

Detroit Edison

Right of Way Agreement

JUNE 11, 19 87

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 Metrovision of Oakland County, A Michigan Corporation, 37635 Enterprise Ct., Farmington Hills, MI 48018 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:

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.

[Signature]

Witnesses:

Grantors:

B#92 REG/DEEDS PAID
0001 JUL 29 '87 12:24PM
7136 MISC 11.00

Prepared By: Walter E. Touchie
The Detroit Edison Company
30400 Telegraph Road, #264
Birmingham, MI 48010

Address: _____ 11.00

[Signature]

DECO2

RECORDED RIGHT OF WAY NO. 37325

WITNESSES:

Central Venture Corporation
 36800 Gratiot Avenue
 Mt. Clemens, MI 48043

Jill L. Turnbull
 JILL L. TURNBULL

By: David A. Widlak
 David A. Widlak
 Its: Vice-President

Jeanne Landa
 JEANNE LANDA

State of Michigan)
) SS:
 County of Macomb)

Personally came before me this 11th day of June, 1987, David A. Widlak, Vice-President of the Central Venture Corporation, to me known to be the person who executed the foregoing instrument, and to me known to be such Vice-President of said corporation, and acknowledged that he executed the foregoing instrument as such office as the free act and deed of said corporation, by its authority.

My Commission Expires February 20, 1991

Jeanne Landa
 JEANNE LANDA
 Notary Public,
 Macomb County, Michigan

APPENDIX "A"

Proposed "Country Ridge No. 4", and being a part of the N.E. 1/4 of Fractional Section 6, T1N, R9E, City of Farmington Hills, Oakland County, Michigan; more particularly described as commencing at the E. 1/4 corner of said Section 6; thence S. 89°46'35" W., 885.00 ft., along the E. and W. 1/4 line of said Section 6 and along the southerly line of "Country Ridge No. 3", as recorded in Liber 000, Page 00, and 00 of Oakland County records, and along the northly of "Farmington Ridge Subdivision No. 1", as recorded in Liber 173, Page 25, 26, 27, 28, 29 and 30 of Oakland County records, to the point of beginning; thence S. 89°46'35" W., 585.00 ft., along the E. and W. 1/4 line of said Section 6 and along the Northerly line of said "Farmington Ridge Subdivision No. 1"; thence N. 00°13'25" W., 120.00 ft.; thence N. 18°12'41" E., 63.25 ft., to a point on the Southerly line of "Country Ridge No. 1", as recorded in Liber 170, Pages 24, 25, 26 and 27 of Oakland County records; thence the following bearings and distances along said "Country Ridge No. 1"; thence N. 89°46'35" E., 41.10 ft.; thence N. 02°09'42" E., 113.67 ft.; thence N. 17°13'32" E., 104.30 ft.; thence N 33°39'15" E., 104.30 ft.; thence N. 50°04'58" E., 104.30 ft.; thence N. 66°30'41" E., 104.30 ft.; thence N. 82°44'37" E., 102.26 ft.; thence N. 89°46'35" E., 80.00 ft., along the Southerly line of said "Country Ridge No. 1", to the Northwest corner of said "Country Ridge No. 3", thence the following bearing and distances along the Westerly line of said "Country Ridge No. 3"; thence S. 00°13'25" E., 180.00 ft.; thence N. 89°46'35" E., 36.86 ft.; thence S. 00°13'25" E., 120.00 ft.; thence N. 89°46'35" E., 61.43 ft.; thence S. 00°13'25" E., 120.00 ft.; thence S. 89°46'35" W., 26.10 ft.; thence S. 00°13'25" E., 180.00 ft., to the point of beginning. All of the above containing 6.441 Acres This plat contain 21 lots, numbered 187 to 207, both inclusive.

SIDWELL NO. 23-06-200-014

23-06-277-002

RECORDED RIGHT OF WAY NO. 37324

To (Supervisor, H. & R.W.) <u>Jim McDONALD</u>	For ME & R.W. (By User)	Date Received <u>5-28-87</u>	Application No. <u>OE 87-13</u>
Division <u>OAKLAND</u>	Date	Applicable To	

