



# Right of Way Agreement

October 12, 19 87

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 United Cable Television of Oakland Co., Inc., a Michigan corporation, 4500 Delemere, Royal Oak, MI hereinafter referred to as "UTILITIES", 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 City of Troy, 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 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 Attached Appendix "B"

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. No excavation is to be permitted within said easement without approval of UTILITIES.
3. No shrubs or foliage 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, employes 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.

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

Witnesses:

Grantors:

See Next Page

A#36 REG/DEEDS PAID  
 0001 NOV 02 '87 01:46PM  
 5656 MISC 11.00

Prepared By: Omer V. Racine  
 The Detroit Edison Company  
 30400 Telegraph Rd., Suite 264  
 Birmingham, MI 48010

Address: \_\_\_\_\_

DEED 2

RECORDED RIGHT OF WAY NO. 37849

WITNESSES:

SYNDECO-ABBEY LIMITED PARTNERSHIP  
A Michigan Limited Partnership  
30100 Telegraph Road  
Birmingham, MI 48010

LIBER 10179 P 295

[Signature]  
Larry Goss

[Signature]  
Jeffrey D. Leonard

By: [Signature]  
Robert Katzman  
Its General Partner

State of Michigan )  
                          ) SS:  
County of Oakland )

Personally came before me this 12th day of October, 1987,  
Robert Katzman, General Partner of the above named Limited Partnership to me  
known to be the person who executed the foregoing instrument and to me known  
to be such General Partner and acknowledged that he executed the foregoing  
instrument as such General Partner, as the free act and deed of said Syndeco-Abby  
Limited Partnership.

My Commission Expires: 1-22-91

[Signature]  
Carol Kiefiuk  
Notary Public, Oakland County,  
Michigan

APPENDIX "A"

Proposed "Hartford Square Subdivision", a part of the N.W 1/4 of Section 14, T2N,  
R11E, City of Troy, Oakland County, Michigan described as: beginning at a point  
on the North line on Section 14, said line also being the Centerline of East  
Long Lake Road, distance S. 89°49'42" E., 1985.31 ft. from the N.W. corner of  
Section 14, thence continuing along said Section line S. 89°49'42" E., 614.92  
ft., thence S. 00°10'07" E. 1,173.14 ft. along the West line of "Long Lake Village  
Subdivision", as recorded in Liber 128, Pages 6-8 of Plats, Oakland County Records;  
thence N. 81°34'43" W., 9.06 ft., thence along a curve to the right 98.43 ft.,  
said curve having a radius of 460.00 ft., central angle of 12°15'36" and a long  
chord bearing of N. 75°26'55" W. 98.24 ft., thence along a curve to the left  
28.36 ft., said curve having a radius of 42.00 ft., central angle of 38°41'40"  
and a long chord bearing of N. 88°39'57" W. 27.83 ft., thence along a curve  
to the right 151.14 ft., said curve having a radius of 70.00 ft., central angle  
of 123°42'49" and a long chord bearing of N. 46°09'23" W., 123.45 ft., thence  
N. 74°17'58" W. 112.21 ft., thence N. 21°58'51" E., 35.86 ft., thence N. 62°30'00"  
W. 113.22 ft., thence along a curve to the right 149.76 ft., said curve having  
a radius of 50.00 ft., central angle of 171°36'31" and a long chord bearing  
of N. 58°18'15" W. 99.73 ft., thence along a curve to the left 26.96 ft., said  
curve having a radius of 42.00 ft., central angle of 36°46'45" and a long chord  
bearing of N. 17°30'07" E. 26.50 ft., thence along a curve to the right 11.67  
ft., said curve having a radius of 930.00 ft., central angle of 00°43'09" and  
a long chord bearing of N. 00°31'42" W. 11.67 ft., thence N. 00°10'07" W. 36.84  
ft., thence S. 89°49'53" W. 124.37 ft., thence N. 00°04'00" W. 821.09 ft., along  
the East line of "Rochester Road Farms Subdivision", as recorded in Liber 60,  
Page 22 of Plats, Oakland County Records, to the point of beginning, containing  
619,556.4 square feet or 14.22 Acres, and comprising of 39 lots numbered 1 through  
39 inclusive.

SIDWELL No. 20-14-126-001

RECORDED RIGHT OF WAY NO. \_\_\_\_\_

3-24-89

MEMORANDUM ORDER  
FOR GENERAL USE  
DE FORM MS 7-12-53

TO Records Center

DATE 11-23-87 TIME \_\_\_\_\_

Please set up P/W file for: HARTFORD SQUARE SUBDIVISION

Being a part of NW 1/4 of Section 14, CITY OF TROY

Oakland County, Michigan

COPIES TO \_\_\_\_\_

SIGNED \_\_\_\_\_

*Omer V. Racine*

Omer V. Racine  
264 Oakland Div. Hqters.

