

86197385

Detroit Edison Right of Way Agreement

JULY 28, 1986

(2)

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 and the MICHIGAN BELL TELEPHONE COMPANY, a Michigan corporation, of 444 Michigan Avenue, Detroit, Michigan 48226 hereinafter referred to as "UTILITIES", the easement 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 the UTILITIES 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: The exact location of said easements will be shown on a drawing to be recorded 90 days after construction. See Attached Appendix "B".

In order to provide for the proper maintenance and protection of UTILITIES, the undersigned covenant and agree that:

1. The easements will be graded to within four (4) inches of final grade before the UTILITIES 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 UTILITIES' equipment.
2. No buildings or structures other than UTILITIES equipment are to be placed within the easements herein granted. No excavation is to be permitted within said easement without approval of UTILITIES.
3. If the lines or facilities of UTILITIES are damaged by the acts of Owners, their agents, employes or contractors, repairs shall be made by the Utility company so damaged at the cost and expense of Owners. Owners are defined as those persons owning the land at the time the damage occurred.
4. No shrubs or foliage shall be planted or grown within five (5) feet of the front door of transformers or switching cabinet enclosures. UTILITIES 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 UTILITIES maintenance of their equipment.

THIS GRANT is declared to be binding upon the heirs, successors, lessees, licenses and assigns of the parties hereto.

IN WITNESS WHEREOF, the undersigned have hereunto set their hand and seal on this date.

Witnesses:

Grantors: Willowgreen Building Group,
A Michigan Co-Partnership

Lillian E. Revers
LILLIAN E. REVERS

Allan Nachman
Allan Nachman, Co-Partner

Reva E. Spicer
REVA E. SPICER

RECORDED RIGHT OF WAY NO. 30976

[Handwritten signature]

Prepared By: Stuart Chipman DEC 2
The Detroit Edison Company
30400 Telegraph Road, #264
Birmingham, MI 48010

Address: 17117 W. Nine Mile, #1600 /300
Southfield, MI 48075

Ret →

Appendix "A"

Phase I

Part of the South 1/2 of Section 18, T1N., R9E., City of Farmington Hills, Oakland County, Michigan, described as beginning at a point on the South line of Hills Tech Drive (86 feet wide) said point being distant South 86°56'00" East 1962.93 feet and South 03°04'00" West 43.00 feet from the West 1/4 corner of Section 18, T1N., R9E., and proceeding thence along the South line of Hills Tech Dr. (86' wide) South 86°56'00" East 426.00 feet, thence South 11°47'54" East 293.74 feet; thence along the Northerly right-of-way line of Highway I-696, South 82°30'15" West 510.00 feet; thence North 03°04'00" East 377.40 feet to the point of beginning.

Phase II

Part of the South 1/2 of Section 18, T1N., R9E., City of Farmington Hills, Oakland County, Michigan, described as beginning at a point on the South line of Hills Tech Drive (86' wide) said point being distant South 86°56'00" East 1962.93 feet and South 03°04'00" West 43.00 feet and South 86°56'00" East 426.00 feet from the West 1/4 corner of Section 18, T1N., R9E., and proceeding thence along the South line of Hills Tech Drive (86' wide) South 86°56'00" East 107.64 feet; thence continuing along said south line South 86°57'40" East 660.27 feet; thence South 02°41'22" West 116.88 feet; thence along the Northerly right-of-way line of Highway I-696, South 79°26'15" West 699.66 feet; thence continuing along said northerly right-of-way line South 82°30'15" West 13.60 feet; thence North 11°47'54" West 293.74 feet to the point of beginning.


Sidwell # 23-18-301-~~011~~ ^{017 SW 1/4}
23-18-~~401-003~~
301-018 SW 1/4

RECORDED RIGHT OF WAY NO. 36776

State of Michigan)
County of Oakland)

On this 28th day of JULY, A.D. 1986, before me, the undersigned, a notary public in and for said county, personally appeared **ALLAN NACHMAN**, Co-Partner, Willowgreen Building Group, A Michigan Co-Partnership known to me to be the person who executed the foregoing instrument, and acknowledged the same to be his free act and deed.

