



Right of Way Agreement

87 141712

JUNE 24, 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. No shrubs of 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.
4. If the lines of 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.

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.

①

Witnesses:

Grantors:

B#92 REG/DEEDS PAID
0001 JUL 29 '87 12:25PM
7136 MISC 15.00

Prepared By: Walter E. Touchie *DEED 1*
The Detroit Edison Company
30400 Telegraph Road, #264
Birmingham, MI 48010

Address: _____

15.00

RECORDED RIGHT OF WAY NO. 37330

[Handwritten Signature]

Farmington Strathmore Venture
A Michigan Co-Partnership
177 West Big Beaver Road
Troy, Michigan 48084

Register File No. 1117-86
County of Oakland
Filed July 25, 1986

By
Elro Corporation
Co-Partner
A Michigan Corporation
177 West Big Beaver Road
Troy, Michigan 48084

Witness:

Carol M. Jabro
Carol M. Jabro

Graham A. Orley
Graham A. Orley
President

Joanne B. Jennings
Joanne B. Jennings

Harry F. Terbrueggen
Harry F. Terbrueggen
Executive Vice President

State of Michigan) SS.
County of Oakland)

Personally came before me this 24th day of June, 1987, Graham A. Orley, President, and Harry F. Terbrueggen, Executive Vice President, of Elro Corporation, Co-Partner of the above named co-partnership, to me known to be the persons who executed the foregoing instrument and to me known to be such co-partners of said co-partnership, and acknowledged that they executed the foregoing instrument as such co-partner as the free act and deed of said co-partnership by its authority.

My Commission Expires: 2-9-91

Joanne B. Jennings
Notary Public, Oakland County, Michigan
JOANNE B. JENNINGS
Notary Public, Oakland County, MI
My Commission Expires Feb. 9, 1991

Appendix "A"

Proposed "Strathmore Sub. No. 3" part of the NW 1/4 of Section 7, T1N., R9E., City of Farmington Hills, Oakland County, Michigan. Beginning at the NW corner of Section 7, T1N., R9E., thence N 89°21'54" E 938.44 ft. along the North line of Section 7; thence S 00°38'06" E 60.00 ft.; thence S 59°19'48" E 500.37 ft.; thence S 00°05'19" E 627.63 ft.; thence, along the boundary of "Strathmore Sub. No. 2" (Liber 190, Pages 19, 20, 21 and 22, O.C.R.), S 79°59'30" W 199.09 ft., and Southerly 25.58 ft. along the arc of a curve to the left (Radius of 260.00 ft., central angle of 05°38'11", long chord bears S 12°49'36" E 25.57 ft.), and S 89°21'54" W 87.35 ft., and S 00°38'06" E 185.00 ft., and N 89°21'54" E 20.24 ft., and S 00°38'06" E 130.00 ft., and S 89°21'54" W 826.45 ft., and due north 18.46 ft., and due west 290.00 ft.; thence due north 1298.41 ft. along the west line of Section 7 to the point of beginning.

Containing 37.385 acres and comprising 71 lots numbered 122 through 192, both inclusive.

SIDWELL NO. 23-07-100-001
(007)-010
(009)-011

RECORDED RIGHT OF WAY NO.

37330

To (Supervisor, RE & R/W) <i>JIM McDONALD</i>	For RE & R/W Dept Use	Date Received <i>6-9-87</i>	DE/Bell/C.P. No. <i>OE 87-19</i>
Division <i>OAKLAND</i>	Date <i>5-22-87</i>	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 <i>STRATHMORE SUB NO 3</i>		County <i>OAKLAND</i>
City/Township/Village <i>FARMINGTON HILLS</i>		Section No. <i>W 1/2 NW 1/4 SECTION 9E</i>
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
2. Name of Owner <i>ELRO CORPORATION</i>		Phone No.
Address <i>177 WEST BIG BEAVER</i>		
Owner's Representative <i>HARRY TERRUEGGEN</i>		Phone No. <i>689-6800</i>
Date Service is Wanted <i>JULY 20, 1987</i>		

- 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 <i>METROVISION OF OAKLAND COUNTY</i>	
b. Other Utility Engineer Names <i>MARV NELSON</i>	Phone Numbers <i>553-7307</i>
Addresses <i>37635 ENTERPRISE CT</i> <i>FARMINGTON HILLS</i>	

6 Additional Information or Comments

Note: Trenching letter attached will be submitted later

Service Planner <i>Jim Hanigan</i>	Signed (Service Planning Supervisor)
Phone No.	Address

RECORDED RIGHT OF WAY NO. 37330

Detroit
Edison

Oakland Division
30400 Telegraph Road
Birmingham, Michigan 48010
(313) 645-4000
645-4388

June 16, 1987

Elro Corporation
Co-Partner
A Michigan Corporation
177 West Big Beaver Road
Troy, Michigan 48084

Gentlemen:

RE: Strathmore Sub. No. 3

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: Walter E. Touchie, Room 264.