REPORT \_\_\_\_\_

*Tring T. J.*  
*Jan. 14*

DATE RETURNED \_\_\_\_\_

TIME \_\_\_\_\_

SIGNED \_\_\_\_\_

RECORDED  
RIGHT OF  
WAY NO.  
37849

To (Supervisor, Rt. & R/W) <i>MC DONALD</i>	For Rt. & R/W Dept. Use	Date Received <i>9-4-87</i>	DE/Bell/C.P. No. <i>OE 87-40</i>
Division <i>OAKLAND</i>	Date <i>9-3-87</i>	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 <i>HARTFORD SQUARE Sub</i>	County <i>OAKLAND</i>
City/Township/Village <i>Troy</i>	Section No. <i>NW 1/4 SEC 14</i>
Type of Development <input type="checkbox"/> Proposed Subdivision <input checked="" type="checkbox"/> Subdivision	<input type="checkbox"/> Apartment Complex <input type="checkbox"/> Mobile Home Park <input type="checkbox"/> Condominium <input type="checkbox"/> Other
2. Name of Owner <i>Synoco - Abbey Limited Partnership</i>	Phone No.
Address <i>30100 TELEGRAPH BIRMINGHAM, MI 48010</i>	Phone No. <i>540-8070</i>
Owner's Representative <i>ROBERT KATZMAN</i>	
Date Service is Wanted <i>OCT 26, 1987</i>	

4. Entire Project will be developed at one time .....  Yes  No
5. Joint easements required — Michigan Bell Telephone .....  Yes  No  
— Consumers Power .....  Yes  No  
*CAIV*

a. Name of Other Utilities If Not Michigan Bell Telephone or Consumers Power  
*UNITED CABLE OF OAKLAND COUNTY FUTURE JOINT USE MEMO # 0-5737*

b. Other Utility Engineer Names  
*JEFF KELLOGG*

Addresses  
*4500 DEERBURG*  
*ROYAL OAK, MI. 48073*

Phone Numbers  
*549-1236*

6. Additional Information or Comments

Note: Trenching letter  attached  will be submitted later

Service Planner  
*T. TASSER*

Phone No.  
*645-4122*

Address  
*140 ODA/9*

Signed (Service Planning Supervisor)  
*[Signature]* *9/3/87*

RECORDED RIGHT OF WAY NO. 37849

**Detroit  
Edison**

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

Phone 645-4388

September 28, 1987

Mr. Robert Katzman  
Abbey Home Corporation  
30100 Telegraph Road, Suite 366  
Birmingham, MI 48010

Gentlemen:

Re: Hartford Square Subdivision

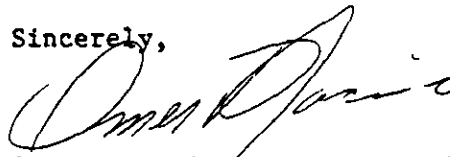
Enclosed is the original and one copy of the Right of Way Agreement for the above described project. Please have the original executed and returned to us. The copy should be retained by you for your records.

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: Omer V. Racine, Room 264.

Sincerely,



Omer V. Racine, Representative  
Real Estate, Rights of Way & Claims

OVR/vkc  
Enclosures

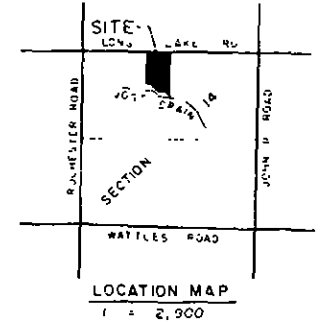
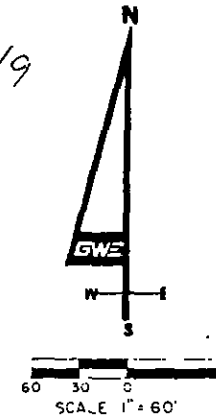
RECORDED RIGHT OF WAY NO.

