

Detroit Edison

Right of Way Agreement

87 157920

July 31, 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 hereinafter referred to as "UTILITIES", the easement and right to erect, lay, maintain, reconstruct and replace 48018 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:

#1

AM36 REG/DEEDS PAID
0001 AUG 19 '87 11:15AM
1600 MISC 11.00

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 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.
4. If the lines of facilities of UTILITIES are damaged by the acts of Owners, their agents, employees 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.

DECO2

Witnesses:

[Signature]

SAMI J. HARB

[Signature]

Sami McMullen

Grantors:

[Signature]

SAMUEL KARD - PRESIDENT

Farmington Glens Development Co., Inc.

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

Address:

11.00
[Signature]

RECORDED RIGHT OF WAY NO. 37428

Witnesses:

Farmington Glens Development Co., Inc.
32961 Middlebelt Road
Farmington Hills, Michigan 48018

[Signature]
SAM J. HARB
[Signature]
Sami McWiken

[Signature]
Samuel Karp, President

State of Michigan)
County of Oakland) SS.

Personally came before me this 31st day of July, 1987, SAMUEL KARP, 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.

My Commission Expires: May 18, 1991

[Signature]
DIANE S. COLBERT
Notary Public, Oakland County, Michigan

Appendix "A"

Proposed Glens Sub'n No. 2, Part of the S 1/2 of Section 6, T1N., R9E., City of Farmington Hills, Oakland County, Michigan more particularly described as: Commencing at the SE corner of Section 6, T1N., R9E., and proceeding th alg the South line of said Section 6, S 89°43'42" W., 1,639.99' to the point of beginning of the parcel herein described; th continuing alg the South line of said Section 6, S 89°43'42" W., 924.09'; th N 00°25'36" W., 211.50'; th S 89°39'53" W., 148.00'; th N 00°25'36" W., 8.50'; th N 02°18'40" W., 271.59'; th N 64°06'00" W., 359.14'; th N 40°32'42" W., 202.83'; th N 11°47'04" W., 211.48'; th N 19°18'56" E., 211.48'; th N 33°46'14" E., 122.67'; th N 85°03'00" E., 125.00'; th on a curve to the right, radius 460.00', central angle 03°07'00" (the chord of said curve bears N 03°23'30" W., 25.02') a distance of 25.02'; th S 88°10'00" W., 127.81'; th N 04°30'00" E., 324.37'; th N 14°39'38" W., 147.23' 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, Oakland County Records; th alg said boundary N 68°36'47" E., 355.00'; and N 73°28'33" E., 79.41'; and N 19°53'13" W., 126.50' and on a curve to the right radius 800.00' central angle 02°23'13" (the chord of said curve bears N 71°18'24" E., 33.33') a distance of 33.33'; and S 17°30'00" E., 127.56'; and N 73°28'33" E., 74.50'; and N 80°30'00" E., 158.64'; and S 04°36'11" W., 117.78'; and S 12°50'00" E., 155.92'; and S 61°50'00" E., 155.92'; and N 70°48'46" E., 143.47'; and N 34°57'34" E., 200.06'; and N 22°33'00" E., 105.28'; and N 05°15'00" E., 83.15'; and S 75°00'00" E., 177.11'; th alg the boundary of Farmington Grove, a subdivision recorded in Liber 187, Plats, Pages 8, 9, and 10, Oakland County Records, S 15°00'00" W., 403.45'; th S 63°28'27" W., 925.63'; th S 58°28'00" W., 120.00'; th on a curve to the left, radius 400.00', central angle 11°25'40" (the chord of said curve bears S 37°14'50" E., 79.65') a distance of 79.78'; th S 47°02'20" W., 129.00'; th S 15°18'15" W., 51.29'; th S 42°52'16" E., 64.65'; th S 55°43'00" E., 74.18'; th S 63°03'00" E., 74.18'; th S 70°23'00" E., 74.18'; th S 77°43'00" E., 74.18'; th S 85°03'00" E., 74.18'; th S 89°53'49" E., 80.64'; th due east 104.16' th S 83°05'00" E., 86.31'; th S 70°02'36" E., 60.82'; th S 66°45'30" E., 146.23'; th S 47°00'00" E 409.29'; th S 73°30'40" E., 134.21' to a point on the boundary of Farmington Glens Sub'n, recorded in Liber 190, Plats, Pages 9, 10, 11, 12 and 13, Oakland County Records; th alg said boundary S 00°16'18" E., 120.00'; and S 89°43'42" W., 17.00'; and S 00°16'18" E., 250.00' to the point of beginning, consisting of 74 lots numbered 65 through 138, both inclusive, and two parks (private parks) and containing 35.539 acres.

