

EASEMENT AGREEMENT

(2)

OCTOBER 16, 1986 87 12127

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 MICHIGAN BELL TELEPHONE COMPANY, a Michigan corporation, of 444 Michigan Avenue, Detroit, Michigan 48226 hereinafter referred to as "UTILITIES", an easement for the sole purpose of providing electric and telephone communication service for the property described in Appendix "A" with 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 SW 1/4 of Section 20, 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 purpose 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 six (6) feet in width unless otherwise indicated and their location will be shown on a drawing to be recorded within ninety (90) days after the construction of UTILITIES facilities.

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. Pavement, sidewalks, curbs, sanitary sewers, storm sewers, water mains, gas mains, TV cable and sprinkler lines shall not be considered to be structures.
3. No shrubs or foilage 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 this 16th day of OCTOBER, 1986.

WITNESS:

Edward Rose Associates, Inc.,
GRANTORS: a Michigan Corporation

Matthew S. Lenart
MATTHEW S. LENART
Patrick Suman
PATRICK SUMAN

Sheldon Rose
Sheldon Rose, President

STATE OF MICHIGAN
COUNTY OF Oakland

Address: 23999 W. Ten Mile Rd., Suite A
Southfield, Michigan 48037

The foregoing instrument was acknowledged before me this 16th day of October, 1986 by SHELDON ROSE, PRESIDENT OF
EDWARD ROSE ASSOCIATES INC., A MICHIGAN CORPORATION, BY ITS

Notary Public Jeanne Kay Hunter
Oakland County, Michigan

Document prepared by and return
to: Anna R. McAdoo MOTO 3

JEANNE KAY HUNTER
Notary Public, Oakland County, MI
My Commission Expires Dec 5, 1988

Michigan Bell Telephone Company
444 Michigan, Room 635

RECORDED RIGHT OF WAY NO. 38439

700

FILE

10/15/86

PROPERTY DESCRIPTION

A parcel of land in the SW 1/4 of Section 20, T. 1N., R. 9E., City of Farmington Hills, Oakland County, Michigan, described as beginning at a point distant S89° 58' 48" E 1087.11 ft. along the east and West 1/4 line of Section 20 from the West 1/4 corner of said Section 20 (Iron in Monument Box) and proceeding thence along the East and West 1/4 line of Section 20 S89° 58' 48" E 1537.36 ft.; thence along the North and South 1/4 line of Section 20 S 0° 16' 11" E 545.68 ft.; thence S 89° 52' 52" W 76.65 ft.; thence S 44° 54' 13" W 47.35 ft.; thence S 89° 52' 39" W 677.18 ft.; thence S 67° 39' 34" W 492.51 ft.; thence N 32° 30' 17" W 240.19 ft.; thence S 57° 29' 43" W 31.25 ft.; thence N 32° 30' 17" W 113.67 ft.; thence N 57° 29' 43" E 165.00 ft.; thence N 32° 30' 17" W 409.20 ft.; thence N 0° 06' 57" E 53.16 ft. to the point of beginning, said parcel containing 20.253 acres.

10/14/86
WA

Sidwell I.D. # 23-20-300-013
 23-20-300-014

RECORDED RIGHT OF WAY NO.

38437

AFFIDAVIT

88 85921

STATE OF MICHIGAN

County of Wayne)
SS

I, Ann McAdoo, of the Michigan Bell Telephone Company, Detroit, Michigan being duly sworn deposes and says:

THAT SHELDON ROSE granted an easement to the Detroit Edison Company and the Michigan Bell Telephone Company dated the 16th day of October, 1986. Said easement was recorded in the office of the Register of Deeds of Oakland County, Michigan on the 21st day of January, 1987 in Liber 9731, Page 785, and being more particularly described as: SW 1/4 of Section 20, Township of Farmington, County of Oakland, State of Michigan.

SEE APPENDIX "A" WHICH IS ATTACHED HERETO AND MADE A PART HEREOF.

DATED: 5-23-88

Deponent further states that on behalf of the Detroit Edison Company and the Michigan Bell Telephone Company of the underground easement locations, as in said grant provided, are established by a drawing dated June 4, 1987 and attached hereto, as required in said grant. Public Act 53 of 1974 requires anyone, prior to any power excavating, to telephone Miss Dig on 1-800-482-7171 for exact location of underground equipment or facilities.

