

Real Estate and Rights of Way

**Detroit Edison**

**Joint Underground Residential Distribution Right of Way Agreement**

7-26

,19 89

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 United Cable Television of Oakland County, Ltd. a Michigan corporation of 4500 Delemere Blvd, Royal Oak, MI 48068 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 City of Troy, 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) feet in width unless otherwise indicated and the route is described as follows:

See Attached Appendix "B"

H  
②

3492 REG/DEEDS PAID  
0001 NOV.15/89 10:54AM  
1633 MISC 11.00

RECORDED RIGHT OF WAY NO. 46193

In order to provide for the proper 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 within 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:

Grantors:

1100

**O.K. — RR**

See Next Page

Prepared by: Annie P. Grimmett/vkc  
The Detroit Edison Company  
30400 Telegraph Road, Suite 277  
Birmingham, MI 48010

Address:

*ret over*



Witnesses:

Durant Development Corporation  
5065 Lone Pine Road  
Bloomfield Hills, MI 48013

[Signature]  
KELLY M. SWEENEY

[Signature]  
MARK A. THOMAS

[Signature]  
Valarie L. Dabrowski, President

State of Michigan )  
                          ) SS:  
County of Oakland )

Personally came before me this 26<sup>th</sup> day of July, 1989, Valarie L. Dabrowski, President of the above named corporation, to me known to be the person who executed the foregoing instrument, and to me known to be the President of said corporation, and acknowledged that she executed the foregoing instrument as such officer as the free act and deed of said corporation, by its authority.

My Commission Expires: August 7, 1990

[Signature]  
MARK A. THOMAS  
Notary Public, OAKLAND  
County, Michigan

RECORDED RIGHT OF WAY NO. 46193

Appendix "A"

"Shady Creek Estates" part of the S. 1/2 of Section 10, T2N, R11E, City of Troy, Oakland County, Michigan, beginning at a point which is N. 02°03'56" W. 182.16 ft. along the North and South 1/2 line of Section 10, and also along the West line of "Crystal Springs Subdivision" as recorded in Liber 28 of Plats on Page 23, Oakland County Records, from the South 1/2 corner of Section 10, T2N R11E, thence S. 87°56'12" W. 135.03 ft., thence S. 02°03'48" E. 120.00 ft. to a point in the North line of Long Lake Road, 60.00 ft. wide North of Section line, thence S. 88°50'57" W., 195.02 ft. along the North line of Long Lake Road to a point in the East line of Sylvan Glen Subdivision as recorded in Liber 128 of Plats on Pages 31, 32, 33 and 34 inclusive, Oakland County Records, thence N. 02°03'48" W., 1194.04 ft. along the East line of Sylvan Glen Subdivision, thence N. 89°00'19" E. 330.05 ft. to a point in the North and South 1/2 line of Section 10, and also the West line of "Crystal Springs Subdivision No. 1" as recorded in Liber 29 of Plats on Page 32, Oakland County Records, thence S. 02°03'56" E., 172.28 ft. along the North and South 1/2 line of Section 10, and along the West line of said "Crystal Springs Subdivision No. 1", thence N. 88°39'04" E. 80.00 ft. along the South line of said "Crystal Spring Subdivision No. 1", thence S. 02°03'56" E. 502.67 ft., thence S. 87°56'12" W. 80.00 ft. to a point in the North and South 1/2 line of Section 10, and also the West line of said "Crystal Springs Subdivision", thence S. 02°03'56" E. 395.04 ft., along the North and South 1/2 line of Section 10, and also the West line of "Crystal Springs Subdivision" to the point of beginning.

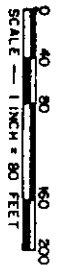
s.w.# 20-10-380-021 - Part Parcel - SW 1/4, Sec 10, Troy  
Includes 20-10-451-005 Pt of Lot 51 Crystal Springs Sub  
20-10-452-001 - Pt of Lot 50 Crystal Springs Sub.  
28023

# PROPOSED "SHADY CREEK ESTATES"

PART OF THE S. 1/2 OF SECTION 10, T.2N., R.11E.,  
CITY OF TROY, OAKLAND COUNTY, MICHIGAN.

