

# Right of Way Agreement

80 22147

LIBER 10306 PAGE 652

NOVEMBER 24, 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 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 the attached drawing which is made a part hereof.

BASE FEE ISSUED PAID  
0001 FEB 27 83 12:13PM  
3040 MISC 17.00

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

22

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, employees 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:

See next page.

RECORDED RIGHT OF WAY NO.

3810/11

1300

04/12

Prepared By:

Omer V. Racine  
The Detroit Edison Company  
30400 Telegraph Road, Suite 264  
Birmingham, MI 48010

Address:

pet ->

DECO2



APPENDIX "A"

Parcels of land located in the S.E. 1/4 of Section 7, T. 3 N., R. 10 E., City of Pontiac, Oakland County, Michigan.

Parcel 1

The East 17.48 feet of Lot 35 and Lot 34 to Lot 24, inclusive, and the West 12.52 feet of Lot 23, and vacated 20.00 foot alley adjacent thereto of Assessor's Plat No. 156, city of Pontiac, L.59 p.10, Oakland County Records, and the following described parcel of land, beginning at a point distant N. 85°51'00" E., 140.00 feet and S. 04°09'00" E., 120.00 feet from the Northwest Corner of Lot 38, being the Southeast Corner of Walton Boulevard and Telegraph Road, of Assessor's Plat No. 156, City of Pontiac, L.59 p.10 of Oakland County Records and proceeding thence N. 85°51'00" E., 250.00 feet, thence S. 04°09'00" E., 234.00 feet; thence S. 85°51'00" W., 250.00 feet; thence N. 04°09'00" W., 234.00 feet to the point of beginning. The total parcel contains 2.032 acres, more or less, and subject to any easements of record. *59010*

*SIDWELL NO (14-07-481-010  
-011  
-012  
-013  
-014 -020)*

*now  
14-07-483-002*

Parcel 2

Beginning at a point distant N. 85°51'00" E., 140.00 feet and S. 04°09'00" E., 194.00 feet from the Northwest Corner of Lot 38, being the Southeast Corner of Walton Boulevard and Telegraph Road, of Assessor's Plat No. 156, L59 P.10 of Oakland County Records and proceeding thence S. 04°09'00" E., 160.00 feet; thence S. 85°51'00" W., 30.00 feet; thence N. 04°09'00" W., 105.00 feet; thence S. 85°51'00" W., 212.08 feet; thence N. 65°29'15" W., 29.86 feet; thence N. 24°30'45" E., 30.00 feet; thence S. 65°29'15" E., 22.20 feet; thence N. 85°51'00" E., 209.42 feet; thence N. 40°51'00" E., 35.36 feet to the point of beginning containing 0.261 acres more or less and subject to any easements of record.

*SIDWELL NO (14-07-483-001)*

Parcel 3

Beginning at a point distant N. 85°51'00" E., 390.00 feet and S. 04°09'00" E., 125.00 feet from the Northwest Corner of Lot 38, being the Southeast Corner of Walton Boulevard and Telegraph Road, of Assessor's Plat No. 156, L.59 P.10 of Oakland County Records and proceeding thence N. 85°51'00" E., 30.00 feet; thence S. 04°09'00" E., 229.00 feet; thence S. 85°51'00" W., 30.00 feet; thence N. 04°09'00" W., 229.00 feet to the point of beginning, containing 0.158 acres of land more or less and subject to any easements of record.

*(now -14-07-483-002) repeat*

Parcel 4

City of Pontiac, Oakland County, Michigan, described as: Part of the S.E. 1/4 of Section 7, T3N, R10E, City of Pontiac, Oakland County, Michigan, described as beginning at the S.E. 1/4 of Section 7, thence N. 03°59'30" W. 548.08 ft. to a point, thence S. 85°51'00" W. 808.98 ft. to a point, thence S. 24°30'45" W. 604.63 ft. to a point, thence N. 86°39'34" E. 1098.52 ft. to the point of beginning.

*SIDWELL NO (14-07-483-001)*

*now (14-07-483-002) repeat*

Parcel 5

City of Pontiac, County of Oakland, Michigan described as Lots numbered 47, 48, 49, 51, 52, 53, 54, 55, and 56 of Pontiac Assessor's Plat #156, according to the Plat thereof, as recorded in Liber 59, Page 10 of Plats, Oakland County Records.

