

Detroit Edison

Joint Underground Residential Distribution Right of Way Agreement

LIBER 11181PG538

MARCH 23, 1989

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 and MICHIGAN BELL TELEPHONE COMPANY, a Michigan corporation, of 444 Michigan Avenue, Detroit, Michigan, hereinafter referred to collectively as "UTILITY", the right to erect, lay, maintain, reconstruct, add to and replace underground facilities consisting of wires, cables, conduits, fixtures and appurtenances including the necessary above ground equipment, connections, poles and required to provide communication and electric services in, under, upon, over and across the property located in the City of Pontiac, County of Oakland State of Michigan, and more particularly described on the attached Appendix "A"; with the full right to the UTILITIES of ingress and egress upon said property for the purposes of this grant, and the further right to trim, cut down or otherwise control brush and trees within the right of way herein described.

Said right of way shall be ten (10) feet in width unless otherwise indicated and the route is described as follows:

The exact location of said easements shall be shown on a drawing recorded 90 days after construction.

#2

B#92 REG/DEEDS PAID 0001 MAY.26.89 11:29AM 9694 MISC 9.00

RECORDED RIGHT OF WAY NO.

40141

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

- 1. The right of way will be graded to within four inches of final grade before the UTILITY'S lines are installed and this ground elevation must be maintained after installation of utilities to avoid the pooling of water in, on or around UTILITY'S above ground equipment.
2. No buildings or structures other than UTILITY'S equipment are to be placed within the right of way herein granted. No excavation is to be permitted within said right of way without approval of UTILITY.
3. No shrubs or foliage shall be planted or grown within eight feet of the front door of transformers or switching cabinet enclosures. UTILITY 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 right of way causing an interference with UTILITY'S maintenance of their equipment.
4. If the lines or facilities of UTILITY 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 property 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(s) on the date of this agreement.

Witnesses:

Grantors:

See Next Page.

MISC REG/DEEDS PAID 0001 DEC.08.89 12:12PM 9694 MISC 13.00

1300

900

AS

Omer V. Racine/vkc
Prepared by: The Detroit Edison Company
30400 Telegraph Road, Suite 277
Birmingham, MI 48010

Address:

O.K. - RR AS

This easement is re-recorded for purposes of showing the planned "as installed" centerlines of easements granted as shown on drawing attached hereto.

NOV 19 1966

NOV 19 1966
12 28 40 PM '66
12 28 40 PM '66

RETURN TO
J. D. McDONALD
THE DETROIT EDISON COMPANY
30400 TELEGRAPH ROAD, 277 OAKDH
BIRMINGHAM, MICHIGAN 48010

Witnesses:

111817539

Crystal Limited Dividend
Housing Association Limited
Partnership
A Michigan Limited Partnership
28388 Franklin Road
Southfield, MI 48034
File No. 13-589

Sharon A. Clark
SHARON A. CLARK

Armenag Kalaydjian
Armenag Kalaydjian,
General Partner

Josie Appleberg
JOSIE APPLEBERG

Sam L. Yaker
Sam L. Yaker, General Partner

State of Michigan)
) SS:
County of Oakland)

Personally came before me this 23rd day of March,
1989, **Armenag Kalaydjian**, General Partner and **Sam L. Yaker**,
General Partner, of the above named limited partnership, to me
known to be the persons who executed the foregoing instrument,
and to me known to be such partners of said limited
partnership.

My Commission Expires: _____

DIANE M. NELKIE
Notary Public, Oakland County, MI
My Commission Expires July 22, 1990

Diane M. Nelkie

Notary Public, Oakland County
Michigan

RECORDED RIGHT OF WAY NO. 40141

PRINTED AND BOUND AT THE
MICHIGAN STATE UNIVERSITY
LIBRARY

07-18-11

RETURN TO
J. D. McDONALD
THE DETROIT EDISON COMPANY
30400 TELEGRAPH ROAD, 277 OAKDH
BIRMINGHAM, MICHIGAN 48010

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

TO Records Center

DATE 7-3-90 TIME _____

Please set up R/W file for: Crystal Lake Apartments
Being a part of N 1/2 of Section 5 & South 1/2 of Section 32 & SE 1/4 of Section 31

City of Pontiac Oakland County, Michigan

COPIES TO: _____

SIGNED _____

Omer V. Racine
Omer V. Racine

REPORT _____

277 Oakland Division Headquarters

DATE RETURNED _____

TIME _____

SIGNED _____

RECORDED & INDEXED
NO. _____

40141

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Appendix "A"

