



Hidden Pines S...ondo

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

LIBR 127617380

91 (122424)

LIBR 119950040

32 176920

October 24, 1990

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

For good and valuable consideration of system betterment, the undersigned Grantor hereby grant and convey to THE DETROIT EDISON COMPANY, a Michigan corporation of 2000 Second Avenue, Detroit, Michigan and GTE NORTH, INCORPORATED, a Wisconsin corporation of 455 E. Ellis Road, Muskegon, Michigan 49443 and GREATER MEDIA CABLEVISION, a Michigan corporation of 3166 Martin Road, Walled Lake, Michigan, 48088, hereinafter referred to collectively as "GRANTEES", the non-exclusive 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 a ten (10) foot wide portion to be determined (the right of way) of the property located in the Township of White Lake, County of Oakland, State of Michigan, and more particularly described on the attached Appendix "A"; with the full right to the GRANTEES 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.

B#92 REG/DEEDS PAID
0001 JUL.16'92 12:42PM
6215 MISC 21.00

The exact location of ten (10) foot easement shall be shown on a drawing to be recorded 90 days after construction.

A#36 REG/DEEDS PAID
0001 JUL.31'91 10:34AM
1091 MISC 17.00

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. GRANTEES 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. It is expressly understood and agreed that GRANTEES shall at no time, trim or cut down any trees unless, in GRANTEE'S opinion, it is absolutely necessary to do so. GRANTEE'S agree to comply with all laws, statutes, ordinances and governmental rules, regulations or requirements now in force or which may hereafter be in force, insofar as any thereof relate to or effect GRANTEE'S use of right-of-way. GRANTEES shall restore the premises to its original condition or as near as can be in the event of damages caused by its employees, contractors, vehicles and equipment entering the premises for the purposes set forth herein. GRANTEES shall hold the undersigned GRANTOR and its successors harmless from any and all liability, loss or damage which GRANTOR and its successors may suffer as a result of claims, demands, costs or judgments against it arising from GRANTEE'S willful misconduct or negligent use of the right-of-way as provided herein.
4. If the lines or facilities of GRANTEES 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.

RECORDED RIGHT OF WAY NO. 43350

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.

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

B#92 REG/DEEDS PAID
0001 JUL.16'92 12:42PM
6215 RMT FEE 2.00
A#36 REG/DEEDS PAID
0001 JUL.31'91 10:34AM
1091 RMT FEE 2.00

Handwritten notes: 17.00, 2.00 RMT

APPROVED AS TO FORM 3/18/91 DATE
LEGAL DEPARTMENT

O.K. - LM

OK - G.K.

Return on Back

Witnesses:

LIBER 12701 PG 381

LIBER 11995 PG 041

Carla E Carbonaro
CARLA E. CARBONARO

Susan A. Rickard
Susan A. Rickard

Carla E Carbonaro
CARLA E. CARBONARO

James Scott by Joseph S. Cohen,
Attorney-In-Fact, recorded in Liber
10707, Pages 742 and 743, Oakland
County Register of Deeds.

2649 General Motors Rd
Milford MI 48042

Barbara Scott Joseph S. Cohen,
Attorney-In-Fact, recorded in Liber
10707, Pages 742 and 743, Oakland
County Register of Deeds.

State of Michigan)
County of Oakland) SS:

Personally came before me this 24th day of October, 1990 the
above named Joseph S. Cohen, Attorney-In-Fact for James Scott and Barbara
Scott, his wife, to me known to be the person who executed the foregoing
instrument and to me acknowledged that he executed the foregoing instrument
as such Attorney-In-Fact as his free act and deed.

My Commission Expires: 5-2-92

Susan A. Rickard
SUSAN A. RICKARD
Notary Public, Wayne
County, Michigan Acting in
Oakland County

Witnesses:

DiCicco Development Company
A Michigan Co-Partnership
2649 General Motors Road
Milford, MI 48042

Al Montalvo
AL MONTALVO
Marianne E Goodrough
MARIANNE E. GOODROUGH
Al Montalvo
AL MONTALVO

Ralph DiCicco
Ralph DiCicco, Co-Partner
Dominic DiCicco
Dominic DiCicco, Co-Partner

RECORDED RIGHT OF WAY NO. 43350

State of Michigan)
County of OAKLAND) SS:

Personally came before me this 24th day of October, 1990, Ralph
DiCicco, Co-Partner, and Dominic DiCicco, Co-Partner of the above named Co-
Partnership, to me known to be the persons who executed the foregoing
instrument, and to me known to be such co-partners of said Co-Partnership and
acknowledged that they executed the foregoing instrument as such co-partners
as the free act and deed of said Co-Partnership.

