

MEMORANDUM ORDER
FOR GENERAL USE
DE FORM MS 77 12 53

TO RECORDS CENTER DATE 7-24-86 TIME _____

Please set-up R/W file for: MERIHILL ACRES SUB # 3
Being a part of NE 1/4 of Section SEC 17
Oakland County, Michigan.

COPIES TO _____ SIGNED Stu Chipman
Stu Chipman
264 Oakland Division Headquarters

REPORT _____

DATE RETURNED _____ TIME _____ SIGNED _____

RECORDED RIGHT OF WAY NO. 36336

Detroit Edison

Right of Way Agreement

86 50620

June 3, 19 86

2-11
17

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 hereinafter referred to as "EDISON", the easements 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 Troy Oakland County, Michigan, and more particularly described on the attached Appendix "A", with the full right to EDISON 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 Appendix "B"

86 JUN 16 13:53

RECORDED RIGHT OF WAY NO. 36-3-36

In order to provide for the proper maintenance and protection of EDISON, the undersigned covenant and agree that:

1

1. The easements will be graded to within four (4) inches of final grade before EDISON 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 EDISON equipment.

2. No buildings or structures other than EDISONS' equipment are to be placed within the easements herein granted. No excavation is to be permitted within said easements without approval of EDISON.

3. No shrubs or foliage shall be planted or grown within five (5) feet of the front door of transformers or switching cabinet enclosures. EDISON 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 EDISONS' maintenance of their equipment.

4. If the lines of facilities of EDISON are damaged by the acts of Owners, their agents, employes or contractors, repairs shall be made by EDISON 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, licensees and assigns of the parties hereto.

IN WITNESS WHEREOF, the undersigned have hereunto set their hand and seal on this date:

Witnesses:

Grantors:

Joyce E. Kuhn
Patricia A. Neighbors

Norman J. Cohen, President
Bernard H. Stollman, Sec/Treasurer

Dec 02

Prepared By: Stuart Chipman
The Detroit Edison Company
30400 Telegraph Road, #264
Birmingham, MI 48010

Biltmore Properties Corporation,
A Michigan Corporation
Address: 2900 West Maple Road

Troy, MI 48084

Handwritten signature

State of Michigan)
County of Oakland) ^{ss.}

Personally came before me this 3rd day of June, 1986,
NORMAN J. COHEN, President, and BERNARD H. STOLLMAN, Secretary/Treasurer of the
above-named corporation, to me known to be the persons who executed the foregoing
instrument and to me known to be such President and Secretary/Treasurer of said
corporation, and acknowledged that they executed the foregoing instrument as
such officers as the free act and deed of said corporation by its authority.

My Commission Expires: April 17, 1989

Joyce E. Kuhn
Joyce E. Kuhn
Notary Public, Oakland County, Michigan

APPENDIX "A"

"Merihill Acres Sub. No. 3" part of the Northeast 1/4 of Section 17, T2N.,
R11E., City of Troy, Oakland County, Michigan. Beginning at a point which is
S88°09'03" W 90.01 ft. along the East and West 1/4 line of Section 17 and S 22°33'12"
E 88.85 ft. along the West line of Crooks Road and along the boundary of "Merihill
Acres Sub." (Liber 169, Pages 3 through 7, inclusive) S 87°34'53" W 420.18 ft.,
and N 47°19'56" W 1565.98 ft., and N 20°19'49" E 60.00 ft., and N 69°40'11" W
216.00 ft., and N 00°57'10" W 219.93 ft. from the East 1/4 corner of Section 17,
T2N., R11E., thence, along the North line of said "Merihill Acres Sub.", S 88°19'40"
W 170.00 ft., and S 77°40'32" W 61.11 ft., and S 88°51'25" W 180.00 ft.; thence
Northerly 320.45 ft. along the arc of a curve to the left (Radius of 1043.00 ft.,
central angle of 17°36'12", long chord bears N 09°56'41" W 319.19 ft.); thence
N 87°15'02" E 471.99 ft.; thence S 01°13'18" W 315.51 ft., along the West line
of "Merihill Acres Sub. No. 2" (Liber 187, Pages 11, 12, and 13), to the point of
beginning. Containing 3.143 acres and comprising 5 lots, numbered 266 through 270,
both inclusive.