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 <u>COUNTRY RIDGE #4</u>	County <u>OAKLAND</u>
City/Township/Village <u>FARMINGTON HILLS</u>	Section No. <u>6</u>
Type of Development <input type="checkbox"/> Proposed Subdivision <input type="checkbox"/> Apartment Complex <input type="checkbox"/> Condominium <input checked="" type="checkbox"/> Subdivision <input type="checkbox"/> Mobile Home Park <input type="checkbox"/> Other	Phone No. <u>792-8055</u>
2 Name of Owner <u>CENTRAL VENTURE CORPORATION</u>	Phone No. <u>646-0700</u>
Address <u>36800 GRATIOT AVE.</u>	
Owner's Representative <u>Jim BALL</u>	
Date Service is Wanted <u>5-15-87</u>	

RECORDED RIGHT OF WAY NO. 37329

- 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 <u>CATY - METROVISION OF OAKLAND COUNTY</u>	Phone Numbers <u>553-2303</u>
Address <u>37635 ENTERPRISE CT FARM HILLS, MICH 48018</u>	

6 Additional Information or Comments

Note: Trenching letter attached will be submitted later

Service Planner <u>John V. Blaszczak</u>	Signed (Service Planning Supervisor) <u>[Signature]</u>
Phone No. <u>4110</u>	Address <u>240 OOHQ</u>

**Detroit
Edison**

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

Phone 645-4388

June 5, 1987

Central Venture Corporation
36800 Gratiot Avenue
Mt. Clemens, MI 48043

Gentlemen:

Re: Country Ridge Subdivision No. 4

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. 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: Walter E. Touchie, Room 264.

Sincerely,

Walter E. Touchie

Walter E. Touchie, Representative
Real Estate, Rights of Way & Claims

WET/vkc
Enclosures

RECORDED RIGHT OF WAY NO.

37329

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

TO Records Center

8-18-87

TIME

Please set up R/W file for: COUNTRY RIDGE NO 4 Sub

Being a part of N.E. 1/4 of Section 6 City of Farmington Hills
Oakland County, Michigan

RECORDED RIGHT OF WAY NO. 37329

COPIES TO:

SIGNED

Omer V. Racine

Omer V. Racine

267 Oakland Div. Hqters

REPORT

DATE RETURNED

TIME

SIGNED

MEMORANDUM ORDER
FOR GENERAL USE
DE FORM 643-600 (4-9-77) 11-63

TO JOHN SLOMCZENSKI

DATE 7-1-87

TIME 11:00 AM

Re: Underground Service COUNTRY RIDGE NO. 4

Agreement and Easements obtained - OK to proceed with construction.

COPIES TO:

REPORT

SIGNED

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

RECORDED
RIGHT
WAY NO.

MEMORANDUM ORDER
FOR GENERAL USE
DE FORM NS 77 12-83

TO Records Center

DATE: 8-18-87 TIME _____

Please set up R/W file for: COUNTRY RIDGE No 4 Sais

Being a part of N.E. 1/4 of Section 6 City of Farmington Hills
Oakland County, Michigan

COPIES TO: _____

SIGNED

Omer V. Racine

Omer V. Racine
267 Oakland Div. Hqters

REPORT _____

DATE RETURNED _____

TIME _____

SIGNED _____

UNRECORDED RIGHT OF WAY NO.

77309

PROPOSED
EXHIBIT
B

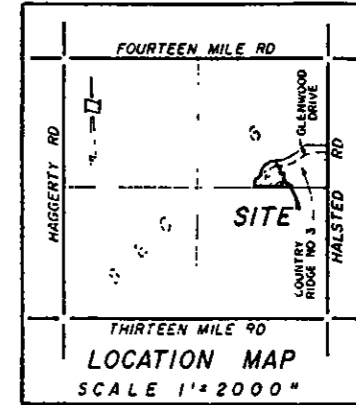
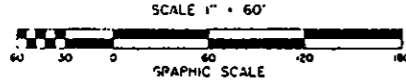
COUNTRY RIDGE NO. 4

A PART OF THE N. E. 1/4 OF FRACTIONAL
SEC. 6, T1N-R9E, CITY OF FARMINGTON
HILLS, OAKLAND COUNTY, MICHIGAN

LIBER 10031 PAGE 390

CURVE DATA :

NO	RADIUS	ARC	DELTA	TANGENT	CHORD	CHORD BEARING
1	185.00	290.60	90°00'00"	185.00	261.63	N44°46'35"E
2	245.00	384.84	90°00'00"	245.00	346.48	S44°46'35"W



PLAT LEGEND :

All side lines of lots fronting on curvilinear street lines are not radial thereto unless otherwise noted as (R).

All dimensions are shown in feet.

All curvilinear dimensions are shown along the arc.

The symbol "o" indicates a concrete monument 4" dia., 36" long, cylinder with 1/2" iron bar.