37849

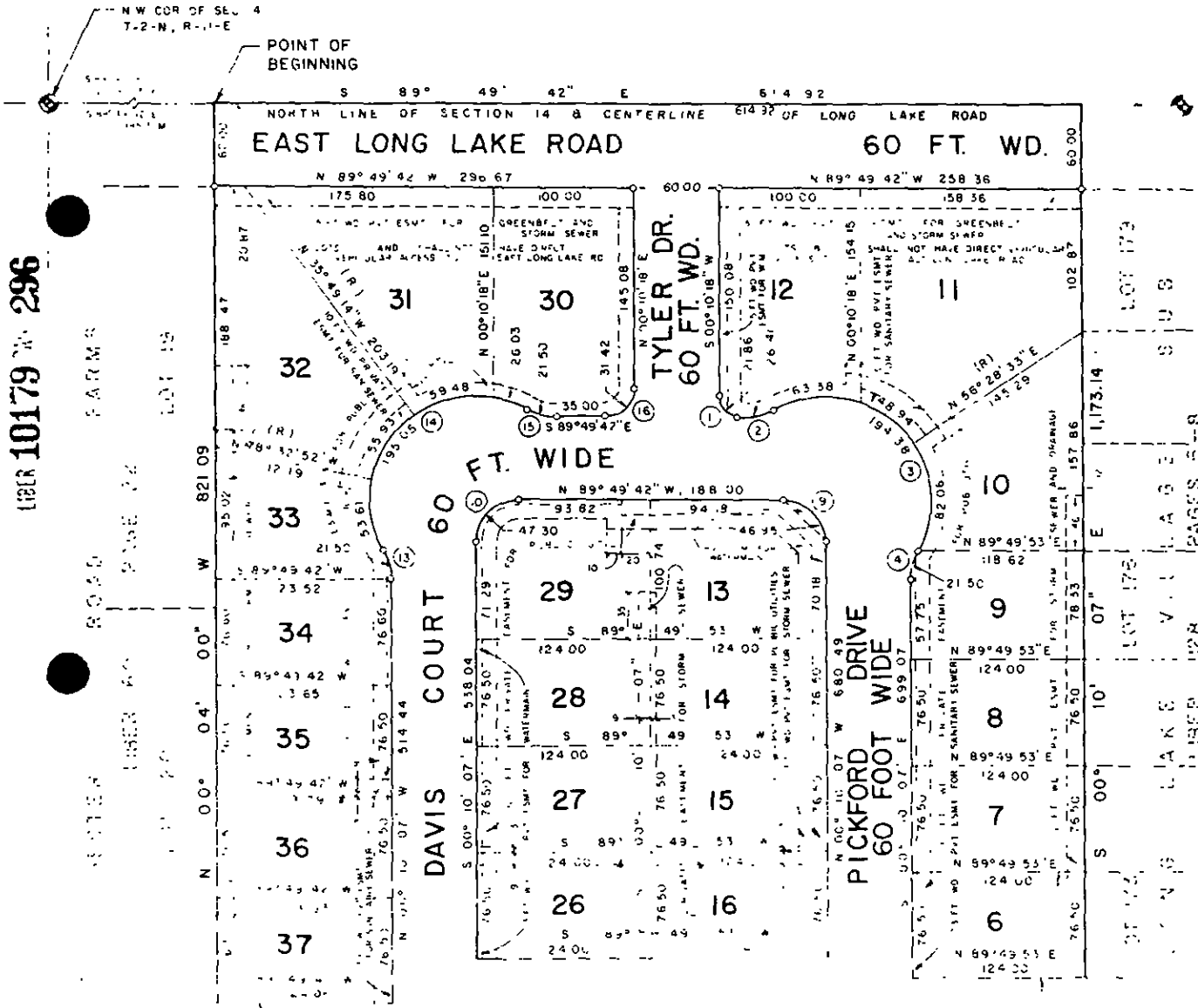
# HARTFORD SQUARE SUBDIVISION PROPOSED

PART OF THE N.W. 1/4 OF SECTION 14, T-2-N, R-11-E RECORDED RIGHT OF WAY NO. 3784/9  
CITY OF TROY, OAKLAND COUNTY, MICHIGAN

## APPENDIX "B"



LIBER 10179 P. 296

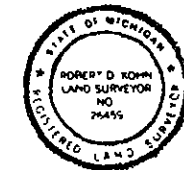


LEGEND

1. ALL DIMENSIONS ARE GIVEN IN FEET.
2. CURVE DISTANCES SHOWN ARE MEASURED ALONG ARC OF CURVE.
3. CONCRETE MONUMENTS HAVE BEEN PLACED AT ALL POINTS MARKED "O".
4. CONCRETE MONUMENTS ARE IRON BARS ONE-HALF (1/2) INCH IN DIAMETER AND THIRTY-SIX (36) INCHES IN LENGTH, PLACED IN A CONCRETE CYLINDER FOUR (4) INCHES IN DIAMETER AND THIRTY-SIX (36) INCHES IN DEPTH.
5. LOT CORNERS HAVE BEEN MARKED WITH STEEL BARS 1/2" DIA., 1 1/2" IN DIAMETER.
6. "R" INDICATES RADIAL LINE.
7. "A" INDICATES A RIGHT ANGLE.
8. BEARINGS FOR THIS SUBDIVISION ARE BASED ON THE LAST FOOT OF THE RECORDED RIGHT OF WAY FOR PICKFORD ROAD, LIBER 952 PAGE 22 OF PLATS, OAKLAND COUNTY RECORDS.