2

Further Deponent sayeth not.

Witness:

Mary Ellen Harvie
Mary Ellen Harvie

Suzanne Janis
Suzanne Janis

STATE OF MICHIGAN

COUNTY OF WAYNE SS

The foregoing instrument was acknowledged before me this 23rd day of MAY, 1988, by Ann McAdoo, Right of Way Supervisor of Michigan Bell Telephone Company.

PREPARED BY AND RETURN TO:

Michigan Bell Telephone Company
Ann McAdoo
444 Michigan Avenue MBT03
Room 635
Detroit, Michigan 48226

MICHIGAN BELL TELEPHONE COMPANY

Ann McAdoo (L.S.)
Ann McAdoo
Right of Way Supervisor

#36 REG. DEEDS PAID
0001 JUN 16 88 08:35AM
5798 MISC 11.00

Suzanne Janis
Suzanne Janis
Notary Public Wayne County, MI

My Commission Expires:

SUZANNE JANIS
NOTARY PUBLIC - WAYNE COUNTY, MICH.
MY COMMISSION EXPIRES 4-20-92

RECORDED RIGHT OF WAY NO. 38437

[Handwritten signature]

PROPERTY DESCRIPTION

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*f. 10/11/10
OK*

Sidwell I.D. # 23-20-300-013 } SW 1/4
 23-20-300-014 }

RECORDED FROM TO DAY NO

38437

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

TO Records Center

DATE 8/3/88 TIME _____

Please set up R/W file for:

Windermere Apts, Step III

Being a part of SW 1/4

of Section

20, City of Farmington Hills

Oakland County, Michigan

COPIES TO: _____

SIGNED

Omer Racine

Omer V. Racine

264 Oakland Div. Hqtrs.

REPORT _____

DATE RETURNED _____

TIME _____

SIGNED _____

RECORDED RIGHT OF WAY NO.

35837

Applicant Name JAMES McDONALD	Date 9-10-86	Account No. 03 86-38 J
Division OAKLAND	Date 9-10-86	

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 (**need** 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
WINDMERE APTS STEP III County **OAKLAND**

City/Township/Village **FARMINGTON HILLS** Section No. **20**

Type of Development
 Proposed Subdivision Apartment Complex Condominium
 Subdivision Mobile Home Park Other

2 Name of Owner **EDWARD ROSE ASSOCIATES, INC** Phone No. **352-0952**

Address **23999 W. 10 MILE RD. SUITE A, P.O. BOX 937, SFLD 48**

Owner's Representative **PAT. SUMAN** Phone No. **352-0952**

Date Service Started **NOV. 14, 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

