

July 21, 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 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 ~~Auburn Hills~~ Pontiac, 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:

Underground lines are located in accordance with attached drawing which is made a part hereof.

A#36 REG/DEEDS PAID  
0001 JUL.31 '87 12:51PM  
7603 MISC 11.00

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:

*Hazel A. Wilson*  
Hazel A. Wilson  
*Carol Hull*  
CAROL HULL

Grantors:

*John R. Ylvisaker*  
JOHN R. YLVISAKER  
Ylvisaker Ltd  
*OK*

Prepared By: Walter E. Touchie  
The Detroit Edison Company  
30400 Telegraph Road, #264  
Birmingham, MI 48010

Address: 875 Canterbury Green  
Bloomfield Hills, MI  
48013

RECORDED RIGHT OF WAY NO. 37323

*Handwritten initials*

Witnesses:

Hope A. Wilson  
Hope A. Wilson  
Carol Kull  
CAROL KULL

Ylvisaker, Ltd.  
A Michigan Limited Partnership  
875 Canterbury CRESCENT  
Bloomfield Hills, MI 48013

John R. Ylvisaker  
JOHN R. YLVISAKER  
General Partner

State of Michigan )  
County of ) SS.

On this 21<sup>st</sup> day of July, 1987, before me, a Notary Public in and for said county, personally appeared John R. Ylvisaker 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 Limited Partnership.

My Commission Expires: 10-24-87

Lisa Waterstone  
LISA WATERSTONE  
Notary Public, Wayne County, Michigan

Appendix "A"

Two-part.

A parcel of land lying in the NE 1/4 of Section 15, T3N., R10E., City of Pontiac, Oakland County, Michigan, described as commencing at the NE corner of Section 15, th N 89°59'35" E., 14.60 feet; th S 27°20'15" W., 805.16 feet to the point of beginning; th along a line being 59.00 feet west of and parallel to the centerline of the south bound land of Perry Road (M-24), and line being a curve to the left, having a radius of 1696.00 feet, a central angle of 3°26'32", an arc of 101.89 feet, and a chord bearing S 11°53'06" W., 101.88 feet; th continuing along said line S 10°09'50" W., 552.44 feet, and along a curve to the right having a radius of 2052.77 feet, a central angle of 0°47'50" an arc of 28.56 feet, and a cord bearing S 10°33'45" W., 28.56 feet; th N 66°10'23" W., 348.26 feet; th N 9°46'26" E., 391.68 feet; th N 0°00'25" W., 144.81 feet; th N 89°59'35" E., 375.85 feet, to the point of beginning and contains 209,733 square feet, 4,815 acres.

Subject to easements and right-of-way of record.

SIDWELL No. 14-15-226-007

RECORDED RIGHT OF WAY NO. 32323

**Detroit  
Edison**

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

July 1, 1987

Ylvisaker, Ltd.  
A Michigan Limited Partnership  
875 Canterbury  
Bloomfield Hills, MI 48013

RE: Walton Center

Gentlemen:

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 the 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: Walter E. Touchie, Room 264.

Sincerely,

*Walter E. Touchie*

Walter E. Touchie, Representative  
Real Estate, Rights of Way & Claims

WET:lhq  
Enclosures

RECORDED RIGHT OF WAY NO.

37373

KNOW ALL MEN BY THESE PRESENTS: That YLVISAKER INVESTMENT COMPANY, a Michigan Limited Partnership

whose address is 875 Canterbury Crescent, Bloomfield Hills, Michigan 48013

Quit Claim(s) to Ylvisaker Ltd., a Michigan Limited Partnership

whose address is 875 Canterbury, Bloomfield Hills, Michigan 48013

the following described premises situated in the City of Pontiac  
County of Oakland and State of Michigan, to-wit:

A parcel of land lying in the N.E. 1/4 of Section 15, T.3N., R.10E., City of Pontiac, Oakland County, Michigan, described as commencing at the N.E. Corner of Section 15, thence N.89°59'35"E., 14.60 feet; thence S.27°20'15"W., 805.16 feet to the point of beginning; thence along a line being 59.00 feet west of, and parallel to the centerline of the south bound lane of Perry Road (M-24), said line being a curve to the left, having a radius of 1696.00 feet, a central angle of 3°26'32", an arc of 101.89 feet, and a chord bearing S.11°53'06"W., 101.88 feet; thence continuing along said line S.10°09'50"W., 552.44 feet, and along a curve to the right having a radius of 2052.77 feet, a central angle of 0°47'50", an arc of 28.56 feet, and a cord bearing S. 10°33'45"W., 28.56 feet; thence N.66°10'23"W., 348.26 feet; thence N.9°46'26"E., 391.68 feet; thence N.0°00'25"W., 144.81 feet; thence N.89°59'35"E., 375.85 feet, to the point of beginning and contains 209,733 square feet, 4,815 acres.

Subject to easements and right-of-way of record.

for the full consideration of One Dollar (\$1.00) - Deed exempt from the State Transfer Tax Under Section 207.505(a) of Michigan Compiled Laws

Dated this 28th day of December 19 78

Witnesses:

Signed and Sealed:

Charles T. Hammond  
Charles T. Hammond

Mary Lou Mitchell  
Mary Lou Mitchell

Ylvisaker Investment Company, (L.S.)  
a Limited Partnership

by: John R. Ylvisaker (L.S.)  
John R. Ylvisaker, General Partner

STATE OF MICHIGAN }  
COUNTY OF Wayne }

The foregoing instrument was acknowledged before me this 28th day of December 19 78

by John R. Ylvisaker, the General Partner of the Limited Partnership above mentioned.

My commission expires May 15, 1979  
Notary Public, Wayne County, Michigan

Instrument Drafted by Charles T. Hammond Business Address 400 Ford Bldg., Detroit, Mi. 48226

Recording Fee \$3.00

State Transfer Tax

When recorded return to Charles T. Hammond  
400 Ford Building  
Detroit, Michigan 48226

Send subsequent tax bills to Ylvisaker Ltd.

RECORDED RIGHT OF WAY NO.

37373

RECORDED  
MICHIGAN  
WAYNE COUNTY  
DEC 28 PM 4:00  
1978

MEMORANDUM ORDER

OR GENERAL USE

C FORM 923-2000 (10-77) 52-02

TO WON VEMSKY

DATE 7-22-87 TIME \_\_\_\_\_

Re: Underground Service WALTON CENTER

Agreement and Easements obtained - OK to proceed with construction.

COPIES TO:

SIGNED

Valter E. Louchie

Emil V. Racine, Representative  
Estate, Rights of Way & Claims  
264 Oakland Division Headquarters

RECORDED HIGHWAY

87373

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

TIME \_\_\_\_\_

SIGNED \_\_\_\_\_

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

TO Records Center

DATE 8-18-87 TIME \_\_\_\_\_

Please set up R/W file for: WALTON CENTER

Being a part of NORTHEAST 1/4 of Section 15, CITY OF PONTIAC  
Oakland County, Michigan

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

SIGNED

*Omer V. Racine*

Omer V. Racine  
267 Oakland Div. Hqters.

REPORT \_\_\_\_\_

RECORDED RIGHT OF WAY NO.

37373

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

TIME \_\_\_\_\_

SIGNED \_\_\_\_\_

To (Supervisor, R/W Dept Use)	For RE & R/W Dept Use	Date Received	DE/Bell/C.P. No.
J. Mc DONALD		<del>6-23-87</del>	<del>DE-87-23J</del>
Division	Date	Application No.	
OAKLAND		6-23-87	DE-87-8C

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) **SHOPPING CTR.**
  - 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	County
<b>WALTON CENTER</b>	<b>OAKLAND</b>
City/Township/Village	Section No.
<b>AUBURN HILLS</b>	<b>15</b>

Type of Development

- Proposed Subdivision
- Subdivision
- Apartment Complex
- Mobile Home Park
- Condominium
- Other **COMMERCIAL CENTER**

2 Name of Owner	Phone No.
<b>WAKE - PRATT CONSTRUCTION Co</b>	<b>689-2512</b>

Address  
**2033 AUSTIN**

Owner's Representative	Phone No.
<b>JACK WAKE</b>	_____

Date Service is Wanted  
**7-12-87**

4 Entire Project will be developed at one time .....  Yes  No

5 Joint easements required — Michigan Bell Telephone **L. FOOST 540-0201** .....  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

