



Real Estate and Rights of Way  
**Joint Underground  
 Right of Way Agreement**

LIBER 06771388  
 88177820

October 11, 1988

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 MICHIGAN BELL TELEPHONE COMPANY, a Michigan Corporation of 444 Michigan Avenue, Detroit, Michigan, hereinafter referred to collectively as "GRANTEE," the right to construct, reconstruct, modify, add to, operate and maintain underground line facilities consisting of poles, conduits, wires, cables, manholes, transformers and accessories required to provide electric and communication services in, under, upon and across property located in the City of Troy, County of Oakland, State of Michigan, further described as follows:

A parcel of land lying in Section 8, T2N, R11E, City of Troy, Oakland County, Michigan, described as commencing at the N.W. section corner of said Section 8, T2N, R11E, thence S. 02°22'46" E. 362.58 ft., thence N. 87°13'07" E., 2370.25 ft., thence S. 07°57'43" W., 439.68 ft., thence S. 09°46'53" E. 86.00 ft., thence S. 04°15'06" E., 437.46 ft. to the Point of Beginning, thence along the southerly line of Northfield Hills, Section 14A as shown on Condominium Subdivision Plan No. 161 as recorded in the office of the Oakland County Register of Deeds in Liber 6214, Page 329, S. 85°44'54" E. 162.06 ft. to a corner thereof, thence along the southwesterly line of said Northfield Hills, Section 14A, S. 46°53'17" E., 245.62 ft. to the northwesterly side of Whitfield Drive, thence along said northwesterly side of Whitfield Drive, S. 43°06'43" W., 381.99 ft., thence N. 46°53'17" W., 145.89 ft. to a corner of the 21.96 acres parcel identified as Parcel "A" in a deed to Community Associates of Northfield Hills and recorded in the office of the Oakland County Register of Deeds in Liber 6003, at Page 392, thence along said Parcel "A", N. 04°15'06" E., 360.00 ft. to the point of beginning.

Sidwell #20-08-136-001

DECD/  
 #10

A#36 REG/DEEDS PAID  
 0001 NOV.15'88 01:49PM  
 3974 MISC 9.00

RECORDED RIGHT OF WAY NO.

38981

as shown on the attached drawing 0-9205 D+0. 8/24/88 which is made a part hereof.

The right of way is ten (10) feet in width

The rights hereby granted include the right of access to and from the right of way and the right to trim, cut down or otherwise control trees, brush or roots of any kind either within the right of way or on property adjoining the right of way which in the opinion of the GRANTEE interferes with the construction or operation of the line facilities. It is expressly understood and agreed that the GRANTEE shall, at no time, trim or cut down any trees unless, in the GRANTEE'S opinion, it is absolutely necessary to do so. The GRANTEE shall restore premises to its original condition or as near as can be in the event of damages caused by its employes, contractors, vehicles and equipment entering premises for the purposes set forth herein.

No buildings or structures are to be placed within said right of way herein granted without the written consent of the GRANTEE.

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:

Patricia J. Reestom  
 PATRICIA J. REESTOM  
Gerald S. Misiak  
 GERALD S. MISIAK

Shouhayib Investment Company  
 A Michigan Corporation  
KAMAL H. SHOUHAYIB, PRESIDENT

Gerald S. Misiak  
 Prepared by: The Detroit Edison Company  
 30400 Telegraph Road, Suite 277  
 Birmingham, MI 48010

755 W. Big Beaver Road  
 Address: Suite 2106  
Troy, Michigan 48084

*[Handwritten signature]*

State of Michigan )  
                          ) SS:  
County of Oakland )

On this 11th day of October, 1988, the foregoing instrument was acknowledged before me, a notary public in and for said country, by Kamal H. Shoukayib

President, whose title(2) is/are  
of SHOUKAYIB INVESTMENT, a Michigan corporation, on behalf  
of the corporation. Company

PATRICIA J. RUSTOM  
Notary Public, Macomb County, MI  
My Commission Expires Feb. 6, 1992  
Acting in Oakland County, MI

Patricia J. Rustom

Notary Public,  
County, Michigan

RECORDED RIGHT OF WAY NO. 38981

APPLICATION FOR RIGHT OF WAY

OE 543-0011 0-745A (MS 88)

Troy  
9-27-88

PLEASE SECURE RIGHT OF WAY AS FOLLOWS.

LOCATION WHITFIELD DRIVE  
S OF NORTHFIELD PARKWAY  
CITY OR VILLAGE TROY, CITY OF  
TOWNSHIP TROY COUNTY OAKLAND  
DATE BY WHICH RIGHT OF WAY IS WANTED 10-16-88  
THIS R/W IS 100 % OF TOTAL PROJECT NO. \_\_\_\_\_ ACCUM. \_\_\_\_\_ %.

DATE 9-27-88  
APPLICATION NO. 0-9205  
DEPT ORDER NO A-64395  
O. F. W. NO. \_\_\_\_\_  
BUDGET ITEM NO \_\_\_\_\_  
INQUIRY NO. \_\_\_\_\_  
JOINT RIGHT OF WAY REQUIRED YES  NO

NOTE: Identify on print or sketch the subdivisions as to section location and liber and page.

