

Detroit Edison

Right of Way Agreement

October 28, 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, 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:

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. 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.

~~Witnesses:~~

Grantors:

See Next Page

A#36 REG/DEEDE PAID
0001 NOV 02 '87 01:45PM
5656 MISC 9.00

Prepared By: Omer V. Racine
The Detroit Edison Company
30400 Telegraph Rd., Suite 264
Birmingham, MI 48010

Address:

DECO2

RECORDED RIGHT OF WAY NO. 37671

[Handwritten Signature]

Witnesses:

Charter Land Corporation
5600 W. Maple Road
West Bloomfield, MI 48033

Omer V. Racine
OMER V. RACINE

Marvin R. Rollins
Marvin R. Rollins, President

Stuart R. Chipman
STUART R. CHIPMAN

State of Michigan)
County of Oakland) SS:

On this 28th day of October, 1987, before me appeared Marvin R. Rollins, to me personally known, who being by me severally duly sworn, did say that he is President of Charter Land Corporation, a Michigan Corporation, and that the said instrument was signed in behalf of said corporation by authority of its Board of Directors and the said Marvin R. Rollins, acknowledged the said instrument to be the free act and deed of the corporation.

My Commission Expires: _____

Omer V. Racine

OMER V. RACINE
Notary Public, Oakland County, MI
My Commission Expires May 20, 1990

Notary Public,
County, Michigan

Appendix "A"

Proposed

"Hunter's Pointe No. 6", part of the SE 1/4 of Section 5, T1N, R9E, City of Farmington Hills, Oakland County, Michigan, beginning at a point, said point being distant S. 89°41'24" E. 468.72 ft. along the S. line of said Section 5, said line also being the centerline of 13 Mile Road, from the S. 1/4 corner of said Section 5, thence from said point of beginning N. 00°18'36" E. 196.23 ft., thence 74.41 ft. along the arc of a curve to the right, said curve having a radius of 60.00 ft., a central angle of 71°03'24", a chord length of 69.73 ft. and a chord bearing of N. 09°44'05" W., thence 11.14 ft. along the arc of a curve to the left, said curve having a radius of 50.00 ft., a central angle of 12°46'15", a chord length of 11.12 ft., and a chord bearing of N. 19°24'30" E., thence N. 89°41'24" W. 105.49 ft., thence the following ten courses along of "Hunter's Pointe No. 5" as recorded in Liber 191, of Plats, Pages 19 and 20, Oakland County Records, N. 11°10'00" W. 180.88 ft., and S. 78°50'00" W. 16.84 ft. and N. 06°24'36" W. 91.29 ft., and N. 04°54'53" E. 276.97 ft. and N. 03°50'00" W. 323.82 ft. and N. 39°08'54" W. 48.61 ft. and N. 23°54'30" E. 182.96 ft. and 26.80 ft. along the arc of a curve to the left, said curve having a radius of 230.00 ft., a central angle of 06°40'30", a chord length of 26.78 ft. and a chord bearing of N. 69°25'45" W. and N. 72°46'00" W. 61.44 ft. and N. 17°14'00" E. 120.00 ft., thence S. 72°46'00" E. 333.80 ft. along the South line of "Hunters Pointe No. 4" as recorded in Liber 187, of Plats, Pages 18 and 19, Oakland County Records, thence S. 55°39'02" E. 76.93 ft., thence S. 34°35'11" E. 78.57 ft., thence S. 06°13'05" W. 107.31 ft., thence S. 51°17'31" W. 81.44 ft., thence S. 60°10'00" W. 90.00 ft., thence S. 29°50'00" E. 180.00 ft., thence S. 60°10'00" W. 41.30 ft., thence S. 29°50'00" E. 120.00 ft., thence S. 60°10'00" W. 32.83 ft., thence S. 37°02'04" W. 48.92 ft., thence S. 07°57'42" W. 144.39 ft., thence Due S. 110.00 ft., thence S. 16°52'35" E. 93.01 ft., S. 35°32'22" E. 154.83 ft., thence S. 00°41'02" E. 275.02 ft., thence N. 89°41'24" W. 243.04 ft. along the S. line of said Section 5 and said centerline of 13 Mile Road to the point of beginning, consisting of 25 lots numbered 165 - 189 both inclusive and containing 10.43 acres.

