# LIBER 9643 PAGE 799

86178957

# Right of Way Agreement

SEPTEMBER 24, 1986

	_			, 10
For valuable consideration, the receipt of which is heconvey to THE DETROIT EDISON COMPANY, a corpor of the States of Michigan and New York, of 2000 Second as "EDISON", the easements and right to erect, lay, reconsisting of wires, cables, conduits, fixtures and appurent, connections, poles and accessories which may be across the land located in the City of Farand more particularly described on the attached Appendapon said land for the purposes of this grant, and the furteres within the easements herein described.	ration organized and of Avenue, Detroit, Midmaintain, reconstruct renances including the from time to time bearington Hills ix "A", with the full right.	existing concu chigan 48226 I and replace the he necessary required in, u Oak1and ht to EDISON	rrently unereinate undergread above above nder, under, under, under, under, under above of ingre	under the laws fter referred to ound facilities ground equip- pon, over and inty, Michigan, ass and egress
Said easements shall be <u>Ten (10)</u> feet described as follows:	in width unless oth	erwise indicat	ed and	their route is
See Appendix "B"				
(D) 19000d				
In order to provide for the proper maintenance and gree that:	d protection of EDIS	ON, the under	signed	covenant and
<ol> <li>The easements will be graded to within four (4) incise ground elevation must be maintained after installation over ground EDISON equipment.</li> </ol>	on of utilities to avoid t	the pooling of v	water in	, on or around
No buildings or structures other than EDISONS's anted. No excavation is to be permitted within said e	equipment are to be asements without ap	placed within to proval of EDI	the ease SON.	ements herein
<ol> <li>No shrubs or foliage shall be planted or grown witching cabinet enclosures. EDISON shall not be resp ant life planted in front of said door or within the easem their equipment.</li> </ol>	within five (5) feet o	of the front do r damages to	or of tra	ansformers or a
4. If the lines of facilities of EDISON are damagentractors, repairs shall be made by EDISON at the coersons owning the land at the time the damage occur	st and expense of Ov	Owners, their vners. Owners	agents, are de	employes or fined as those
THIS GRANT is declared to be binding upon the harties hereto.	neirs, successors, les	sees, licensee	es and	assigns of the
IN WITNESS WHEREOF, the undersigned have h	ereunto set their har	nd and seal or	n this da	ate:
		, A.	_	PFT.
Witnesses:	Grantors:	: ئە <b>ت</b> ۇر	88	'?' 3* =
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Pecos				·
repared By: Stuart Chipman & Rolum +	Address:			17,00
30400 Telegraph, Suite #264 Birmingham, Michigan 48010				•

DE 963-5988 6-81CS (DE U R C )

## LIBER 9643 PAGE 800

FARMINGTON GLENS DEVELOPMENT COMPANY, Inc. WITNESSES: 32961 Middlebelt Road Farmington Hills, Mighigan 48018 Samuel Karp, President michela STATE OF MICHIGAN OAKLAND COUNTY , 1986, Samuel Karp, Personally came before me this 24th day of September President, of the above named corporation to me known to be the person who executed the foregoing instrument, and to me known to be such President of said corporation and acknowledged that he executed the foregoing instrument as such officer as the free act and deed of said corporation, by its authority. MICHELE ARMSTRONG muchele aumostrana Notary Public, Oakland County, MI My Commission Expires June 19, 1989 My Commission Expires June 10, 1989 Notary Public, Oakland County, Michigan CONSENTED TO BY MORTGAGE HOLDER: FIRST OF WISCONSIN NATIONAL BANK OF MILWAUKEE WITNESSES: 777 East Wisconsin Avenue Milwaukee, Wisconsin 53202 Assistant Vice President Brogelman Assistant Counsel

WISCONSIN STATE OF MECHICAN SS: MILWAUKEE GASSAND COUNTY

John J. Poehlmann , 1986, Richard Masschwidt, Personally came before me this 30th day of September Assistant Vice President and Wayne H. Brogelman, Assistant Counsel of the above National Banking Association, to me known to be the persons who executed the foregoing instrument, and to me known to be such Assistant-Vice President and Assistant Counsel of said National Banking Association and acknowledged that they executed the foregoing instrument as such officers as the free act and deed of said National Banking Association, by its authority.

Darlene Dawn Balinski My Commission Expires: 6/7/87

Wisconsin

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### 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 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 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)

FM 23-06-430-000

23-06-430-000 Farmington Glens Sub.

