

Right of Way Agreement

SEPTEMBER 24, 1986

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.

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

See Appendix "B"

ENT
①

190009

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.

9 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:

Prepared By: Stuart Chipman & Return to
30400 Telegraph, Suite #264
Birmingham, Michigan 48010

Address: 17.00

7

Handwritten signature

RECORDED RIGHT OF WAY NO. 36623

DAK... NOV 18 12:39

APPENDIX "A"

Part of the southeast 1/4 of Section 6, Town 1 North, Range 9 East, City of Farmington Hills, Oakland County, Michigan, more particularly described as beginning at the southeast corner of Section 6, Town 1 North, Range 9 East, and proceeding thence along the South line of said Section 6, South 89°43'42" West, 1639.99 feet; thence North 0°16'18" West, 250.00 feet, thence North 89°43'42" East, 17.00 feet; thence North 0°16'18" West, 120.00 feet, thence North 89°43'42" East, 80.00 feet; thence North 77°21'40" East, 63.55 feet; thence North 36°49'42" East, 122.36 feet; thence North 0°16'18" West, 153.53 feet; thence North 4°15'39" West, 93.93 feet; thence North 14°39'48" East, 137.15 feet; thence North 29°37'00" East, 217.46 feet; thence South 32°35'26" East, 39.39 feet; thence North 72°35'00" East 180.00 feet; thence South 17°25'00" East, 22.45 feet; thence North 72°35'00" East, 120.00 feet to a point on the boundary of Farmington Grove Sub'n. (Recorded in Liber 187, Plats, Pages 8, 9, & 10) thence along the boundary of said subdivision South 17°25'00" East, 97.55 feet, and North 72°35'00" East, 95.00 feet; and South 17°25'00" East, 161.86 feet; and South 57°20'27" East, 37.92 feet; and South 85°03'18" East, 220.59 feet; and North 75°40'00" East, 124.14 feet; and North 22°25'29" East, 117.95 feet; and North 0°19'33" West, 320.31 feet to a point on the boundary of Farmington Ridge Sub'n. No. 1 (Recorded in Liber 173, Plats, Pages 25, 26, 27, 28, 29 and 30); thence along said boundary North 89°40'27" East, 120.00 feet; and South 0°19'33" East, 10.98 feet; and North 89°40'27" East, 250.00 feet to the southeast corner of said Farmington Ridge Sub'n. No. 1 said point being on the East line of Section 6; thence along said line South 0°19'33" East, 1,271.31 feet; to the point of beginning, consisting of 64 lots, numbered 1 through 64, both inclusive, one (1) park (private park) and containing 35.278 acres.

SIDWELL NO. (2306-400-611)

90009

ENT 23-06-430-000

Farmington Glens Sub.

L. 190 Pp. 9-13

RECORDED RIGHT OF WAY NO.

36683

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

TO Records Center

DATE 1-23-87

Please set up R/W file for:

Farmington Glen Subdivision

Being a part of SE 1/4
of Section 6, City of Farmington
Oakland County, Michigan

for file

COPIES TO _____

SIGNED

Omer V. Racine

Omer V. Racine
264 Oakland Div. Hqtrs.

REPORT _____

DATE RETURNED _____

TIME _____

SIGNED _____

RECEIVED
RIGHT OF WAY

3/6/83

MEMORANDUM ORDER
FOR GENERAL USE
DE FORM 963-0008 (MS-77) 12-53

TO ANAY FOLI

DATE 10-2-86

Re: Underground Service FARMINGTON GLENS SUBDIVISION

Agreement and Easements obtained - OK to proceed with construction.

COPIES TO _____

SIGNED

Omer V. Racine

Omer V. Racine, Representative
Real Estate, Rights of Way & Claims
264 Oakland Division Headquarters

REPORT _____

DATE RETURNED _____

TIME _____

SIGNED _____

RECEIVED
RIGHT OF WAY

3/6/83

LAWRENCE P. SWISTAK
DAVID M. LEVINE
JAMES DUNN
JANET SWISTAK
SUSAN E. PALETZ
JEFFREY J. KAHAN
HAROLD W. GOODSTEIN

LAW OFFICES
SWISTAK & LEVINE
30301 NORTHWESTERN HIGHWAY
SUITE 300
FARMINGTON HILLS, MICHIGAN 48018
(313) 851-8000

October 17, 1986

Stuart Chipman, Esquire
30400 Telegraph
Suite 264
Birmingham, Michigan 48010

RE: Farmington Glens/Detroit Edison Easement Agreement

Dear Mr. Chipman:

I am in receipt of the proposed Right of Way Agreement with regard to the Farmington Glens development, and in reviewing it with Jon Borenstein, the Agreement has been revised to include certain provisions we propose be incorporated into the final revision. I enclose a copy of the revised Agreement for your review and request that you contact me with any questions or comments you may have once you have had the opportunity to look it over.

