

Detroit Edison

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

LIBER 11181 PG 597
89 189902

May 17, 1989

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 hereinafter referred to as "EDISON," 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 service in, under, upon and across property located in the City of Pontiac, County of Oakland, State of Michigan, further described as:

SEE EXHIBIT A ATTACHED. (ONE PAGE).

DEED ①

A#36 REG/DEEDS PAID
0001 DEC.08/89 12:14PM
5999 MISC 11.00

RECORDED RIGHT OF WAY NO. 40140

The two rights of way are each fourteen (14) X ten (10) feet.

and protruding into or over the right of way

reasonable

reasonable

The rights hereby granted include the right of access to and from the rights 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 EDISON interferes with the construction or operation of the line facilities. It is expressly understood and agreed that EDISON shall, at no time, trim or cut down any trees unless, in EDISON'S opinion, it is absolutely necessary to do so EDISON 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.

prior to each entry

No buildings or structures are to be placed within said right of way herein granted without the written consent of EDISON. The right of way may be landscaped and plantings placed thereon in conjunction with landscaping of the adjoining area. 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:

11.00

Marilyn F. Pifer, su.
MARILYN F. PIFER
Annie Grimmett
ANNIE GRIMMETT

① The Pontiac Downtown Development Authority
A Michigan Corporation

APPROVED AS TO FORM 8/23/89 DATE
LEGAL DEPARTMENT [Signature]

[Signature]
LOUIS H. WILKINS, EXECUTIVE DIRECTOR OF THE DOWNTOWN DEVELOPMENT AUTHORITY

Annie P. Grimmett

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

Address: 17 S. Saginaw

[Signature]

Pontiac, MI 48058

41-1-3453

PART OF LOT 96 OF THE 'ORIGINAL PLAT OF THE CITY OF PONTIAC', PART OF THE E1/2 OF THE SE1/4 OF SECTION 29, T.3N.,R.10E., CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 1, PAGE 1, OF OAKLAND COUNTY RECORDS; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

1001

COMMENCING AT THE NE CORNER OF LOT 96 OF THE 'ORIGINAL PLAT OF THE CITY OF PONTIAC', THENCE S.75°12'12"W. ALONG THE N'LY LINE OF SAID LOT 96, 30.0 FEET TO THE POINT OF BEGINNING; THENCE S.14°47'48"E.,14.0 FEET; THENCE S.75°12'12"W.,10.0 FEET; THENCE N.14°47'48"W.,14.0 FEET TO A POINT ON THE N'LY LINE OF SAID LOT 96; THENCE N.75°12'12"E., ALONG SAID N'LY LOT LINE, 10.0 FEET TO THE POINT OF BEGINNING.

CONTAINING 140 SQUARE FEET OR 0.0032 ACRES, MORE OR LESS TOGETHER WITH:

PART OF LOT 96 AND PART OF THE VACATED ALLEY ADJACENT TO LOTS 96 THRU 101, INCLUSIVE, OF THE 'ORIGINAL PLAT OF THE CITY OF PONTIAC', PART OF THE E1/2 OF THE SE1/4 OF SECTION 29, T.3N.,R.10E., CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 1, PAGE 1, OF OAKLAND COUNTY RECORDS; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF LOT 96 OF THE 'ORIGINAL PLAT OF THE CITY OF PONTIAC', THENCE S.75°12'12"W. ALONG THE N'LY LINE OF SAID LOT 96,145.18 FEET TO THE POINT OF BEGINNING; THENCE S.14°47'48"E.,10.0 FEET; THENCE S.75°12'12"W.,14.0 FEET; THENCE N.14°47'48"W.,10.0 FEET; THENCE N.75°12'12"E.,14.0 FEET TO THE POINT OF BEGINNING.

ALSO CONTAINING 140 SQUARE FEET OR 0.0032 ACRES, MORE OR LESS ,

SIDWELL #14-29-479-008

RECORDED RIGHT OF WAY NO.

