

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. OE 91-20J  
PROJECT NAME HEMINGWAY WOODS CONDOMINIUM**

On NOVEMBER 25, 1991, 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".

**"Grantor" is:**

Paragon Developments, Incorporated, a Michigan corporation, 5375 Sturbridge, Grand Blanc, Michigan, and A-Plex Management Corporation, a Michigan corporation, 2480 Crooks Road, Troy, Michigan

**"Grantee" is:**

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226  
Michigan Bell Telephone Company, a Michigan corporation, 444 Michigan Avenue, Detroit, Michigan 48226  
United Artists of Oakland County, Inc., a Michigan corporation, 4500 Delemere, Royal Oak, Michigan 48073

**"Grantor's Land" is in Orion Township, Oakland County, described as:**

See Attached Appendix "A"

Sidwell No: (09-14-100-000) 09-14-101-000

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

The exact location of said easements shall be shown on a drawing to be recorded 90 days after construction. The right of way is ten (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)

**Grantor:**(type or print name below signature)

Paragon Developments, Incorporated

Robert J. Gibbs  
Debra J. Herington, Debra Herington

Brian A. Mansour  
Brian A. Mansour

Acknowledged before me in Genesee County, Michigan, on 11-25 1991 by Brian A. Mansour the President of Paragon Developments, Incorporated, a Michigan corporation, for the corporation

Notary's Stamp GENESEE County, MI 3-1-92 Notary's Signature Debra J. Herington Comm Expires: 3-1-92 O.K. - TS  
OK - O.K.

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

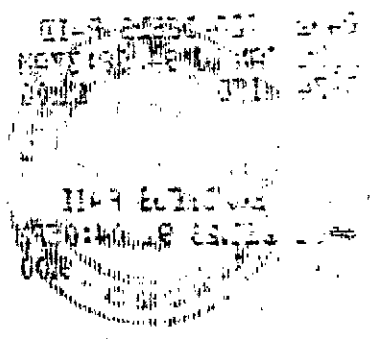
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JAN.18 '94 08:37AM  
9974 MISC 11.00  
REG/DEEDS PAID  
DEC.26 '91 04:05PM  
9341 MISC 9.00

RECORDED FROM COPY NO. 453337

9.00  
2.00 RMT

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CONFIDENTIAL



DEAR SIR: ...  
MAY 1960 ...  
005

Faint, illegible text lines, possibly a header or introductory paragraph.

DEAR SIR: ...  
MAY 1960 ...  
005

ST - NO  
RETURN TO  
J. D. McDONALD  
THE DETROIT EDISON COMPANY  
30400 TELEGRAPH ROAD, 264 OAKDH  
BIRMINGHAM, MICHIGAN 48010

OK - NO

(LIBER 12253PG578)

OE 91-20J

LIBER 14355PG096

Witnesses:

Elizabeth J. Lucas  
Elizabeth J. Lucas

A-Plex Management Corporation

John E. Gibbs as President  
John E. Gibbs, President

Robert J. Gibbs 11/22/91  
Robert J. Gibbs

Acknowledged before me in Oakland County, Michigan, on 11-18, 1991 by John E. Gibbs the President of A-Plex Management Corporation; a Michigan corporation, for the corporation.

SUSAN MARIE HUMBLE  
NOTARY PUBLIC - OAKLAND COUNTY, MICH.  
MY COMMISSION EXPIRES 08-10-94

Susan Marie Humble  
Notary's Signature Susan Marie Humble

Notary's Stamp

Appendix "A"

Hemingway Woods Condominium, according to the Master Deed recorded in Liber 11902 page 871 Oakland County Records and designated as Oakland County Condominium Subdivision Plan No. 727 together with rights in general common elements and limited common elements, as set forth in the above master deed and being further described as:

Units 1-30 Sect 09-14-101-000

Part of the NW 1/4 of the NW 1/4 of Section 14, T4N., R10E., Orion Township, Oakland County, Michigan described as beginning at a point distant S 89°57'00" E., 224.84 feet along the north line of said Section 14 and the centerline of Clarkston Road (120.00 feet wide) and S 00°02'48" W 60.00 feet to a point on the South right-of-way line of said Clarkston Road, from the NW corner of said Section 14; thence S 89°57'00" E 755.38 feet along said right-of-way line; thence S 00°04'25" W., 521.27 feet; thence N 89°54'00" W., 259.11 feet; thence S 00°02'12" W., 723.59 feet; thence N 88°47'16" W, 741.56 feet; thence N 00°57'12" E, 708.62 feet; thence S 89°55'22" E., 234.04 feet; thence N 00°02'48" E., 521.28 feet to the point of beginning. Containing 920,422 square feet or 21.129 acres and subject to easements and restrictions of record.

