

JJP
DJM

bjm
JJP
DJM

2/11
09

JJP
DJM

For good and valuable considerations, the right is hereby granted to The Detroit Edison Company, 2000 Second Avenue, Detroit, Michigan 48226, its successors and assigns, to construct ^{underground} line facilities for the purpose of providing electric service and Company communication service including the necessary ^{conduits, fixtures, cables, manholes} and equipment ^{and across the property described hereinafter.} The rights hereby granted include the right of access to and from the said premises, the right to construct, reconstruct, modify, operate and maintain said line facilities, and to trim or cut down any trees belonging to the grantor, either within said right of way or upon the lands of the grantor adjoining said right of way, which, in the opinion of the grantee, at any time interfere with the construction and operation of said line facilities. It is expressly understood and agreed that the grantee shall, at no time, trim or cut down any trees unless, in the grantee's opinion, it is absolutely necessary to do so. Upon the written consent of the grantee, buildings or structures may be placed within said right of way. This grant shall be binding upon the successors and assigns of the grantors. ~~Before construction is completed, the Company shall pay to the owner of the premises \$0.100 (\$5.00) Dollars for each pole and for each manhole and for the use of the same of Five and 00/100 (\$5.00) Dollars if such poles or manholes are installed.~~ The Company shall reimburse the grantors and assigns for all damage caused by its men, vehicles and equipment in entering said property for the purposes set forth herein.

The property over which this grant is conveyed is situated in the City of Troy, County of Oakland, State of Michigan and further described as follows:

(See Attachment)

① #

Tax Item # 20-09-301-007
20-09-301-008
Witness: John J. Pershing
John J. Pershing, Jr.
David T. Fowler

Bellemead of Michigan, Inc.
5600 New King Street
Troy, Michigan 48098
By: Herman C. Simonse
 Herman C. Simonse 86
Senior Vice President

Prepared By: G.S. Misiak
The Detroit Edison Company
30400 Telegraph Road
Birmingham, MI 48010
DECOR

New Jersey)
STATE OF MICHIGAN)
COUNTY OF Essex) SS.

APPROVED AS TO FORM _____ DATE _____
LEGAL DEPARTMENT

RECORDED RIGHT OF WAY NO. 364247
RECORDED
OAKLAND COUNTY REGISTER
AUG -5 13:53

On this 3rd day of June A.D. 19 86, before me, the subscriber, a Notary Public in and for said county, appeared Herman C. Simonse

and _____ to me personally known, who being by me duly sworn did say he is Senior Vice President that ~~he is~~ the _____ of Bellemead of Michigan, Inc. and that the seal affixed to said instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors and John J. Pershing, Jr., Secretary and David T. Fowler, Assistant Secretary acknowledged said instrument to be the free act and deed of said corporation.

Karen L. Moore
Notary Public, Oakland County, Michigan
KAREN L. MOORE
Notary Public, Oakland County, MI
My Commission Expires Oct. 13, 1987

My Commission Expires: _____

(DAN)



CROOKS ROAD

WEST LINE OF SECTION 9

WEST 1/4 COR. SECTION 9

N. 02° 37' 54" E., 761.04'
S. 02° 37' 54" E., 10.00'
N. 02° 37' 54" W., 10.00'

N. 87° 22' 06" E., 60.00'

POINT OF BEGINNING

N. 87° 22' 06" E., 400.23'

S. 87° 22' 06" W., 400.23'

ARC = 608.68', RAD = 387.50'
Δ = 90° 00' 00"
CHD. = N. 47° 37' 54" W., 548.01'

O. B. # 5

10' PRIVATE UTILITY ESMT

PROP. TOWER DRIVE

ARC = 216.46', RAD = 512.60'
Δ = 24° 12' 05" E., 214.61'
CHD. = N. 14° 43' 57" W., 214.61'

N. 02° 37' 54" W., 334.50'

S. 02° 37' 54" E., 334.50'

S. 63° 10' 00" W., 10.00'

ARC = 212.25', RAD = 502.50'
Δ = 24° 12' 05" E., 210.62'
CHD. = S. 14° 43' 57" E., 210.62'