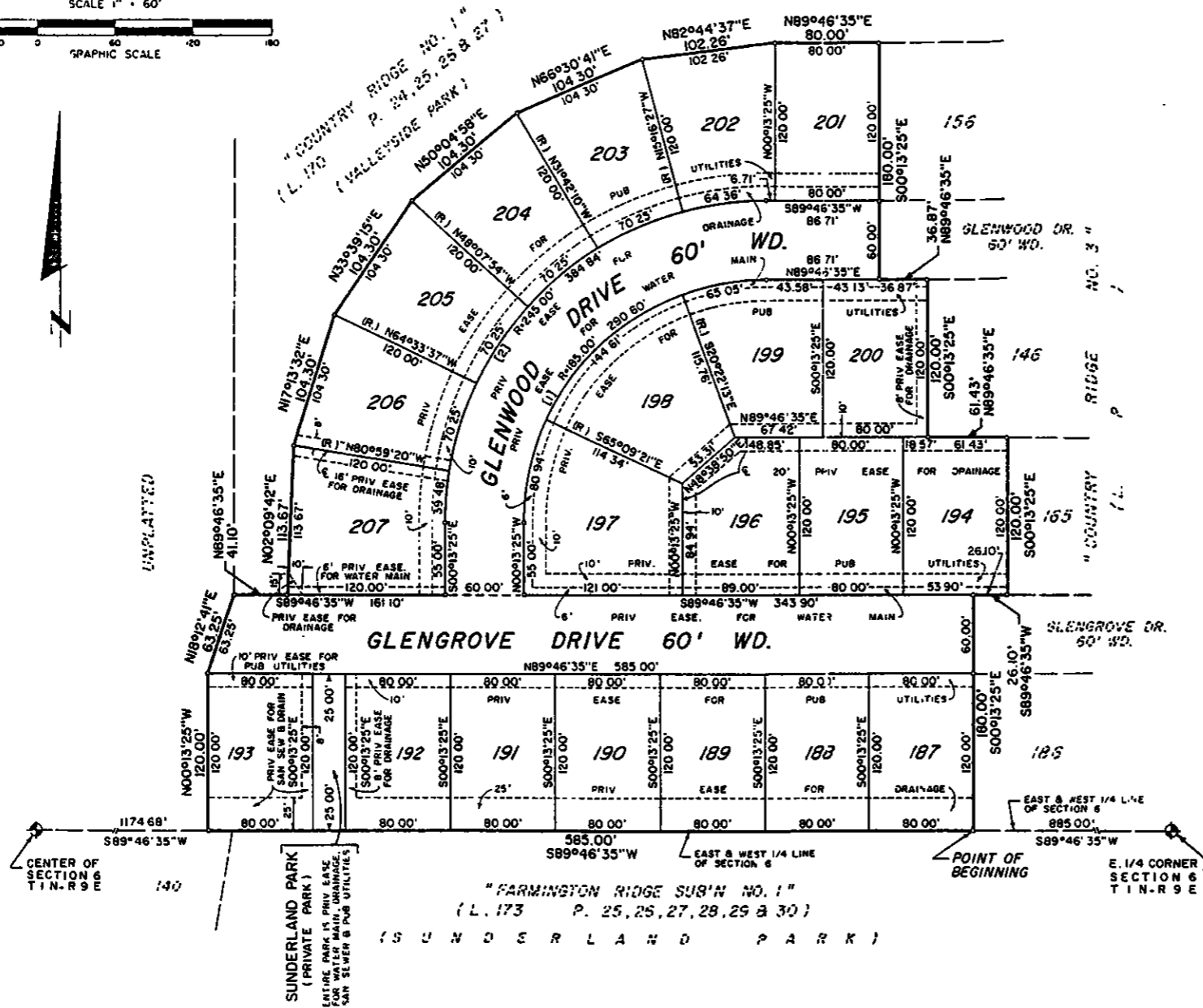
All lot markers are 1/2" steel bars and are 18" long.

All bearings are in relation to "COUNTRY RIDGE NO. 1 (Liber 170, Pages 24, 25, 26 & 27) of Oakland County Records. (East Line of Sec. 6)

Michael J. Milletics

MICHAEL J. MILLETICS, (O&FR)
LICENSED LAND SURVEYOR #29249

MILLETICS AND ASSOCIATES
34953 HILLSIDE DRIVE, SUITE 200
FARMINGTON HILLS, MICHIGAN 48304



RECORDED RIGHT OF WAY NO. 37329