My Commission Expires: 8/15/88



LILLIAN E. RIVERS
Notary Public, WAYNE County, Michigan
ACTING IN OAKLAND COUNTY, MI

RECORDED RIGHT OF WAY NO. 36774

KNOW ALL MEN BY THESE PRESENTS: That HOWARD ROAD LAND COMPANY a registered co-partnership, whose address is 38285 W. TWELVE MILE ROAD, FARMINGTON HILLS, MICHIGAN 48018 Conveys and Warrants to WILLOWGREEN BUILDING GROUP, A MICHIGAN CO-PARTNERSHIP whose address is 17117 W. NINE MILE ROAD, SUITE 1600, SOUTHFIELD, MICHIGAN 48075 the following described premises situated in the CITY of FARMINGTON HILLS County of OAKLAND and State of Michigan, to-wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF

86 MAY -6 15:46

for the full consideration of ONE AND 00/100 (\$1.00) DOLLAR and valuable consideration subject to building and use restrictions and easements of record; and subject to such claims and encumbrances as may have accrued by or through the acts or negligence of any party or parties other than the Grantor since March 27, 1985 being the date of a certain Land Contract in fulfillment of which this Warranty Deed is given, but subject to no other liens or encumbrances.

IN WITNESS WHEREOF, the grantor has caused this instrument to be executed by its duly authorized partner(s).

Dated this 28TH day of MARCH 19 86

Witnesses:

Signed and Sealed:

William W. Bowman

HOWARD ROAD LAND COMPANY, A MICHIGAN CO-PARTNERSHIP (L.S.)

Carol C. Higley

DAN A. DARNELL, PARTNER

STATE OF MICHIGAN COUNTY OF OAKLAND

GARY T. MACLEAN, PARTNER

The foregoing instrument was acknowledged before me this 28TH day of MARCH 19 86, by DAN A. DARNELL AND GARY T. MACLEAN partners(s), on behalf of HOWARD ROAD LAND COMPANY a partnership.

My commission expires October 25 19 89

Carol Christine Higley Notary Public Wayne County, Michigan

Instrument Drafted by ALLAN NACHMAN, ESQUIRE

Business Address 17117 W. NINE MILE ROAD, SUITE 1600 SOUTHFIELD, MICHIGAN 48075

County Treasurer's Certificate

City Treasurer's Certificate

1.00 5-6-86

011433

Handwritten signature

Recording Fee State Transfer Tax to be affixed after recording

When recorded return to GRANITE Send subsequent tax bills

18967

TITLE INSURANCE - ABSTRACTS - ESCROWS

RECORDED RIGHT OF WAY NO.

36776

EXHIBIT "A"PHASE I

Part of the South 1/2 of Section 18, T.1 N., R.9 E. City of Farmington Hills, Oakland County, Michigan, described as beginning at a point on the South line of Hills Tech Drive (86 feet wide) said point being distant South 86 degrees 56 minutes 00 seconds East 1962.93 feet and South 03 degrees 04 minutes 00 seconds West 43.00 feet from the West 1/4 corner of Section 18, T.1 N.R.9 E. and proceeding thence along the South line of Hills Tech Dr. (86' wide) South 86 degrees 56 minutes 00 seconds East 426.00 feet, thence South 11 degrees 47 minutes 54 seconds East 293.74 feet; thence along the Northerly right-of-way line of Highway I-696, South 82 degrees 30 minutes 15 seconds West 510.00 feet; thence North 03 degrees 04 minutes 00 seconds East 377.40 feet to the point of beginning, together with and subject to easements set forth in Declaration of Easements dated March 13, 1986 and recorded in Liber 9311, Page 65, Oakland County Records, the Easement Agreement for Storm Water Retention dated June 28, 1985 and recorded in Liber 9039, Page 298, Oakland County Records and assigned by Assignment of Easement Agreement for Storm Water Retention dated March 13, 1986 and recorded in Liber 9311, Page 63, Oakland County Records.

22
23-18-301-011 SW and SE 1/4
-401-003

RECORDED RIGHT OF WAY NO. 36776

Lawyer's Title Insurance Corporation

WARRANTY DEED (Partnership)—Statutory Form

KNOW ALL MEN BY THESE PRESENTS: That HOWARD ROAD LAND COMPANY a registered co-partnership, whose address is 38285 W. TWELVE MILE ROAD, FARMINGTON HILLS, MICHIGAN 48018

Conveys and Warrants to WILLOWGREEN BUILDING GROUP, A MICHIGAN CO-PARTNERSHIP whose address is 17117 W. NINE MILE ROAD, SUITE 1600, SOUTHFIELD, MICHIGAN 48075

the following described premises situated in the CITY of FARMINGTON HILLS County of OAKLAND and State of Michigan, to-wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF

86 MAY -6 15:46

for the full consideration of ONE AND 00/100 (\$1.00) DOLLAR and other valuable consideration subject to building and use restrictions and easements of record; and subject to such claims and encumbrances as may have accrued by or through the acts or negligence of any party or parties other than the Grantor since March 27, 1985 being the date of a certain Land Contract in fulfillment of which this Warranty Deed is given, but subject to no other liens or encumbrances. IN WITNESS WHEREOF, the grantor has caused this instrument to be executed by its duly authorized partner(s).