9000727

Prepared by and Return to: Omer V. Racine, 30400 Telegraph Road, Room 277, Birmingham, Michigan 48025

RECORDED RIGHT OF WAY NO. 46532

RETURN TO  
NOTARY PUBLIC  
SUSAN MARIE HUMBLE  
1000 W. WILSON  
BIRMINGHAM, MICHIGAN 48025

RECEIVED

RETURN TO  
J. D. McDONALD  
THE DETROIT EDISON COMPANY  
30400 TELEGRAPH ROAD, 264 OAKDH  
BIRMINGHAM, MICHIGAN 48010

# RIGHT OF WAY APPLICATION

DATE ISSUED	10-7-91		OE 91-20J
DATE WANTED	11-31-91	R/W NO.	01506
SERVICE PLANNER	ROBERT K. BLACKSHER	PHONE	645-4131
PROJECT NAME	HEMINGWAY WOODS		
TOWNSHIP/CITY	LAKE ORION MI		
ADDRESS			
CROSS STREET	HIN FORD	SECTION	14
SIDWELL NO.		QUARTER	NW 1/4

## TYPE OF PROJECT

OVERHEAD	YES
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UNDERGROUND	YES
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ACREAGE	
COMMERCIAL BLDG	
*SITE CONDO	HEMINGWAY WOODS
*MOBILE HOME PK	

LOTS	
*SUB	
*APT COMPLEX	
*CONDO	

JOINT USE REQUIRED		YES	X	NO	
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MBT	JOINT USE NO. 06227
GTE	JOINT USE NO.
CONS. PWR.	JOINT USE NO.
CABLE TV CO. NAME	UNITED CABLE
CABLE TV	JOINT USE NO. 06227

NAME OF OWNER/CUSTOMER	BRIAN A. MANSOUR		
CONTACT PERSON	" " "		
ADDRESS	5325 STURBRIDGE RD		
HOME PHONE	BUSINESS PHONE	699-0882	
ADJACENT PROPERTY OWNER	ROGER & NANCY KIBBE		
ADDRESS	581 CLARKSTON RD. LAKE ORION MI		
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, LC, TITLE SEARCH, COMMITMENT
4. SIDWELL PAGE (COPY)
5. SIDWELL NO.
6. COPY OF FUTURE J/U MEMO

SUPERVISOR	M. C. [Signature] 10-19-91	R/W SECURED	
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RECORDED RIGHT OF WAY NO. 45532

**MEMORANDUM ORDER**  
FOR GENERAL USE  
DE FORM MS 77 12-53

TO Records Center

DATE 3-24-94

TIME \_\_\_\_\_

Please set up QW file for: HEMINGWAY Woods Canada

Being a part of NW 1/4 of NW 1/4 of Section 14 Orion Twp

Oakland County, Michigan

COPIES TO: \_\_\_\_\_

SIGNED

  
Omer V. Racine

277 Oakland Division Headquarters

REPORT \_\_\_\_\_

TIME \_\_\_\_\_

SIGNED \_\_\_\_\_



**UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9307401-01R**

On February 21, 1994 for the consideration of system betterment, Grantor grants to Grantee a permanent underground easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of way Area".

"Grantor" is:

McGraw/West Grand Limited Dividend Housing Association Limited Partnership, a Michigan Limited Partnership, 3301-23rd Street, Detroit, Michigan 48208-2401

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226  
Michigan Bell Telephone Company, a Michigan Corporation, 444 Michigan Avenue, Detroit, Michigan 48226  
Barden Cable vision, Detroit System, a Michigan Corporation, 12775 Lyndon, Detroit, Michigan 48227

"Grantor's Land" is in City of Detroit, Wayne County, described as:

Lots 1 and 2, Block 14, Bela Hubbard's Subdivision, as recorded in Liber 13, Page 5 of Plats, Wayne County Records.

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

As described on attached Exhibit "B".

1. **Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain underground utility line facilities consisting of poles, guys, anchors, wires, manholes, conduits, pipes, cables, transformers and accessories.
2. **Access:** Grantee has the right of access to and from the Right of Way Area.
3. **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.
4. **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.
5. **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.
6. **Restoration:** If Grantee's employees, contractors, vehicles or equipment damage Grantor's Land while entering Grantor's Land for the purposes stated in this Right of Way, then Grantee shall restore Grantor's Land as nearly as can be to its original condition.
7. **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)

**Grantor:**(type or print name below signature)

*[Signature]*  
 PATRICIA ALEXANDER

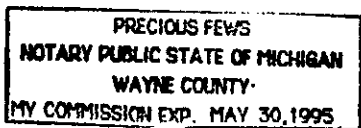
*[Signature]*  
 TRAVIS HARDMON

McGraw/West Grand Limited Dividend Housing Association Limited Partnership

By: *[Signature]*  
 Dwight Belque

Its: President

Acknowledged, before me in Wayne County, Michigan, on February 21, 1994 by Dwight Belque, the President, of McGraw/West Grand Limited Dividend Housing Association Limited Partnership, a Michigan Limited Partnership for the Limited Partnership.



