hereto.

Great Pines Estater The Condo Phase 2

11775M2

Real Estal and Rights of Way

Joint Underground Residential Distribution Right of Way Agreement

91 03730

11619°C220

SEPTEMBER 18 , 1990

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, and CONCORD TELECOMMUNICATIONS, a Delaware corporation of 121 S. Washington Street, Oxford, MI 48051, hereinafter referred to collectively as "GRANTEE", 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 accessories required in, under, upon, over and across the property located in the **Township of Oxford, County of Oakland**, State of Michigan, and more particularly described on the attached Appendix "A"; with the full right to the GRANTEE 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) ft in width unless otherwise indicated and the route is described as follows:

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

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

- 1. The right of way will be graded to within four inches of final grade before the GRANTEE'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 GRANTEE'S above ground equipment.
- 2 No buildings or structures other than GRANTEE'S equipment are to be placed within the right of way herein, granted. No excavation is to be permitted with said right of way without approval of GRANTEE.
- 3.No shrubs or foliage shall be planted or grown within eight feet of the front door of transformers or switching cabinet enclosures. GRANTEE 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 GRANTEE'S maintenance of their equipment.
- 4. If the lines or facilities of GRANTEE are damaged by the acts of owners, their agents, employes or contractors, repairs shall be made by the granting 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:

#### REG/DEEDS PAID

0001 MAR.15-91 11:58AM

3450 MISC 13.00

#### REG/DEEDS PAID

0001 NOV.01-90 01:43FM
9198 MISC 2:00

See Next Page

Do

Prepared by:

Omer V. Racine/nkg The Detroit Edison Company 30400 Telegraph Road, Suite 277 Birmingham, Mi 48010 8#92 REG/DEEDS PAID 0001 MAR.15/91 11:58AM 3450 RMT FEE O K. 2.01.M

Address:

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

Great Pines Escues, Inc.
A Michigan Corporation
55683 Cordona Lane
Shelby, MI 48315

Joanne Giannola, President

State of Michigan

MACOMA) SS:
County of Gestand

On this 18 day of Letterber 1990, Joanne Giannola, 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 she executed the foregoing instrument as such

My Commission Expires: //-/7-92.

officer as her free act and deed of said corporation by its authority.

Motary Public, Macome County, Michigan

JOYCE E. YARMAK Notary Public of Macomb County, Ml. My Commission Expires Nov. 17, 1992

Appendix "A"

Part of the E. 1/2 of the S.W. 1/4 of section 19, T5N, R10E, Oxford Township, Oakland County, Michigan. Described as: Beginning at a point on the North right-of-way line of Seymour Lake Road (120 ft., wide) distant N. 88°00'00" E. 976.80 ft., along the centerline of Seymour Lake Road, also the South line of said section 19 and N. 01°38'30" W. 60.00 ft., from the S.W. corner of said section 19, thence continuing N. 01°38'30" W. 1099.00 ft., thence N. 88°00'00" E. 965.62 ft., to a point on the North and South 1/4 line of said section 19, thence S. 01°58'51" E. 450.02 ft., along said North and South 1/4 line; thence S. 88°00'00" W. 236.50 ft., thence S. 01°21'28" E. 649.00 ft., to a point on the North right-of-way line of Seymour Lake Road; thence S. 88°00'00" W. 728.57 ft., along said North right-of-way line to the point of beginning. Containing 909,00 square feet or 20.868 acres a subject to easements and restrictions of record.

Sidwell No. 04-19-300(009) 1000 つかりかり

+ Ent Drest Pines Est combo unit 1-6 ocep# 670 64-19-376-000 9000007C

RECORDED RIGHT OF VAY NO. 4/6

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

## Detroit Edison

## Application or U.R.D. Easements

DE 963-5145 9-73CS (RR 11)

To (Supervisor, RE & R/W)		-ox RE & ਜੋ, № Dept. Use	Date Received	DE/Beit/C.P. No.	
JAMES McDONAL			8-17-9	0 OE 90	)-20J
Division		8-15-90	Application No.		, , , , , , , , , , , , , , , , , , , ,
We have included the following necessary material and	d information:	0,12,10			
Material:	a morniation.				
A. Proposed Subdivision				٦	
1. copy of complete final proposed plat - All pages					
or ·					
B. Other than proposed subdivision (condo., apts. mob	oile home park			*	
other)  1. Property description.					
2. Site plan.			•	-	
<ol> <li>title information (deed, title commitment, contract commitment, or title search).</li> </ol>	with title				
Note: Do not submit application for URD easements un	ntil all above				
material has been acquired.		•			
Information	,			<u></u>	
1. Provect Name	CIED		County	Alloni	
GREAT PINES ESTATES, S	VIE LONDO	5-21-6	Section No.	AKLANI	7
OXFORD		·		19	
Type of Development		·	<b>-</b> /		
<u> </u>	Apartment Complex		Condominium	ו	
Substitution M	Mobile Home Park		Other Phone No.	<u> </u>	
			791	-3000	
GREAT PINES ESTAVE	ES TNC	frelly #8.	3/5	2000	
55683 LORDONA LANE	E, UTICA	M1480.			
TONY GIANNOLA			781-	3000	
Date Service is Wanted					
4. Entire Project will be developed at one time				Yes	5 <b>/ X</b> VC
5. Joint easements required — Michigan Bell Telephon	ne		<del></del>		s 🔲 No
— Consumers Power				🗀 Yes	s 🗷 No
a. Name of Other Utilities If Not Michigan Bell Telephone or Consumers F					
CONCORD CATY	-				
b. Other Utility Engineer Names			Phone Numbers		
TOM HANER			628	-2611	
Addresses	1		16	·	
121 S. WASHINGTO	W, OX/	ORD MI	1 4805		
•	•				
Accrional Information or Comments	· · · · · · · · · · · · · · · · · · ·				
FIRSTU MEMO + 3	245 RE	CD FROM	GNCOA	es CAT	<i>V</i>
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FUT. SOU MEMO TO-S	296 NE	LOTROM	11161		ON.
Note: Trenching letter attached will be su	ibmitted later				
Service Panner		Signed (Struce Planning 80)	TVISCII 12		
DONALD YATES Phone No Addr	ress		- Was		
167-4159	240	0040	***		
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					, 20.
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MEMORANDUM ORDER	TO Records Center		DATE 4-3-9/	- TIME - //
FOR GENERAL USE DE FORM MS 77 12-53	Please set up R/W file for: Sheat	Pine	es Eslates Sile	Carlo Phase 2
	Being a part of East 5 5 S.w. /4	of Sec	tion/g Oxford	Jaunshing
	Oakland County, Michigan		A A	т в сит
COPIES TO:	· · · · · · · · · · · · · · · · · · ·	_ SIGNED .	Omer V. Racine	P. F.
REPORT			277 Oakland Divisio	——————————————————————————————————————
DATE RETURNED	TIME	_ SÍGNED _		789

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