

Detroit Edison

Right of Way Agreement

87221317

OCTOBER 27, 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 Tribune/United of Oakland Co., Inc., a Michigan corporation, 4500 Delemere, Royal Oak, MI 48073 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 Rochester Hills, 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 of 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.

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

RECORDED RIGHT OF WAY NO. 37879

(3) Witnesses:

Grantors:

See Next Page

A#36 REG/DEEDS PAID
0001 DEC.04.87 12:39PM
1009 MISC 11.00

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

Address: _____

DEED

WITNESSES:

Thornridge Development, Inc.
A Michigan Corporation
12741 S. Saginaw Street
Grand Blanc, Michigan 48439

Pauline Frasier
Pauline Frasier

Patricia A. Gratsch
Patricia A. Gratsch

Dominic Mocerì
Dominic Mocerì, President

Frances Mocerì
Frances Mocerì, Secretary-Treasurer

ACKNOWLEDGEMENT

State of Michigan)
) SS:
County of Genesee)

Personally came before me this 27th day of October, 1987,
Dominic Mocerì, President and **Frances Mocerì, Secretary-Treasurer** of the above named
Corporation, to me known to be the persons who executed the foregoing instrument, and to
me known to be Such President and Secretary-Treasurer of said Corporation, and
acknowledged that they executed the foregoing instrument as such officers as the free
act and deed of said Corporation, by its authority.

My Commission Expires: 10-23-89

Patricia A. Gratsch
Patricia A. Gratsch
Notary Public,
Genesee County, Michigan

APPENDIX "A"

Proposed "THORNRIIDGE SUBDIVISION NO.3", part of the S.W. 1/4 of Section 6, T3N, R11E,
City of Rochester Hills, Oakland County, Michigan, beginning at a point said point being
distant S. 01°55'38" E. 130.03 ft. along the West line of said Section 6 from the W. 1/4
corner of said Section 6, thence from said point of beginning N. 87°51'05" E. 886.42 ft.
along Hawthorn Hills No. 5 as recorded in Liber _____ of Plats, Pages _____ - _____ Oakland
County Records, thence the following 10 courses along Thornridge Subdivision no. 2 as
recorded in Liber 191 of Plats, Pages 6 & 7 Oakland County Records, S. 02°08'55" E.
404.19 ft. and S. 54°47'50" E. 55.25 ft. and S. 27°51'14" E. 207.83 ft. and N. 78°43'14"
E. 153.89 ft. and 49.14 ft. along an arc of a curve to the right, radius 270.00 ft.,
central angle 10°25'40" chord length 49.07 ft. and a chord bearing of S. 06°03'56" E.
and S. 82°15'07" W. 150.00 ft. and S. 08°12'05" E. 197.01 ft. and S. 31°27'00" E. 339.21
ft. and N. 58°33'00" E. 141.00 ft. and S. 31°27'00" E. 115.17 ft., thence S. 58°33'00"
W. 141.00 ft., thence S. 08°00'23" E. 134.28 ft., thence N. 89°47'00" W. 119.00 ft.,
thence N. 80°19'11" W. 110.99 ft., thence N. 35°50'24" W. 181.41 ft., thence N.
73°56'49" W. 186.67 ft., thence S. 53°16'40" W., 186.67 ft., thence S. 00°30'08" W.,
186.67 ft., thence S. 36°36'31" E. 210.45 ft., thence S. 40°35'00" W. 125.71 ft.,
thence S. 49°25'00" E. 141.00 ft., thence S. 40°35'00" W. 68.58 ft., thence N. 49°25'00"
W. 141.00 ft., thence S. 73°15'26" W. 108.94 ft., thence S. 89°00'29" W. 162.31 ft.,
thence S. 01°55'50" E., 38.71 ft., thence S. 88°04'10" W. 141.00 ft., thence S.
01°55'50" E. 11.10 ft., thence S. 88°04'10" W. 200.96 ft., thence N. 01°55'38" W. 1834.30
ft. along said West Section line to the point of beginning consisting of 63 lots
numbered 169 to 231 both inclusive three private parks and containing 38.59 acres.