Also, Wayne Brogelman's signature is not required in this matter, as Richard M. Schmidt is authorized to sign on behalf of First of Wisconsin, and accordingly, Mr. Brogelman's signature line and references to him should be deleted.

I look forward to hearing from you at your earliest convenience.

Very truly yours,

SWISTAK & LEVINE


PAUL K. VILLARRUEL

PKV/cc
Enclosure
cc: Jonathan R. Borenstein, Esquire

RECORDED RIGHT OF WAY NO.

36673

**Detroit
Edison**

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

August 19, 1986

Mr. Sam Harb
32000 Northwestern #265
Farmington Hills, Michigan 48018

Gentlemen:

RE: FARMINGTON GLENS SUB'N

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. 4 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: Stuart R. Chipman, Room 264.

Sincerely,

Stuart R. Chipman, Representative
Real Estate, Rights of Way & Claims

SRC:1hp
Enclosures

RECORDED RIGHT OF WAY NO. 36683

To (Supervisor, RE & R/W) MR. JIM. Mc. DONALD	For RE & R/W Dept. Use	Date Received 8-14-86	DE/Bell/C.P. No. OE 86-30
Division OAKLAND	Date 8-6-86	Application No.	

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 FARMINGTON GLEN'S SUB		County OAKLAND
City/Town/Village FARMINGTON HILLS		Section No. SIX
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 FARMINGTON GLENS DEVELOPMENT CO.		Phone No.
Address 32000 NORTHWESTERN HWY. SUITE 265, FAR. HILLS, MI. 48018		
Owner's Representative MR. SAMI HARB		Phone No. 855-4080
Date Service is Wanted 9-22-86		

4. Entire Project will be developed at one time Yes No

5. Joint easements required — Michigan Bell Telephone Yes No

METRO VISSION — ~~Consumer Power~~ Yes No

a. Name of Other Utilities If Not Michigan Bell Telephone or Consumers Power
METRO VISSION

b. Other Utility Engineer Names Phone Numbers
MR. MARV NELSON **553-0760**

Addresses
37635 ENTERPRISE CT. FARMINGTON HILLS, MICH. 48018

6. Additional Information or Comments

RECORDED RIGHT OF WAY NO. 36683

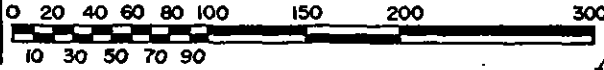
Note: Trenching letter attached will be submitted later

Service Planner Andy Foli	Signed (Service Planning Supervisor) [Signature]
Phone No. 645-4110	Address 240 ODHQ

FARMINGTON GLENS SUB'N.

PART OF THE S.E. 1/4 OF SECTION 6, T.1N., R.9 E.,
CITY OF FARMINGTON HILLS, OAKLAND COUNTY, MICHIGAN.

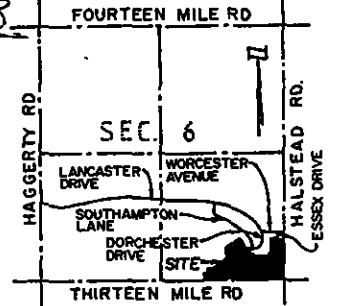
SCALE - ONE INCH = 50 FEET.



MATCH LINE FOR SHEET NO. 3, N. 89° 43' 42" E.

APPENDIX "B"

