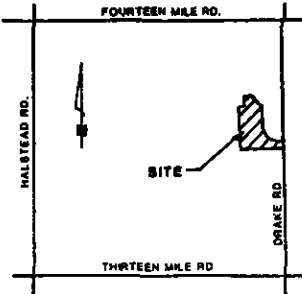
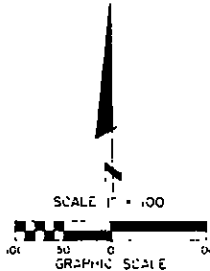
"ROLLING OAKS WEST"

A SUBDIVISION OF PART OF THE N.E. 1/4 OF SECTION 5, T. 1 N., R. 9 E., CITY OF FARMINGTON HILLS, OAKLAND COUNTY, MICHIGAN

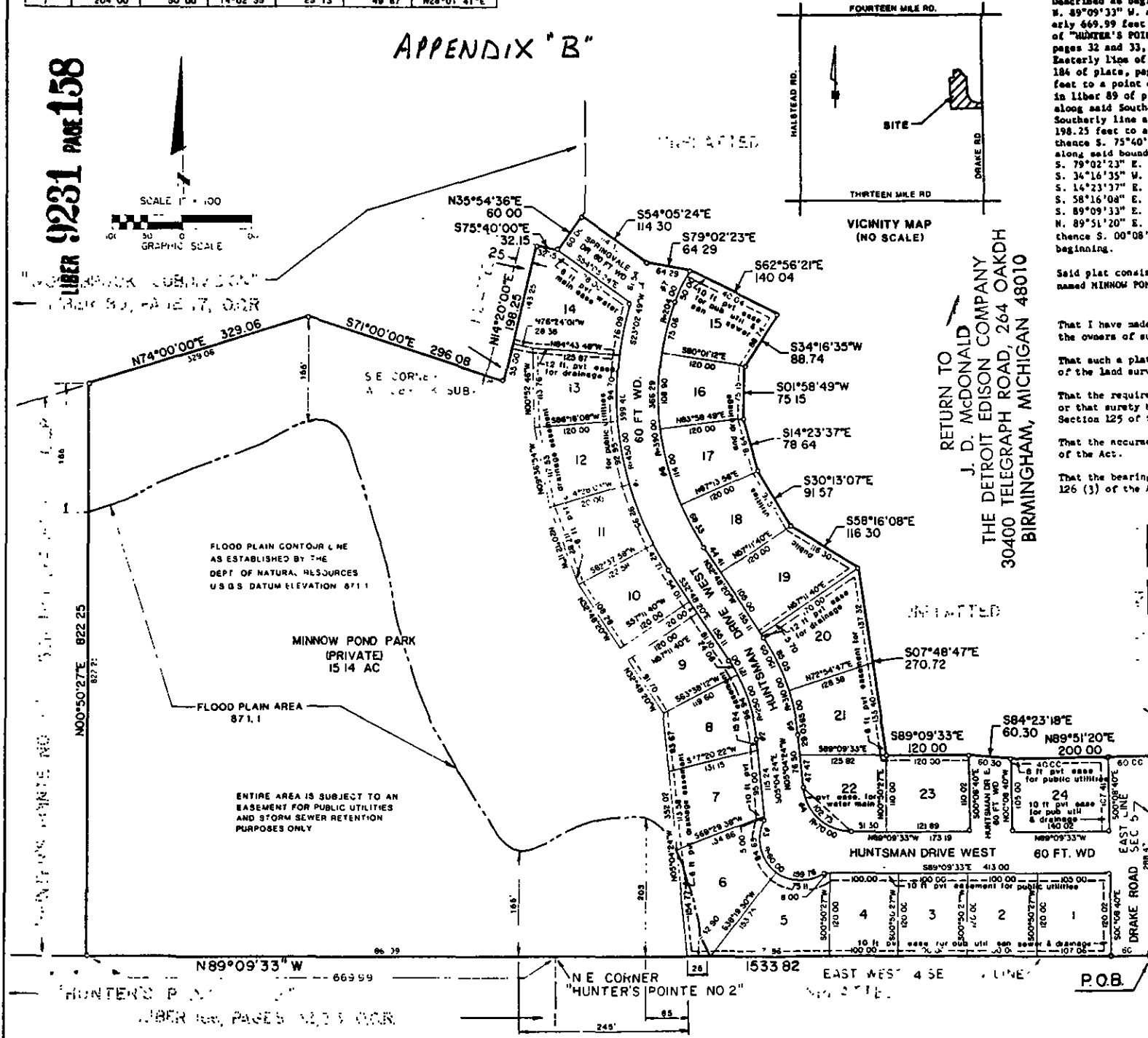
NUMBER	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
1	45G 00	388 40	50°51'13"	386 43	S07°22'42"E
2	250 00	121 00	27°43'58"	119 83	S18°56'22"E
3	60 00	159 76	152°53'35"	245 76	S47°06'39"E
4	70 00	102 73	84°05'08"	63 12	N47°06'58"W
5	310 00	130 03	27°43'56"	76 32	N18°56'22"W
6	390 00	346 29	53°48'43"	197 91	N03°33'58"W
7	204 00	90 00	14°02'35"	23 13	N28°01'41"E

APPENDIX "B"

LIBER 9231 PAGE 158



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



FLOOD PLAIN CONTOUR LINE AS ESTABLISHED BY THE DEPT. OF NATURAL RESOURCES U.S.G.S. DATUM ELEVATION 871.1

MINNOW POND PARK (PRIVATE) 15.14 AC

FLOOD PLAIN AREA 871.1

ENTIRE AREA IS SUBJECT TO AN EASEMENT FOR PUBLIC UTILITIES AND STORM SEWER RETENTION PURPOSES ONLY

N89°09'33" W 669.59  
HUNTER'S POINTE NO. 2  
NE CORNER "HUNTER'S POINTE NO. 2"  
1533.82 EAST WEST 1/4 SECTION 5  
EAST WEST 1/4 SECTION 5  
P.O.B.  
DRAKE ROAD EAST LINE SECTION 5  
T. 1 N., R. 9 E.