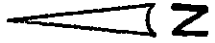
Note: Trenching letter  attached  will be submitted later

Service Planner	Signed (Service Planning Supervisor)
<b>Do DEMSKY</b>	<b>[Signature] 6/9/87</b>
Phone No.	Address
<b>4133</b>	

RECORDED RIGHT OF WAY NO. 37373

LIBER 10036 PAGE 494

LIBER 10036 PAGE 495



N. 89° 59' 35" E. 14.6'  
 P.O.B.  
 C.P.  
 N. E. 1/4 COR SEC 15

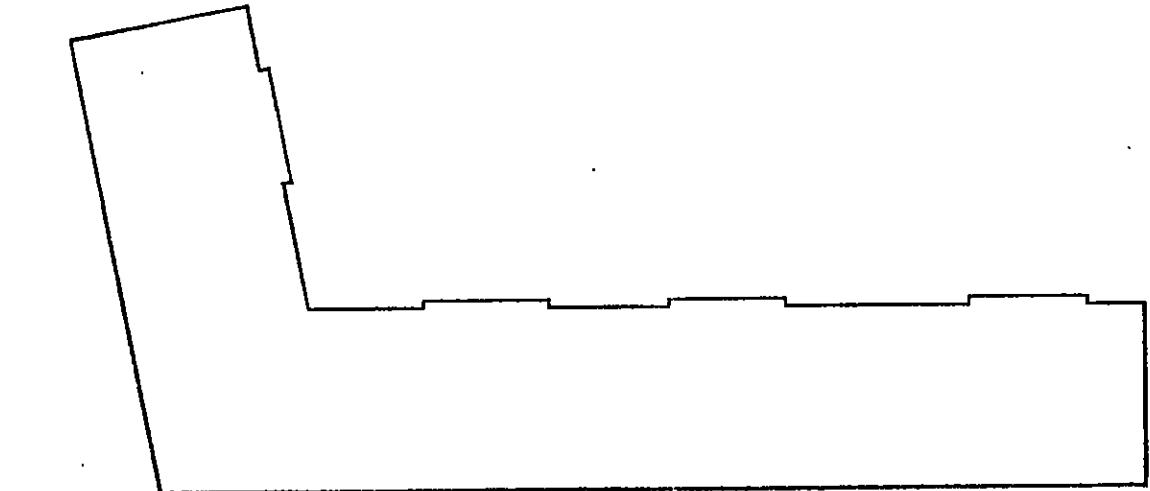
S. 10° 09' 50" W. 552.44'

N. 89° 59' 35" E. 375.85'

N 66° 10' 29" W 348.26'

N. 9° 46' 02" E. 391.68'

N 0° 0' 25" W. 144.81'



THE DETROIT EDISON COMPANY - SERVICE PLANNING DEPARTMENT			
CITY OR TWP. <i>PONTIAC</i>	COUNTY <i>DADE</i>	STR. & TWP. SECT. NO. <i>NE 14 15</i>	DEPT. ORDER NO.
MAP SECT. <i>289-430</i>	TOWN RANGE	JOINT R/W REQUIRED YES <input type="checkbox"/> NO <input type="checkbox"/>	R/W NO. <i>05-87-8C</i>
PROJECT NAME <i>WALTON CENTER SQUARE</i>	TEL. ENG'G. & DIST.		PROJ. OR PART NO.
CIRCUIT <i>8829 Carter</i>			D.F.W. S.O. OR P.E. NO.
REASON <i>URD PF H-3068</i>			BUDGET ITEM NO.
PLANNER <i>D. DEMSKY</i>	SCALE <i>1" = 50'</i>	DATE <i>6-23-87</i>	

- LEGEND**
- FOREIGN POLE
  - EXIST. D.E. CO. POLE
  - PROPOSED POLE
  - EXIST. ANCHOR
  - PROPOSED ANCHOR
  - TREE
  - 120/240 V LINE
  - 4800 V LINE
  - 13,200 V LINE
  - 40,000 V LINE