RECORDED RIGHT OF WAY NO. 36424

SKETCH OF PRIVATE UTILITY EASEMENT

PART OF THE SW. 1/4 OF SECTION 9, T-2-N, R-11-E, CITY OF TROY, OAKLAND COUNTY, MICHIGAN

DATE DEC., 1985	SCALE 1" = 200'
DRAWN E. K.	DESIGNED
CKD. BY D. P.	SECTION 9
F.B.	T. 2 - N. R. - 11 - E.
SHEET 1	OF 2 SHEETS

Giffels-Webster Engineers, Inc.
CONSULTING ENGINEERS, LAND SURVEYORS & PLANNERS
2731 Adams Road • Pontiac, Michigan 48057
Phone: 313/852-3100 or 313/358-2286
ARIZONA FLORIDA MICHIGAN TEXAS

O. B. # 5

DESCRIPTION
10' WIDE PRIVATE UTILITY EASEMENT

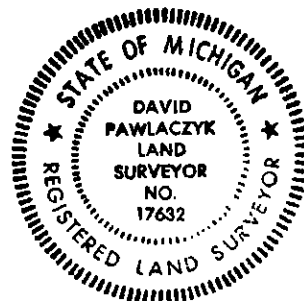
A part of the Southwest 1/4 of Section 9, T-2-N., R-11-E., City of Troy, Oakland County, Michigan, being described as: Commencing at the West 1/4 corner of Section 9; thence S. 02° 37' 54" E., 761.04 feet along the Westerly line of Section 9; thence N. 87° 22' 06" E., 60.00 feet to the point of beginning on the Southerly line of Tower Drive; thence the following four courses along proposed Tower Drive (1) N. 87° 22' 06" E., 400.23 feet and (2) along a curve to the right 624.39 feet, said curve having a radius of 397.50 feet, central angle of 90° 00' 00" and long chord bearing of S. 47° 37' 54" E., 562.15 feet, and (3) S. 02° 37' 54" E., 334.50 feet, and (4) along a curve to the left 212.25 feet, said curve having a radius of 502.50 feet, central angle of 24° 12' 05" and long chord bearing of S. 14° 43' 57" E., 210.68 feet; thence S. 63° 10' 00" W., 10.00 feet; thence along a curve to the right 216.48 feet, said curve having a radius of 512.50 feet, central angle of 24° 12' 05" and long chord bearing of N. 14° 43' 57" W., 214.87 feet; thence N. 02° 37' 54" W., 334.50 feet; thence along a curve to the left 608.68 feet, said curve having a radius of 387.50 feet, central angle of 90° 00' 00" and long chord bearing of N. 47° 37' 54" W., 548.01 feet; thence S. 87° 22' 06" W., 400.23 feet to a point on the Easterly line of Crooks Road, 150 feet wide; thence N. 02° 37' 54" W, 10.00 feet along said line to the point of beginning.

RECORDED RIGHT OF WAY NO.

36427

20-09-302-001

[Handwritten Signature]
David Pawlaczyk, R.L.S. #17632



DATE DEC., 1985	SCALE	Giffels-Webster Engineers, Inc. CONSULTING ENGINEERS, LAND SURVEYORS & PLANNERS 2731 Adams Road • Pontiac, Michigan 48057 Phone: 313/852-3100 or 313/358-2286 ARIZONA FLORIDA MICHIGAN TEXAS
DRAWN E.K.	DESIGNED	
CKD. BY D.P.	SECTION 9	
F.B.	T. 2 -N.-R. 11 -E.	
SHEET 2	OF 2 SHEETS	

172,854

2

86 6422

2-11/9
WAK/Deed

LIBER 9244 PAGE 444

BARGAIN AND SALE DEED

Dated as of January 14, 1986

REAL ESTATE *
MICHIGAN *
PARTNERSHIP *

GRANTOR: BELLEMEAD OF MICHIGAN, INC.
Michigan corporation
having an office at
4 Becker Farm Road
Roseland, New Jersey 07068

GRANTEE: TROY HSR LIMITED PARTNERSHIP
a Massachusetts limited partnership
having an office at
c/o The Beacon Companies
One Post Office Square
Boston, Massachusetts 02109

96 JAN 14 16 08

DANKA
PER

GRANTOR does grant, bargain, sell, remise, alien and confirm unto GRANTEE that certain parcel of land located in the City of Troy, County of Oakland, State of Michigan, more particularly described in Exhibit A attached hereto, together with all and singular the tenements, hereditaments and appurtenances therunto belonging or in anywise pertaining, subject to easements, restrictions, and encumbrances of record.

