

Detroit Edison

Real Estate and Rights of Way

Overhead Right of Way Agreement

LIBER 11024 PG 312
89 122475

JUNE 6TH, 19 89

For good and valuable consideration of system betterment, the undersigned hereby grant and convey to THE DETROIT EDISON COMPANY, a Michigan corporation of 2000 Second Avenue, Detroit, Michigan hereinafter referred to as "EDISON," the right to construct, reconstruct, modify, add to, operate and maintain overhead line facilities consisting of poles, guys, anchors, wires, cables, transformers and accessories required to provide electric service in, upon, over and across property located in the City of Farmington Hills, County of Oakland, State of Michigan, further described as follows:

Lots 81 through 105 inclusive, excepting that part taken for widening Orchard Lake Road, including the adjoining 1/2 of the vacated public alley at the rear thereof, Oaklands, a subdivision as recorded in Liber 38, Page 16 of Plats, Oakland County Records.

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38016

Sidwell #23-03-429-069

A#36 REG/DEEDS PAID
0001 AUG.16'89 12:50PM
4752 MISC 11.00

RECORDED RIGHT OF WAY NO. 39667

✓ ED01

The route of the line facilities is described as follows: In a northerly and southerly direction, along and adjacent to the west side of Orchard Lake Road (as shown on attached sketch R/W 0-9469) (DATED 5-25-89)

The right of way is twenty (20) feet in width.

The rights hereby granted include the right of access to and from the right of way and the right to trim, cut down or otherwise control brush and trees within the right of way or on property adjoining the right of way which in the opinion of EDISON interferes with the construction or operation of the line facilities. It is expressly understood and agreed that EDISON shall, at no time, trim or cut down any trees unless, in EDISON'S opinion, it is absolutely necessary to do so. EDISON shall restore premises to its original condition or as near as can be in the event of damages caused by its employees, contractors, vehicles and equipment entering premises for the purposes set forth herein. No buildings or structures are to be placed within said right of way herein granted without consent of the GRANTEE. This grant is declared to be binding upon the heirs, successors, lessees, licensees and assigns of the parties hereto.

IN WITNESS WHEREOF, the undersigned have hereunto set their hand(s) on the date of this agreement.

Witnesses:

Grantors:

Allen Brooks
ALLEN BROOKS
Damila S. Fyga
DAMILA S. FYGA

Westfield Development Company
A Michigan Co-Partnership
Sanford Layne - PARTNER
Marvin Brooks - PARTNER.

O.K. - JH 11.00

Prepared by: C. George Williams/vkc
The Detroit Edison Company
30400 Telegraph Road, Suite 277
Birmingham, MI 48010

Address:
30230 Orchard Lake Road, Suite 250
Farmington Hills, MI 48018

APPROVED AS TO FORM 6/27/89 DATE
LOCAL DEPARTMENT [Signature]

State of Michigan)
) SS:
County of Oakland)

On this 6TH day of JUNE, 1989, the foregoing instrument was acknowledged before me, a notary public in and for said county, by SANFORD

LAYNE - PARTNER AND MARVIN BROOKS - PARTNER
(a) general/managing partner(s), on behalf of Westfield Development Company, a Michigan Co-Partnership.

C. GEORGE WILLIAMS
Notary Public, Oakland County, MI
My Commission Expires Dec. 2, 1991

My Commission Expires: _____

C. George Williams
C. George Williams
Notary Public, Oakland County,
Michigan

RECORDED RIGHT OF WAY NO. 39467

APPLICATION FOR RIGHT OF WAY

128 900-0000, 9-7000 (MS 80)

This document has been certified by the Planning Dept.

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

LOCATION LINE WEST OF ORCHARD LC 311
RAVINE EXT & FIRWOOD

CITY OR VILLAGE FMT HILLS

TOWNSHIP FARMINGTON COUNTY CAKLAND

DATE BY WHICH RIGHT OF WAY IS WANTED JUNE 1, 1989

THIS R/W IS 90 % OF TOTAL PROJECT NO. _____ ACCUM. _____ %.

DATE MAY 25, 1989

APPLICATION NO. Ø 9469

DEPT. ORDER NO. A-59290

O. F. W. NO. _____

BUDGET ITEM NO. 9MH0A-1A-

INQUIRY NO. _____

JOINT RIGHT OF WAY REQUIRED YES NO

NOTE: Identify on print or sketch the subdivisions as to section location and liber and page.

KIND AND DESCRIPTION OF RIGHT OF WAY REQUESTED RECORDED R/W IS NEEDED FOR THE OVERHEAD CONSTRUCTION OF SUB-TRANSMISSION + DISTRIBUTION LINES

PURPOSE OF RIGHT OF WAY TO RELOCATE THE EXISTING OVERHEAD LINES TO A SAFER DISTANCE FROM THE TRAFFIC ON ORCHARD LC REQUEST BY THE OAKLAND COUNTY ROAD COMMISSION. NEED ASAP!

SIGNED T SKONIECZNY 645-4381 OAK-SERVICE PLANNING DEPARTMENT

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

Recordable Overhead right of way obtained as requested per attached drawing.

Contacts made by C. George Williams, Representative; Real Estate, Rights of Way and Claims; Oakland Division.

PERMITS IN RECORD CENTER 2 R.E. & R/W DEPT. FILE 2 GRANTOR Westfield Dev Co

NO. OF PERMITS 2 NO. OF STRUCTURES _____ NO. OF MILES _____ PERMITS TO MBT 0

DATE July 7, 1989 SIGNED James D. McDonald
James D. McDonald, Sr. Representative

RECORDED RIGHT OF WAY NO. 91661-3668