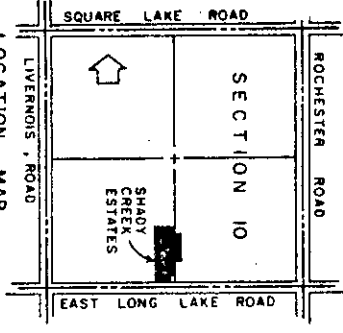
APPENDIX "B"

RECORDED RIGHT OF WAY NO. 46193



**PLAT LEGEND**

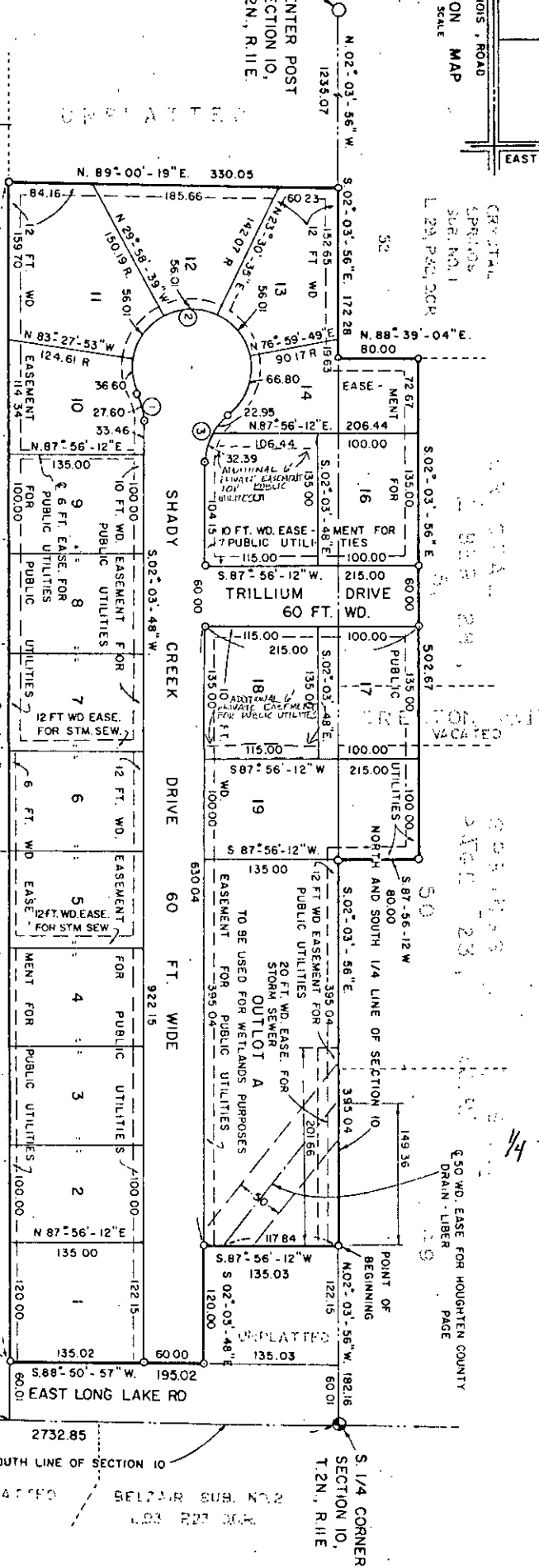
ALL DIMENSIONS ARE IN FEET.  
ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC.  
ALL LOT MARKERS ARE 1/2 INCH IRON RODS 18 INCHES IN LENGTH.  
ALL BEARINGS ARE IN RELATION TO THE BEARING OF THE SOUTH LINE OF SYLVAN GLEN SUBDIVISION AS RECORDED IN LIBER 128, PAGES 31 THRU 34 INCLUSIVE, OAKLAND COUNTY RECORDS.



**CURVE DATA**

NO.	RADIUS	ARC	DELTA	CHORD	CHD. BEARING
1	27.60	26°21'-07"	27.35	N15°14'-21"W	
2	71.43	25°12'-04"	92.46	S78°48'-42"E	
3	53.4	52°50'-57"	53.40	S24°22'-00"W	