SIDWELL NO. (23-05-402-029) Pt 23-05-451-021
Pt 23-05-454-004

RECORDED RIGHT OF WAY NO. 32671

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

TO Records Center

DATE 11-23-87 TIME

Please set up P/W file for: HUNTERS POINT E N 1/4 SW

Being a part of SE 1/4 of Section 5, CITY OF FARMINGTON HILLS

Oakland County, Michigan

COPIES TO

SIGNED

Omer V. Racine

Omer V. Racine

264 Oakland Div. Hqtrs

REPORT

Farmington Twp

Sec 5

DATE RETURNED

TIME

SIGNED

RECORDED
RIGHT OF WAY NO

37671

Detroit Edison

Application for U.R.D. Easements

DE 463111

To: Supervisor H. A. H. W. <u>J. McDONALD</u>	Date <u>9-23-87</u>	OE <u>87-46</u>
Division <u>OAKLAND</u>	Date <u>9-23-87</u>	

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>WATER PLANT No. 6 Sub</u>	City <u>OAKLAND</u>	RECORDED RIGHT OF WAY NO. 37671
City/Township/Village <u>FARMINGTON HILLS</u>	Section No. <u>SEC. 5</u>	
Type of Development <input checked="" type="checkbox"/> Proposed Subdivision <input type="checkbox"/> Apartment Complex <input type="checkbox"/> Condominium <input type="checkbox"/> Subdivision <input type="checkbox"/> Mobile Home Park <input type="checkbox"/> Other		
2 Name of Owner <u>WATER LAND CORPORATION</u>		
Address <u>3000 W. MAPLE RD W. BLOOMINGDALE 48103</u>		
Owner's Representative <u>MARY R. ROLLER PRESIDENT</u>	Phone No. <u>626-0500</u>	
Date Service is Wanted <u>11-16-87</u>		
4 Entire Project will be developed at one time	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
5 Joint easements required — Michigan Bell Telephone — Consumers Power	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
3 Name of Other Utilities If Not Michigan Bell Telephone or Consumers Power <u>METROPLANNING - M. NELSON 553-7303</u>	J.V. Memo # <u>05889</u>	
b Other Utility Engineer Name <u>TOM CROWLEY - MBT</u>	Phone No. <u>540-0201</u>	
Addresses <u>30700 TELEGRAPH B'HAM</u>		
6 Additional Information or Comments		

Note Trenching letter attached will be submitted later

Service Planner <u>GEORGE WHITE JR</u>	Signed (Service Planning Section) <u>John V. Blongowski</u>
Phone No. <u>695 4109</u>	Address <u>240 0012</u>

**Detroit
Edison**

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

Phone 645-4388

October 8, 1987

Marvin R. Rollins
Charter Land Corporation
5600 W. Maple Road
West Bloomfield, MI 48033

Gentlemen:

Re: Hunters Pointe #6 Subdivision

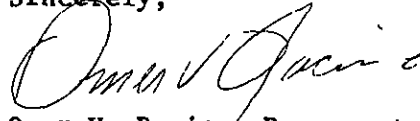
Enclosed is the original and one copy of the Right of Way Agreement for the above described project. Please have the original executed and returned to us. The copy should be retained by you for your records.

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: Omer V. Racine, Room 264.

