

Detroit Edison

Real Estate and Rights of Way

Overhead Right of Way Agreement

APRIL 5, 1988

For good and valuable consideration of system betterment, the undersigned hereby grant and convey to THE DETROIT EDISON COMPANY, a Michigan corporation of 2000 Second Avenue, Detroit, Michigan hereinafter referred to as "EDISON," the right to construct, reconstruct, modify, add to, operate and maintain overhead line facilities consisting of poles, guys, anchors, wires, cables, transformers and accessories required to provide electric service in, upon, over and across property located in the City of Auburn Hills, County of Oakland, State of Michigan, further described as follows:

A part of the S.W. 1/4 of Section 11, T3N, R10E, Pontiac Township, now City of Auburn Hills, Oakland County, Michigan, being described as: Commencing at the S. 1/4 corner of Section 11, thence S. 87°42'29" W. 302.37 ft., along the South line of Section 11, thence N. 00°02'11" W., 73.11 ft. to the westerly line of I-75 and along a curve to the left 1.948 ft., said curve having a radius of 2,667.79 ft., central angle of 00°02'31" and long chord bearing of N. 00°03'28" W. 1.95 ft. along said line to the point of beginning on the northerly line of Walton Boulevard, thence S. 87°42'29" W., 1,061.28 ft. along said line to the easterly line of Opdyke Road, thence N. 00°58'26" E., 510.04 ft. along said line, thence N. 87°42'29" E., 1,003.11 ft. to the westerly line of I-75, thence along a curve to the right 510.83 ft., said curve having a radius of 2,667.79 ft., central angle of 10°58'15" and long chord bearing of S. 05°33'51" E., 510.05 ft. along said line to the point of beginning and containing 12.162 acres. Sidwell #14-11-376-001. The route of the line facilities is described as follows: as shown on the attached drawing 0-8993

RECORDED RIGHT OF WAY NO. 38250

①

which is made a part hereof.

R#36 REG/DEEDS PAID
0001 MAY.09'88 12:53PM
8699 MISC 9.00

The right of way is ten (10) feet in width.

The rights hereby granted include the right of access to and from the right of way and the right to trim, cut down or otherwise control brush and trees within the right of way or on property adjoining the right of way which in the opinion of EDISON interferes with the construction or operation of the line facilities. It is expressly understood and agreed that EDISON shall, at no time, trim or cut down any trees unless, in EDISON'S opinion, it is absolutely necessary to do so. EDISON shall restore premises to its original condition or as near as can be in the event of damages caused by its employes, contractors, vehicles and equipment entering premises for the purposes set forth herein. No buildings or structures are to be placed within said right of way herein granted without consent of the GRANTEE. 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(s) on the date of this agreement.

Witnesses:

Grantors:

Gerald S. Misiak
GERALD S. MISIAK
Joyce Nuet
JOYCE NUET

Opdyke Walton Development Company
A Michigan Co-Partnership
Jessie Singer
JESSIE SINGER, PARTNER

Gerald S. Misiak
Prepared by: The Detroit Edison Company
30400 Telegraph Rd., Suite 264
Birmingham, MI 48010

Address:
24331 Sherwood
Centerline, Michigan 48015

State of Michigan)
County of *Macomb*) SS:
)

On this *4th* day of *April*, 1988, the foregoing instrument was acknowledged before me, a notary public in and for said county, by

Jerome Singer, PARTNER
(a) general/managing partner(s), on behalf of *Hydrex Water Development Co.*
Michigan Co-
a partnership.

My Commission Expires:
JOAN E. MASTROPIETRO
Notary Public, Macomb County, MI
My Commission Expires Sept. 10, 1991

Joan E. Mastropietro
Notary Public, *Macomb*
County, Michigan

RECORDED RIGHT OF WAY NO. *34250*

Lapeer
M-24

I-75

CONTACT:

SMITH & SHERMAN
BOB DIXON
332-3140

REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH	PERMITS TO:
BY _____	RECORD CENTER _____
DATE _____	R/W FILES _____
DATE WANTED 4-3-88	MBT _____
DISTRICT _____	ORIGINATOR _____
FIELDMAN _____	TOTAL _____

RECORDED EASEMENT
40 KV

RECORDED RIGHT OF WAY NO. 31250

10 X 60 FT PRIVATE EASEMENT FOR DETROIT EDISON COMPANY

WALTON BLVD

LEGEND

	FOREIGN POLE
	EXIST DE CO POLE
	PROPOSED POLE
	EXIST ANCHOR
	PROPOSED ANCHOR
	TREE
	120/240 VOLT LINE
	4800 VOLT LINE
	13,200 VOLT LINE
	40,000 VOLT LINE

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT

CITY OR TOWNSHIP Auburn Hills	COUNTY OAK	QTR & TWP SECT NO SE 1/4 S.W. 1/4 11	DEPT ORDER NO
MAP SECT 292-430	TOWN 3N	RANGE 10E	JOINT R/W REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
PROJECT NAME MONSANTO	TEL ENG R & DIST	IR/W NO 08993	PROJ OR PART NO
CIRCUIT 8829 CARTR		OFW SO OR PE NO	
REASON Singer Monsanto 2401 Walton		BUDGET ITEM NO	
PLANNER D. FOLEY	SCALE 1" = 200'	DATE 3-10-88	

APPLICATION FOR RIGHT OF WAY

DB 940-9411 9-7855 (MS 88)

Pontiac Township

SEC. 11

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

DATE 3-22-88

LOCATION I-75 & WALTON BLVD.

APPLICATION NO. 08993

CITY OR VILLAGE CITY FUBUAN HILLS

DEPT. ORDER NO. _____

TOWNSHIP PONTIAC COUNTY OAKLAND

O. F. W. NO. _____

DATE BY WHICH RIGHT OF WAY IS WANTED 4-10-88

BUDGET ITEM NO. _____

THIS R/W IS 100 % OF TOTAL PROJECT NO. _____ ACCUM. _____ %

INQUIRY NO. _____

JOINT RIGHT OF WAY REQUIRED YES NO

NOTE: Identify on print or sketch the subdivisions as to section location and liber and page.

KIND AND DESCRIPTION OF RIGHT OF WAY REQUESTED RECORDED R/W FOR ANCHORS HOLDING 40KV LEAD

PURPOSE OF RIGHT OF WAY RELOCATE ANCHORS IN WAY OF NEW BUILDING

B. B. Brown

SIGNED

OFFICE

DEPARTMENT

RECORDED RIGHT OF WAY NO. 3850

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

Recordable overhead right of way obtained as requested per attached drawing. Contacts made by Gerald S. Misisk, Representative; Real Estate, Rights of Way & Claims; Oakland Division.

PERMITS IN RECORD CENTER 1 R.E. & R/W DEPT. FILE 1 GRANTOR Opdyke Development

NO. OF PERMITS 1 NO. OF STRUCTURES _____ NO. OF MILES _____ PERMITS TO MBT 0

DATE April 14, 1988 SIGNED James D. McDonald
James D. McDonald, Sr. Representative