Tax Parcel #20-09-301-009 (also being a part of Tax Parcel #20-09-301-008).

GRANTOR covenants to GRANTEE that GRANTOR has not done, committed, or wittingly or willingly suffered to be done or committed any act, matter, or thing whatsoever, whereby the property hereby granted, or any part thereof, is or shall be charged or encumbered in title, estate or otherwise.

The full consideration paid by GRANTEE to GRANTOR is Two Million Five Hundred Twenty Five Thousand Eight Hundred Ninety Four and 22/100 Dollars (\$2,525,894.22).

Attest:

BELLEMEAD OF MICHIGAN, INC.
a Michigan corporation

John J. Pershing, Jr.
John J. Pershing, Jr.
Rennis S. Meiketham

By: Robert W. Bond
Senior Vice President

Revenue \$2,778.60

001300

OAKLAND COUNTY DEEDS OFFICE
1-14-86
High Deed mg
9,000
2,778.60
0102

RECORDED RIGHT OF WAY NO. 3640

COMMONWEALTH LAND TITLE

STATE OF MASSACHUSETTS)
) ss.:
COUNTY OF SUFFOLK)

LIBER 9244 PAGE 445

The foregoing instrument was acknowledged before me this
13th day of January, 1986, by Robert W. Bond, Senior Vice
President of Bellemead of Michigan, Inc., a Michigan corporation,
on behalf of said corporation.

Charles J. Spelotte

Notary Public
State of ~~Massachusetts~~

CHARLES J. SPELOTTE, Notary Public
My Commission Expires Oct. 12, 1990

Prepared by

John J. Pershing, Jr.
John J. Pershing, Jr.
Bellemead of Michigan, Inc.
4 Becker Farm Road
Roseland, New Jersey 07068
(201) 740-1110

Record and Return to:

COMMONWEALTH LAND TITLE INSURANCE COMPANY
Two Northfield Plaza
Suite 311
Troy, Michigan 48098
CLT03

RECORDED RIGHT OF WAY NO.

36427

EXHIBIT ADESCRIPTION OF REAL ESTATE

Land situated in the City of Troy, County of Oakland, State of Michigan, described as follows:

A part of the West 1/2 of Section 9, T-2-N., R-11-E., City of Troy, Oakland County, Michigan being described as:
 Commencing at the West 1/4 corner of Section 9; thence S. 02° 37' 54" E., 761.04 feet to the Southerly right-of-way line of Tower Drive, 120 feet wide; thence N. 87° 22' 06" E., 1,059.41 feet along said line to the point of beginning; thence N. 02° 37' 54" W., 805.04 feet to the Southerly right-of-way line of Interstate 75 and Crooks Road Interchange; thence the following two courses along the Southerly and Southwesterly right-of-way line of said Interstate 75 and Crooks Road Interchange (1) N. 86° 59' 23" E., 406.61 feet and (2) S. 48° 41' 02" E., 528.00 feet; thence S. 42° 22' 06" W., 388.25 feet; thence S. 87° 22' 06" N., 275.22 feet; thence along a curve to the right 290.34 feet, said curve having a radius of 1,367.46 feet, central angle of 12° 09' 54" and long chord bearing of S. 52° 14' 12" W., 289.79 feet to the point of beginning

Pl of 20-04-301-003

RECORDED RIGHT OF WAY NO.

30427



FIRST Metropolitan Title Company

622 E. Grand River, Howell, Michigan 48843
P.O. Box 2564, Farmington Hills, Michigan 48018
1500 N. Woodward, Suite 219, Birmingham, Michigan 48011

FILE NO. 0-22316

Telephone: (517) 548-3130
(313) 474-6387
(313) 474-0952

AUTHORIZED AGENT FOR



TICOR TITLE INSURANCE

TICOR TITLE INSURANCE COMPANY, a California corporation, hereby agrees to issue a policy of title insurance as hereinafter set forth upon receipt of proof satisfactory to it showing compliance with the requirements herein and upon payment of the prescribed premium.