Sincerely,

Walter E. Touchie

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

WET:1hp

RECORDED RIGHTS OF WAY NO. 37330

MEMORANDUM ORDER
FOR GENERAL USE
OR FORM 641-000 (M9-77) 12-83

TO: JIM SKONIECZNY

DATE: 7-1-87 TIME _____

RECORDED
RIGHT OF
WAY NO.

Re: Underground Service STRATHMORE SUB. NO. 3

Agreement and Easements obtained - OK to proceed with construction.

COPIES TO: _____

SIGNED

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

REPORT _____

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

TO Records Center

DATE 8-18-87

TIME

Please set up R/W file for: STRATHMORE SUB No 3

Being a part of NW 1/4 of Section 7 City of Farmington Hills
Oakland County, Michigan

RECORDED
INDEXED
NO

COPIES TO:

SIGNED

Omer V. Racine

Omer V. Racine
267 Oakland Div. Hqtrs.

REPORT

37330

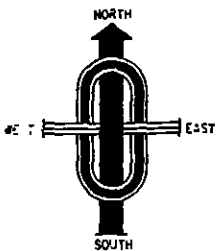
DATE RETURNED

TIME

SIGNED

"STRATHMORE SUB. No. 3" PROPOSED APPENDIX "B"

PART OF THE NORTHWEST 1/4 OF SECTION 7, T.1N, R.9E., CITY OF FARMINGTON HILLS, OAKLAND COUNTY, MICHIGAN



PLAT LEGEND

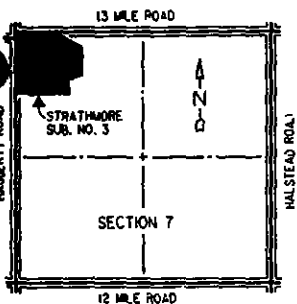
ALL DIMENSIONS ARE IN FEET.
ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC.
R DENOTES RADIAL. NR DENOTES NOT RADIAL.
THE SYMBOL "O" INDICATES A MONUMENT WHICH IS A 1 1/2" DIAMETER STEEL BAR 3/8" LONG, ENCASED IN 4" DIAMETER CONCRETE.
ALL LOT MARKERS ARE 1/2" IRON PIPES AND ARE 18" LONG.
ALL BEARINGS ARE IN RELATION TO THE BEARING OF THE WEST LINE OF "STRATHMORE SUB. NO. 2" AS RECORDED IN LIBER 150, PAGES 19, 20, 21 AND 22, D.C.R.
THE SYMBOL "•" DENOTES ANGLE POINT.

RECORDED RIGHT OF WAY NO. 37330

NOTE
THERE SHALL BE NO DIRECT VEHICULAR ACCESS TO THIRTEEN MILE ROAD FROM LOTS 187, 188, 192 AND 122.

POINT OF BEGINNING
NORTHWEST CORNER OF
SECTION 7, T.1N, R.9E.

