

RIGHT OF WAY APPLICATION

DATE ISSUED	5-6-92			R/W NO.	R-9103892-02
DATE WANTED	ASAP			PHONE	645-4371
SERVICE PLANNER	D.M. McLEAN				
PROJECT NAME	BERWYCK ON THE PARK				
TOWNSHIP/CITY	Milford				
ADDRESS	M.L. Good Rd.				
CROSS STREET	Beno		SECTION	26	
SIDWELL NO.	16-21-476-002 THRU 0010		QUARTER	S.E.	

TYPE OF PROJECT

OVERHEAD	
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UNDERGROUND	x
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ACREAGE	
COMMERCIAL BLDG	
*SITE CONDO	x
*MOBILE HOME PK	

LOTS	
*SUB	
*APT COMPLEX	
*CONDO	x

JOINT USE REQUIRED	YES	x	NO	
MBT	JOINT USE NO.			
GTE	JOINT USE NO. J 9103892-04			
CONS. PWR.	JOINT USE NO.			
CABLE TV CO. NAME	GREATER MEDIA			
CABLE TV	JOINT USE NO.			

NAME OF OWNER/CUSTOMER	THE IRVINE GROUP INC		
CONTACT PERSON	PAUL LEVINE		
ADDRESS	33421 W. 14th. FARMINGTON HILLS 48331		
HOME PHONE		BUSINESS PHONE	661-5100
ADJACENT PROPERTY OWNER			
ADDRESS			
HOME PHONE		BUSINESS PHONE	

MATERIAL TO BE PROVIDED

1. SITE PLAN/SKETCH/FINAL PROPOSED PLAT*
2. PROPERTY DESCRIPTION (SIDWELL NO.) (*ACTUAL DESCRIPTION)
3. PROOF OF OWNERSHIP OF REQUESTING CUSTOMER: WARRANTY DEED, L/C, TITLE SEARCH, COMMITMENT
4. SIDWELL PAGE (COPY)
5. SIDWELL NO.
6. COPY OF FUTURE J/U MEMO

SUPERVISOR	R/W SECURED
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RECORDED RIGHT OF WAY NO.

44571

Detroit Edison

LIBER 1374 PG 042

LIBER 12809 PG 238

92 194970

93 105769

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R 9103892-02
PROJECT NAME - BERWYCK ON THE PARK**

On June 29, 1992, for the consideration of system betterment, Grantor grants to Grantee a permanent underground distribution easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

1184 MISC 13.00

"Grantor" is:

Berwyck Joint Venture, a Michigan co-partnership, by its co-partner, IRVINE-BERWYCK, INC., a Michigan corporation, 33481 W. 14 Mile Road, Suite 140, Farmington Hills, Michigan and MILFORD FARM COMPANY, a Michigan limited partnership, 2075 W. Big Beaver Road, Suite 401, Troy, Michigan 48084.

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
General Telephone, a Michigan corporation, 7362 Davison Road, Davison, Michigan 48423
Greater Media Cablevision, Inc., a Michigan corporation, 3166 Martin Road, Walled Lake, Michigan 48088

"Grantor's Land" is in Township of Milford, Oakland County, described as:

(Sidwell No. 16-21-476-000) See Appendix "A"

The "Right of Way Area" is a part of Grantor's Land and is described as:

The exact location on said easements shall be shown on a drawing to be recorded 90 days after construction. The right of way is 10 feet in width.

- Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain utility line facilities consisting of poles, guys, anchors, wires, manholes, conduits, pipes, cables, transformers and accessories.
- Access:** Grantee has the right of access to and from the Right of Way Area.
- Buildings or other Permanent Structures:** No buildings or other permanent structures shall be placed in the Right of Way Area without Grantee's prior written consent.
- Excavation:** As required by Public Act 53 of 1974, MISS DIG must be called on 1-800-482-7171 before anyone excavates in the Right of Way Area.
- Trees, Bushes, Branches Roots, Structures and Fences:** Grantee may trim, cut down, remove or otherwise control any trees, bushes, branches and roots in the Right of Way Area (or that could grow into the Right of Way Area) and remove structures and fences in the Right of Way Area that Grantee believes could interfere with the safe and reliable construction, operation and maintenance of Grantee's facilities. No trees, plant life, structures and fences shall be planted, grown or installed within 8 feet of the front door and within 2 feet of the other sides of transformers and switching cabinet enclosures. Grantee shall not be responsible to Grantor for damages to or removal of trees, plant life, structures and fences placed in front of transformer doors.
- Ground Elevation:** Grantor must grade the Right of Way Area to within four inches of final grade before Grantee installs its facilities. Grantor must maintain this ground elevation after Grantee installs its facilities.
- Damages:** If Grantor, its agents, employees or contractors, damage Grantee's facilities, Grantee shall make repairs at Grantor's expense.
- Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors, lessees, licensees and assigns.

Witnesses:(type or print name below signature)

Helen K. Levine
Helen K. Levine
Donna M. Chartier
Donna M. Chartier

Grantor:(type or print name below signature)

PAUL D. LEVINE
PAUL D. LEVINE, President

E#92 REG/DEEDS PAID
1184 OK - LM 2.00

9.00
2.00 PMT
13.00
2.00 PMT

Acknowledged before me in Oakland County, Michigan, on June 29, 1992 by PAUL D. LEVINE, President of IRVINE-BERWYCK, INC., a partner of BERWYCK JOINT VENTURE, a partnership, for the partnership.