FORM OF POLICY TO BE ISSUED

OWNER'S POLICY
\$ To Be Furnished

A.L.T.A. MORTGAGE POLICY WITHOUT EXCEPTIONS
\$

A.L.T.A. MORTGAGE POLICY WITH EXCEPTIONS
\$

PARTY TO BE INSURED

FEE: To Be Furnished

Situated in City of Troy

Oakland County, Michigan

Lot and/or Block DESCRIPTION OF REAL ESTATE Plat or Other Description

(SEE ATTACHED RIDER)

901 Tower Drive

OWNER, ENCUMBRANCES, EXCEPTIONS TO TITLE, AND TAXES AND REQUIREMENTS FOR ISSUANCE OF POLICY

- 1. Owner Bellemead of Michigan, Inc., a Michigan Corporation
2. A mortgage in the amount of \$4,530.666.00 executed by McDonald-Halliday Enterprises No. 2, a Washington general partnership to Chrysler Realty Corporation dated October 14, 1977 and recorded October 18, 1977 and recorded in Liber 7042, page 561 and said mortgage was assigned to Chrysler Corporation by Assignment of Mortgage dated January 10, 1980 and recorded in Liber 7778, page 684. Said mortgage was amended by Amendment dated June 19, 190 and recorded in Liber 7820, page 160. Said Mortgage was further amended by Second Amendment dated August 18, 1982 and recorded in Liber 8241, page 578, covers more land.
3. Subject to the rights of the public and of any Governmental unit in any part thereof taken, used or deeded for street, road or highway purposes.
4. Notice of Commencement dated December 3, 1985 and recorded December 3, 1985 in Liber 9202, page 276.
5. Sanitary Sewer easement in favor of City of Troy recorded in Liber 5372, page 775.
6. Water Main easement in favor of County of Oakland recorded in Liber 6132, page 788.
7. Easement and Easement Agreement as recorded in Liber 9246, page 091 and Liber 9246, page 122.

(SEE ATTACHED RIDER)

Dated at JANUARY 25, 1986

Michigan at 8:00 A.M.

Countersigned

Handwritten signature of Kenneth Lingenfeller

Kenneth Lingenfeller

VALIDATING SIGNATURE

This Commitment is valid and binding for a period of 90 days from the date of this commitment. After it is void and of no effect.

RECORDED RIGHT OF WAY NO. 364217

8. All Taxes paid to and including 1985
1985 Summer Taxes paid in the amount of \$10,691.39
Tax Item No. 20-09-301-006
1985 Summer Taxes paid in the amount of \$39,023.56
Tax Item No. 20-09-376-001
1985 Summer Taxes paid in the amount of \$31,633.92
Tax Item No. 20-09-351-002
1985 County Taxes paid in the amount of \$59,127.53
Tax Item No. 20-09-301-008, covers more land
Special Assessment for Sanitary Sewer, runs 21 years, 1 part paid, 21 parts UNPAID,
contact the City of Troy for payoff amount.

RECORDED RIGHT OF WAY NO. 36427

LEGAL DESCRIPTION FOR FILE NO. 0-22316

Land in the City of Troy, Oakland County, Michigan, described as follows:

PARCEL B:

A part of the Southwest 1/4 of Section 9, Town 2 North, Range 11 East, Michigan, being described as: Commencing at the Southwest corner of Section 9; thence North 87 degrees 26 minutes 35 seconds East, 1,263.73 feet along the South line of said Section 9 to the point of beginning on the Easterly right-of-way line of proposed Tower Drive, 105 feet wide; thence the following six courses along said line, (1) North 02 degrees 37 minutes 54 seconds West, 320.07 feet and (2) along the arc of a curve to the left 294.47 feet, said curve having a radius of 502.50 feet, central angle of 33 degrees 34 minutes 35 seconds and a long chord bearing of North 19 degrees 25 minutes 11 seconds West, 290.28 feet, and (3) North 36 degrees 12 minutes 29 seconds West, 272.74 feet and (4) along the arc of a curve to the right 232.94 feet, said curve having a radius of 397.50 feet, central angle of 33 degrees 34 minutes 35 seconds and long chord bearing of North 19 degrees 25 minutes 13 seconds West, 229.62 feet, and (5) North 02 degrees 37 minutes 54 seconds West; 349.50 feet and (6) along the arc of a curve to the left 434.74 feet, said curve having a radius of 502.50 feet, central angle of 49 degrees 34 minutes 10 seconds and long chord bearing of North 27 degrees 24 minutes 59 seconds West, 421.31 feet; thence North 87 degrees 22 minutes 06 seconds East, 273.30 feet; thence along the arc of a curve to the left 290.34 feet, said curve having a radius of 1,367.46 feet, central angle of 12 degrees 09 minutes 54 seconds and long chord bearing of North 52 degrees 14 minutes 12 seconds East, 289.79 feet; thence North 87 degrees 22 minutes 06 seconds East 275.22 feet; thence North 42 degrees 22 minutes 06 seconds East, 388.25 feet to the Westerly right-of-way line of Interstate 75; thence the following four courses along the Westerly right-of-way line of said Interstate 75; (1) South 48 degrees 41 minutes 02 seconds East, 5.92 feet, and (2) South 26 degrees 07 minutes 43 seconds East, 600.33 feet, and (3) along the arc of a curve to the right 1,081.25 feet, said curve having a radius of 2,673.79 feet, central angle of 23 degrees 10 minutes 11 seconds and long chord bearing of South 14 degrees 32 minutes 38 seconds East, 1073.90 feet, and (4) South 02 degrees 57 minutes 32 seconds East, 614.29 feet to the South line of said Section 9; thence South 87 degrees 26 minutes 35 seconds West, 1051.22 feet along said line to the point of beginning.

RECORDED RIGHT OF WAY NO.

36427

1098.73
105
03.93

EXHIBIT A

For Reference Purposes Only:

No restrictions upon the sale or occupancy of the mortgaged property on the grounds of race, color or creed, have been filed of record at any time subsequent to February 15, 1950.

REQUIREMENTS FOR ISSUANCE OF MORTGAGE POLICIES:

FOR ALL MORTGAGE POLICIES:

Requirement: Estoppel certificate on form provided by the Company signed by or on behalf of all mortgagors acknowledging receipt of the mortgage consideration and making representations as to the ages of individual mortgagors and such other matters as are therein set forth.

FOR A.L.T.A. MORTGAGE POLICIES WITHOUT EXCEPTIONS:

Requirement: Proper sworn statements and waivers showing payment or release of lien rights covering improvements made on subject land in the last 90 days or satisfactory proof that no improvements have been made within the last 90 days.

Requirement: Survey satisfactory to this insurer made by a surveyor acceptable to it showing no variation in location or dimensions, encroachments, or adverse rights, and such evidence of possession as may be required.

STANDARD EXCEPTIONS REFERRED TO UNDER SCHEDULE B

OWNERS POLICIES

- (a) Rights or claims of parties in possession not shown by the public records.
- (b) Easements, or claims of easements, not shown by the public records.
- (c) Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the premises.
- (d) Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
- (e) Rights of dower, homestead or other marital rights of the spouse, if any, of any individual insured.
- (f) Restrictions upon the use of the premises not appearing in the chain of title to the land.

MORTGAGE POLICIES WITH EXCEPTIONS

- 1. Rights of persons in possession.
- 2. Mechanics' liens not of record.
- 3. Such state of facts as would be disclosed by an accurate survey and personal inspection of the insured premises.

CONDITIONS APPLICABLE TO ALL COMMITMENTS:

If, at the time the final policy is issued, the estate or interest of the insured in the subject land described herein is created or evidenced by instruments any one of which has not been recorded in the office of the Register of Deeds of the county in which the subject land is located, the policy to be issued will contain a clause providing that there shall be no liability thereunder to the extent that loss or damage arises from the failure to record the instrument or instruments necessary to evidence such estate or interest.

This commitment is delivered and accepted upon the understanding that the party to be insured has no personal knowledge or intimation of any defect, objection, lien or encumbrance affecting subject land other than those set forth herein and in the title insurance application. Failure to disclose promptly to the insurer all such information shall render this commitment and any policy issued pursuant thereto, null and void as to such defect, objection, lien or encumbrance.

NOTE: PLEASE ORDER THE POLICY ON THE FORM ATTACHED WHEN THE REQUIREMENTS HAVE BEEN SATISFIED.