RECORDED RIGHT OF WAY NO. 37428

SIDWELL No. 23-06-400-(613)
-014 - SE 1/4 and SW 1/4

**Detroit
Edison**

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

June 30, 1987

Farmington Glens Development Company, Inc.
32961 Middlebelt Road
Farmington Hills, MI 48018

Gentlemen:

Re: Farmington Glens Sub. No. 2

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 the 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: lhp
Enclosures

RECORDED RIGHT OF WAY NO.

37428

MEMORANDUM ORDER

OR GENERAL USE
FORM 640-000 (10-77) 11-83

TO JOHN SLOMCZENSKI

DATE 8-4-81

TIME _____

Re: Underground Service FARMINGTON GLENS NO. 2

Agreement and Easements obtained - OK to proceed with construction.

COPIES TO:

SIGNED

Walter E. Louche

Walter V. Racine, Representative

State, Rights of Way & Claims

264 Oakland Division Headquarters

RECORDED
RIGHT OF WAY
CLAIMS

37/28

DATE RETURNED _____

TIME _____

SIGNED _____

To (Supervisor, RI & RIW) <u>Jim McDONALD</u>	For RE & RIW Dept. Use	Date Received <u>6-23-87</u>	DL: Bill, C. P. No. <u>05-87-21</u>
Division <u>OAKLAND</u>	Date <u>5-19-87</u>	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 <u>FARMINGTON GLENS SUB'DN NO 2 & N 25</u>		County <u>OAKLAND</u>
City/Township/Village <u>FARMINGTON HILLS</u>		Section No. <u>S 1/2 OF SECT 6</u>
Type of Development		
<input checked="" 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 <u>FARMINGTON GLENS DEVELOPMENT COMPANY INC.</u>		Phone No. <u>855-4080</u>
Address <u>32961 MIDDLEBECT RD., FARM HILLS, MICH 48018</u>		
Owner's Representative <u>SAM HARR</u>		Phone No. <u>855-4080</u>
Date Service is Wanted <u>6-15-87</u>		

- 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 <u>METROVISION OF OAKLAND COUNTY</u>	
b. Other Utility Engineer Names <u>MARY NELSON</u>	Phone Numbers <u>553-7303</u>
Addresses <u>37635 ENTERPRISE CT, FARMINGTON HILLS, MICH 48018</u>	

6 Additional Information or Comments

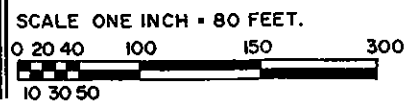
Note: Trenching letter attached will be submitted later

Service Planner	Signed (Service Planning Supervisor) <u>[Signature]</u>
Phone No.	Address