Dated this 28th day of MARCH 19 86

Witnesses:

Signed and Sealed:

HOWARD ROAD LAND COMPANY, A MICHIGAN CO-PARTNERSHIP (L.S.)

William W. Bowman

Carol C. Higley

By DAN A. DARNELL, PARTNER

STATE OF MICHIGAN COUNTY OF OAKLAND

By GARY T. MacLEAN, PARTNER

The foregoing instrument was acknowledged before me this 28th day of MARCH 19 86, by DAN A. DARNELL AND GARY T. MacLEAN partners(s), on behalf of HOWARD ROAD LAND COMPANY a partnership.

My commission expires October 25, 1989

Carol Christine Higley Notary Public Wayne County, Michigan

Instrument Drafted by ALLAN NACHMAN, ESQUIRE

Business Address 17117 W. NINE MILE ROAD, SUITE 1600 SOUTHFIELD, MICHIGAN 48075

County Treasurer's Certificate

City Treasurer's Certificate

1.00 5-6-86 DMW

002437

Recording Fee 7.00 State Transfer Tax to be affixed after recording

When recorded return to GRANITE

Send subsequent tax bills

18967

TITLE INSURANCE - ABSTRACTS - ESCROWS

RECORDED RIGHT OF WAY NO. 36776

EXHIBIT "A"PHASE II

Part of the South 1/2 of Section 18, T.1 N., R.9 E. City of Farmington Hills, Oakland County, Michigan, described as beginning at a point on the South line of Hills Tech Drive (86 feet wide) said point being distant South 86 degrees 56 minutes 00 seconds East 1962.93 feet and South 03 degrees 04 minutes 00 seconds West 43.00 feet and South 86 degrees 56 minutes 00 seconds East 426.00 feet from the West 1/4 corner of Section 18, T.1 N. R.9 E. and proceeding thence along the South line of Hills Tech Drive (86' wide) South 86 degrees 56 minutes 00 seconds East 107.64 feet; thence continuing along said south line South 86 degrees 57 minutes 40 seconds East 660.27 feet; thence South 02 degrees 41 minutes 22 seconds West 116.88 feet; thence along the Northerly right-of-way line of Highway I-696, South 79 degrees 26 minutes 15 seconds West 699.66 feet; thence continuing along said northerly right-of-way line South 82 degrees 30 minutes 15 seconds West 13.60 feet; thence North 11 degrees 47 minutes 54 seconds West 293.74 feet to the point of beginning, together with and subject to easements set forth in Declaration of Easements dated March 13, 1986 and recorded in Liber 9311 Page 65, Oakland County Records, the Easement Agreement for Storm Water Retention dated June 28, 1985 and recorded in Liber 9039, Page 298, Oakland County Records and assigned by Assignment of Easement Agreement for Storm Water Retention dated March 13, 1986 and recorded in Liber 9311, Page 63, Oakland County, Records.

23-18-301-011
-401-003

SW and SE 1/4

RECORDED RIGHT OF WAY NO.

30746

18967

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

TO Records Center

DATE 2-18-87 TIME _____

Please set up R/W file for: HILLS TECH CENTER

Being a part of South 1/4 of Section 18, City of Farmington Hills
Oakland County, Michigan

COPIES TO _____

SIGNED _____

Omer V. Racine
Omer V. Racine
264 Oakland Div. Hqtrs.

REPORT _____

DATE RETURNED _____

TIME _____

SIGNED _____

RECORDED
INDEXED
FILED
NO.

30776

MEMORANDUM ORDER
FOR GENERAL USE
DE FORM 64 77 12-53

TO GEO. WHITE

DATE 7-19-86

TIME _____

HILLS TECH CENTER

RE: Underground Service -

Agreement and Easements obtained - OK to proceed with construction.

RECORDED
EIGHT
OF
MAY 1986

COPIES TO: _____

REPORT _____

SIGNED

Stu Chipman
Stu Chipman, Representative
Real Estate, R/W & Claims
264 Oakland Division Headquarters

DATE RETURNED _____

TIME _____

SIGNED _____

SERVICE WANTED
8-5-86

Application for U.R.D. Easements

DE 983-5145 9-73CS (RR 11)

To (Supervisor RE & R/W) JAMES McDONALD	For RE & R/W Dept Use	Date Received 7-17-86	DE/Bell/C P No. 05 86-20C
Division OAKLAND	Date 7-16-86	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.