SIDWELL NO 15-06-300-001

AVON
TOP

~~011~~
-0125 } SW 1/4

RECORDED RIGHT OF WAY NO. 37175

MEMO

PKG TO J. HEISLER 10-5-7

Detroit Edison

Application for U.R.D. Easements

DE 463-514 (7)

To (Supervisor or A.R.W.) J. Mc DONALD	Date (A.R.W. or J.S.P.) 9/24/87	Case No. OE 87-56
Division OAKLAND	Date 10-9-87	Approval 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.

A-64996

Information

1. Project Name THORN RIDGE SUE NO. 3	County OAKLAND
City/Township/Village ROCHESTER HILLS	Section No. 6

Type of Development

- Proposed Subdivision
- Subdivision
- Apartment Complex
- Mobile Home Park
- Condominium
- Other

2. Name of Owner THORN RIDGE DEVELOPMENT, INC	Phone No. WIFE (313-694-4195)
--	----------------------------------

Address
12741 S. SAGINAW ST., GRAND BLANC, MI, 48439

Owner's Representative KEN THOMPSON (CAR 938-0510)	Phone No. 263-5010 (OFFICE)
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Date Service is Wanted
12-11-87

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

5. Joint easements required - Michigan Bell Telephone Yes No

Consumers Power Yes No

6. Name of Other Utilities if not Michigan Bell Telephone or Consumers Power
CABLE TELEVISION
UNITED CABLE TELEVISION OF OAKLAND COUNTY

Other Utility Engineer Name ADAM LA ROSE (MEMPH 0-5897)	Phone Number 549-8288
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Address
4500 DELEMERE, ROYAL OAK, MI, 48073

6. Additional Information or Comments

Note: Trenching letter attached will be submitted later

Service Planner J. STRATTON	Address 10687
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Phone No. Address

RECORDED RIGHT OF WAY NO. 37879

MEMORANDUM ORDER
FOR GENERAL USE
DE FORM MS 77 12 53

TO Records Center

DATE 1-4-88 TIME _____

Please set up R/W file for: THORN RIDGE SUB NO 3

Being a part of Southwest 1/4 of Section 6, CITY OF ROCHESTER
Oakland County, Michigan

COPIES TO _____

REPORT _____

This document has
been audited by the
R/W Dept.

SIGNED

Omer V. Racine

Omer V. Racine
264 Oakland Div. Hqter

P. W. Twp.

SEC. 6

DATE RETURNED _____ TIME _____

SIGNED _____

RECORDED
RIGHT OF WAY
NO.

378795

**Detroit
Edison**

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

Phone 645-4388

October 19, 1987

Mr. Ken Thompson
Thornridge Development, Inc.
12741 S. Saginaw St.
Grand Blanc, MI 48439

Gentlemen:

Re: Thornridge Subdivision No. 3

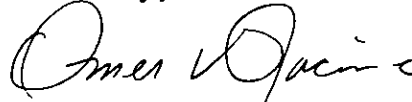
Enclosed is the original and one copy of the Right of Way Agreement for the above described project. Please have the original executed and returned to us. The copy should be retained by you for your records.

