MEMORANDUM ORDER	" TO Re 'ds Center	DATE 6-9-92 TIME
FOR GENERAL USE DE FORM MS 77 12-53	Please set up R/W file for: The	Heathers Condo Phase X/
	Being a part of $5E \frac{1}{4}$	of Section 2, Bhoom FIFLE TWP
	Oakland County, Michigan	/ xz
COPIES TO:		Omer V. Racine
REPORT	·	277 Oakland Division Headquarter
		25
		0
DATE RETURNED	TIME	SIGNED

Detroit Edison

Application for U.R.D. Easements

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

Substitution Subs	LGISOTT	U.I I.D. La	Sements	DE 963-5145 9-73C	2 (HU 11)
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Defroit Edison

The Heathers Condo, Phase XI

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

On 11653P[7]

A#36 REG/DEEDS PAID 0001 MAY.11/92 12:59PM 9987 MISC 15.00

November 1.

For good and valuable consideration of system betterment, the undersigned hereby grant and convey to CONSUMERS POWER COMPANY, a Michigan corporation of 212 West Michigan Avenue, Jackson, Michigan, 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 BOOTH COMMUNICATION OF BIRMINGHAM, a Michigan corporation of 645 South Eaton, Birmingham, 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, piping, yenting, gas facilities and appurtenances including the necessary above ground equipment, connections, poles and accessories required to provide gas, electric and communication services with the usual services, connections, and accessories in, under, upon, over and across the property located in the Township of Blcomfield, County of Oakland, County of Oakland, State of Michigan, and more particularly described on the attached Appendix "A"; with the full right to the UTILITY 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.

uere 12596N 082

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

In order to provide for the property 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 GRANTEE'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 with 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 of 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 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:	Grantors:
/ X	O.K. — LM
	A#36 REG/DEEDS PAID
	0001 MAY.11/92 12:59PM See Next Page ⁹⁹⁸⁷ RMT FEE 2.00
	#492 REG/DEEDS FAID 1001 NOV.30:90 10:55AM 4222 MISC 7.00
	O.K.

Prepared by: Omer V. Racine/nkg
The Detroit Edison Company
30400 Telegraph Road, Suite

30400 Telegraph Road, Suite 277 Birmingham, Mi 48010

Address:

Return on Back

190693

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THE DETROW EQUISION COMPANY
30400 TELEGRAPH BOAD 277 OAKDH
BIRMINGHAM, MICHISAN 48010

UBER 1259EPR 083 Witness: Robert Jamies Corporation A Michigan Corporation 3883 Telegraph Road, Suite 202 Bloomfield Hills, Mi 48013 Paul C. Robertson, Jr Norman E. Heilenman President David W. Robertson Janet L. Sitar Secretary-Treasurer State of Michigan

SS: County of Oakland

, 1990, PAUL C. ROBERTSON, すた。 Personally came before me this 1st day of Movember President and DAVIDW. ROBERTSON, Secretary-Treasurer of Robertson Jamieson Corporation, a Michigan Corporation, and that said instrument was signed on behalf of said corporation by authority of its Board of Directors and the said Paul C. Robertson and David W. Robertson, acknowledged the said instrument to be the free act and deed of the corporation.

My Commission Expires: 9-1-9-2

Notary Public. County, Michigan

Appendix "A"

A part of the SE 1/4 of Section 2, T2N., R10E., Bloomfield Township, Oakland County, Michigan, being more particularly described as: commencing at the southeast corner of Section 2; thence S 87°59'31" W., 2,358.59 feet along the south line of said Section 2 to the point of beginning; thence S 87°59'31" W., 453.61 feet; thence N 01°01'13" W., 132.00 feet; thence S 88°24'11" W., 66.00 feet; thence S 00°32'23" E 72.01 feet; thence S 88°24'11" W., 117.36 feet; thence N 01°35'49" W., 48.00 feet; thence N 88°20'49" W., 544.05 feet; thence along a curve to the right 234.08 feet, said curve having a radius of 641.20 feet, a delta of 20°55'01" and a long chord bearing of N 77°53' i8" W., 232.78 feet; thence N 18°59'07" E., 422.53 feet; thence S 78°28'14" E., 489.24 feet; thence N 89°51'49" E., 308.78 feet; thence S 67°02'44" E., 148.34 feet; thence S 48°25'22" E., 191.61 feet; thence N 83°20'20" E., 111.20 feet; thence along a curve to the right 50.26 feet, said curve having a radius of 32.00 feet, a delta of 90°00'00", and a long chord bearing of S 51°39'40" E., 45.26 feet; thence S 06°39'40" E., 89.85 feet; thence S 25°08'32" E., 39.07 feet; thence along a curve to the right 26.17 feet, said curve having a radius of 15.00 feet, a delta of 99°58'33", and a long chord bearing of S 65°09'15" E., 22.98 feet; thence along a curve to the right 57.79 feet, said curve having a radius of 263.00 feet, a delta of 12°35'20", and a long chord bearing of S 08°52'17" E., 57.67 feet; thence S 02°34'37" E., 62.62 feet to the point of beginning and containing 11.38 acres.