RECORDED RIGHT OF WAY NO. 36427

0 100 200 300 400

SCALE 1" = 200'

LIBER 9483 PAGE 591



SOUTHWEST COR. SECTION 9

ARC = 83.86', RAD. = 512.50'
Δ = 09° 22' 30"
CHD. = N. 31° 31' 17" W., 83.76'

N. 63° 10' 00" E.
10.00'

10' EDISON EASEMENT

PROP. R.O.W.

TOWER DRIVE

ARC = 82.22', RAD. = 502.50'
Δ = 09° 22' 29"
CHD. = S. 31° 31' 17" E., 82.13'

ARC = 227.08', RAD. = 387.50'
Δ = 33° 34' 35"
CHD. = N. 19° 25' 11" W., 223.85'

ARC = 232.94', RAD. = 397.50'
Δ = 33° 34' 35"
CHD. = S. 19° 25' 11" E., 229.62'

PROP. 80' R.O.W. LINE

N. 87° 26' 35" E., 1148.73'

SOUTH LINE OF SECTION 9

POINT OF BEGINNING

S. 87° 26' 35" W. 10.00'

EAST LONG LAKE ROAD

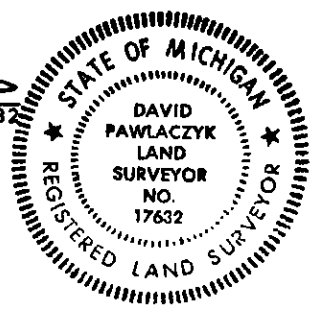
10 FOOT WIDE DETROIT EDISON COMPANY EASEMENT

A part of the Southwest 1/4 of Section 9, T-2-N., R-11-E., City of Troy, Oakland County, Michigan, being described as: Commencing at the Southwest 1/4 corner of Section 9; thence N. 87° 26' 35" E., 1,148.73 feet along the South line of said Section 9 to the point of beginning; thence N. 02° 37' 54" W., 319.92 feet; thence along a curve to the left 227.08 feet, said curve having a radius of 387.50 feet, central angle of 33° 34' 35" and long chord bearing N. 19° 25' 11" W., 223.85 feet; thence N. 36° 12' 29" W., 272.74 feet; thence along a curve to the right 83.86 feet, said curve having a radius of 512.50 feet, central angle of 09° 22' 30" and long chord bearing N. 31° 31' 17" W., 83.76 feet; thence N. 63° 10' 00" E., 10.00 feet to a point on the Westerly right-of-way line of proposed Tower Drive; thence the following four courses along the said Westerly right-of-way line of proposed Tower Drive: (1) along a curve to the left 82.22 feet, said curve having a radius of 502.50 feet, central angle of 09° 22' 29" and long chord bearing S. 31° 31' 17" E., 82.13 feet, and (2) S. 36° 12' 29" E., 272.74 feet, and (3) along a curve to the right 232.94 feet, said curve having a radius of 397.50 feet, central angle of 33° 34' 35" and long chord bearing S. 19° 25' 11" E., 229.62 feet, and (4) S. 02° 37' 54" E., 319.93 feet to a point on the South line of said Section 9; thence S. 87° 26' 35" W., 10.00 feet along said line to the point of beginning.

