

Right of Way Agreement

(86144931)

August 27, 19 86

19/33

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: The exact location of said easements shall be shown on a drawing to be recorded within 90 days after construction.

86 SEP 26 13:34

(2)

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.
- 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: MIDWEST DEVELOPMENT COMPANY  
A Michigan Co-Partnership

Mae E. Dietrich  
Mae E Dietrich

Gene Yarnevich  
Gene Yarnevich CO-PARTNER

Frederick Dobson  
Frederick Dobson

Harold Olsen  
Harold Olsen CO-PARTNER

RECORDED RIGHT OF WAY NO. 56857

RETURN TO

DECO2

Prepared By: THE DETROIT EDISON Co  
Stuart Chipman  
30400 Telegraph, #264  
Birmingham, Michigan 48010

Address: 23131 Farmington Rd.  
Farmington Michigan 48024

JA 16 13:34  
11:00  
7:00

[Signature]

"as installed"

This easement is re-recorded for purposes of showing the planned "as installed" centerlines of easements granted as shown on drawing attached hereto.

STATE OF MICHIGAN )  
 ) SS:  
COUNTY OF Wayne )

On this 27th day of August 1986, before me, the undersigned, a notary public in and for said county, personally appeared Gene Yarnevich and Harold Olsen, CO. PARTNERS OF MIDWEST DEVELOPMENT CO. known to me to be the persons who executed the foregoing instrument, and acknowledged the same to be their free act and deed.

Mae E. Dietrich  
Mae E Dietrich

My Commission Expires Oct. 23, 1989 Notary Public, Oakland County, Michigan

MAE E. DIETRICH  
Notary Public, Wayne County, MI  
My Commission Expires Oct. 23, 1989

APPENDIX "A"

Lots 75 and 76 of "Farmington Acres Subdivision" a part of the southeast 1/4 of Section 33, Town 1 North, Range 9 East, City of Farmington Hills, Oakland County Michigan, according to the plat thereof recorded in Liber 21, Page 10, Oakland County Records. Subject to easements of record.

SIDWELL # 23-33-477-019 - Lot 75  
-020 Lot 76

21010

RECORDED RIGHT OF WAY NO. 36857

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

TO Records Center

DATE 3-12-87 TIME \_\_\_\_\_

Please set up E/W file for: DELTA BUILDINGS  
Being a part of S.E. 1/4 of Section 33, City of Farmington Hill  
Oakland County, Michigan

COPIES TO \_\_\_\_\_

SIGNED \_\_\_\_\_

*Omer V. Racine*  
Omer V. Racine  
264 Oakland Div. Hqter.

REPORT \_\_\_\_\_

DATE RETURNED \_\_\_\_\_

TIME \_\_\_\_\_

SIGNED \_\_\_\_\_

RECORDED  
RIGHT OF WAY  
NOV 11 1987

36857

**Detroit  
Edison**

Oakland Div:ion  
30400 Telegraph Road  
Birmingham, Michigan 48010  
(313) 645-4000

August 5, 1986

MP P-6

Midwest Development Company  
23131 Farmington Road  
Farmington, Michigan 48024

Gentlemen:

RE: DELTA BUILDINGS

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

SRC: lhp  
Enclosures

RECORDED RIGHT OF WAY NO.

36857

To: (Supervisor RE & RW)	For RE & RW Dept. Use	Date Received	Ed. B. C. P. No.
JIM McDONALD		8-4-86	<del>0E-22C</del> 26J
Division	Date	Application No.	
OAKLAND	7-31-86		0E-22C

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	County
DELTA BUILDINGS	OAKLAND
City/Township/Village	Section No.
FARMINGTON HILLS	33
Type of Development	
<input type="checkbox"/> Proposed Subdivision	<input type="checkbox"/> Apartment Complex
<input type="checkbox"/> Subdivision	<input type="checkbox"/> Mobile Home Park
2 Name of Owner	<input type="checkbox"/> Condominium
MIDWEST DEVELOPMENT CO	<input checked="" type="checkbox"/> Other

Address	Phone No.
23131 FARMINGTON RD, FARMINGTON, MICHIGAN	851-4200
Owner's Representative	
GORDON B. HALL & SONS INC	
Date Service is Wanted	
SEPT 25, 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

8. Name of Other Utilities If Not Michigan Bell Telephone or Consumers Power

b Other Utility Engineer Names

Addresses

6 Additional Information or Comments

BUILDING ADDRESSES 33604 & 33634 W. 8 MILE, FARMINGTON HILLS, MICH.