RECORDED RIGHT OF WAY NO.

Information

1 Project Name HILLS TECH CENTER	County OAKLAND	36776
City/Township/Village FARMINGTON HILLS	Section No. 18	
Type of Development		
<input type="checkbox"/> Proposed Subdivision	<input type="checkbox"/> Apartment Complex	<input type="checkbox"/> Condominium
<input type="checkbox"/> Subdivision	<input type="checkbox"/> Mobile Home Park	<input checked="" type="checkbox"/> Other
2 Name of Owner WILLOWGREEN BUILDING GROUP	Phone No 559-7500	
Address 17117 WEST NINE MILE RD. 16TH FLOOR, SOUTHFIELD 48075		
Owner's Representative ALLAN NACHMAN	Phone No 559-7500	

Date Service is Wanted
AUG 15, 1986

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
SHINLEY LESSLIE - M.B.T. CO

Phone Numbers
540-0201

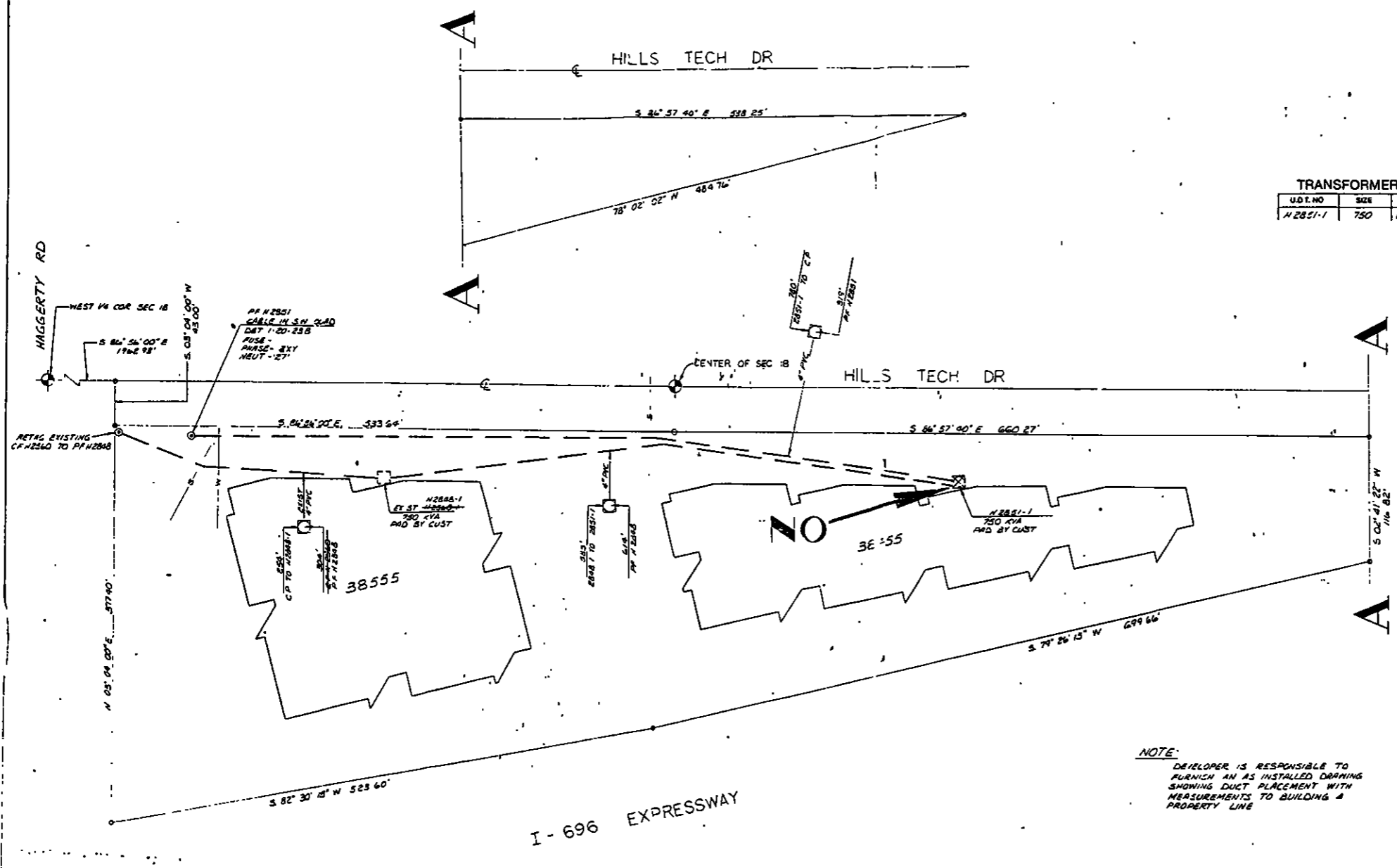
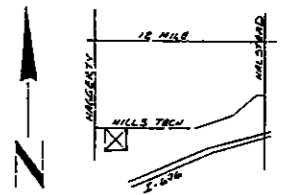
Addresses