My Commission Expires: 10/24/90

Marianne E Goodrough
MARIANNE E. GOODROUGH
Notary Public, Oakland
County, Michigan

Witness:

(LIBER 11095 PG 042)

Greater Media Corporation
A Michigan Corporation
3166 Martin Road
Walled Lake, Michigan 48088

LIBER 12761 PG 382

[Signature]
ARTHUR HOOKER CONSTRUCTION SUPER.

Donna Baranyai
Donna Baranyai - Administrative Assistant

[Signature] 12-17-90
Joseph A. CURCIO
GENERAL MGR.

State of Michigan)
County of OAKLAND) SS:

On this 19th day of DECEMBER, 1990, before me the subscriber, a Notary Public in and for said County, appeared JOSEPH A. CURCIO, to me personally known, who being by me duly sworn did say that he is GENERAL MANAGER authorized by and for GREATER MEDIA CORPORATION, A MICHIGAN corporation, and that said instrument was signed in behalf of said corporation, and JOSEPH A. CURCIO acknowledged said instrument to be the free act and deed of said corporation.

My Commission Expires: _____

OMER V. RACINE
Notary Public, Oakland County, MI
My Commission Expires May 29, 1994

[Signature]

Notary Public,
County, Michigan

OMER V. RACINE
Notary Public, Oakland County, MI
My Commission Expires May 29, 1994

RECORDED
FILING OF MAY NO. 13352

Witness:

LIBR 11995 PG 043

GTE North Incorporated
A Wisconsin Corporation
455 E. Ellis Road
Muskegon, Michigan LIBR 12761 PG 383

R. L. Doll
R. L. Doll

T. L. Grams
T. L. Grams

T. L. Jones, State Director - Network Provisioning

APPROVED BY
LEGAL DEPARTMENT
ATK 1-28-91

State of Michigan)
County of Muskegon) SS:

On this 4th day of March, 1991 before me the subscriber, a Notary Public in and for said County, appeared T. L. Jones

to me personally known, who being by me duly sworn did say that he is _____
State Director - Network Provisioning authorized by and
for GTE North Incorporated a Wisconsin corporation, and
that said instrument was signed in behalf of said corporation, and

T. L. JONES acknowledged
said instrument to be the free act and deed of said corporation.

My Commission Expires: June 28, 1993

Cynthia A. Whitman
Notary Public, Muskegon
County, Michigan

RECORDED RIGHT OF WAY NO. 48356

Witness:

LIBER 11995 PG 044

The Detroit Edison Company
A Michigan Corporation
2000 Second Avenue
Detroit, Michigan LIBER 12761 PG 384

Omer Racine
OMER V. RACINE

Dorothy A. Phelps
Dorothy A. Phelps.

Robert F. Knapp
Robert F. Knapp, Director
Engineering & Planning - Oakland Division

State of Michigan)
County of Oakland) SS:

On this 13th day of MARCH, 1991, before me the subscriber, a Notary Public in and for said County, appeared **Robert F. Knapp** to me personally known, who being by me duly sworn did say that he is Director, Oakland Division Engineering & Planning, authorized by and for The Detroit Edison Company, and that said instrument was signed in behalf of said corporation, and **Robert F. Knapp** acknowledged said instrument to be the free act and deed of said corporation.