Notary's Stamp
Notary's name, county, and date Commission expires

Notary's Signature Donna M. Chartier

Prepared by and Return to: Omer V. Racine, 30400 Telegraph Road, Room 277, Bingham Farms, Michigan 48025/PEW

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

RECORDED RIGHT OF WAY NO. 44517

DETROIT, MI

RECEIVED



DETROIT EDISON COMPANY

DETROIT EDISON COMPANY
100 TELEGRAPH ROAD
DETROIT, MI 48226



DETROIT EDISON COMPANY
100 TELEGRAPH ROAD
DETROIT, MI 48226



Return to:
Racine
Detroit Edison Company
100 Telegraph Road, Rm. 277
Braham Farms, MI 48025

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

Lorraine S. Owen
LORRAINE S. OWEN

Edward J. Phillips
EDWARD J. PHILLIPS, General Partner

Barbara C. Ganner
BARBARA C. GAMNER

Acknowledged before me in Oakland County, Michigan, on June 8, 1992 by EDWARD J. PHILLIPS, a general partner of MILFORD FARM COMPANY, a Michigan limited partnership, for the partnership.

Notary Public, Wayne County, MI
My Commission Expires Dec. 5, 1993
Notary's Stamp Lorraine S. Owen
(Notary's name, county, and date commission expires)

Notary's Signature Lorraine S. Owen
LORRAINE S. OWEN

Appendix "A"

Berwyck on the Park Condominium, according to the Master Deed recorded in Liber 12540, Page 770, Oakland County Records and designated as Oakland County Condominium Subdivision Plan No. 759, 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 SE ¼ of Section 21, T2N, R7E, Milford Township, Oakland County, Michigan, being more particularly described as: Beginning at the SE corner of said Section 21; th S 86°15'35" W 987.07 ft., along the S line of said Section 21 (Buno Road); th N 02°47'35" W 1317.78 ft.; th S 86°23'51" W 3.87 ft.; th N 11°45'28" E 806.60 ft.; th along a curve to the right 151.66 ft., said curve having a radius of 2756.27 ft., central angle of 03°09'09" and long chord bearing of N 13°20'03" E. 151.64 ft.; th N 86°44'49" E, 743.18 ft. to a point on the E line of said Section 21; th S 02°52'01" E 2233.78 ft. along said Section line (Milford Road) to the point of beginning, excepting the following: ¶

Part of the SE¼ of Section 21, T2N, R7E, Milford Township, Oakland County, Michigan, being more particularly described as: commencing at the SE corner of said Section 21; th N 02°52'01" W, along the E line of said section, 1367.71 ft.; th S 87°07'59" W, 30.00 ft., to the point of beginning of the parcel of land to be described; th continuing S 87°07'59" W, 624.38 ft.; th N 21°22'45" W., 18.41 ft.; th northwesterly 40.70 ft., along a curve to the left having a central angle of 40°54'45", a radius of 57.00 ft. and a long chord bearing and distance of N 39°01'44" W 39.84 ft.; th northwesterly 27.92 ft. along a curve to the left, having a central angle of 28°03'50", a radius of 57.00 ft. and a long chord bearing and distance of N 73°31'02" W 27.64 ft.; th N 87°32'57" W 40.75 ft.; th northwesterly 51.84 ft. along a curve to the right, having a central angle of 89°58'56", a radius of 33.01 ft. and a long chord bearing and distance of N 43°57'46" W, 46.68 ft.; th N 01°01'42" E, 138.85 ft., th northeasterly 52.66 ft. along a curve to the right, having a central angle of 91°25'21", a radius of 33.00 ft., and a long chord bearing and distance of N 46°44'23" E, 47.24 ft.; th S 87°32'57" S. 54.35 ft.; th northeasterly 121.72 ft., along a curve to the left, having a central angle of 90°34'15", a radius of 77.00 ft. and a long chord bearing and distance of N 47°16'06" E., 109.44 ft.; th N 05°24'49" E., 13.20 ft.; th northeasterly 44.00 ft., along a curve to the right, having a central angle of 28°38'52", a radius of 88.00 ft. and a long chord bearing and distance of N 19°44'15" E., 43.54 ft.; th northeasterly 11.95 ft. along a curve to the right, having a central angle of 03°13'48", a radius of 212.00 ft. and a long chord bearing and distance of N 32°26'47" E., 11.95 ft., th S 72°50'06" E. 126.48 ft.; th N 82°40'52" E. 113.30 ft.; th S 88°25'43" E. 73.10 ft.; th S 73°50'37" E. 139.96 ft.; th N 02°52'01" W 460.96 ft.; th S 86°44'49" W. 636.82 ft.; th N 13°52'38" E. 99.41 ft.; th N 86°44'49" E., 713.18 ft.; th S 02°52'01" E., parallel to the E line of said Section 21, 865.86 ft. to the point of beginning.

ENT: Berwyck on the Park.
units 1-58 except 759.
16-21-428-000.

9000759

ITS

RECORDED RIGHT OF WAY NO. 44511

Return to:
O.V. Racine
The Detroit Edison Company
30400 Telegraph Road, Rm. **277**
Bingham Farms, MI 48025