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	15.00	81° 28' 51"	21.84	19.97	S. 41° 34' 08" E.
2	42.00	36° 01' 31"	26.41	25.97	S. 78° 40' 41" E.
3	75.00	148° 29' 51"	194.38	144.37	S. 45° 05' 08" E.
4	42.00	26° 19' 56"	21.51	21.27	S. 80° 49' 53" W.
5	30.00	89° 29' 35"	48.25	42.30	N. 44° 59' 53" W.
6	30.00	9° 20' 25"	47.30	42.55	E. 45° 00' 03" W.
7	42.00	29° 19' 56"	27.50	27.27	N. 14° 50' 07" W.
8	75.00	149° 00' 14"	195.05	144.55	N. 45° 00' 06" E.
9	42.00	29° 19' 56"	27.50	27.27	S. 75° 11' 44" E.
10	30.00	9° 20' 25"	47.30	42.55	N. 45° 00' 03" W.

- MATCH LINE SEE SHEET 2 OF 3



*Robert D. Kohn*



Giffels Webber Engineers, Inc.  
11111 W. 11th Ave., Suite 100, Troy, MI 48068  
Phone: 313.851.3100 or 313.286.1400  
FAX: 313.851.3101

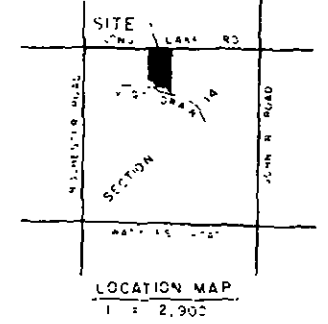
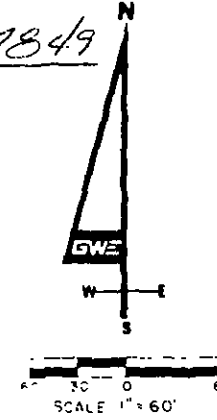
# HARTFORD SQUARE SUBDIVISION PROPOSED