6 Additional Information or Comments

Note: Trenching letter attached will be submitted later

Service Planner _____ Signed (Service Planning Supervisor)
J.P. Baum

Phone No _____ Address _____



TRANSFORMER DATA

U.D.T. NO	SIZE	ED STK. NO
N 2851-1	750	661-0609

TRANSFORMER SPECS L-17-270
 PEDESTAL SPEC _____
 NO OF PEDESTALS _____
 NO OF TEMPORARY CABLE MARKERS _____
 TEMPORARY CABLE MARKER SPEC _____
 SECONDARY CONNECTION BOX SPEC _____

- CODE —**
- ⊕ TEMPORARY SECONDARY PEDESTAL/TEMPORARY CABLE MARKER
 - DFT DEAD FRONT TYPE
 - ▣ LOT SWITCHING—LIVE FRONT TYPE
 - ⊠ LOT SWITCHING—LIVE FRONT TYPE
 - DIRECTION OF TRANSFORMER DOOR OPENING
 - SECONDARY PEDESTAL
 - ⊙ SECONDARY CONNECTION BOX
 - ⊖ CABLE POLE
 - ⊕ PRIMARY SWITCH CABINET
 - BURIED PRIMARY CABLE—ALL VOLTAGES
 - BURIED SECONDARY CABLE
 - BURIED SECONDARY SERVICE CABLE
 - ⊕ DETROIT EDISON TRENCH ONLY
 - TELEPHONE TRENCH ONLY
 - SEWER
 - WATER
 - GAS
 - ⊕ PROPOSED CONDUIT
 - ⊕ SEP CONDUIT CABINET

CABLE SUMMARY

ITEM #	DESCRIPTION	LENGTH	DATE
1	TELEPHONE 1.55 KV	713.000'	1/28/86
2	APG 3000 & 1400 600 V	713.000'	1/28/86
3	APG 20 & 1400 600 V	713.000'	1/28/86

TRENCH SUMMARY

ITEM #	DESCRIPTION	LENGTH	DATE
1	TELEPHONE	713.000'	1/28/86
2	APG 3000 & 1400 600 V	713.000'	1/28/86
3	APG 20 & 1400 600 V	713.000'	1/28/86

NOTE:
 DEVELOPER IS RESPONSIBLE TO FURNISH AN AS INSTALLED DRAWING SHOWING DUCT PLACEMENT WITH MEASUREMENTS TO BUILDING & PROPERTY LINE

— GENERAL NOTES —

TRENCHING TO BE DONE BY CUSTOMER

TRENCH AND CABLE LENGTHS ARE APPROXIMATE

SEE SECTION 26 US LINE CONSTRUCTION STANDARDS FOR TRANS. MOUNTING DETAILS

SEE PAGE 52 11 51 11 1 DETAIL " " FOR ENTRANCE POINT DETAILS (APTS. ONLY)

SEE SECTION 43 US LINE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES

TRANSFORMERS AND PEDESTALS SUB 38 ONLY

D.E. SERVICE PLANNER: GEORGE WILCOX 625-3109

TEL. CO. _____

GAS CO. _____

OTHERS _____

CONTACT 488-3301 (BEFORE 7-7) BEFORE DOING ANY EXCAVATION

MEASUREMENTS INDICATED BY OUR CENTERLINE ARE _____ IN WIDTH UNLESS OTHERWISE NOTED

PERMITS REQUIRED

CITY OF _____ COUNTY NOTIFICATION ONLY _____

STATE YES NO

REVISION	DATE	BY	CHECKED BY	APPROVED BY
4				
3				
2				
1				

NO.	NAME	DATE	JOB TITLE
1	ED RABENY	7-18-86	
2	G. WILCOX (A. P. W.)	7-18-86	
3	JOHN BAUM	7-18-86	

HILLS TECH CENTER

CITY OF BIRMINGHAM HILLS, ALABAMA

START DATE - 8-13-86

THE DETROIT EDISON COMPANY SERVICE PLANNING

SCALE: 1" = 50'

NUMBER OF SHEETS: 1

SHEET NUMBER: 1 OF 1

PROJECT NUMBER: 86A-64007

DATE: 8/13/86

BY: [Signature]