LIBER 10031 PAGE 415

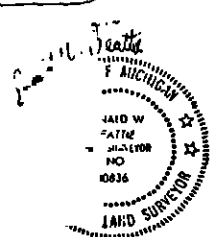
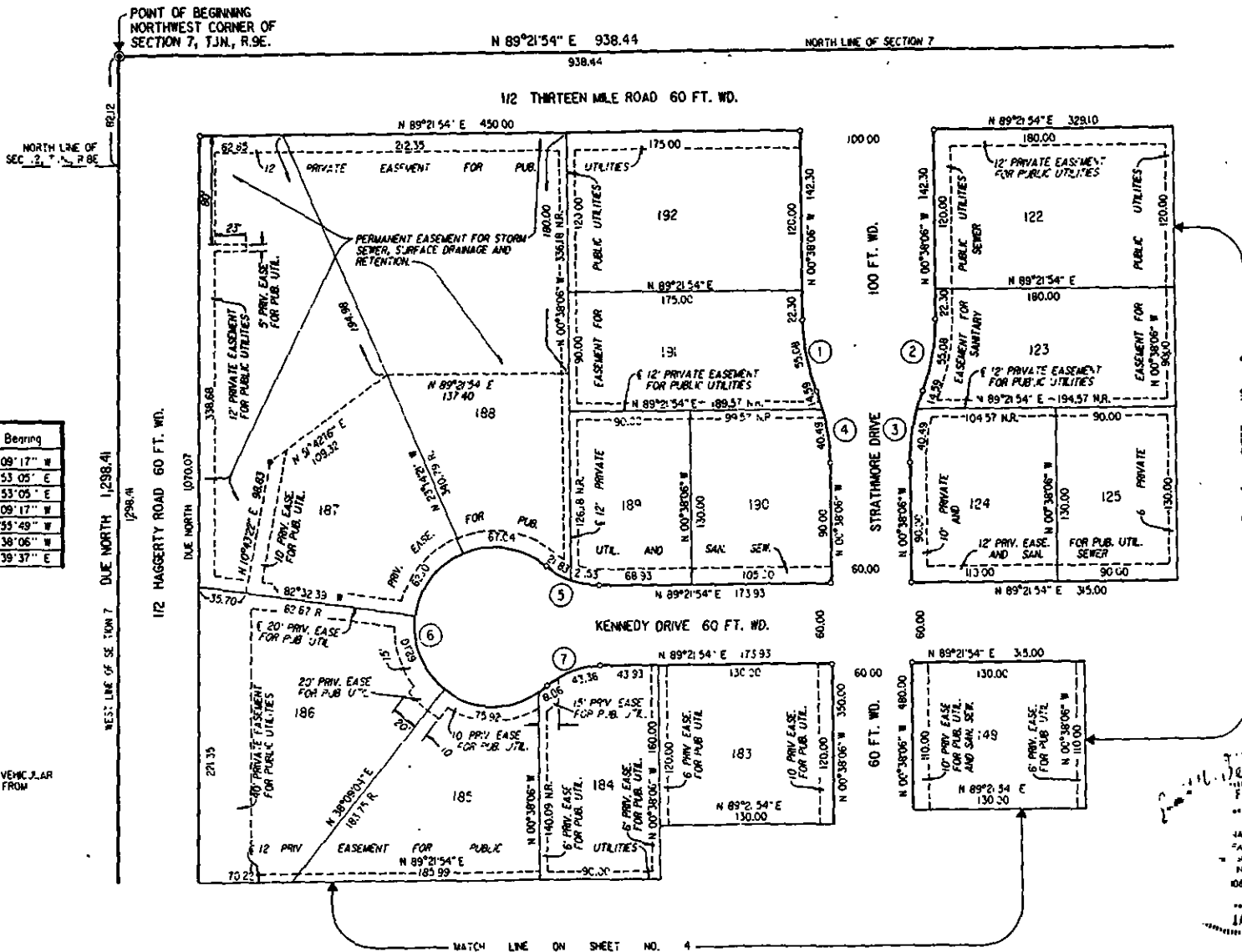


LOCATION MAP
NOT TO SCALE

CURVE DATA

No.	Radius	Arc	Delta	Chord	Chord Bearing
1	150.00	55.08		54.77	N 11°09'17" W
2	150.00	55.08		54.77	N 09°53'05" E
3	150.00	55.08		54.77	N 09°53'05" E
4	150.00	55.08		54.77	N 11°09'17" W
5	60.00	43.36		42.43	N 69°39'49" W
6	60.00	275.22		90.00	N 00°38'06" W
7	60.00	43.36		42.43	N 69°39'37" E

NOTE
THERE SHALL BE NO DIRECT VEHICULAR ACCESS TO HAGGERTY ROAD FROM LOTS 86 AND 187



"STRAITHMORE SUB. No. 3"