PART OF THE N.W. 1/4 OF SECTION 14, T-2-N, R-11-E,  
CITY OF TROY, OAKLAND COUNTY, MICHIGAN

RECORD NO. 37849

## APPENDIX "B"

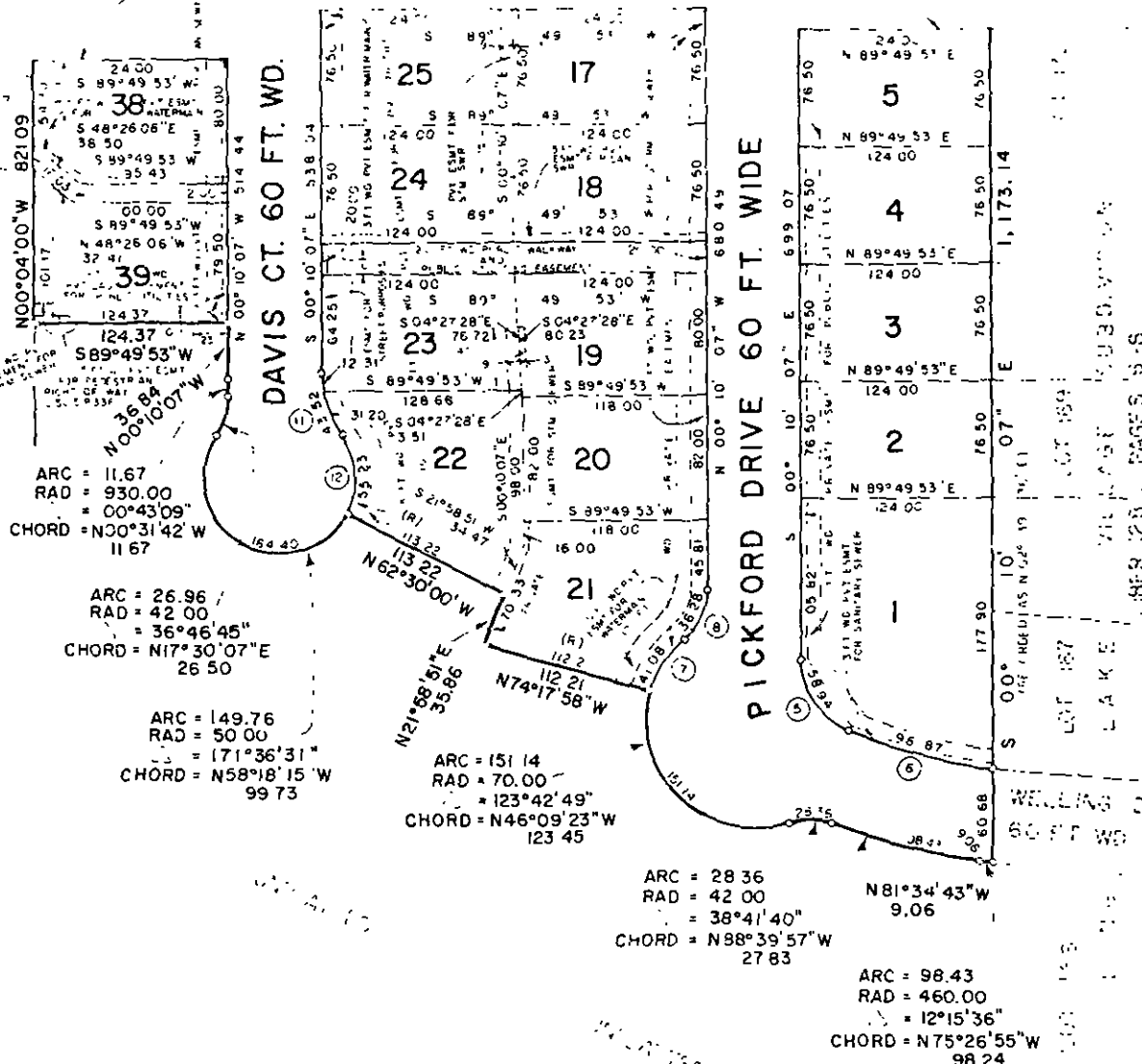
MATCH LINE SEE SHEET 1 OF 3



### LEGEND

- ALL DIMENSIONS ARE GIVEN IN FEET.
- CURVE DISTANCES SHOWN ARE MEASURED ALONG ARC OF CURVE.
- CONCRETE MONUMENTS HAVE BEEN PLACED AT ALL POINTS MARKED 'M'.
- CONCRETE MONUMENTS ARE 1000 BAR, 10" DIA, 12" HIGH, 1/2" DIA. IN DIAMETER AND 1/4" DIA. IN LENGTH. 1/4" DIA. IN DIAMETER AND 1/4" DIA. IN LENGTH.
- CONCRETE MONUMENTS ARE 1000 BAR, 10" DIA, 12" HIGH, 1/2" DIA. IN DIAMETER AND 1/4" DIA. IN LENGTH.
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- CONCRETE MONUMENTS ARE 1000 BAR, 10" DIA, 12" HIGH, 1/2" DIA. IN DIAMETER AND 1/4" DIA. IN LENGTH.

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	50.00	67° 32' 04"	54.94	55.54	S. 33° 56' 39" E.
2	400.00	13° 52' 32"	94.47	95.44	S. 74° 28' 07" E.
3	75.00	11° 37' 47"	42.76	40.49	S. 32° 33' 41" E.
4	42.77	40° 29' 17"	36.28	35.16	N. 24° 34' 37" E.
5	70.00	35° 37' 03"	43.52	42.82	S. 17° 58' 38" E.
6	50.00	63° 17' 10"	55.23	52.44	N. 04° 08' 35" W.



ARC = 11.67  
RAD = 930.00  
CHORD = N00°31'42" W  
11.67

ARC = 26.96  
RAD = 42.00  
CHORD = N17°30'07" E  
26.50

ARC = 149.76  
RAD = 50.00  
CHORD = N58°18'15" W  
99.73

ARC = 151.14  
RAD = 70.00  
CHORD = N46°09'23" W  
123.45

ARC = 28.36  
RAD = 42.00  
CHORD = N88°39'57" W  
27.83

ARC = 98.43  
RAD = 460.00  
CHORD = N75°26'55" W  
98.24



*Robert D. Hohn*



**Giffels-Webster Engineers, Inc.**  
CONSULTING ENGINEERS, LAND SURVEYORS & PLANNERS  
2611 W. WOOD STREET, TROY, MICHIGAN 48067  
PHONE 313-847-3100 OR 313-758-7786

3000 MILLER ROAD TROY MI 48067  
 313-847-3100 PAGE 22