Note: Trenching letter  attached  will be submitted later

Service Planner	Signed (Service Planning Supervisor)
George White	John Baum
Phone No.	Address
645-4109	RM 240 O.P.HQ

RECORDED RIGHT OF WAY NO. 30857

check 903 v pg 328

KNOW ALL MEN BY THESE PRESENTS: That TERESE PINNER

whose address is 33779 Edmonton, Farmington Hills, Michigan 48018

Convey(s) and Warrant(s) to MIDWEST DEVELOPMENT COMPANY, a Michigan Co-Partnership,

whose address is 23131 Farmington Road, Farmington, Michigan 48024

the following described premises situated in the City of Farmington Hills,  
County of Oakland and State of Michigan, to-wit:

Lot 76, Farmington Acres a Subdivision of the South part of Southeast 1/4  
of Section 33, Town 1 North, Range 9 East, Farmington Township, Oakland  
County, Michigan, as recorded in Liber 21, Page 10, Oakland County Records.

COPY

for the full consideration of Sixty-five Thousand and no/100 (\$65,000.00) Dollars  
subject to existing building and use restrictions, easements, and zoning ordinances,  
if any.

Dated this 18th day of June, 19 85.

Witnesses:  
Leon Spence  
LEON SPENCE  
Margaret Knizner  
MARGARET KNIZNER

Signed and Sealed:  
Terese Pinner (L.S.)  
Terese Pinner  
\_\_\_\_\_  
(L.S.)  
\_\_\_\_\_  
(L.S.)  
\_\_\_\_\_  
(L.S.)

STATE OF MICHIGAN }  
COUNTY OF WAYNE } ss.

The foregoing instrument was acknowledged before me this  
by TERESE PINNER.

18th day of June, 1985,  
Margaret Knizner  
Margaret Knizner  
Notary Public Wayne County, Michigan

My commission expires  
Feb. 28, 1988

Instrument Drafted by Leon Spence, Attorney

Business Address 32900 Five Mile Road, Livonia, MI 48154

County Treasurer's Certificate

City Treasurer's Certificate

Recording Fee \_\_\_\_\_

When recorded return to \_\_\_\_\_

State Transfer Tax \_\_\_\_\_

Send subsequent tax bills

Tax Parcel # \_\_\_\_\_

to \_\_\_\_\_

RECORDED RIGHT OF WAY NO. 36957

KNOW ALL MEN BY THESE PRESENTS: That TERESE PINNER

whose address is 33779 Edmonton, Farmington Hills, Michigan 48018

Convey(s) and Warrant(s) to MIDWEST DEVELOPMENT COMPANY, a Michigan Co-Partnership,

whose address is 23131 Farmington Road, Farmington, Michigan 48024

the following described premises situated in the City of Farmington Hills County of Oakland and State of Michigan, to-wit:

Lot 75, Farmington Acres, a Subdivision of the South part of the Southeast 1/4 of Section 33, Town 1 North, Range 9 East, Farmington Township, Oakland County, Michigan, as recorded in Liber 21, Page 10 of Plats, Oakland County Records.

for the full consideration of Sixty-five Thousand and no/100 (\$65,000.00) Dollars subject to building and use restrictions and easements of record and further subject to such encumbrances as may have accrued or attached through acts or omissions to act of persons other than the Grantor herein since June 18, 1985, the date of a certain land contract in performance of which this deed is given.

Dated this 24th day of October 19 85.

Witnesses:

Signed and Sealed:

Leon Spence (signature)

Terese Pinner (L.S.) (signature)

Margaret Knizner (signature)

(L.S.)

(L.S.)

STATE OF MICHIGAN } COUNTY OF WAYNE } ss.

(L.S.)

The foregoing instrument was acknowledged before me this by TERESE PINNER.

24th day of October 19 85.