RECORDED RIGHT OF WAY NO. 26-336

20-17-200-(016) - 021 - NE 1/4

(lots are proposed)

To: J Mc DONALD District: CIRK	Project No.: 5-22-86	File No.: OE 86-16
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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 (condominium's 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

Project Name: MERRILL ACRES Sub #3 City: TROY	Location: OAKLAND 17
----------------------------------------------------------------------	------------------------------------------

Proposed Subdivision
 Apartment Complex
 Condominium
 Subdivision
 Mobile Home Park
 Other

Name of Applicant: **BUILTMORE PROPERTIES CORPORATION**
 Phone No.: **643-8810**
 Address: **2900 W. MAPLE TROY MI 48064**
 Owner's Residential Address: **LEON ZOLKOWER**
 Phone No.: **643-8810**
 Date Service is Needed: **AUGUST 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 Engineer: _____
 b Name of Utility Engineer: _____
 Address: _____
 6 Address of Applicant: _____

RECORDED RIGHT OF WAY NO. **36-336**

Note: Trenching letter attached will be submitted later

Survey Planner: **THOMAS S. TASSEN**
 Signature: **[Signature]**
 Date: **5-27-86**
 Phone No.: **645-4122**
 Address: **240 ODHQ**

**Detroit
Edison**

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

May 28, 1986

Leon Zolkower
Biltmore Properties, Inc.
2900 West Maple
Troy, MI 48084

Gentlemen:

RE: Merihill Acres Sub. #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: Stuart R. Chipman, Room 264.

Sincerely,


Stuart R. Chipman, Representative
Real Estate, Rights of Way & Claims

SRC:lhv
Enclosures

RETURNED
6-5-86

RECORDED RIGHT OF WAY NO.

36336

"Meridian Acres Sub. No. 3"

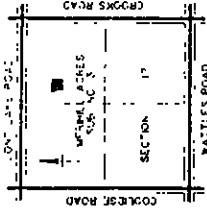
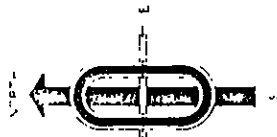
PART OF THE NORTHEAST 1/4 OF SECTION 17, T.2N., R.11E.,
CITY OF TROY, OAKLAND COUNTY, MICHIGAN

UBCA 9412 FOR 602

Sheet 1 of 2 Sheets



UBCA 9412 FOR 601



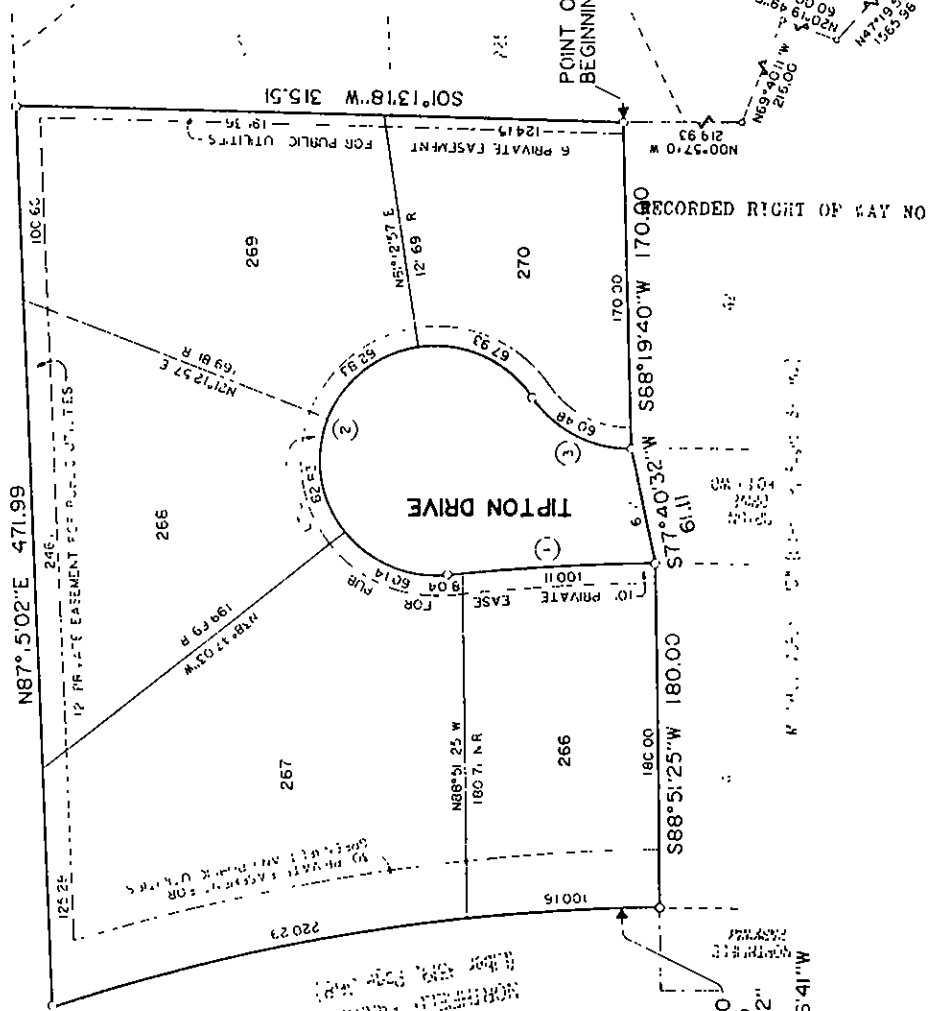
LOCATION MAP
NE 1/4 T.2N., R.11E.