LIBER 111492398



**SURVEYOR'S CERTIFICATE**

I, DAVID J. SNYDER, SURVEYOR CERTIFY: THAT I HAVE SURVEYED, DIVIDED AND MAPPED THE LAND SHOWN ON THIS PLAT, DESCRIBED AS FOLLOWS: "SHADY CREEK ESTATES" PART OF THE S. 1/2 OF SECTION 10, T.2N., R.11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN, BEGINNING AT POINT WHICH IS N.02°-03'-56" W. 182.16 FT. ALONG THE NORTH AND SOUTH 1/4 LINE OF SECTION 10, AND ALSO ALONG THE WEST LINE OF "CRYSTAL SPRINGS SUBDIVISION" AS RECORDED IN LIBER 28 OF PLATS ON PAGE 23, OAKLAND COUNTY RECORDS, FROM THE SOUTH 1/4 CORNER OF SECTION 10, T.2N., R.11E., THENCE S. 87°-56'-12" W. 135.03 FT.; THENCE S. 02°-03'-48" E. 120.00 FT. TO A POINT IN THE NORTH LINE OF LONG LAKE ROAD, 60.00 FT. WIDE NORTH OF SECTION 10; THENCE S. 88°-50'-57" W. 195.02 FT. ALONG THE NORTH LINE OF LONG LAKE ROAD TO A POINT IN THE EAST LINE OF SYLVAN GLEN SUBDIVISION AS RECORDED IN LIBER 128 OF PLATS ON PAGES 31, 32, 33, AND 34 INCLUSIVE, OAKLAND COUNTY RECORDS; THENCE N. 02°-03'-48" W. 1194.04 FT. ALONG THE EAST LINE OF SYLVAN GLEN SUBDIVISION; THENCE N. 89°-00'-19" E. 330.05 FT. TO A POINT IN THE NORTH AND SOUTH 1/4 LINE OF SECTION 10, AND ALSO THE WEST LINE OF "CRYSTAL SPRINGS SUBDIVISION NO. 1" AS RECORDED IN LIBER 29 OF PLATS ON PAGE 32, OAKLAND COUNTY RECORDS; THENCE S. 02°-03'-56" E. 172.28 FT. ALONG THE NORTH AND SOUTH LINE OF SECTION 10, AND ALSO THE WEST LINE OF SAID "CRYSTAL SPRINGS SUBDIVISION NO. 1"; THENCE N. 88°-39'-04" E. 80.00 FT. ALONG THE SOUTH LINE OF SAID "CRYSTAL SPRING SUBDIVISION NO. 1"; THENCE S. 02°-03'-56" E. 502.67 FT.; THENCE S. 87°-56'-12" W. 80.00 FT. TO A POINT IN THE NORTH AND SOUTH 1/4 LINE OF SECTION 10, AND ALSO THE WEST LINE OF SAID "CRYSTAL SPRINGS SUBDIVISION"; THENCE S. 02°-03'-56" E. 395.04 FT. ALONG THE NORTH AND SOUTH 1/4 LINE OF SECTION 10, AND ALSO THE WEST LINE OF "CRYSTAL SPRINGS SUBDIVISION" TO THE POINT OF BEGINNING.

CONTAINING 9.5909 ACRES OF AND COMPRISING 19 LOTS, NUMBERED 1 THROUGH 19 BOTH INCLUSIVE AND OUTLOT A. THAT I HAVE MADE SUCH SURVEY, LAND DIVISION AND PLAT BY THE DIRECTION OF THE OWNERS OF SUCH LAND. THAT SUCH PLAT IS A CORRECT REPRESENTATION OF ALL THE EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE SUBDIVISION OF IT. THAT THE REQUIRED MONUMENTS AND LOT MARKERS HAVE BEEN LOCATED IN THE GROUND OR THAT SURETY HAS BEEN DEPOSITED WITH THE MUNICIPALITY AS REQUIRED BY SECTION 125 OF THE ACT. THAT THE ACCURACY OF SURVEY IS WITHIN THE LIMITS REQUIRED BY SECTION 126 OF THE ACT. THAT THE BEARINGS SHOWN ON THE PLAT ARE EXPRESSED AS REQUIRED BY SECTION 126 (3) OF THE ACT AND AS EXPLAINED IN THE LEGEND.

DATE \_\_\_\_\_  
DAVID J. SNYDER  
19330 RED MAPLE COURT  
SOUTHFIELD, MICHIGAN 48076  
NO. 11837

S.W. CORNER SECTION 10, T.2N., R.11E.

MEMORANDUM ORDER  
FOR GENERAL USE  
DE FORM MS 77 12-93

TO Records Center

DATE 10-18-94 TIME \_\_\_\_\_

Please set up R/W file for: Shady Creek Estates  
Being a part of S 1/2 of Section 10, City of Troy  
Oakland County, Michigan

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

SIGNED

Jim McDonald  
James McDonald, FACILITATOR  
Real Estate, Rights of Way  
ROYAL OAK S.C.

REPORT \_\_\_\_\_

DATE RETURNED \_\_\_\_\_

TIME \_\_\_\_\_

SIGNED \_\_\_\_\_