user 11735 N 897 PINE GATE JUNDOMINIUM

028,745 175757

## Real Estate and Rights of Way Joint Underground Residential Distribution **Right of Way Agreement**

( LIBER 11149 PU 371 )	SEPTEMBER 22., 19 89
	<u> </u>
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, MICHIGAN BELL TELEPHONE COMPANY, a Michigan corporation of 444 Michigan Avenue, Detroit, Michigan and Booth Communication of Birmingham , a Michigan	
corporation of 645 South Eton, Birmingham, MI 480 "GRANTEE", the right to erect, lay, maintain, reconstruct, add wires, cables, conduits, fixtures and appurtenances including the	hereinafter referred to collectively as to and replace underground facilities consisting of
poles and accessories required in, under, upon, over and across the property located in the <u>City</u>	
of Bloomfield Hills ,County of State of Michigan, and more particularly described on the at GRANTEE of ingress and egress upon said property for the purp down or otherwise control brush and trees within the right of w	tached Appendix "A"; with the full right to the coses of this grant, and the further right to trim, cast
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 easement shall be shown on a drawing to be recorded 90 days  REGIDEEDS PAID	
The exact location of said easement shall be sho	and a firm of the control of the con
after construction.	0001 FEB.11'91 10:48AM
<b>Y</b>	No.
λ·/	3#92 REG/DZEDS PAID 0001 NOX:15/89 10:53AM
Decol	3#92 REG/DZEDS PAID 0001 NOX.15'89 10:53AM 1683 M/SD 7.00
In order to provide for the proper maintenance and protection of GRANTEE, the undersigned covenant and agree that:	
1. The right of way will be graded to within four inches of fina this ground elevation must be maintained after installation around GRANTEE'S above ground equipment.	I grade before the GRANTEE'S lines are installed and of utilities to avoid the pooling of water in, on or
2. No buildings or structures other than GRANTEE'S equipme granted. No excavation is to be permitted within said right of v	nt are to be placed within the right of way herein vay without approval of GRANTEE.
3. No shrubs or foliage shall be planted or grown within eight cabinet enclosures. GRANTEE shall not be responsible to own planted in front of said door or within the right of way causi their equipment.	ers for damages to or removal of trees or plant lifeing an interference with GRANTEE'S maintenance of
4. If the lines or facilities of GRANTEE are damaged by the acrepairs shall be made by the granting company so damaged at the state of the damage of the persons owning the property at the time the damage of the property at the property at the time the property at the property at the property at the time the property at the prope	the cost and expense of owners. Owners are defined
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:	8#92 REG/DEEDS PAID 0001 FEBRITOS: 10:48AM 6711 RMT FEE 2.00
	See Next Page
	D'IN

O.K. -- LM 0.K. - RR Address:

Omer V. Racine/vkc

Prepared by:

The Detroit Edison Company 30400 Telegraph Road, Suite 277 Birmingham, MI 48010

- 1008000 CONTROL NO CONTROL CONTROL

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11/2 -- 13/6.

KETURN TO

J. D. McDONALD

THE DETROIT EDISON COMPANY

39460 TELEGRAPH ROAD, 277 OAKDH
BIRMINGHAM, MICHIGAN 48010

abcorded right of Wi

Witnesses: (135,11149,1372) 2105 Propert

2105 Properties, Inc. 30100 Telegraph Road, Suite 316 Birmingham, Michigan 48010

By:

Sole Renon

Ronald L. Hughes
President

State of Michigan )
County of OAKLAND)

Personally came before me this 22 nd day of Josepher, 1989, Ronald L. Hughes, President of the above named corporation, to me known to be the person who executed the foregoing instrument and to me known to be such President of said corporation and acknowledged that he executed the foregoing instrument as such officer as his free act and deed of said corporation by its authority.

My Commission Expires:

MARSHA E. FEUCHT
Notary Public, Wayne County, MI
My Commission Expires July 1, 1992

Notary Public, County, Michigan

ACTING IN OAKLAND COUNTY

Appendix "A"

Pine Gate Condominium according to the Master Deed recorded in Liber 10816, Pages 371 through 447 Oakland County Records, and designated as Oakland County Condominium Subdivision Plan No. 597 together with rights in general common elements and limited common elements, as set forth in the above master deed and being further described as:

A part of the S.E. \( \) of Section 10, T2N, R10E, City of Bloomfield Hills, Oakland County, Michigan, more particularly described as: Commencing at the S. \( \) corner of Section 10, thence N. 01°03'00" W., 390.75 ft. along the North-South \( \) line of said Section 10 and following at the Easterly line of "Glenthorne Estates" as recorded in Liber 59, Page 3 of Plats, Oakland County Records, to the Southwest corner of "Knolls of Bloomfield" as recorded in Liber 613, Pages 40 and 41 of plats, Oakland County Records, thence the following two courses along the Southerly line of "Knolls of Bloomfield": (1) N. 81°27'10" E., 486.96 ft., and (2) N. 68°58'40" E., 157.07 ft. to the point of beginning, thence continuing along said Southerly line N. 68°58'40" E., 376.24 ft. to a point on the Westerly right-of-way of Woodward Avenue (M1), 200 ft. wide, thence the following two courses along said line: (1) S. 42°32'52" E., 86.82 ft., and (2) along a curve to the right of 237.51 ft., said curve having a radius of 5,720.31 ft., central angle of 02°22'44", and a long chord bearing of S. 41°21'30" E. 237.50 ft., thence along a curve to the left 19.72 ft., said curve having a radius of 255.00 ft., central angle of 04°25'52", and a long chord bearing of S. 47°51'13" W., 19.72 ft., thence s. 45°38'17" W., 176.02 ft., thence along a curve to the right 160.90 ft., said curve having a radius of 120.00 ft., central angle of 76°49'25", and a long chord bearing of S. 84°03'00" W., 149.11 ft., thence along a curve to the left 73.89 ft., said curve having a radius of 240.00 ft., central angle of 17°38'21", and a long chord bearing of N. 66°21'28" W., 73.60 ft., thence of the left 73.89 ft., said curve having a radius of 240.00 ft., central angle of 17°38'21", and a long chord bearing of N. 66°21'28" W., 73.60 ft., thence

Sidwell No. 19-20-452-001, 002, 003, 004

Ent 19-20-452-000 Units 1-4 9000597

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