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,



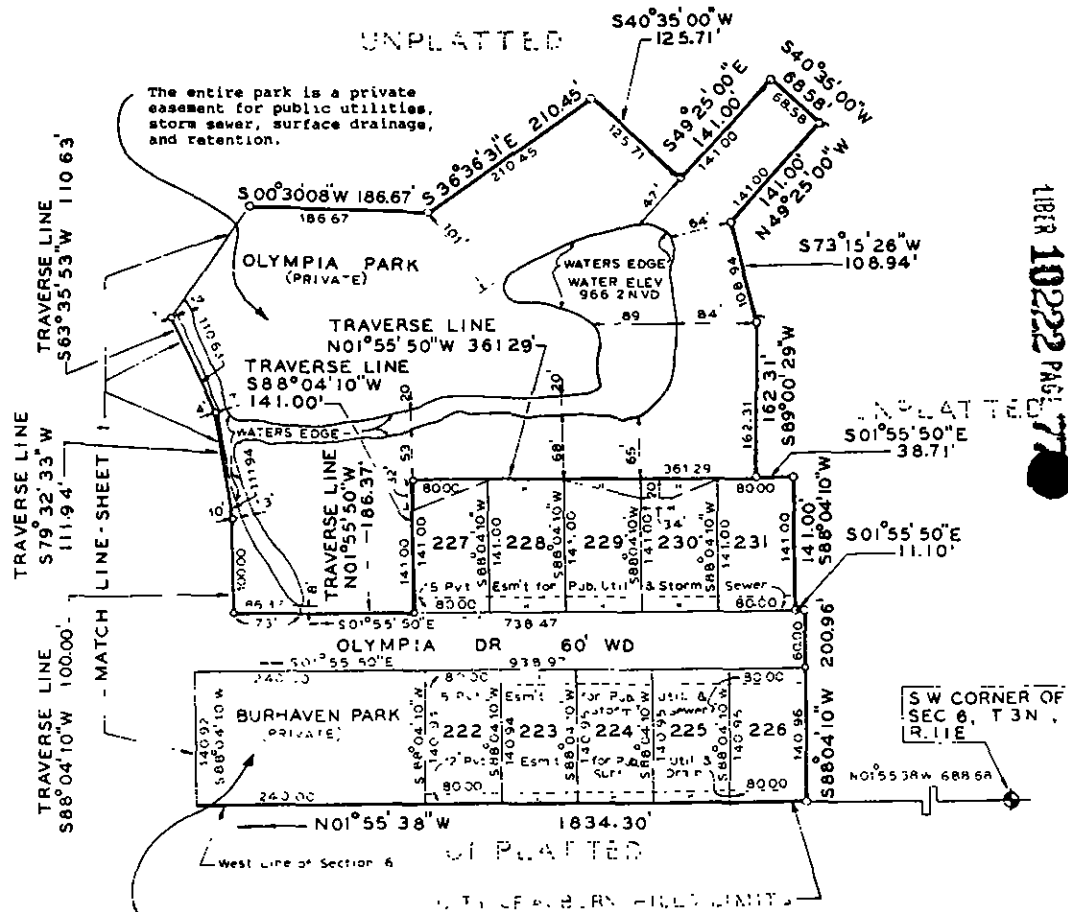
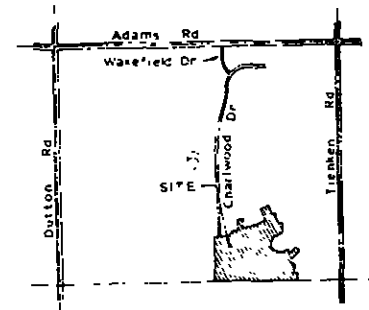
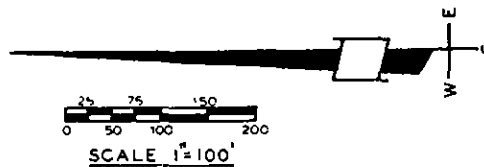
Omer V. Racine, Representative
Real Estate, Rights of Way & Claims

OVR/vkc
Enclosures

RECORDED RIGHT OF WAY NO. 37879

THORNTRIDGE SUB. NO. 3 PROPOSED
 PART OF THE S.W.1/4 OF SECTION 6, T.3 N., R.11 E.,
 CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN

APPENDIX "B"



RECORDED RIGHT OF WAY NO. 15116

PLAT LEGEND
 ALL DIMENSIONS ARE IN FEET. ALL DIMENSIONS ON THE CURVE ARE MEASURED ALONG THE ARC.
 (R) DENOTES RADIAL LOT LINE
 ALL LOT MARKERS ARE 1/2" IRON RODS AND ARE 18" LONG. THE SYMBOL (X) INDICATES A CONCRETE MONUMENT. ALL MONUMENTS USED SHALL BE MADE OF SOLID IRON OR STEEL BARS AT LEAST 1/2" IN DIAMETER AND 36" LONG AND COMPLETELY ENCASED IN CONCRETE 4" IN DIAMETER.
 ALL BEARINGS ARE IN RELATION TO "THORNTRIDGE SUB. NO. 2" AS RECORDED IN LIBER 191 OF PLATS, PAGES 6 & 7, OAKLAND COUNTY RECORDS.