L. 190 Pp. 9-13

RECORDED RIGHT OF WAY NO. 366

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^	MEMORANDUM ORDER	- Rec	cords Center	· .	DATE 1-23-8	1/ Eme
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		Oakland County	y, Michigan			<u>8</u>
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DE FORM 961-0008 (MS-	~77) 12 <b>-</b> 93	<u> </u>		<u></u>		ARC .
		Re: Undergroun	d Service FAR	MINGTON	GLENS.	MISIVISION
		Agreement	and Easements ob	tained - OK to	proceed with co	onstruction.
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REPORT				Real Esta	te, Rights of V	Vay &∷Claims
				264 Oakla	nd Division Hea	dquarters
				<del></del>		100
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DATE RETURNED		TIME		\$igned		

# ASCURDED RIGHT OF WAY NO. 36

## LAW OFFICES SWISTAK & LEVINE

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

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. VILLARRUEI

PKY/cc Enclosure

cc: Jonathan R. Borenstein, Esquire



August 19, 1986

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

Gen	t1	eme	n	:
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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** 

## Detroit Edison

# Application for U.R.D. Easements

DE 963-5145 9-73CS (RR 11)

To (Supervisor, RE & R/W)	For RE & R/W Dept. Use	Date Received	DE/Bell/C.P. No.	26
MR. JIM. Mc. DONALD	Date	Application No	105 86	<u>-סט</u>
Division	8-6-86	Application No		
We have included the following necessary material and information:	10000	_l		
Material:				
A. Proposed Subdivision				
copy of complete final proposed plat - All pages				
Of	,			
<ol> <li>Other than proposed subdivision (condo., apts mobile home park — other)</li> </ol>	•			
Property description.				
Site plan.     Itile information (deed, title commitment, contract with title)				
commitment, or title search).				
lote: Do not submit application for URD easements until all above				
naterial has been acquired.				
nformation		County		
Project Name	>		0 4 / D	
FARMINGTON GLENS SUF	2	Section No	7/V D	
FARMINGTON HILLS.		1 S1x	_	
ype of Development			<del>. ·</del>	
Proposed Subdivision \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	nplex	Condominium		
Subdivision Mobile Home P	ark	Other		
Name of Owner	. 0	Phone No		
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FARMINGTON GLENS DEVELO		<u>_1</u>		
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		1TE 265	FAR. HILL	5,M1.
32000 NORTH NESTERN Wee's Representative		1TE 265 Phone No 855 - 4	FAR.HILL	5,M1.
Address  32000 NORTH WESTERN  Noner's Representative  MR. SAMI HARB,  Telle Service is Wanted		1TE 265 Phone No 855 - 4	FAR.HILL 1080	
MR. SAMI HARB.		1TE 265 Phone No 855-4	FAR.HILL 1080	
MR. SAMI HARB,  ale Service is Wanted  9-22-86	HWY. SU	1TE 265 Phone No 855 - 4	FAR . HILL 1080	
Address  32000 NORTH MESTERN  Nomer's Representative  MR. SAMI HARB,  Pate Service is Wanted  9-22-86  Entire Project will be developed at one time	HWY. SU	) 855-4 	/0 €O 	
32000 NORTH NESTERN wher's Representative  MR. SAMI HARB, lete Service is Wanted  9-22-86  Entire Project will be developed at one time  Joint easements required — Michigan Bell Telephone	HWY. SU	) 855-3	<i>'0 €0</i> 	 □ No □ No
32000 NORTH NESTERN wher's Representative  MR. SAMI HARB, lete Service is Wanted  9-22-86  Entire Project will be developed at one time  Joint easements required — Michigan Bell Telephone	HWY. SU	) 855-3	/0 €O 	
Active Project will be developed at one time.  Joint easements required — Michigan Bell Telephone.  METRO VISSION — ***********************************	HWY. SU	) 855-3	<i>'0 €0</i> 	 □ No □ No
Were of Other Utilities If Not Michigan Bell Telephone or Consumers Power	HWY. SU	) 855-3	<i>'0 €0</i> 	 □ No □ No
Were Service is Wanted  SAMI HARB.  Pale Service is Wanted  9-22-86  Entire Project will be developed at one time.  Joint easements required — Michigan Bell Telephone.  METRO VISSION——————————————————————————————————	HWY. SU	Phone Numbers	/ <i>D</i> €O 	 □ No □ No