KIND AND DESCRIPTION OF RIGHT OF WAY REQUESTED  
10' RECORDED U&L EASEMENT  
FOR PUBLIC UTILITIES

PURPOSE OF RIGHT OF WAY TO CLOSE PRIMARY LOOP FEED

RECORDED RIGHT OF WAY NO. 38981

SIGNED J. J. Jones

OFFICE \_\_\_\_\_ DEPARTMENT \_\_\_\_\_

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

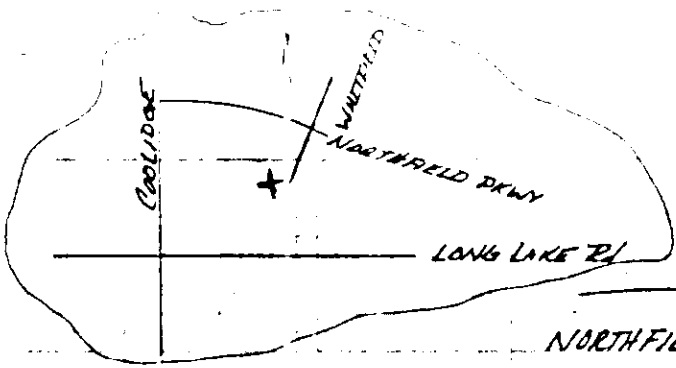
Joint recordable underground right of way obtained as requested per attached drawing. Contacts made by Gerald S. Misiak, Representative; Real Estate, Rights of Way & Claims; Oakland Division.

PERMITS IN RECORD CENTER 1 R.E. & R/W DEPT. FILE 1 GRANTOR Shouhavib Investment Co.

NO. OF PERMITS 1 NO. OF STRUCTURES \_\_\_\_\_ NO. OF MILES \_\_\_\_\_ PERMITS TO MBT 1

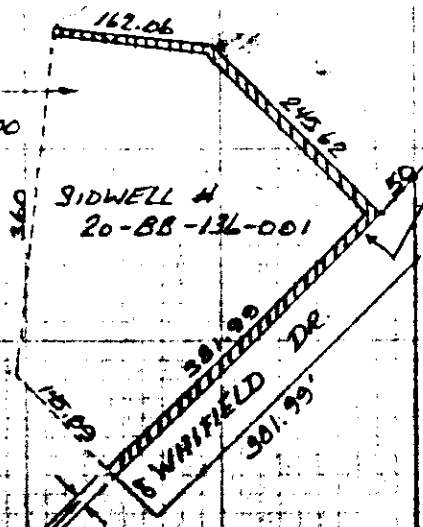
DATE October 28, 1988 SIGNED James D. McDonald  
James D. McDonald, Sr. Representative

106770390



REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R. W. SECURED AS INDICATED ON THIS SKETCH	PERMITS TO:
BY _____	RECORD CENTER _____
DATE _____	R/W FILES _____
DATE WANTED _____	MBT _____
DISTRICT FIELDMAN _____	ORIGINATOR _____
	TOTAL _____

OWNER: HEATHERWOOD VENTURE  
 ADDR: 32400 TELEGRAPH SE 200  
 BIRMINGHAM, AL 35201  
 PHONE: 6424700  
 REP. SCOTT JACOBSEN



10' REQUIRED EASEMENT TO LEAD PRIVATE EASEMENT FOR PUBLIC UTILITIES

10' REQUIRED EASEMENT TO LEAD PRIVATE EASEMENT FOR PUBLIC UTILITIES

RECORDED RIGHT OF WAY NO. 28787

LEGEND	
	FOREIGN POLE
	EXIST D.E. CO. POLE
	PROPOSED POLE
	EXIST ANCHOR
	PROPOSED ANCHOR
	TREE
	120/240 VOLT LINE
	4800 VOLT LINE
	13,200 VOLT LINE
	40,000 VOLT LINE

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT			
CITY OR TOWNSHIP <b>TROY</b>	COUNTY <b>DAKLAND</b>	CTR. & TWP. SECT. NO. <b>E 1/2 NW 1/4 SEC. B</b>	DEPT. ORDER NO. <b>A-44395</b>
MAP SECT. <b>1-310-402</b>	TOWN <b>2N</b>	RANGE <b>11E</b>	JOINT R/W REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
PROJECT NAME <b>HEATHERWOOD ESTATES SUB # 2</b>	TEL ENGR & DIST.		R/W NO. <b>09205</b>
CIRCUIT <b>DC 8315 ST LOCAL</b>			PROL OR PART NO.
REASON <b>PROVIDE SERVICE TO ABOVE NAMED PROJECT</b>			OFW SO OR PE NO
PLANNER <b>TASSEN</b>	SCALE <b>1" = 200'</b>		BUDGET ITEM NO.
			DATE <b>8-24-88</b>