RECORDED RIGHT OF WAY NO. 37635

FARMINGTON GLENS SUB'N NO. 2, SHEET 1 OF 4 SHEETS

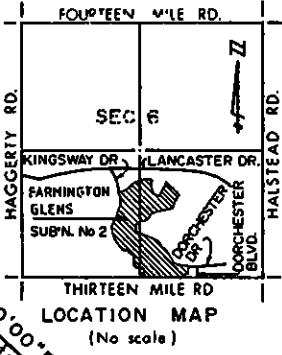
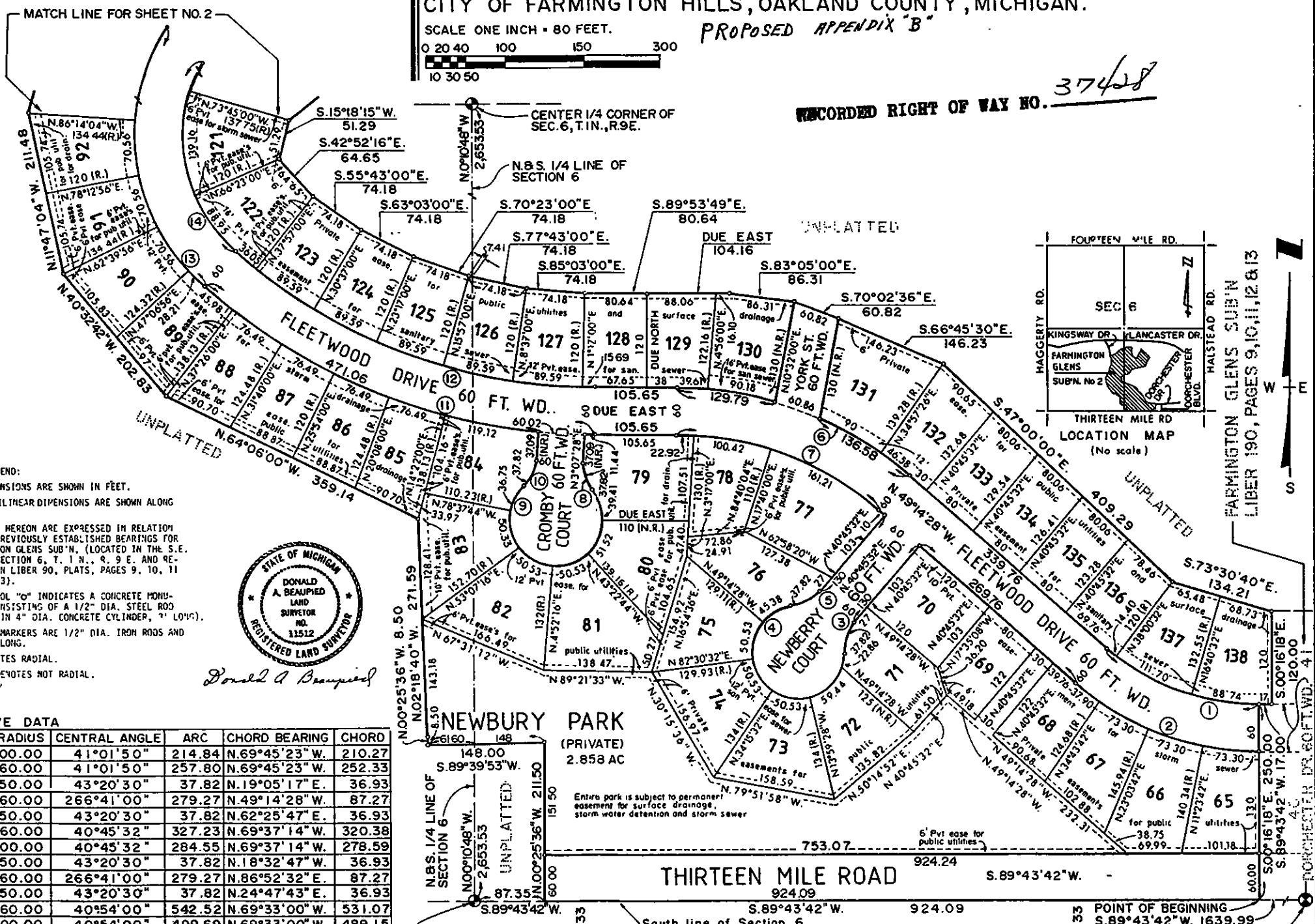
PART OF THE S. 1/2 OF SECTION 6, T. 1 N., R. 9 E.
CITY OF FARMINGTON HILLS, OAKLAND COUNTY, MICHIGAN.



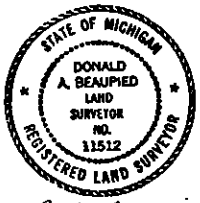
PROPOSED APPENDIX "B"

RECORDED RIGHT OF WAY NO. 37428

LIBER 10069 PAGE 851



PLAT LEGEND:
ALL DIMENSIONS ARE SHOWN IN FEET.
ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC.
BEARINGS HEREON ARE EXPRESSED IN RELATION TO THE PREVIOUSLY ESTABLISHED BEARINGS FOR FARMINGTON GLENS SUB'N, (LOCATED IN THE S.E. 1/4 OF SECTION 6, T. 1 N., R. 9 E. AND RECORDED IN LIBER 90, PLATS, PAGES 9, 10, 11, 12 AND 13).
THE SYMBOL "O" INDICATES A CONCRETE MONUMENT (CONSISTING OF A 1/2" DIA. STEEL ROD ENCLOSED IN 4" DIA. CONCRETE CYLINDER, 7" LONG).
ALL LOT MARKERS ARE 1/2" DIA. IRON RODS AND ARE 18" LONG.
(R.) DENOTES RADIAL.
(N.R.) DENOTES NOT RADIAL.