*SIDWELL NO (14-07-481-007) 59010  
(14-07-482001)*

*now 14-07-483-002*

RECORDED RIGHT OF WAY NO. 38077

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

TO Records Center

DATE 3-1-84 TIME \_\_\_\_\_

Please set up P/W file for: PARK CENTER PLAZA

Being a part of SE 1/4 of Section 7, City of Pontiac  
Oakland County, Michigan

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

SIGNED

*Omer V. Racine*

Omer V. Racine  
264 Oakland Riv. Hqtrs.

REPORT \_\_\_\_\_

*1. 1. 84 Top*

*2. 2. 84*

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

TIME \_\_\_\_\_

SIGNED \_\_\_\_\_

RECORDED  
RIGHT OF WAY  
NO.

Applicant Name <b>J Mc DONALD</b>	File No. & Date <b>9-23-87</b>	File No. & Date <b>9-18-87</b>	File No. & Date <b>OE 87-25C</b>
Location <b>OAKLAND</b>			

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, apt'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 <b>PARKS CENTER PLAZA</b>	Location <b>OAKLAND</b>
City <b>PONTIAC</b>	Street <b>7</b>

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

**PARK AVE ASSOC.**  
**3750 LACKAWANA AUBURN MI. 48055**  
**HUGH COVENTRY**  
**332-5500**  
**1-13-87**

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

**J. SHURMAN**

6. Name of utility to be used (Michigan Bell Telephone Consumers Power)

7. Name of contractor

8. Name of architect

Note: Trenching letter  attached  will be submitted later

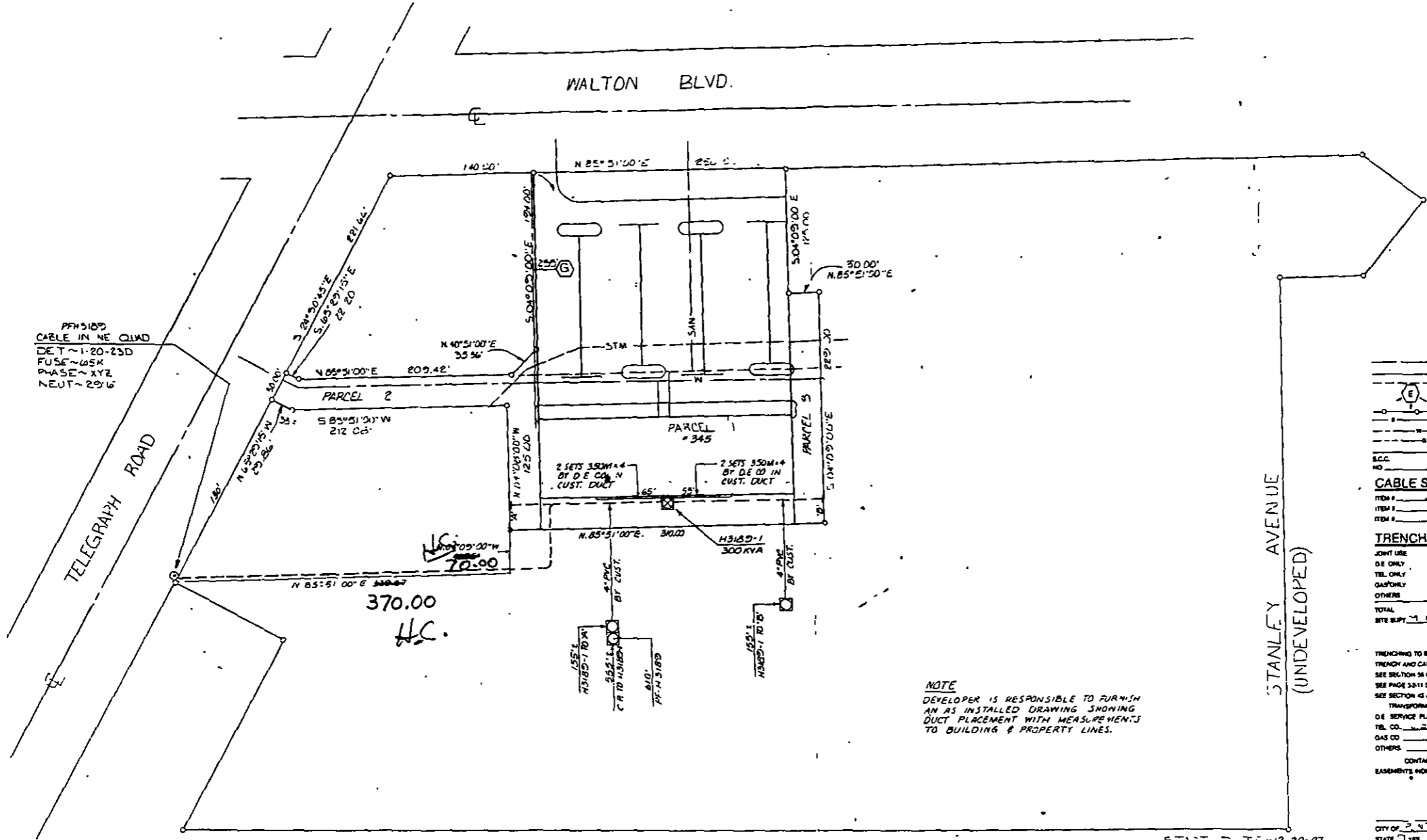
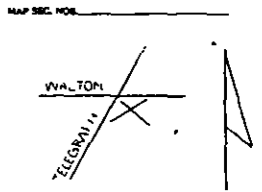
Signature: **D. DEMSKY** 4133  
 Date: **9-22-87**