PLAT LEGEND

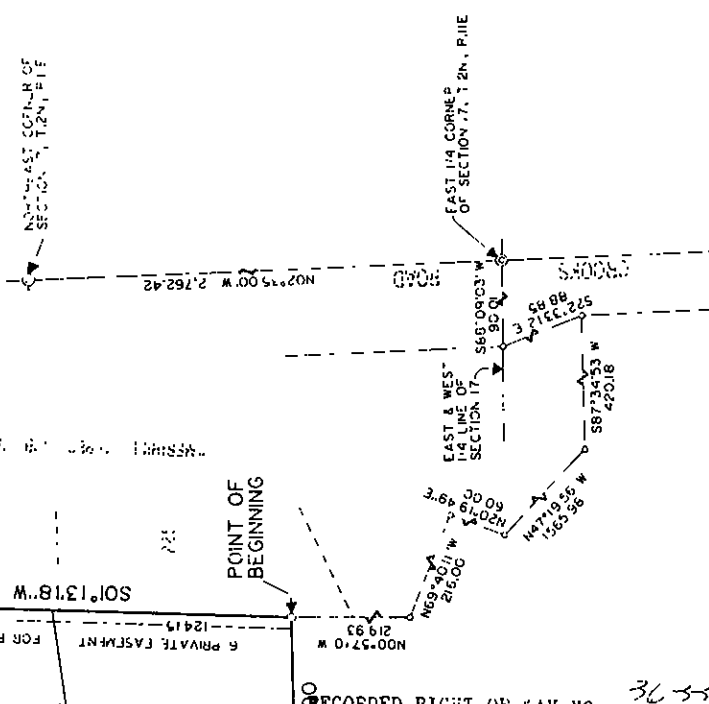
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- ... THE BEARING OF ...
- ... 17° AS ...
- ... 6.09 ...

APPENDIX "B"

CURVES

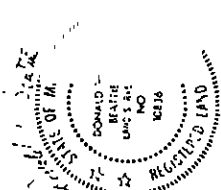


NO.	RADIUS	DELTA	CHORD	CHORD BEARING
1	1043.00	17°36'12"	319.19	N 69°25'12" W
2	320.45	17°36'12"	319.19	N 69°25'12" W
3	1043.00	17°36'12"	319.19	N 69°25'12" W



RADIUS = 1043.00
ARC = 320.45
DELTA = 17°36'12"
CHORD = 319.19
CH BRG. = N09°56'41" W

NOTE:
THERE SHALL BE NO DIRECT
VEHICULAR ACCESS TO
NORTHFIELD PARKWAY FROM
LOTS 266 AND 267



MCS ASSOCIATES, INC.
CIVIL ENGINEERING AND SURVEYING

"Merihill Acres Sub. No. 3"