Donald A. Beaupied

CURVE DATA

NO.	RADIUS	CENTRAL ANGLE	ARC	CHORD BEARING	CHORD
1	300.00	41°01'50"	214.84	N.69°45'23" W.	210.27
2	360.00	41°01'50"	257.80	N.69°45'23" W.	252.33
3	50.00	43°20'30"	37.82	N.19°05'17" E.	36.93
4	60.00	266°41'00"	279.27	N.49°14'28" W.	87.27
5	50.00	43°20'30"	37.82	N.62°25'47" E.	36.93
6	460.00	40°45'32"	327.23	N.69°37'14" W.	320.38
7	400.00	40°45'32"	284.55	N.69°37'14" W.	278.59
8	50.00	43°20'30"	37.82	N.18°32'47" W.	36.93
9	60.00	266°41'00"	279.27	N.86°52'32" E.	87.27
10	50.00	43°20'30"	37.82	N.24°47'43" E.	36.93
11	760.00	40°54'00"	499.69	N.69°33'00" W.	489.15
12	700.00	40°54'00"	499.69	N.69°33'00" W.	489.15
13	260.00	114°03'36"	517.59	N.07°55'48" E.	436.26
14	200.00	113°04'50"	394.72	N.07°26'25" E.	333.71

PRELIMINARY DATE UNPLATTED

WARNER, CANTRELL & PADMOS, INC. CIVIL ENGINEERS AND LAND SURVEYORS 38735 GRAND RIVER AVENUE FARMINGTON MICHIGAN 48024

POINT OF BEGINNING S.89°43'42" W. 1639.99

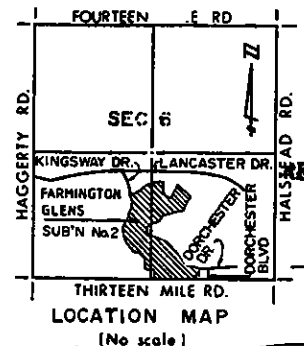
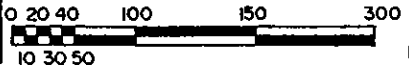
S.E. CORNER OF SEC. 6, T. 1 N., R. 9 E.

FARMINGTON GLENS SUB'N NO. 2,

PART OF THE S. 1/2 OF SECTION 6, T. 1 N., R. 9 E.