THIS PLAT IS SUBJECT TO RESTRICTIONS AS REQUIRED BY THE CITY OF ROCHESTER HILLS WHICH ARE RECORDED IN LIBER 191, PAGES 6 & 7 OF RECORDS OF THIS COUNTY.

LIBER 10222 PAGE 77

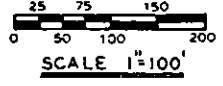
THORNTRIDGE SUB. NO. 3 PROPOSED

PART OF THE S.W. 1/4 OF SECTION 6, T.3N., R.11E.
CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN

CURVE DATA

CURVE	RADIUS	ARC	CENTRAL ANGLE	CHORD	CHORD BEARING
1	269.57	173.47	36°52'09"	170.49	S. 69°25'01" W.
2	189.99	143.44	43°15'31"	140.06	N. 23°46'40" W.
3	249.99	188.74	43°15'31"	184.29	N. 23°46'40" W.
4	269.57	149.55	31°47'11"	147.64	S. 23°48'36" W.
5	209.57	297.86	81°26'05"	273.42	N. 49°08'03" E.
6	418.00	93.10	17°21'00"	89.92	N. 19°35'10" E.
7	158.00	77.17	12°21'00"	77.02	N. 19°35'10" E.
8	200.00	72.25	20°41'50"	71.85	N. 08°25'05" E.
9	260.00	93.32	20°41'50"	93.41	N. 08°25'05" E.
10	200.00	241.91	69°18'10"	227.43	S. 53°25'05" W.
11	260.00	314.49	69°18'10"	295.76	S. 53°25'05" W.
12	760.00	163.82	12°21'00"	163.50	N. 12°35'10" E.
13	700.00	150.88	12°21'00"	150.59	N. 12°35'10" E.
14	437.38	65.38	08°33'55"	65.32	S. 02°08'03" W.
15	497.38	74.35	08°33'55"	74.29	S. 02°08'03" W.

APPENDIX "B"