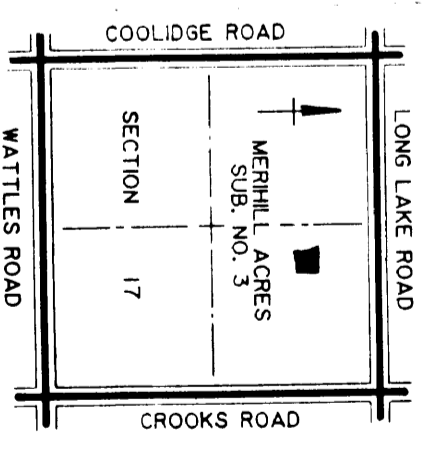
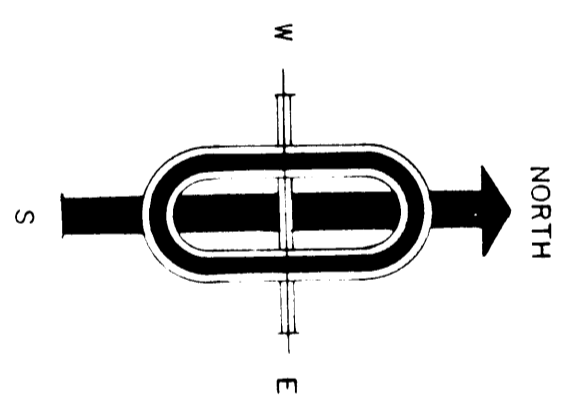
RECORDED RIGHT OF WAY
36336

PART OF THE NORTHEAST 1/4 OF SECTION 17, T.2N., R.11E.,
CITY OF TROY, OAKLAND COUNTY, MICHIGAN



PLAT LEGEND

ALL DIMENSIONS ARE IN FEET.
ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC.
R DENOTES RADIAL. N.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 "MERHILL ACRES SUB. NO. 2" AS RECORDED
IN LIBER 187, PAGES 11, 12 AND 13, O.C.R.