My commission expires Feb. 24, 1988

Margaret Knizner (signature) Notary Public Wayne County, Michigan

Instrument Drafted by Leon Spence

Business Address 32900 Five Mile, Livonia, MI 48154

County Treasurer's Certificate

City Treasurer's Certificate

Recording Fee

When recorded return to

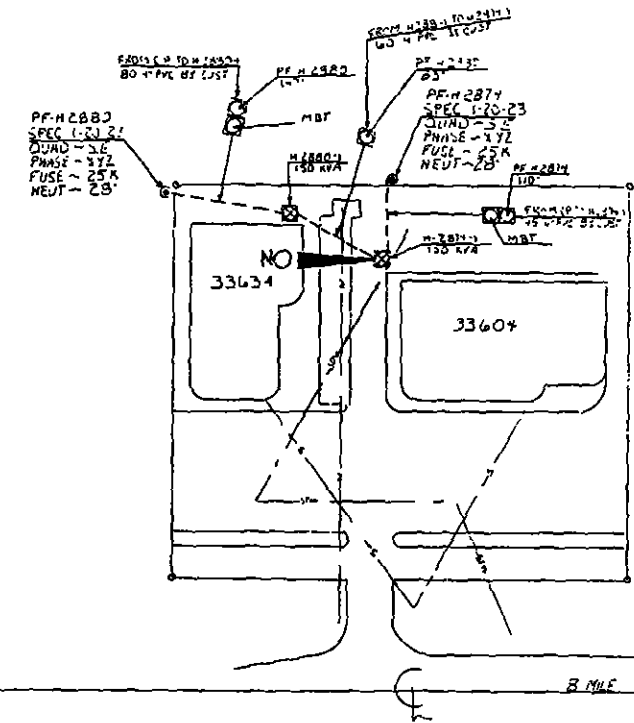
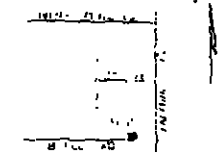
State Transfer Tax

Send subsequent tax bills

to

Tax Parcel #

RECORDED RIGHT OF WAY NO. 36857



**NOTICE**  
Locations of underground facilities on this drawing are only approximate. Exact locations must be determined by the UTILITY COMPANIES. For exact location, telephone MISS DIG on 800-482-7171 as required by Public Act 53 of 1974 before doing any power excavating.

**TRANSFORMER DATA**

UDT NO	SIZE	ED STA. NO.
H-2880-1	150 KVA	36804
H-2874-1	150 KVA	36804

TRANSFORMER SPEC: 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
  - ⊠ DPT DEAD FRONT TYPE
  - ⊡ UDT AND SWITCHBOARD—LIVE FRONT TYPE
  - ⊞ UDT SWITCHING—LIVE FRONT TYPE
  - DIRECTION OF TRANSFORMER COOP 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 COIN CABINET

**CABLE SUMMARY**

ITEM #	QUANTITY	DESCRIPTION	ITEM #	QUANTITY	DESCRIPTION
1	132	APL 200 & 140 800 V	2	325	
2	140	APL 200 & 140 800 V	3		
3	141	APL 200 & 141 800 V	4		

**TRENCH SUMMARY**

JOINT USE \_\_\_\_\_  
D.E. ONLY \_\_\_\_\_  
TEL. ONLY \_\_\_\_\_  
GAS ONLY \_\_\_\_\_  
OTHERS \_\_\_\_\_

TOTAL \_\_\_\_\_  
SITE SUPT. CHI COX PHONE NO. 540-0201

**NOTICE**  
Locations of underground facilities on this drawing are only approximate. Exact locations must be determined by the UTILITY COMPANIES. For exact location, telephone MISS DIG on 800-482-7171 as required by Public Act 53 of 1974 before doing any power excavating.

**— GENERAL NOTES —**

TRENCHING TO BE DONE BY CHI COX.  
TRENCH AND CABLE LENGTHS ARE APPROXIMATE.  
SEE SECTION 15 AND 16 CONSTRUCTION STANDARDS FOR TRANS. MOUNTING DETAILS.  
SEE PAGE 23 & 24 FOR ENTRANCE POINT DETAILS (APTS. ONLY).  
SEE SECTION 15 AND 16 CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES, TRANSFORMERS AND PEDESTALS QUOTE ONLY!  
D.E. SERVICE PLANNER GEORGE WHITE - 645-4109  
TEL. CO. CHI COX - 540-0201  
GAS CO. \_\_\_\_\_  
OTHERS \_\_\_\_\_

CONTACT MISS DIG (800-482-7171) BEFORE DOING ANY EXCAVATION.  
BASEMENTS INDICATED BY OUR CENTERLINE ARE IN WIDTH UNLESS OTHERWISE NOTED.

ELECTRICAL CONTRACTOR'S RESPONSIBILITY TO PROVIDE IN HIS INSTALLED DRAWING SHALL BE THE PLACEMENT WITH MANAGEMENT TO BUILDINGS AND PROPERTY LINES

**PERMITS REQUIRED**

CITY OF \_\_\_\_\_ COUNTY NOTIFICATION ONLY.  
STATE  YES  NO

D	C	B	A	REVISIONS	DATE	BY	JOB TITLE	SCALE	THE DETROIT EDISON COMPANY
								1"=50'	DETROIT EDISON COMPANY
								2	36784035
									DL 8873 FRMINGHAM
									86A 64076

DELTA BUILDINGS  
SE. 1/4 SEC 33

CITY OF FARMINGTON HILLS OAKLAND CO. 86A 64076