Sincerely,



Omer V. Racine, Representative
Real Estate, Rights of Way & Claims

OVR/vkc
Enclosures

RECORDED RIGHT OF WAY NO. 37671

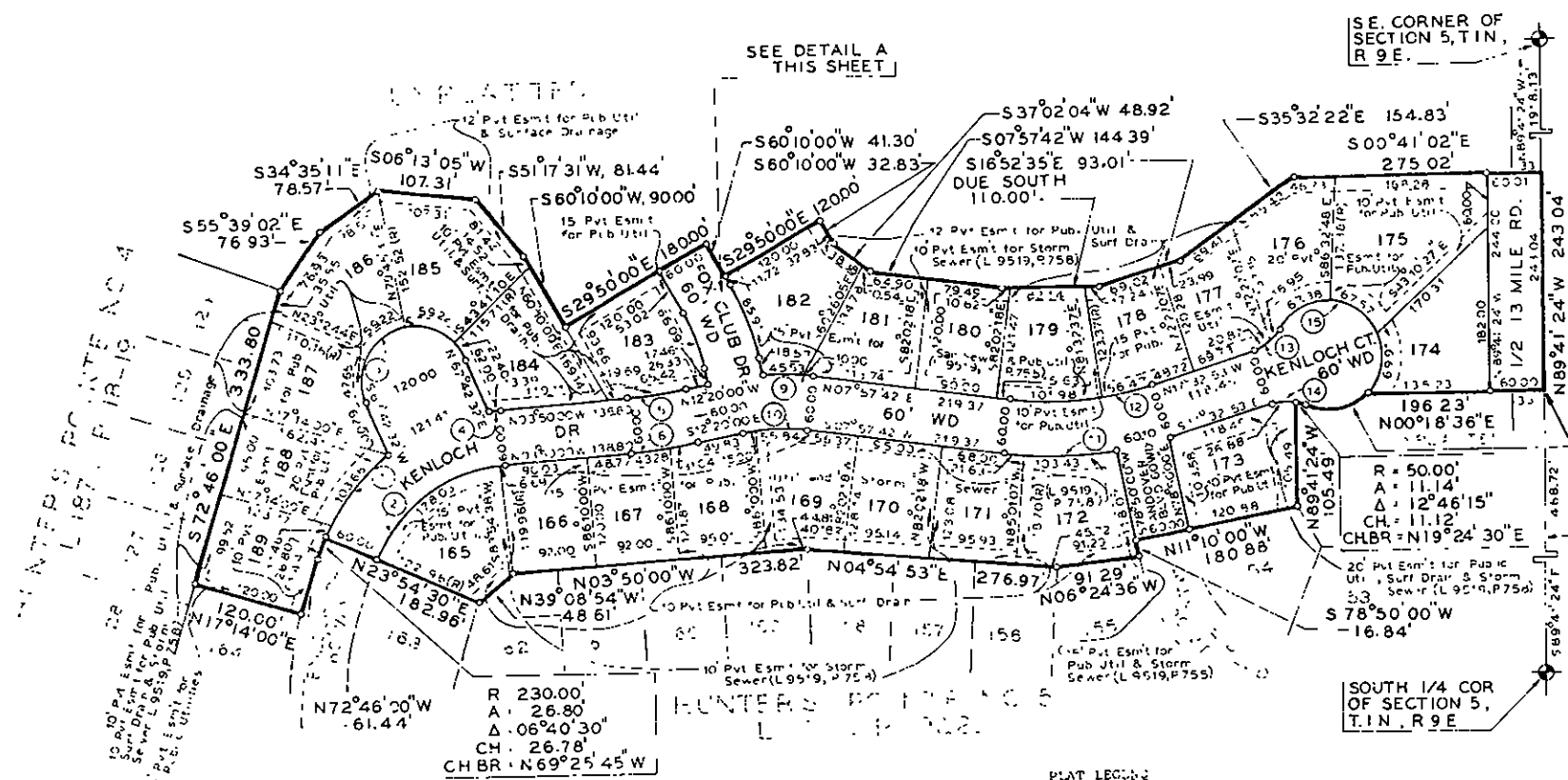
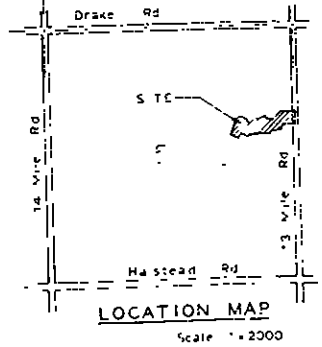
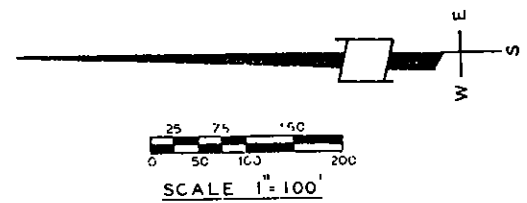
HUNTER S POINTE NO. 6 PROPOSED