RECORDED RIGHT OF WAY NO. 38077



TRANS	MERS
H31P2 - 1 * 22 MVA	12/12/75 PG 1-17-224 CONN. 13

LOCATION SKETCH



PHS10'S  
CABLE IN NE QUAD  
DET ~ 1-20-23D  
FUSE ~ 45M  
PHASE ~ XYZ  
NEUT ~ 29'6"

**NOTE**  
DEVELOPER IS RESPONSIBLE TO FURNISH  
AN AS INSTALLED DRAWING SHOWING  
DUCT PLACEMENT WITH MEASUREMENTS  
TO BUILDING & PROPERTY LINES.

TRANSFORMER SPEC	1-17-270
PEDESTAL SPEC	
NO OF PEDESTALS	
NO OF TEMPORARY CABLE MARKERS	
TEMPORARY CABLE MARKER SPEC	
SECONDARY CONNECTION BOX SPEC	

— CODE —

- TEMPORARY SECONDARY PEDESTAL/TEMPORARY CABLE MARKER
- DFT DEAD FRONT TYPE
- LOT SWITCHING—LIVE FRONT TYPE
- LOT SWITCHING—LIVE FRONT TYPE
- ↑ DIRECTION OF TRANSFORMER DOOR OPENING
- SECONDARY PEDESTAL
- SECONDARY CONNECTION BOX
- CABLE POLE
- PRIMARY SWITCH CABINET
- BURIED PRIMARY CABLE—ALL VOLTAGES
- BURIED SECONDARY CABLE
- BURIED SECONDARY SERVICE CABLE
- DETROIT EDISON TRENCH ONLY
- TELEPHONE TRENCH ONLY
- SEWER
- WATER
- GAS
- PROPOSED CONDUIT
- REF CONN CABINET

**CABLE SUMMARY**

ITEM #	DESCRIPTION	QUANTITY	PRICE
1	35KV 125KV	555	
2	300KV	320	

**TRENCH SUMMARY**

JOINT USE	
DE ONLY	
TEL ONLY	
GAS ONLY	
OTHERS	
TOTAL	

**GENERAL NOTES**

TRENCHING TO BE DONE BY CLIENT

TRENCH AND CABLE LENGTHS ARE APPROXIMATE

SEE SECTION 54.00 LINE CONSTRUCTION STANDARDS FOR TRANS. MOUNTING DETAILS

SEE PAGE 53.11 SECTION 1.1 FOR ENTRANCE POINT DETAILS (APPL. ONLY)

SEE SECTION 45.00 LINE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES

TRANSFORMERS AND PEDESTALS (BUS ONLY)

DE SERVICE PLANNER: TELECOM

TEL. CO.: DETROIT

GAS CO.: DETROIT

OTHERS:

CONTACT MISS DICK (800-465-7171) BEFORE DOING ANY EXCAVATION

EASEMENTS INDICATED BY OUR CENTERLINE ARE

IN WIDTH UNLESS OTHERWISE NOTED

PERMITS REQUIRED

CITY OF DETROIT COUNTY NOTIFICATION ONLY

STATE  YES  NO

D	DESIGN	C	REVISION	B	REVISION	A	REVISION	REFERENCE	DATE	BY	APP. TITLE	THE DETROIT EDISON COMPANY SERVICE PLANNING
												1"=50'
												12674 WALTON-4.8KV
												77A-649-70

RECORDED RIGHT OF WAY NO. 38077