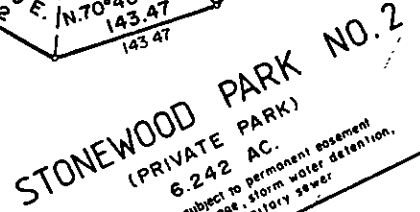
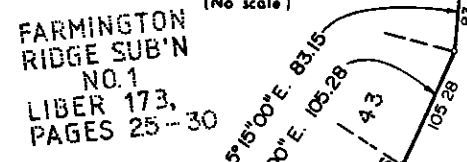
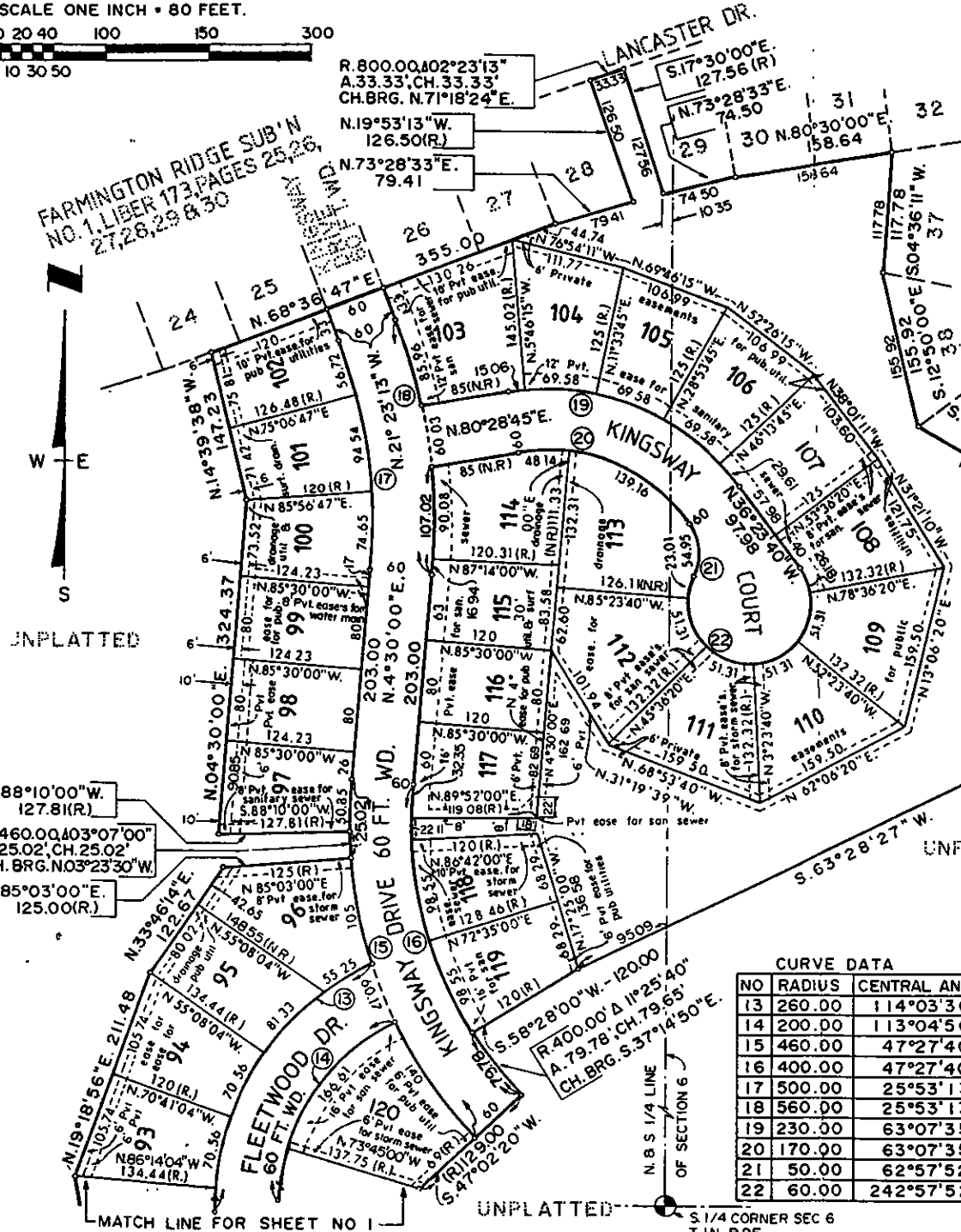
CITY OF FARMINGTON HILLS, OAKLAND COUNTY, MICHIGAN.

SCALE ONE INCH = 80 FEET.



RECORDED RIGHT OF WAY NO. 37428

LIBER 1009 PAGE 852



PLAT LEGEND:
ALL DIMENSIONS ARE SHOWN IN FEET.
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THE SYMBOL "C" INDICATES A CONCRETE MONUMENT (CONSISTING OF A 1/2" DIA. STEEL ROD ENCASED IN 4" DIA. CONCRETE CYLINDER, 3" LONG).
ALL LOT MARKERS ARE 1/2" DIA. IRON RODS AND ARE TO LOTS.
(R) DENOTES RADIAL
(N.R.) DENOTES NOT RADIAL.

NOTE: Entire park is subject to permanent easement for surface drainage, storm water detention, storm sewer and sanitary sewer.

CURVE DATA

NO	RADIUS	CENTRAL ANGLE	ARC	CHORD BEARING	CHORD
13	260.00	114°03'36"	517.59	N.07°55'48"E.	436.26
14	200.00	113°04'50"	394.72	N.07°26'25"E.	333.71
15	460.00	47°27'40"	381.04	N.19°13'50"W.	370.24
16	400.00	47°27'40"	331.34	N.19°13'50"W.	321.95
17	500.00	25°53'13"	225.91	N.08°26'37"W.	223.99
18	560.00	25°53'13"	253.01	N.08°26'37"W.	250.87
19	230.00	63°07'35"	253.41	N.67°57'28"W.	240.78
20	170.00	63°07'35"	187.30	N.67°57'28"W.	177.97
21	50.00	62°57'52"	54.95	N.04°54'44"W.	52.22
22	60.00	242°57'52"	254.43	N.85°05'16"E.	102.34



Donald A. Beaupied

PRELIMINARY DATE _____

WARNER, CANTRELL & PADMOS, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
34752 GRAND RIVER AVENUE
FARMINGTON, MICHIGAN 48324

UNPLATTED

UNPLATTED

MATCH LINE FOR SHEET NO. 1

S. 1/4 CORNER SEC 6 T. 1 N., R. 9 E.