That part of "Assessor's Plat No. 86" which lies in the N. 1/2 of Section 5, T2N, T10E, and the South 1/2 of Section 32, T3N, R10E, as recorded in Liber 1, Page 86 of Assessor's Plats also that part of "Assessor's Plat No. 80" which lies in the S.E. 1/4 of Section 31, T3N, R10E, as recorded in Liber 1, Page 80 of Assessors Plats, also part of "Judson Bradway's Washington Park" as recorded in Liber 44, Page 39, Oakland County Records and that part of the N.E. 1/4 of Section 6, T2N, R10E, City of Pontiac, Oakland County, Michigan, being more fully described as: Commencing from the N.W. corner of said Section 5, thence S. 00°26'34" W. along the West line of said Section 5, 239.46 ft. to the point of beginning also being a point on a line 50 ft. northerly of the centerline of Golf Drive, thence the following 4 courses along said 50 ft. line, 20.72 ft. along the arc of a curve to the right whose radius is 773.21 ft., delta is 01°32'08" and chord bears N. 74°22'10" W., 20.72 ft., 363.48 ft. along the arc of a curve to the right whose radius is 1110.09 ft., delta is 18°45'37" and chord bears N. 64°14'27" W., 361.85 ft., 378.79 ft. along the arc of a curve to the left whose radius is 615.20 ft., delta is 35°16'40" and chord bears N. 72°29'59" W., 372.83 ft., S. 89°51'41" W., 546.01 ft., thence N. 00°08'19" W., 287.80 ft., thence the following 10 courses on a traverse line along Crystal Lake: N. 64°57'52" E., 2.72 ft., S. 61°32'08" E., 25.00 ft., S. 08°02'08" E., 51.00 ft., N. 74°27'52" E., 87.50 ft., S. 59°47'08" E., 281.00 ft., N. 67°42'52" E., 291.00 ft., S. 14°02'08" E., 72.00 ft., S. 81°32'08" E., 49.00 ft., N. 57°27'52" E., 369.00 ft., S. 62°02'08" E., 157.52 ft. to a point on the East line of said Section 31 also being traverse point "A", said point "A" being S. 14°15'02" E., 20 ft. more or less from the waters edge of said Crystal Lake, thence the following 6 courses on a traverse line along said Crystal Lake: S. 62°02'08" E., 52.48 ft., S. 77°02'08" E., 250.00 ft., S. 62°32'08" E., 333.00 ft., S. 44°32'08" E., 143.00 ft., N. 87°42'52" E., 65.50 ft., N. 71°42'52" E., 55.00 ft. to traverse point "B", said point "B" being S. 00°27'52" W., 25 ft. more or less from the waters edge of said Crystal Lake, thence S. 00°27'52" W., 246.54 ft. to a point, said point being on a line 50 ft. Northerly of the centerline of Golf Drive, thence the following three courses along said 50 ft. line, S. 89°44'54" W., 338.39 ft., S. 89°26'49" W., 153.47 ft., 207.77 ft. along the arc of a curve to the right whose radius is 773.21 ft., delta is 15°23'47" and chord bears N. 82°51'25" W., 207.15 ft. to the point of beginning. Including land between the travers line and the waters edge. Subject to the correlative rights of other riparian owners in the waters of Crystal Lake.

Sidwell No. 14-31-479-001 - Pt Lot 2 Alp #80 18080
 14-32-351-001 - Pt Lots Land 2 Alp #86 18086
 19-06-227-001 - NE 1/4, Sec 6, Bloomfield 18086

RECORDED RIGHT OF WAY NO.

40171

CONFIDENTIAL

RETURN TO
J. D. McDONALD
THE DETROIT EDISON COMPANY
30400 TELEGRAPH ROAD, 277 OAKDH
BIRMINGHAM, MICHIGAN 48010

Applicant Name Jim McDonald		Application No. 2-23-89	OE No. OE 89-4T
Division OAKLAND	Date 2-16-89	Applicant Address	

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 CRYSTAL LAKE APARTMENTS		City OAKLAND
City/Township/Village PONTIAC		Subdividing 5, 6, 31, 32
Type of Development <input type="checkbox"/> Proposed Subdivision <input checked="" type="checkbox"/> Apartment Complex <input type="checkbox"/> Condominium <input type="checkbox"/> Subdivision <input type="checkbox"/> Mobile Home Park <input type="checkbox"/> Other		
2. Name of Owner CRYSTAL LIMITED DIVIDEND HOUSING ASSOCIATION		Phone No. 356-4060
Address 28388 FRANKLIN		
Owner's Representative SAM YAKER - ARMEN KALAGIAN - DON FITZNER		Phone No. 356-4060
Date Service is Wanted 4-15-89		
4. Entire Project will be developed at one time		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
5. Joint easements required — Michigan Bell Telephone -- Consumers Power		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
6. Name of Other Utilities if Not Michigan Bell Telephone or Consumers Power MBT - JOHN SCHURMAN - 456-0815		
7. Other Utility Engineer Names Consumers Power - BILL VERNAGUS		Phone Numbers 549-5000 EXT 246
Addresses		
8. Additional Information or Comments		

RECORDED RIGHT OF WAY NO. 4014

Note: Trenching letter attached will be submitted later

Service Planner MATT McKinley	Signed (Service Planning Authority) Melinda Jones
Phone No. 167-4155	Address OAKLAND SERVICE PLANNING

Pontiac Twp Sec 6
SEC. 5 : N $\frac{1}{2}$ of NE $\frac{1}{4}$
SEC. 32 : S $\frac{1}{2}$ of
SEC. 31 : SE $\frac{1}{4}$ of
✓ Crystal Lake Apartments
Assessor's Plat No. 86,
Lots 1 & 2
Assessor's Plat No. 80,
Lot 2
Crystal Limited Dividend
Housing Association Limited
Partnership

17107