PART OF THE S.E 1/4 OF SECTION 5, T.1N., R.9 E.,
CITY OF FARMINGTON HILLS, OAKLAND COUNTY, MICHIGAN

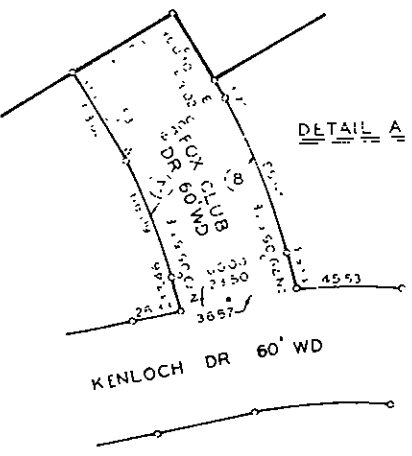
RECORDED RIGHT OF WAY NO. 37471

APPENDIX "B"

LIBER 10179 " 254



WATERS POINTE NO 4
LIBER 10179 P. 18-19



CHORD	RADIUS	ARC	CENTRAL ANGLE	CHORD BEARING	CHORD BEARING
1	270.00	1.12	26°40'40"	111.93 S	51°45'39" E
2	170.00	164.72	62°31'30"	175.71 S	24°05'45" E
3	110.00	1.54	180°00'00"	120.00 S	202°22'25" W
4	210.00	17.39	31°06'29"	14.39 N	85°06'05" W
5	442.94	65.12	0°50'00"	65.12 N	89°00'00" W
6	110.00	74.31	90°00'00"	110.00 N	90°00'00" W
7	200.00	65.00	165°15'00"	65.00 N	6°03'11" W
8	210.00	55.51	180°00'00"	85.52 N	1°00'00" W
9	260.00	55.51	190°14'11"	55.42 N	1°00'26" E
10	200.00	7.71	210°14'49"	0.17 N	2°01'06" E
11	41.00	1.01	210°14'49"	121.59 S	0°03'12" E
12	350.00	59.15	20°31'00"	151.14 N	31°47'00" W
13	110.00	31.52	4°02'00"	35.93 N	30°11'00" W
14	50.00	31.52	10°21'30"	16.43 N	31°00'22" W
15	61.00	272.25	266°41'00"	87.27 N	2°27'07" W

NO VEHICULAR ACCESS TO 13 MILE RD. FROM LOTS 174 AND 175.

PLAT LEGEND
ALL DIMENSIONS ARE IN FEET. ALL DIMENSIONS ON THE CURVE ARE MEAS-URED ALONG THE ARC.

(B) DESIGNATES RADIAL TO CENTER.
ALL I.C.M. MARKERS ARE 1/2" IRON PIPE AND ARE 1" LONG. THIS SYMBOL INDICATES A CONCRETE MONUMENT. ALL MONUMENTS I.C.M. ARE MADE OF SOLID 5 P.L. BARS 1" IN DIAMETER AND 1" LONG AND COMPLETELY ENCASED IN CONCRETE 4" IN DIAMETER.
ALL BEARINGS ARE IN DECLINATION. HUNTER'S POINTE NO. 4" IS REPRODUCED IN EITHER 13 OF PLATS, PAGES 18 & 19, OAKLAND COUNTY RECORDS.



Eugene F. Zeimet
EUGENE F. ZEIMET