My Commission Expires: _____
OMER V. RACINE
Notary Public, Oakland County, MI
My Commission Expires May 29, 1994

Omer Racine
OMER V. RACINE
Notary Public, OAKLAND
County, Michigan

RECORDED RIGHT OF WAY NO. 4-3-357C

To (Supervisor, RI & RW) JAMES McDONALD	For RI & RW Dept. Use	Date Received 8-17-89	Dr. Brt. C.P. No. OE 89-33-6
Division DAKLAND	Date 8-16-89	Application 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 **YES**
 - 2 Site plan **YES**
 - 3 title information (deed, title commitment, contract with title commitment, or title search) **YES**

Note: Do not submit application for URD easements until all above material has been acquired

Information

1. Project Name: **HIDDEN PINES** / City: **DAKLAND**
 City/Township/Range: **WHITE LAKE** / Section No: **W 1/2 SECT 5**

Type of Development:
 Proposed Subdivision Apartment Complex Condominium (SITE CONDOS)
 Subdivision Mobile Home Park Other

2. Name of Owner: **DICICCO DEVELOPMENT CO.** / File No.:

Address: **5600 W. MAPLE S-414 WEST BLOOMFIELD, MICH. 48322**

Owner's Representative: **DOMINIC DICICCO** / Phone No: **737-9180**

Date Service is Wanted: **APRIL 1, 1990**

- 4 Entire Project will be developed at one time Yes No
- 5 Joint easements required Yes No
 - ~~Michigan Bell Telephone~~ **GTE** Yes No
 - ~~Consumers Power~~ **CATV** Yes No

a. Name of Other Utilities if Not Michigan Bell Telephone or Consumers Power:
GENERAL TELEPHONE CO. & GREATER MICHIGAN CABLEVISION INC.

b. Other Utility Engineer Names: **JIM SWEET & ART HOUGHTON** / Phone Numbers: **GTE 653-9746 ; CATV 669-2288**

Addresses:
GTE 7362 DAVISON RD. DAVISON, MICHIGAN 48423
G.M. CABLEVISION 3166 MARTIN RD. WALLED LAKE, MICHIGAN 48088

6. Additional Information or Comments

Note: Trenching letter attached will be submitted later

Service Planner: **GLENN R. POISSON** / Signed (Service Planning Supervisor): **Th. W. [Signature]**

Phone No: **645-4120** / Address: **ENR & PLNG 240 OD Hg**

RECORDED RIGHT OF WAY NO. 4335C

[Handwritten initials]

Appendix "A"

LIBER 12761 PG 385
LIBER 11995 PG 045

Part of the North $\frac{1}{4}$ of Section 5, T3N, R8E, White Lake Township, Oakland County, Michigan, described as beginning at a point located on the East-West $\frac{1}{4}$ line, distant N. 89°03'35" E., 1,414.75 ft. from the W. $\frac{1}{4}$ corner of said Section 5, thence N. 04°25'34" E., 554.12 ft., thence N. 69°44'00" W., 363.78 ft., thence N. 41°28'00" W., 188.94 ft., thence N. 02°33'58" W., 171.01 ft., thence N. 50°54'13" E., 167.06 ft., thence N. 22°28'44" W., 175.68 ft., thence N. 87°00'00" E., 215.00 ft., thence N. 03°00'00" W., 60.00 ft., thence S. 87°00'00" W., 190.00 ft., thence N. 03°00'00" W., 170.00 ft., thence S. 87°00'00" W., 50.00 ft., thence N. 41°34'54" W., 194.12 ft., thence N. 05°00'00" E., 145.00 ft., thence N. 20°00'00" E., 182.56 ft., thence S. 85°00'00" E., 154.44 ft., thence S. 64°20'58" E., 299.45 ft., thence along a curve to the right, radius 290, chord bearing N. 73°08'03" E., 158.56 ft., an arc distance of 160.61 ft., thence N. 89°00'00" E., 219.35 ft., thence N. 00°17'20" E., 210.00 ft., thence N. 89°00'00" E., 414.00 ft., thence S. 00°17'20" W., 1805.80 ft., thence N. 89°42'40" W., 290.29 ft., thence N. 00°17'20" E., 107.46 ft., thence N. 89°42'40" W., 151.61 ft., thence S. 00°17'20" W., 156.64 ft., thence S. 89°03'35" W., 198.00 ft., thence S. 00°17'20" W., 214.50 ft., thence S. 89°03'35" W. 100.00 to the point of beginning. Containing 40.91 acres more or less.

(px 6)
Sidwell No. 12-05-100-009
007 NW 1/4

NKA Hidden River Condo
Ent 12-05-176-000
units 1-34 and general common
elements
OCCP# 721

RECORDED RIGHT OF WAY NO. 43352