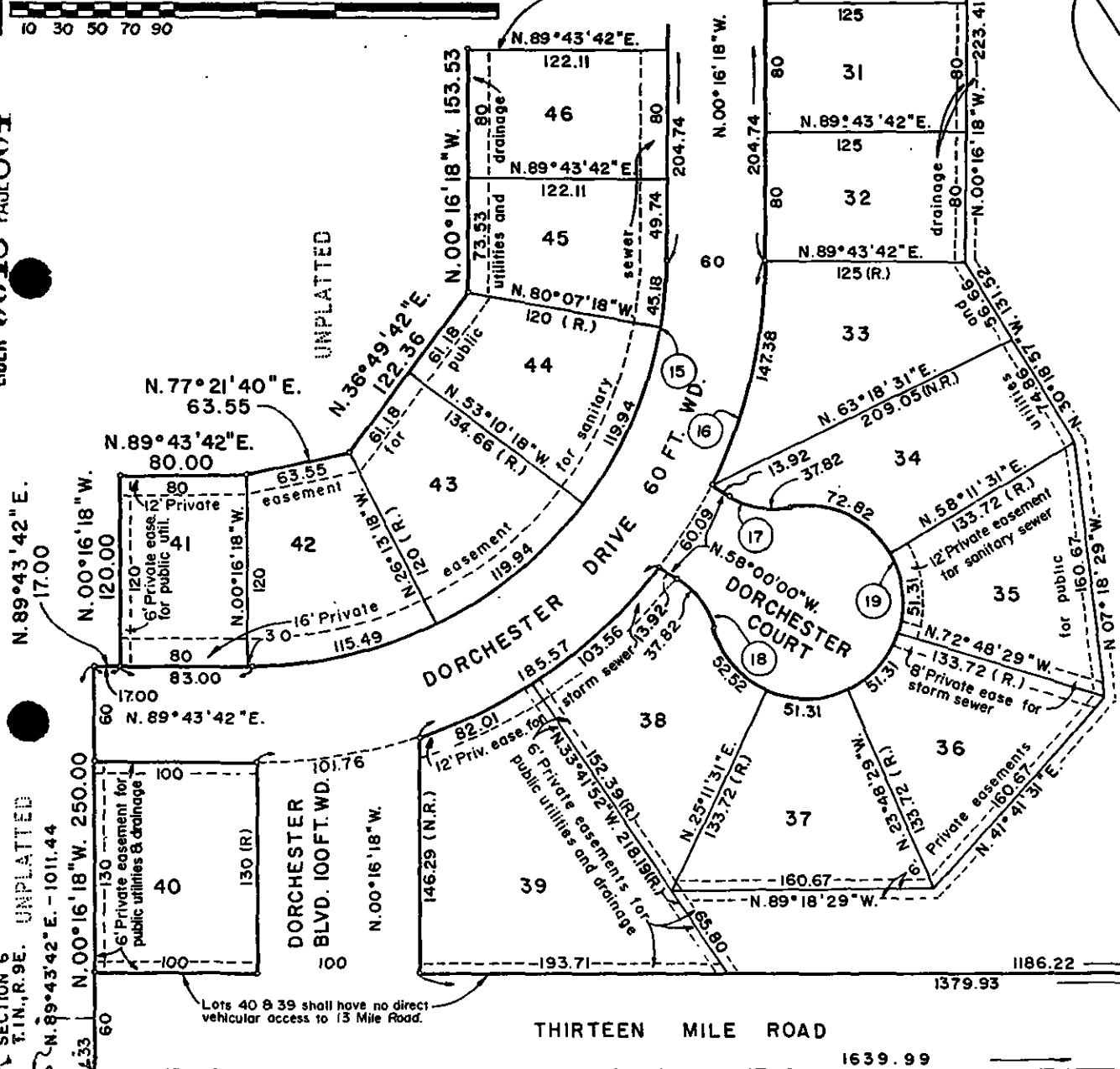
RECORDED RIGHT OF WAY NO. 36683



VICINITY MAP
NO SCALE

LIBER 9043 PAGE 804

S. 1/4 CORNER SECTION 6 T.1N., R.9E. UNPLATTED N. 89° 43' 42" E. - 1011.44

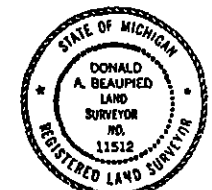


FARMINGTON GLENS PARK (PRIVATE PARK)

Entire park is subject to private easement for storm water retention and storm sewer.

PLAT LEGEND:

- ALL DIMENSIONS ARE SHOWN IN FEET.
- ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC.
- BEARINGS HEREON ARE EXPRESSED IN RELATION TO THE PREVIOUSLY ESTABLISHED BEARINGS FOR FARMINGTON RIDGE SUB'N. NO. 1, (LOCATED IN THE S. 1/2 OF SECTION 6, T. 1 N., R. 9 E. AND RECORDED IN LIBER 173, PLATS, PAGES 25, 26, 27, 28, 29 AND 30)
- THE SYMBOL "O" INDICATES A CONCRETE MONUMENT (CONSISTING OF A 1/2" DIA. STEEL ROD ENCASED IN 4" DIA. CONCRETE CYLINDER, 3" LONG).
- ALL LOT MARKERS ARE 1/2" IRON RODS AND ARE 18" LONG.
- (R.) DENOTES RADIAL.
- (N.R.) DENOTES NOT RADIAL.



Donald A. Beaupied
Warner, Contrell & Padmos, Inc.,
Civil Engineers and Land Surveyors,
30752 Grand River Ave.
Farmington, Michigan 48024

NO.	RAD.	Δ	ARC	CH. BEARING	CH.
15	255	90°00'00"	400.55	N. 44° 43' 42" E.	360.62
16	315	90°00'00"	494.80	N. 44° 43' 42" E.	445.48
17	50	43° 20' 30"	37.82	N. 79° 40' 15" W.	36.93
18	50	43° 20' 30"	37.82	N. 36° 19' 45" N.	36.93
19	60	126° 41' 00"	279.27	N. 32° 00' E.	87.27

S 89° 43' 42" W 1639.99
South line of Section 6

UNPLATTED