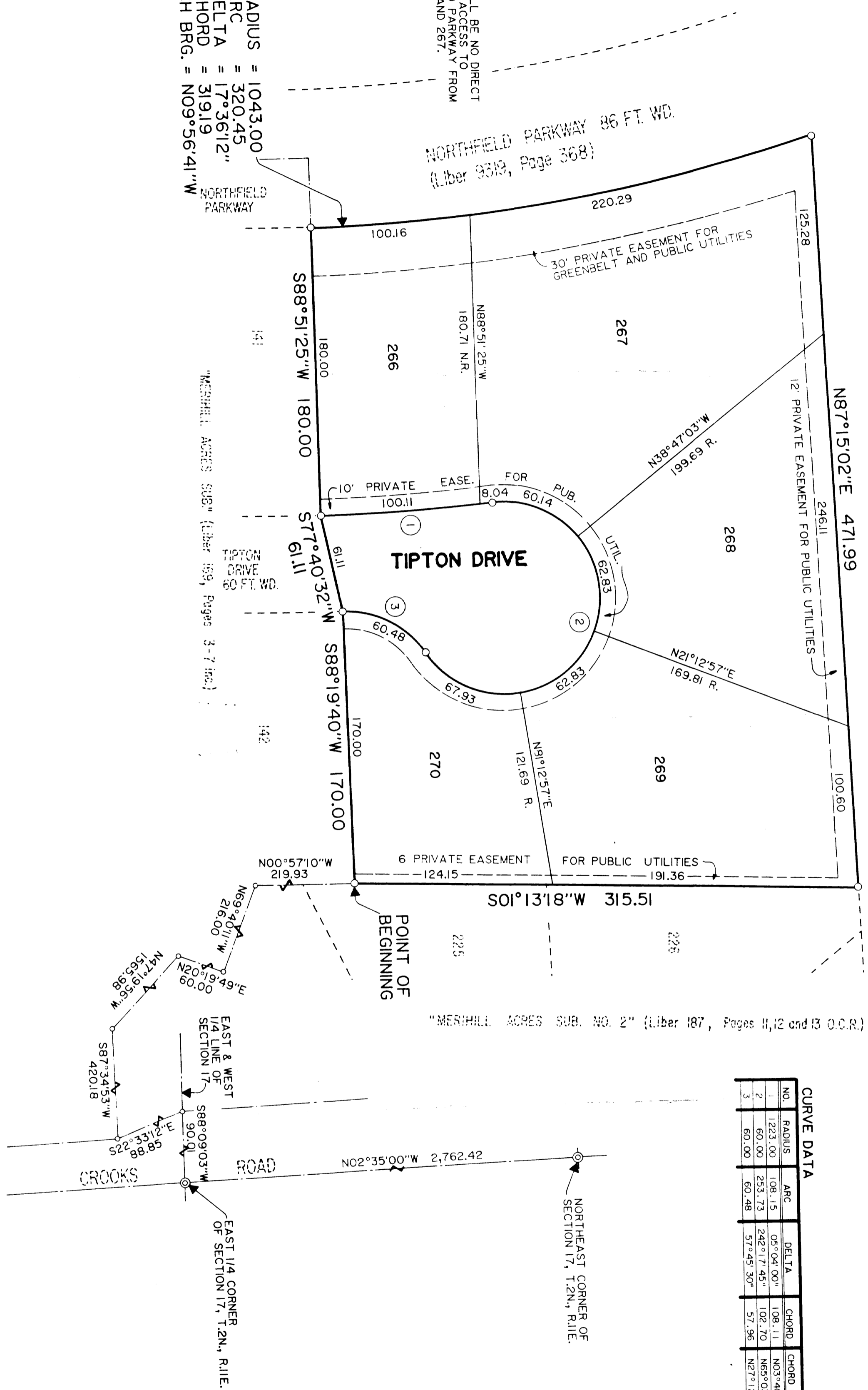
LOCATION MAP
NOT TO SCALE

UNPLATTED

NO.	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
1	1233.00	108.15	05°04'00"	108.11	N03°40'35"W
2	60.00	253.73	242°17'45"	102.70	N65°03'42"W
3	60.00	60.48	57°45'30"	57.96	N27°12'25"E

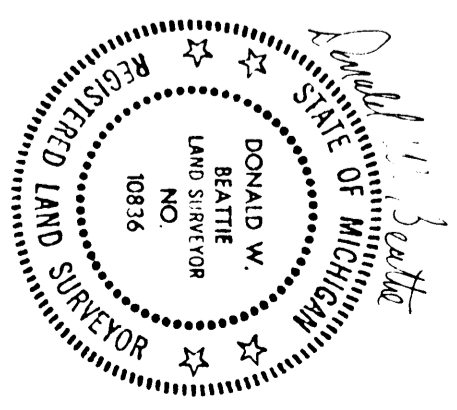
NOTE:
THERE SHALL BE NO DIRECT
VEHICULAR ACCESS TO
NORTHFIELD PARKWAY FROM
LOTS 266 AND 267.

RADIUS = 1043.00
ARC = 320.45
DELTA = 17°36'12"
CHORD = 319.19
CH BRG. = N09°56'41"W



NORTHFIELD PARKWAY 86 FT. WD.
(Liber 9319, Page 368)

"MERHILL ACRES SUB. NO. 2" (Liber 187, Pages 11, 12 and 13 O.C.R.)



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

"Merihill Acres Sub. No. 3"

PART OF THE NORTHEAST 1/4 OF SECTION 17, T.2N., R.11E., OAKLAND COUNTY, MICHIGAN

36336

COUNTY TREASURER'S CERTIFICATE
The records in my office show no unpaid taxes or special assessments for the five years preceding _____ involving the lands included in this plat.

C. Hugh Dohany
Oakland County Treasurer

COUNTY DRAIN COMMISSIONER'S CERTIFICATE
Approved on _____ 1986, as complying with Section 192 of Act 288, P.A. 1967, and the applicable rules and regulations published by my office in the County of Oakland.

George W. Kuhn
Drain Commissioner

PROPRIETOR'S CERTIFICATE

Biltmore Properties Corporation, a corporation duly organized and existing under the laws of the State of Michigan by Norman J. Cohen, President, and Bernard H. Stollman, Secretary/Treasurer, as Proprietor, has caused the land embraced in this plat to be surveyed, divided, mapped and dedicated as represented on this plat and that the streets are for the use of public, that the public utility easements are private easements, and that all other easements are for the uses shown on the plat. There shall be no direct vehicular access to Northfield Parkway from Lots 266 & 267.