PART OF THE NORTHWEST 1/4 OF SECTION 7, T.1N., R.9E.,
CITY OF FARMINGTON HILLS, OAKLAND COUNTY, MICHIGAN

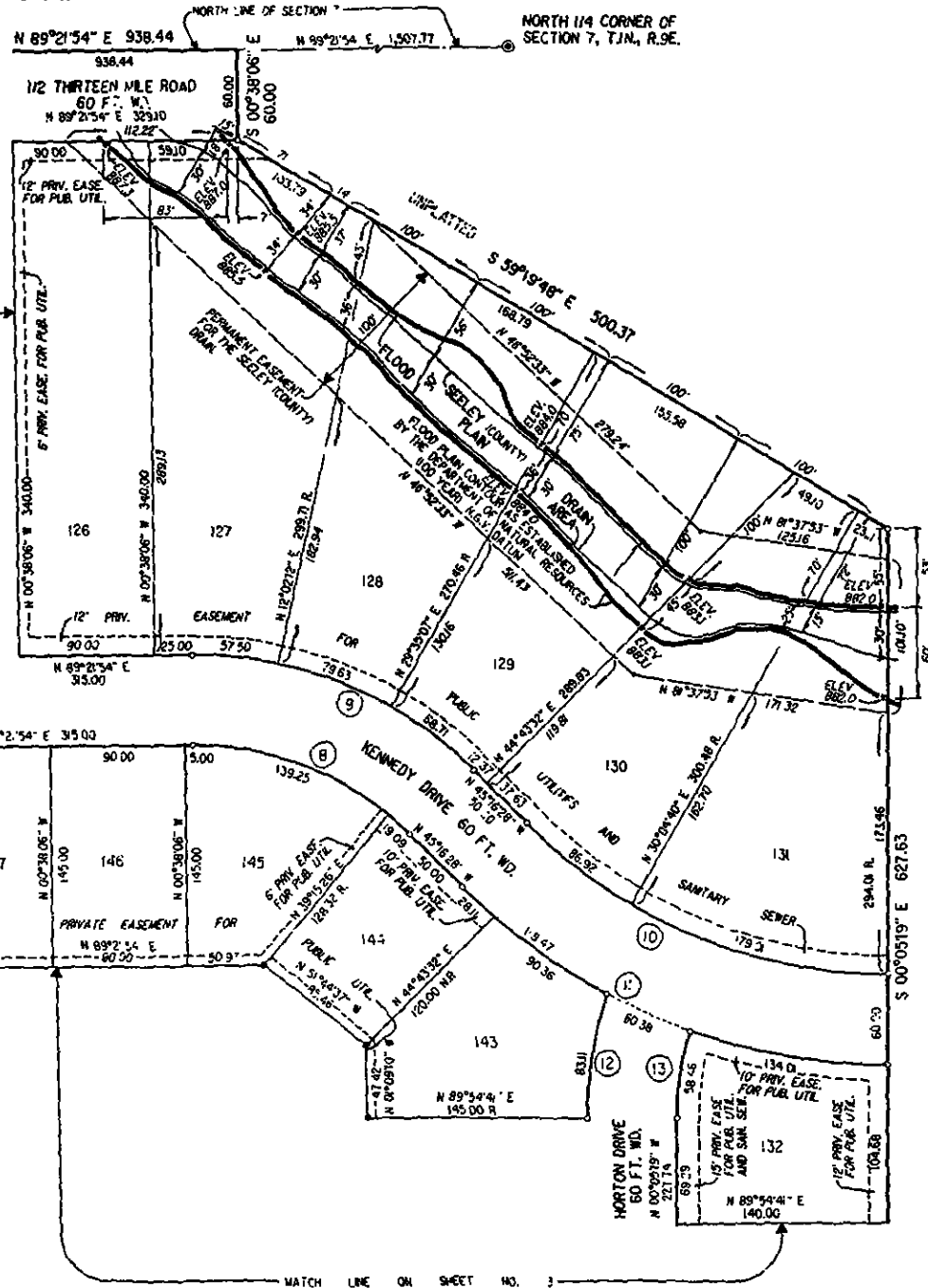
RECORDED RIGHT OF WAY NO. 37330



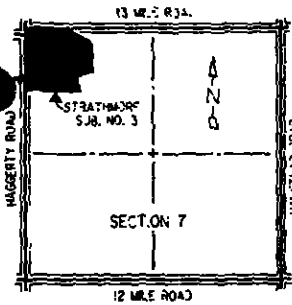
PLAT LEGEND

ALL DIMENSIONS ARE IN FEET.
ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC.
R. DENOTES RADIAL, A.R. DENOTES NOT RADIAL.
THE SYMBOL "O" INDICATES A MONUMENT WHICH IS A 1/2" DIAMETER
STEEL BAR 36" LONG, ENCASED IN 4" DIAMETER CONCRETE.
ALL LOT MARKERS ARE 1/2" IRON PIPES AND ARE 18" LONG.
ALL BEARINGS ARE IN RELATION TO THE BEARING OF THE
WEST LINE OF "STRAITHMORE SUB. NO. 2" AS RECORDED IN
DEED 190, PAGES 19, 20, 21 AND 22, D.C.R.
THE SYMBOL "A" DENOTES ANGLE POINT

NOTE
THERE SHALL BE NO DIRECT VEHICULAR
ACCESS TO THIRTEEN MILE ROAD FROM
LOTS 126 AND 127.