RECORDED RIGHT OF WAY NO. 36487

20.09.302.002

David Pawlaczyk
David Pawlaczyk, R.L.S. #17632



SKETCH OF DETROIT EDISON CO. EASEMENT

PART OF THE SW. 1/4 OF SECTION 9, T-2-N, R-11-E, CITY OF TROY, OAKLAND COUNTY, MICHIGAN

DATE 5-6-1986	SCALE 1" = 200'
DRAWN E.K.	DESIGNED
CKD. BY D.P.	SECTION 9
F.B.	T. 2 -N.-R.- // -E.
SHEET 1	OF 1 SHEETS

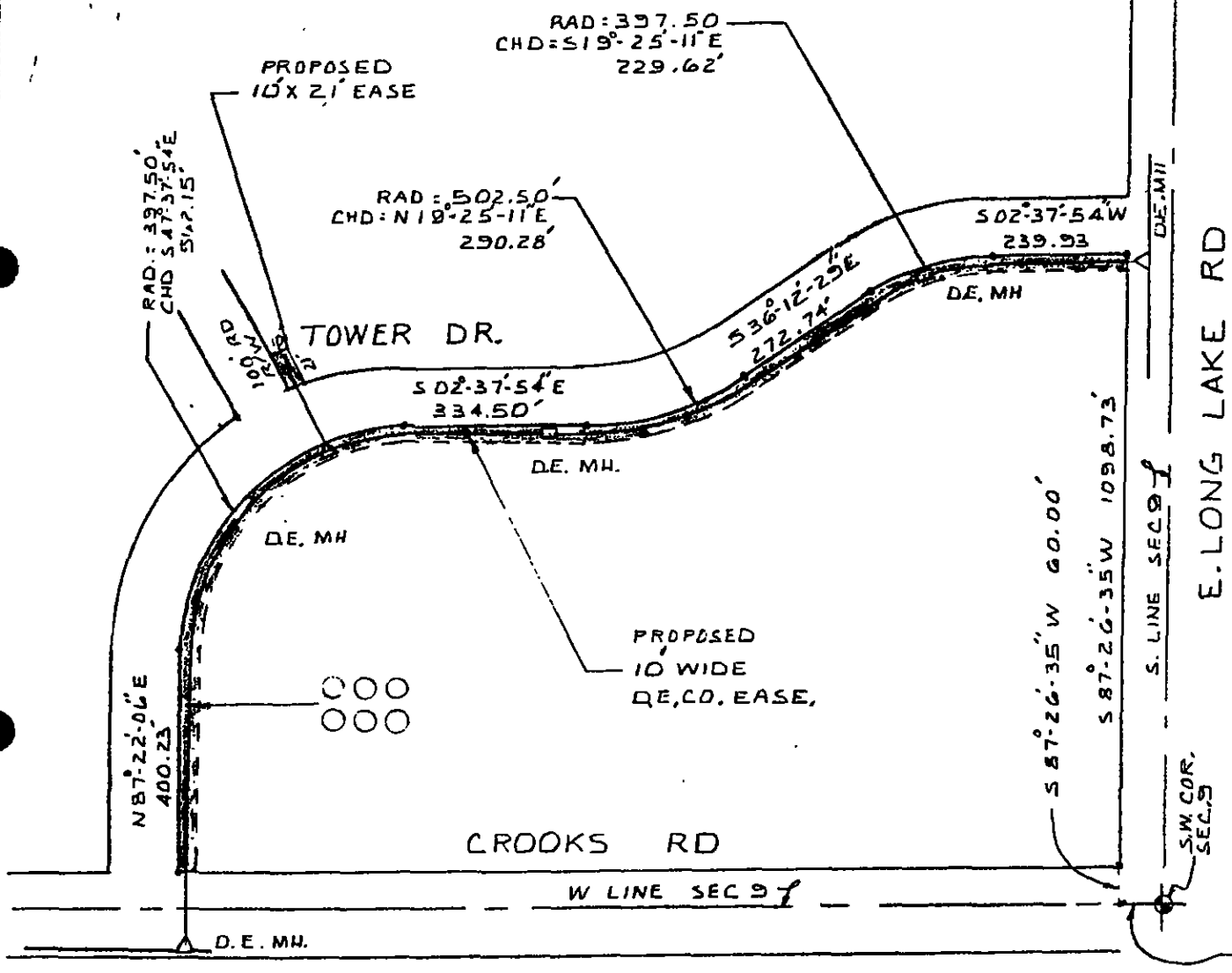
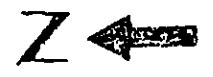
Giffels-Webster Engineers, Inc.

CONSULTING ENGINEERS, LAND SURVEYORS & PLANNERS

2731 Adams Road • Pontiac, Michigan 48057
Phone: 313/852-3100 or 313/358-2266

ARIZONA FLORIDA MICHIGAN TEXAS

RECORDED RIGHT OF WAY NO. *36424*



FOR R/W USE ONLY

DFW

LOCKDALE SUB

JOB 86-009

REFERENCE	DRAWN	SAS	1-24-86	TITLE PROPOSED 10 WIDE DE CO EASEMENT ALONG THE WFS SIDE OF TOWER DR CITY OF TROY OAKLAND C.O.	THE DETROIT EDISON COMPANY	
	D. K.	RAB	1-29-86		SCALE NONE	NO. U1-1-3391
	APPROVED					