Active Street Active Active Street Active St	HWY. SU	) 855-3	/ <i>D</i> €O 	 □ No □ No
Addresss  32000 NORTH NESTERN  Deter Service is Wanted  9-22-86  B. Entire Project will be developed at one time  5. Joint easements required — Michigan Bell Telephone  METRO VISSION ————————————————————————————————————	HWY. SU	Phone Numbers 553 ~	/ <i>D</i> € O Yes	No
Active Service is Wanted  MR. SAMI HARB.  Male Service is Wanted  9-22-86  Definite Project will be developed at one time.  Joint easements required — Michigan Bell Telephone.  METRO VISSION — Service Servi	HWY. SU	Phone Numbers 553 ~	/ <i>D</i> € O Yes	No
Addresss  32000 NORTH NESTERN  Deter Service is Wanted  9-22-86  B. Entire Project will be developed at one time  5. Joint easements required — Michigan Bell Telephone  METRO VISSION ————————————————————————————————————	HWY. SU	Phone Numbers 553 ~	/ <i>D</i> € O Yes	No
Address  32000 NORTH NESTERN  Where a Representative  MR. SAMI HARB.  Pete Service is Wanted  9-22-86  Entire Project will be developed at one time  Joint easements required — Michigan Bell Telephone  METRO VISSION ————————————————————————————————————	HWY. SU	Phone Numbers 553 ~	/ <i>D</i> € O Yes	No
32000 NORTH NESTERN wher's Representative MR. SAMI HARB.  ate Service is Wanted 9-22-86  Entire Project will be developed at one time  Joint easements required — Michigan Bell Telephone  MERO VISSION— Name of Other Utilities If Not Michigan Bell Telephone or Consumers Power  METRO VISSION Other Utility Engineer Names MR. MARY NELSON  iddresses  37635 ENTER PRISE CT. F.	HWY. SU	Phone Numbers 553 ~	/ <i>D</i> € O Yes	No
Address  32000 NORTH NESTERN  Wher's Representative  MR. SAMI HARB,  Julie Service is Wanted  9-22-86  D. Entire Project will be developed at one time.  Joint easements required — Michigan Bell Telephone.  METRO VISSION ————————————————————————————————————	HWY. SU	Phone Numbers 553 ~	/ <i>D</i> € O Yes	No
Address  32000 NORTH NESTERN  Where a Representative  MR. SAMI HARB.  Pete Service is Wanted  9-22-86  Entire Project will be developed at one time  Joint easements required — Michigan Bell Telephone  METRO VISSION ————————————————————————————————————	HWY. SU	Phone Numbers 553 ~	/ <i>D</i> € O Yes	No
Address  32000 NORTH NESTERN  Owner's Representative  MR. SAMI HARB.  Date Service is Wanted  9-22-86  D. Entire Project will be developed at one time.  Joint easements required — Michigan Bell Telephone.  METRO VISSION ————————————————————————————————————	HWY. SU	Phone Numbers 553 ~	/ <i>D</i> € O Yes	No
Address  32000 NORTH NESTERN  Owner's Representative  MR. SAMI HARB.  Date Service is Wanted  9-22-86  D. Entire Project will be developed at one time.  Joint easements required — Michigan Bell Telephone.  METRO VISSION ————————————————————————————————————	HWY. SU	Phone Numbers 553 ~	/ <i>D</i> € O Yes	No
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32000 NORTH INESTERN  Where is Representative  MR. SAMI HARB,  Date Service is Wanted  9-22-86  B. Entire Project will be developed at one time  Joint easements required — Michigan Bell Telephone  METRO VISSION  METRO VISSION  METRO VISSION  METRO VISSION  Other Utility Engineer Names  MR. MARY NELSON  Addresses  37635 ENTER PRISE CT. F.  B. Additional Information or Comments  Note: Trenching letter   attached   will be submitted later	ARMINGTON	Phone Numbers 553- HILLS, MIC	/ <i>D</i> € O Yes	No
32000 NORTH MESTERN  Department of Project will be developed at one time  Joint easements required — Michigan Bell Telephone  METRO VISSION  NOTE TRO VISSION  NOTE TROUBLE TO TROUBLE TO THE PRISE CT. F. Additional information or Comments  Note: Trenching letter attached will be submitted later  Phone No Address	ARMINGTON	Phone Numbers 553- HILLS, MIC	/ <i>D</i> € O Yes	No

FARMINGTON GLENS SUB'N, APPENDIX'B" PART OF THE S.E. 1/4 OF SECTION 6, T. IN., R. 9 E.,

CITY OF FARMINGTON HILLS, OAKLAND COUNTY, MICHIGAN RECORDED RIGHT OF WAY NO. 36683

SCALE - ONE INCH = 50 FEET. 20 40 60 80 100

10 30 50 70 90

. ASS CEPTIFICATE:

LD A. BEAUPIED, SUPVEYOR, CEFF17Y.