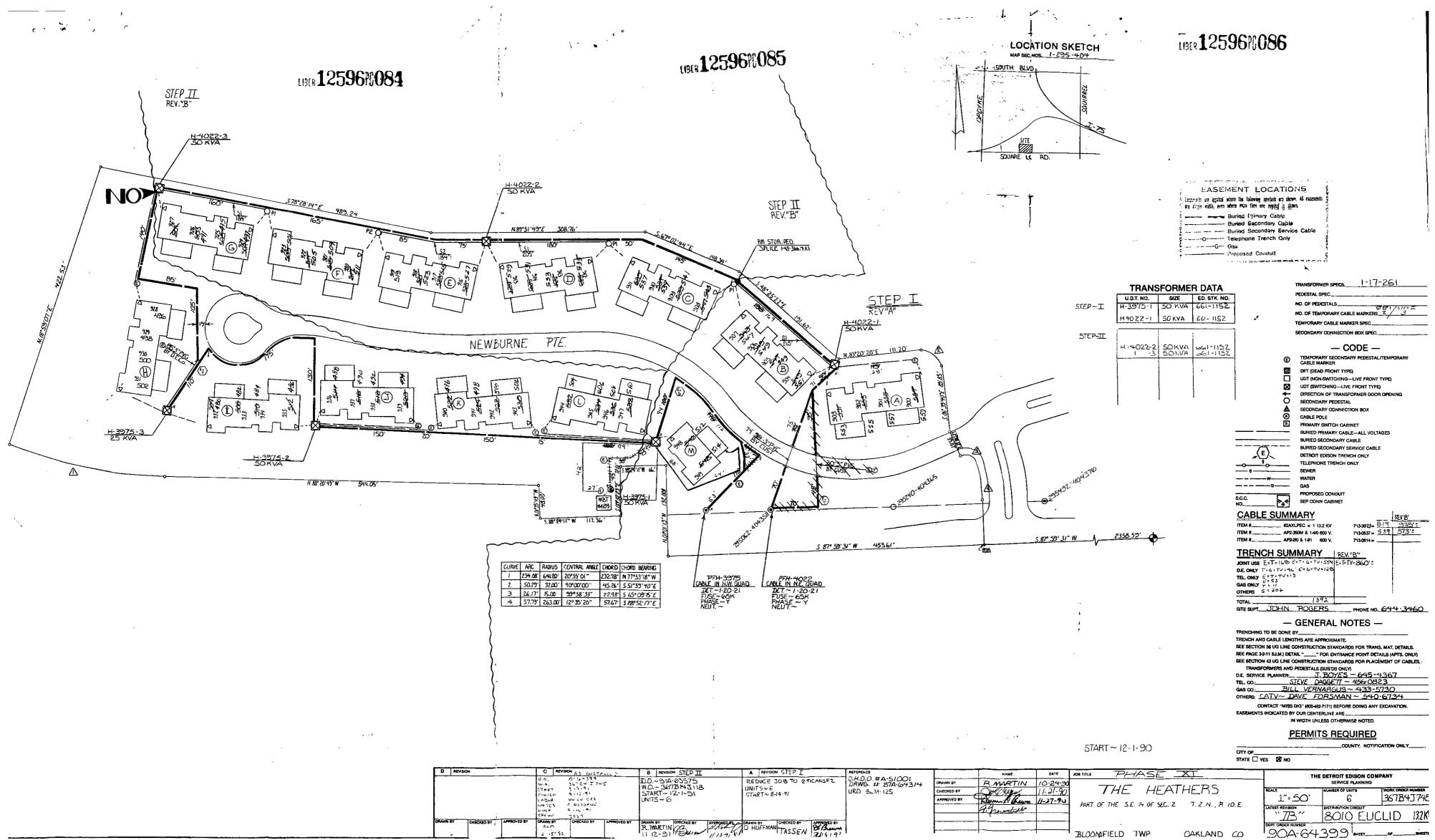
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RETURN TO
J. D McDONALD
THE DETROIT EDISON COMPANY
30400 TELEGRAPH ROAD, 277 OAKDH
BIRMINGHAM, MICHIGAN 4801Q



SECONDED RIGHT OF MAY NO. 42501

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