a Name of Utility Utilities If Not Michigan Bell Telephone or Consumers Power

b City or Utility Engineer Names

Addresses

6 Additional Information or Comments

Note Trenching letter attached will be submitted later

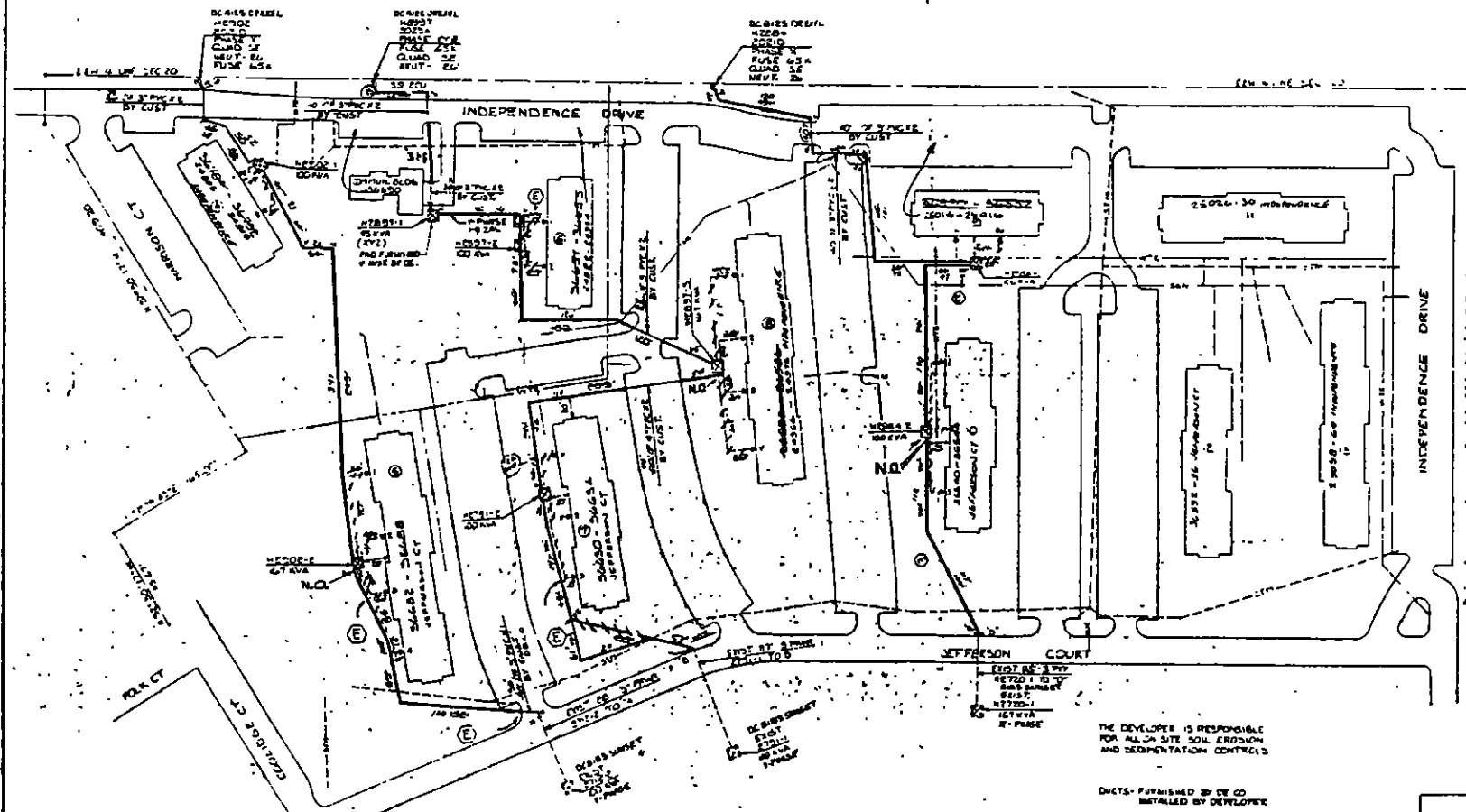
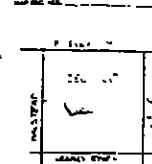
Service Planner **George White** Signed (Service Planning Supervisor) **[Signature]**

Phone No. **645-4109** Address **RM 240 D.D.HQ**

RECORDED RIGHT OF WAY NO 38137



LOCATION SKETCH



TRANSFORMER DATA

LIST NO.	SIZE	PG. NO.
HE001-1	100	101
HE001-2	100	101
HE001-3	100	101
HE001-4	100	101
HE001-5	100	101
HE001-6	100	101
HE001-7	100	101
HE001-8	100	101
HE001-9	100	101
HE001-10	100	101

NOTICE

THE DEVELOPER IS RESPONSIBLE FOR ALL ON SITE SOIL EROSION AND SEDIMENTATION CONTROL.

NOTICE TO CONTRACTOR: This plan shows the location of all utility lines and transformers. The contractor shall be responsible for locating and marking all utility lines before any excavation work is performed. The contractor shall also be responsible for protecting all utility lines from damage during construction.

PERMITS REQUIRED

Utility relocation permit from the utility companies.

Excavation permit from the city.

Street closure permit from the city.

- EASEMENT LOCATIONS**
- Gas
 - Water
 - Sewer
 - Electric
 - Telephone
 - Cable
 - Drainage

NOTICE

THE DEVELOPER IS RESPONSIBLE FOR ALL ON SITE SOIL EROSION AND SEDIMENTATION CONTROL.

START DATE 12-1-86

Project Name	WINDEMERE APTS III
Address	1111 W. 11th St., Chicago, IL 60607
City	CHICAGO, ILL.
County	Cook County, Illinois
Recorder	REC-10453
Page	287-288
Scale	AS SHOWN
Date	12-1-86
Drawn by	[Signature]
Checked by	[Signature]
Approved by	[Signature]

RECORDED RIGHT OF WAY NO. 10453