

Detroit Edison

Right of Way Agreement

LIBER 9765 PAGE 104

June 6, 1986

2-11/35

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 (10) Ten feet in width unless otherwise indicated and their route is described as follows: The exact location of said easements will be shown on a drawing to be recorded 90 days after construction.

RECORDED JUN 16 13:58

RECORDED RIGHT OF WAY NO. 26963

1

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

- 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:

Kathleen M. Craver
Kathleen M. Craver
Carolyn A. Stanton
Carolyn A. Stanton

Grantors:

Troy Technology Park,
A Michigan Co-Partnership
Keith J. Pomeroy, Partner

A#12 REG/DEEDS PAID
0001 FEB.12'87 02:41PM
1453 MISC 13:00

13.00

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

Address: 380 N. Woodward, #175

Birmingham, MI 48011

"as installed"

This easement is re-recorded for purposes of showing the planned "as installed" centerlines of easements granted as shown on drawing attached hereto.

One

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

On this 6th day of June, A.D. 1986, before me,
the undersigned, a notary public in and for said county, personally appeared
KEITH J. POMEROY, Partner, Troy Technology Park, A Michigan Co-Partnership known
to me to be the person who executed the foregoing instrument, and acknowledged the
same to be his free act and deed.

My Commission Expires: Sept. 12, 1988

Carolyn A. Stanton
Carolyn A. Stanton
Notary Public, Oakland County, Michigan

RECORDED
BOOK OF
WAX NO. 36963

Appendix "A"

A part of the NE 1/4 of Section 35, T2N., R11E., City of Troy, Oakland County, Michigan; being more particularly described as beginning at a point on the East line of said Section 35 distant N 00°07'20" E., 399.85 feet from the East 1/4 corner of said Section 35; thence N 89°12'00" W., 1312.66 feet to a point on the East line of "Supervisor's Plat No. 29" recorded in Liber 65 of Plats, Page 21 of the Oakland County Records; thence along the East line of said plat N 00°25'25" E., 232.77 feet to the SE corner of Lot 11 of said plat; thence N 89°58'57" W., 323.90 feet along the South line of Lot 11 to the SW corner of Lot 11 also being a point on the East Right-of-Way line of Chicago Street (40 feet 1/2 R.O.W.); thence along the East Right-of-Way line of said Chicago Street N 00°25'04" E., 86.00 feet; thence S 89°58'57" E., 323.90 feet to a point on the East line of said "Supervisor's Plat No. 29", thence along the East line of said plat N 00°25'25" E., 688.74 feet to the SW corner of "Ring Industrial Park" recorded in Liber 179 of plats, Page 1 of the Oakland County Records; thence along the South line of said "Ring Industrial Park" S 89°47'40" E., 1307.27 feet to a point on the East line of Section 35; thence along the East line of said Section 35 S 00°07'20" W., 1021.12 feet to the point of beginning. Containing 31.14 gross acres.

Sidwell # (20-35-226-030-034, 044, 052)

~~179001~~

20-35-226-086
- 087

20-35-276-006
- 007

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

TO TON TASSEN

DATE 6-9-86 TIME

RE: Underground Service - TROY TECHNOLOGY PARK Phase #1
Agreement and Easements obtained - OK to proceed with construction.

RECORDED RIGHT OF WAY NO.

COPIES TO:

SIGNED

Stu Chipman, Representative
Real Estate, R/W & Claims
264 Oakland Division Headquarters

REPORT

36963

DATE RETURNED

TIME

SIGNED

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

TO Records Center

DATE 4-7-87 TIME

Please set up P/W file for: TROY TECHNOLOGY PARK Phase 1
Being a part of NE 1/4 of Section 35, City of Troy
Oakland County, Michigan

RECORDED RIGHT OF WAY NO.

COPIES TO

SIGNED

Omer V. Racine
Omer V. Racine
264 Oakland Div. Hqters.

REPORT

36963

TIME

SIGNED

To (Supervisor, Rt. & Rtd.) E. JANSEN	For Re: A H W Dept. Use	Date Received 6-2-86	Ut. Bill C.P. No. OE 86-10C
Division OAKLAND	Date	Application No.	

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 TROY TECHNOLOGY PARK PHASE #1	County OAKLAND
City/Township/Village TROY	Street No.

Type of Development

Proposed Subdivision
 Apartment Complex
 Condominium
 Subdivision
 Mobile Home Park
 Other **COM'L FEEDBACK**

2 Name of Owner

TROY TECHNOLOGY PARK
380 N. Woodward SUITE 175 BIRMINGHAM 48011
 Owners Representative: **KEITH J. POMEROY** Phone No: **646-2280**

Date Service is Wanted

6-16-86

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 Other Utilities If Not Michigan Bell Telephone or Consumers Power

b Other Utility Engineer Names

Phone Numbers

Addresses

6 Additional Information or Comments

Note Trenching letter attached will be submitted later

Service Planner T. TASSEN	Signed (Service Planning Supervisor) [Signature] 6/2/86
Phone No 6454122	Address 240 ODHQ

RECORDED RIGHT OF WAY NO.

316963

To (Supervisor, Branch Office) E. JANSEN	By (Project Engineer) 6-2-86	By (Service Planning Supervisor) OE 86-17 OE 86-10C
Division OAKLAND	Date	Approved

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, appts, 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: **TROY TECHNOLOGY PARK PHASE #1** City: **OAKLAND**

City: **TROY**

Type of Development: Proposed Subdivision Apartment Complex Condominium Subdivision Mobile Home Park Other **COMB FIBER**

2 Name of Owner: **TROY TECHNOLOGY PARK**

Address: **380 N WOODWARD SUITE 175 BIRMINGHAM 48011**

Owner's Representative: **KEITH J. POMEROY** Phone No.: **646-2280**

Date Service is Wanted: **6-16-86**

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 Other Utilities If Not Michigan Bell Telephone or Consumers Power

b Other Utility Engineer Names

Addresses

6 Additional Information or Comments

Note: Trenching letter attached will be submitted later

Service Planner: **T. TASSEN** Phone No.: **645-4122**

Signed (Service Planning Supervisor): **[Signature]** **6/2/86**
 Address: **240 ODITQ**

RECORDED RIGHT OF WAY NO. 36963