LIBER 10031 PAGE 416



LOCATION MAP
NOT TO SCALE

CURVE DATA

No.	Radius	Arc	Delta	Chord	C	
8	230.00	159.34	45°21'38"	154.24	N	W
9	260.00	205.84	49°27'38"	200.51	N	W
10	340.00	265.93	44°48'51"	259.21	N	W
11	400.00	312.86	44°48'51"	304.95	N	W
12	260.00	83.11	18°18'54"	82.76	N	E
13	200.00	58.46	16°44'49"	58.25	N	E



MCS ASSOCIATES, INC.
CIVIL ENGINEERING AND SURVEYING
STERLING HEIGHTS, MICHIGAN

"STRATHMORE SUB. NO. 3"

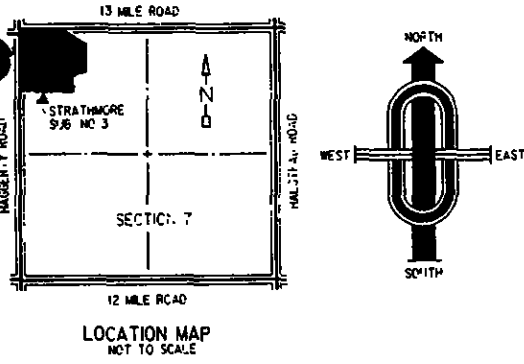
PART OF THE NORTHWEST 1/4 OF SECTION 7, T.1N., R.9E.,
CITY OF FARMINGTON HILLS, OAKLAND COUNTY, MICHIGAN

RECORDED RIGHT OF WAY NO. 37330



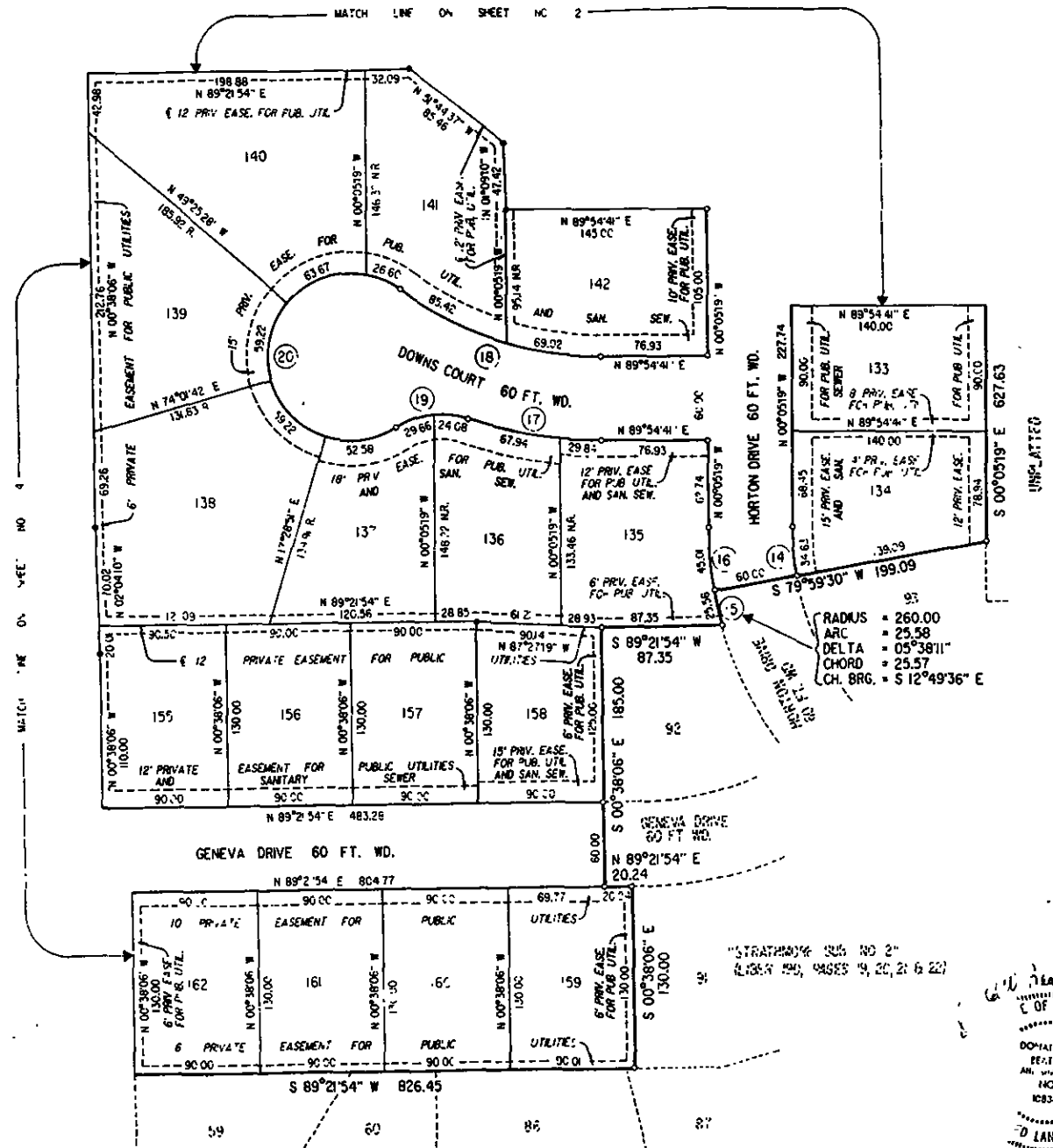
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LIBER 10031 PAGE 447