-AVE SUPVEYED, CIVIDED AND MAPPED THE LAND SHOWN ON THIS PLAT DESCRIBED AS FOLLOWS: "FARMINGTON GLEYS, PART OF THE S.E. 174 OF SCCTION 6, T. 1 4, R. 9 E., CITY OF FARMINGTON HILLS, DALLAND COUNTY, MICHIGAN, PTICHLARLY DESCRIBED AS BEGINNING AT THE S.E. CORNER OF SECTION 6, T. 1 N. R. 9 E. AND PROTECTIVE THERCE IN SOUTH LINE OF SAID SECTION 6, S.89 43 42 M., 1639, 99: THENCE N.01618 M., 250 DOI: THENCE "42" E., 17,00": THENCE N. 180, 99: THENCE N. 01618 M., 250 DOI: THENCE N. 250 DOI: HAVE SURVEYED, CIVIDED AND MAPPED THE LAND SHOWN ON THIS PLAT DESCRIBED AS FOLLOWS: FARMINGTON GLENS

. HAVE MADE SUCH SURVEY, LAND-DIVISION AND PLAT BY THE DIRECTION OF THE OWNERS OF SUCH LAND.

TUCH PLAT IS A COPRECT REPRESENTATION OF ALL THE EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE SUBDIVISION

HE REQUIRED MORPMENTS AND LOT MARKERS HAVE BEEN LOCATED IN THE GROUND OR THAT SUPETY HAS BEEN DEPOSITED THE MUSICIPALITY AS REQUIRED BY SECTION 125 OF THE ACT.

THE ACCURACY OF SURVEY IS WITHIN THE LIMITS REQUIRED BY SECTION 126 OF THE ACT.

E 351 (NOS SHOWN ON THE PLAT ARE EXPRESSED AS PROUTPED BY SECTION 126 (3) OF THE ACT AND AS EXPLAINED

JULY 7, 1986 WARNER, CANTPELL & PACHOS, INC. REG CIVIL ENGINEEPS AND LAND SURVEYOPS

LARTIN I CIVIL Porissie

Martin H Padmos MARTIN H. PADHOS, PRESIDENT

30752 GRAND RIVER AVE. FARMINGTON, MICHIGAN 48024 REGISTERED PROFESSIONAL ENGINEER #13306



Donald a. Beauses DONALD A. BEAUPIED

30752 GRAND RIVER AVE. FARMINGTON, MICHIGAN 48024 REGISTERED LAND SURVEYOR #11512

FOURTEEN MILE RD MATCH LINE FOR SHEET NO. 2 PLAT LEGEND: ALL DIMENSIONS ARE SHOWN IN FEET. SEC. ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC. BEARINGS HEREOM ARE EXPRESSED IN RELATION TO THE PREVIOUSLY ESTABLISHED BEARINGS FOR FARMINGTON RIDGE SUB'N. NO. 1, (LOCATED IN THE S. 1/2 OF SECTION c. T 1 N., R. 9 E., AND RECORDED IN LIBER 173, PLATS, PAGES 25, LANCASTER Y 26, 27, 28, 29 and 30). SOUTHAMPTON-THE SYMBOL "O" INDICATES A CONCRETE MONUMENT (CONSISTING OF A 1/2" DIA. DORCHESTER STEEL ROD ENCASED IN 4" DIA. CONCRETE CYLINDER, 3' LONG). ALL LOT MARKERS ARE 1/2" IRON RODS AND ARE 18" LONG. THIRTEEN MILE RD (R) DENOTES RADIAL. (N.R.) DENOTES NOT RADIAL.

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Warner, Cantrell & Padmos, Inc., Civil Engineers and Land Surveyors, 30752 Grand River Ave. Farmington, Michigan 48024

POINT OF-

BEGINNING

(See Sheet 2)

S.E. COR. OF

SECTION 6

T. I.N., R. 9 E.