Notary's Stamp (Notary's name, county and date commission expires)

Notary's Signature *[Signature]*  
 Precious Fews

Prepared by & Return to:  
 George H. Hathaway  
 2000 Second Avenue  
 Detroit, MI 48226

Springwells Twp  
 P.C. 77

2R  
 140  
 M

94104655

RECORDED

RIGHT OF WAY NO. 485332A

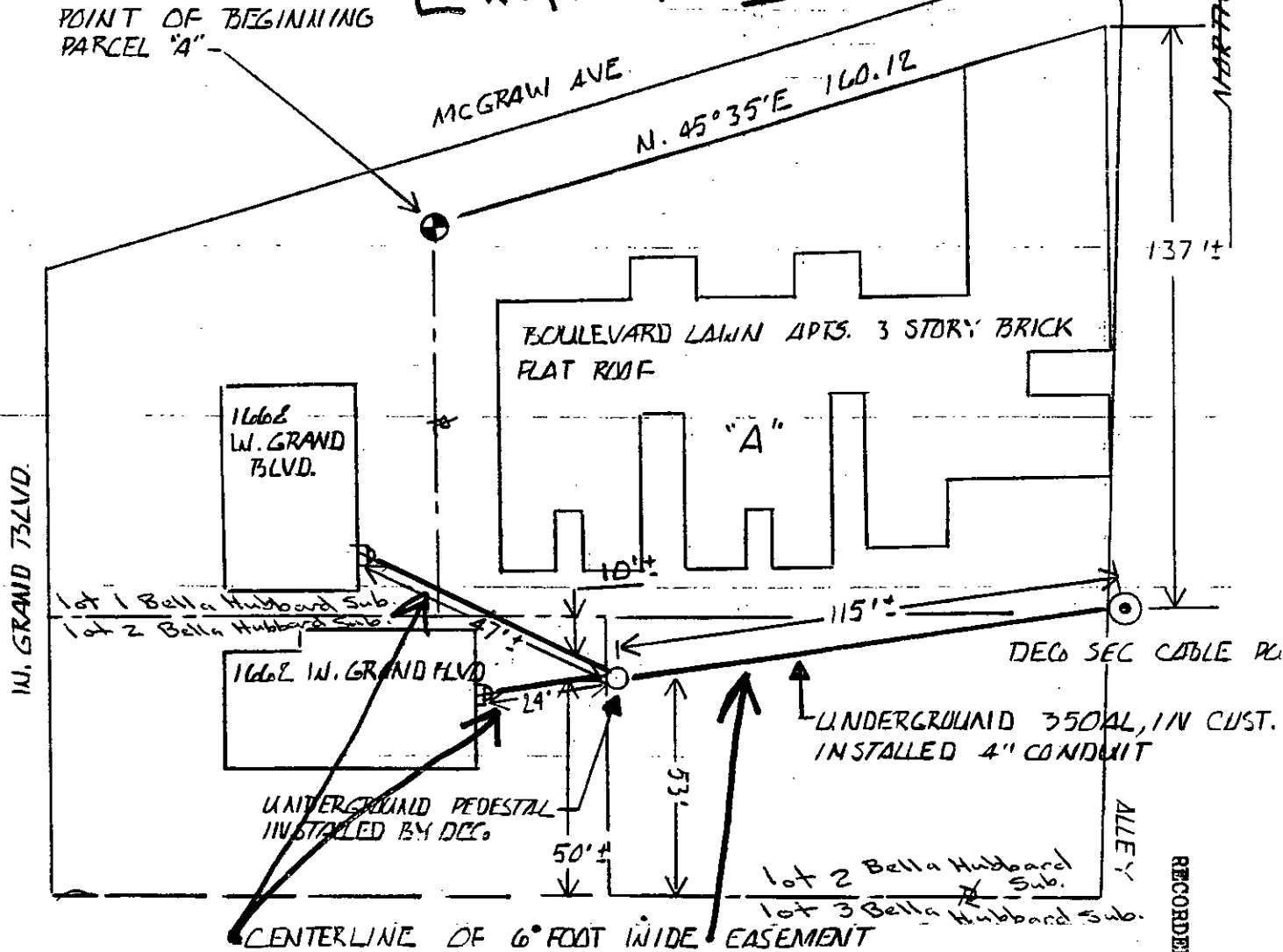


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APPROVED AS TO FORM 3/7/94 DATE  
LEGAL DEPARTMENT [Signature]

DRAWING NO. R-9307401-01R BY K.J. ROBINSON  
R/W FOR 1668 & 1662 W. GRAND BLVD. DETROIT MI  
COUNTY OF WAYNE. LIBER 13 OF PLATS PAGE 5 WAYNE COUNTY  
RECORDS.

# Exhibit B



NOTE: THE EASEMENT CENTERLINE MAY VARY IF FIELD CONSTRUCTION PROBLEMS ARISE. THEREFORE FOR THE AS INSTALLED CENTERLINE SEE DETROIT EDISON. ALL RELOCATIONS ARE TO BE AT THE EXPENSE OF THE REQUESTING PARTY.

RECORDED RIGHT OF WAY NO. 45532