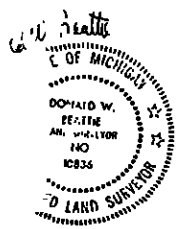


CURVE DATA

Curve No.	Radius	Arc	Delta	Chord	Chord Bearing
4	230.00	34.83	09°55'11"	34.56	N 05°42'55" W
5	260.00	25.58	05°38'11"	25.57	S 12°29'38" E
6	260.00	45.61	09°55'11"	44.96	S 5°27'55" W
7	300.00	97.78	18°46'30"	97.35	N 00°45'04" W
8	240.00	154.44	36°52'12"	151.79	N 71°39'13" W
9	60.00	53.74	51°19'04"	51.96	N 82°55'39" E
10	60.00	261.29	24°30'46"	98.50	N 0°01'30" E



RADIUS = 260.00
ARC = 25.58
DELTA = 05°38'11"
CHORD = 25.57
CH. BRG. = S 12°49'36" E



MCS ASSOCIATES, INC.
CITY OF FARMINGTON HILLS, MICHIGAN

"STRATHMORE SUB. No. 3"

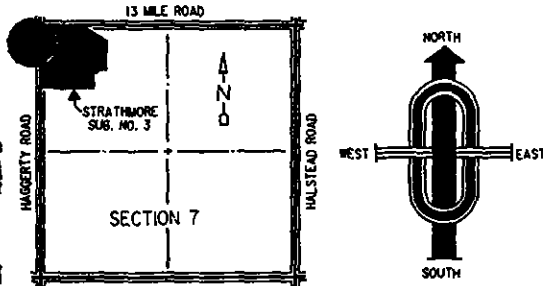
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CITY OF FARMINGTON HILLS, OAKLAND COUNTY, MICHIGAN

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LOCATION MAP
NOT TO SCALE

CURVE DATA

No.	Radius	Arc	Delta	Chord	Chord Bearing
21	60.00	251.33	240°00'00"	103.92	N 29°21'54" E
22	60.00	62.83	60°00'00"	60.00	N 60°38'06" W
23	260.00	27.00	05°56'57"	26.98	N 03°36'34" W
24	200.00	20.77	05°56'57"	20.76	N 03°36'34" W
25	260.00	27.00	05°56'57"	26.98	N 03°36'34" W
26	200.00	20.77	05°56'57"	20.76	N 03°36'34" W

NOTE
THERE SHALL BE NO DIRECT VEHICULAR
ACCESS TO HAGGERTY ROAD FROM
LOTS 178, 177, 169 AND 168