Biltmore Properties Corporation
A Michigan Corporation
2900 West Maple Road
Troy, Michigan 48084

By

Norman J. Cohen
President

Bernard H. Stollman
Secretary/Treasurer

CERTIFICATE OF MUNICIPAL APPROVAL

I certify that this plat was approved by the City Commission of the City of Troy at a meeting held _____ 1986, and was reviewed and found to be in compliance with Act 288, P.A. 1967. Surety has been posted for the placing of monuments and lot markers within one year of the above date. Surety has been posted to insure the installation of public sewer and public water services.

Kenneth L. Courtney
City Clerk

COUNTY PLAT BOARD CERTIFICATE

This plat has been reviewed and is approved by the OAKLAND COUNTY PLAT BOARD on _____ as being in compliance with all of the provisions of Act 288, P.A. 1967, and the Plat Board's applicable rules and regulations.

Richard R. Wilcox, Chairman
Board of County Commissioners

Lynn D. Allen, County Clerk
Register of Deeds

C. Hugh Dohany
County Treasurer

Harry E. Braga, R.L.S.
County Plat Engineer

SURVEYOR'S CERTIFICATE

I, Donald W. Beattie, Surveyor, certify:

That I have surveyed, divided, and mapped the land shown on this plat, described as follows: "MERIHILL ACRES SUB. NO. 3" Part of the Northeast 1/4 of Section 17, T.2N., R.11E., City of Troy, Oakland County, Michigan. Beginning at a point which is S88°09'03"W 90.01 ft. along the East and West 1/4 line of Section 17 and S22°33'12"E 88.85 ft. along the West line of Crooks Road and along the boundary of "Merihill Acres Sub." (Liber 169, Pages 3 through 7, inclusive) S87°34'53"W 420.18 ft., and N47°19'56"W 1565.98 ft., and N20°19'49"E 60.00 ft., and N69°40'11"W 216.00 ft., and S77°40'32"W 61.11 North line of said "Merihill Acres Sub.", S88°19'40"W 170.00 ft., and S77°40'32"W 61.11 ft., and S88°51'25"W 180.00 ft.; thence Northernly 320.45 ft. along the arc of a curve to the left (Radius of 1043.00 ft., central angle of 17°36'12", long chord bears N09°56'41"W 319.19 ft.); thence N87°15'02"E 471.99 ft.; thence S01°13'18"W 315.51 ft., along the West line of "Merihill Acres Sub. No. 2" (Liber 187, Pages 11, 12 and 13), to the point of beginning, 3.143 Acres and comprising 5 lots, numbered 266 through 270, both inclusive. Containing 3.143 Acres and comprising 5 lots, numbered 266 through 270, both inclusive.

That I have made such survey, land division and plat by the direction of the owners of such land.

That such plat is a correct representation of all the exterior boundaries of the land surveyed and the subdivision of it.

That the required monuments and lot markers have been located in the ground or that surety has been deposited with the municipality as required by Section 125 of the Act.

That the accuracy of survey is within the limits required by Section 126 of the Act.

That the bearings shown on the plat are expressed as required by Section 126 (3) of the Act and as explained in the legend.

MCS Associates, Inc.
35520 Mound Road
Sterling Heights, MI 48077

Donald W. Beattie
President - No. 10836

DATE 5-16-86

ACKNOWLEDGEMENT

STATE OF MICHIGAN) S.S.
County of Oakland)

Personally came before me this _____ day of _____, 1986, Norman J. Cohen, President, and Bernard H. Stollman, Secretary/Treasurer of the above-named corporation, to me known to be the persons who executed the foregoing instrument and to me known to be such President and Secretary/Treasurer of said corporation, and acknowledged that they executed the foregoing instrument as such officers as the free act and deed of said corporation by its authority.

Notary Public _____ Oakland County, Michigan

My Commission Expires _____

RECORDING CERTIFICATE

STATE OF MICHIGAN) S.S.
County of Oakland)

This plat was received for recording on the _____ day of _____, A.D., 1986 at _____ o'clock and is recorded in Liber _____ of Plat Books on Pages _____

Lynn D. Allen
Register of Deeds

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