PLAT LEGEND

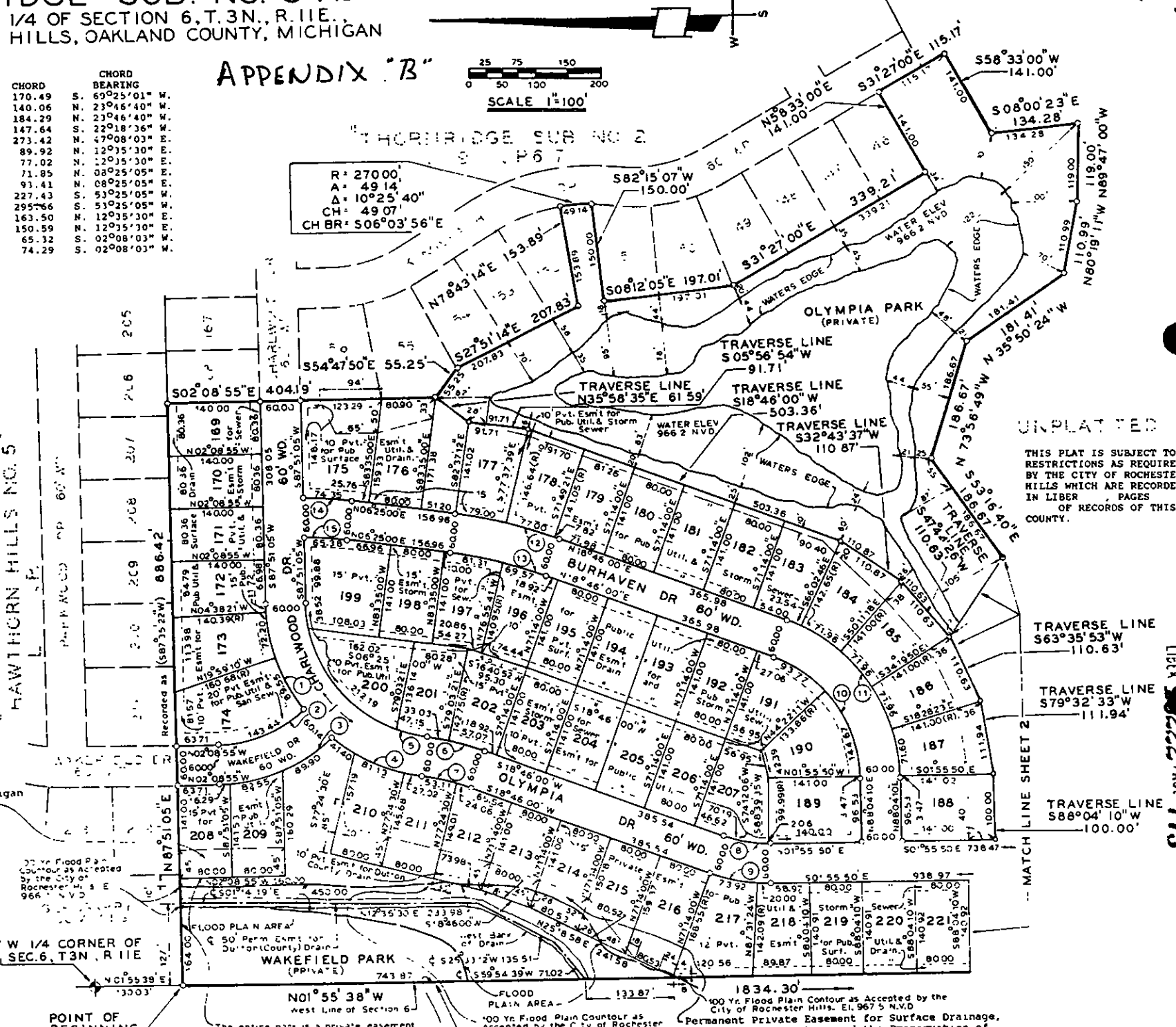
ALL DIMENSIONS ARE IN FEET. ALL DIMENSIONS OF THE CURVE ARE MEASURED ALONG THE ARC.

(R) DENOTES RADIAL LOT LINE

ALL LOT MARKERS ARE 1/2" IRON RODS AND ARE 18" LONG. THE SYMBOL (O) INDICATES A CONCRETE MONUMENT. ALL MONUMENTS USED SHALL BE MADE OF SOLID IRON OR STEEL BARS AT LEAST 1/2" IN DIAMETER AND 36" LONG AND COMPLETELY ENCASED IN CONCRETE 4" IN DIAMETER.

ALL BEARINGS ARE IN RELATION TO "THORNTRIDGE SUB. NO. 2" AS RECORDED IN LIBER 191 OF PLATS, PAGES 6 & 7, OAKLAND COUNTY RECORDS.

Permanent Private Easement for Surface Drainage, Storm Sewer, Retention and the Preservation of Existing Wetlands. Earth Fill is Prohibited Within Said Easement Except Under Permit from the Michigan Department of Natural Resources.



UNPLATED
THIS PLAT IS SUBJECT TO RESTRICTIONS AS REQUIRED BY THE CITY OF ROCHESTER HILLS WHICH ARE RECORDED IN LIBER 191, PAGES 6 & 7 OF RECORDS OF THIS COUNTY.

TRAVERSE LINE
S63°35'53"W
110.63'
TRAVERSE LINE
S79°32'33"W
111.94'

TRAVERSE LINE
S86°04'10"W
100.00'

100 Yr. Flood Plain Contour as Accepted by the City of Rochester Hills, El. 967.5 N.V.D.
Permanent Private Easement for Surface Drainage, Storm Sewer, Retention and the Preservation of Existing Wetlands. Earth Fill is Prohibited Within said Easement Except Under Permit from the Michigan Department of Natural Resources.

LOCATION MAP
Scale 1"=2000'

LIBER 222 PAGE 775