40140

State of Michigan)
) SS:
County of Oakland)

On this 17th day of May, 1989, the foregoing instrument was acknowledged before me, a notary public in and for said county, by _____
Louis H. Wilking, Executive Director of the Pontiac Growth Group

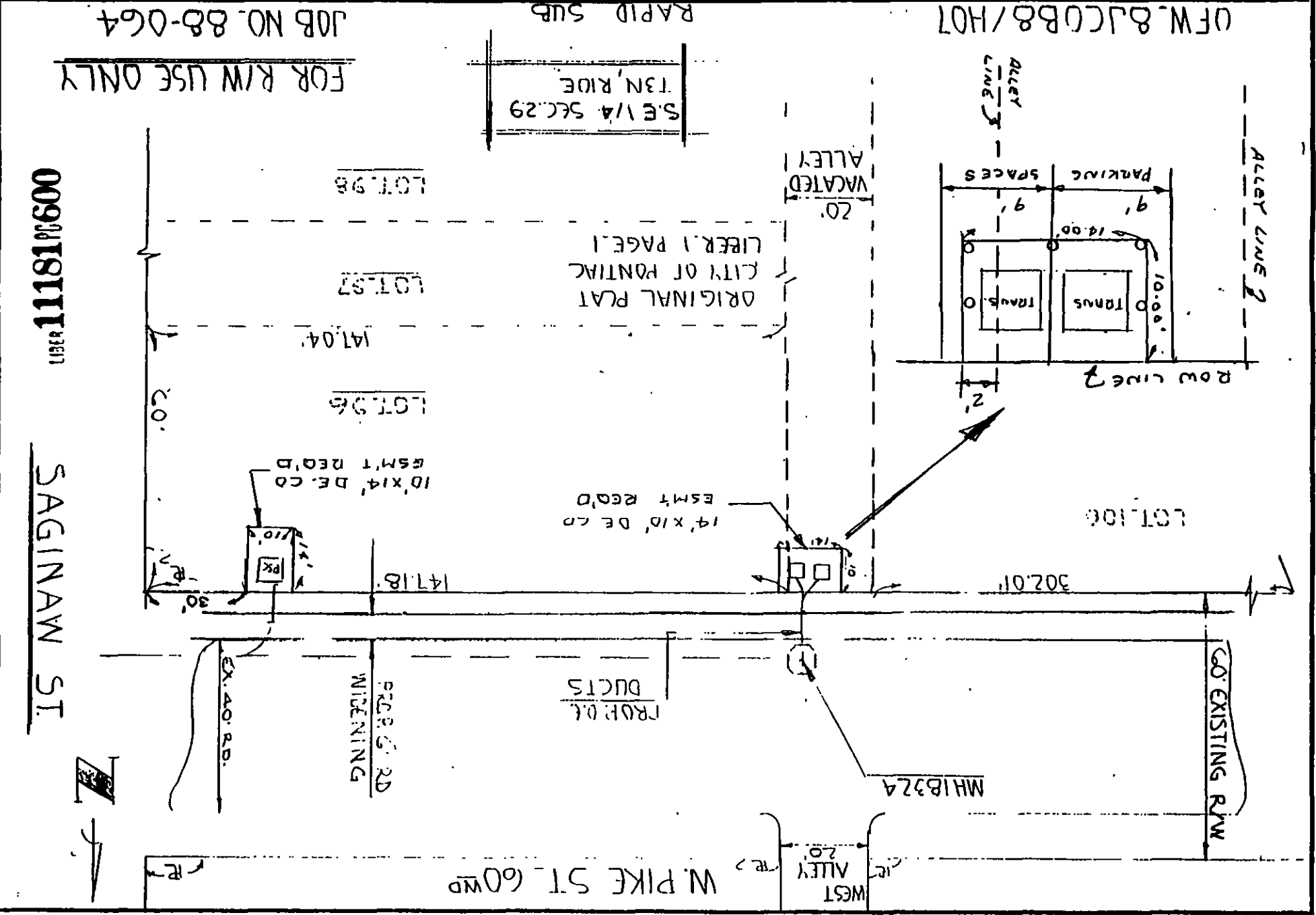
whose title(s) is ~~is~~ EXECUTIVE DIRECTOR
of THE PONTIAC DOWNTOWN DEVELOPMENT AUTHORITY
a Michigan Corporation, on behalf of the corporation.

My Commission Expires: 6/20/92

Andrea Lidell Crochrell
Andrea Lidell Crochrell
Notary Public, Oakland
County, Michigan

RECORDED RIGHT OF WAY NO. 40140

REFERENCE	APPROVED	DATE	DRAWN	SCALE	TITLE
	APPROVED	DATE			
A REVISION					
RECORDED EASEMENT					
SIZE					
NO. 11-1-3453					
1:30					
THE DETROIT EDISON COMPANY			CITY OF PONTIAC		
PROPOSED 10' X 14' EASEMENTS			W PIKE ST. WEST OF SAGINAW ST		
OAKLAND CO.			CITY OF PONTIAC		



USER 11181111 PG 600

SAGINAW ST



W. PIKE ST. 60' W.P.

WEST ALLEY 20'

MH18324

60' EXISTING R/W

LOT 100

302.01'

14' x 10' DE. CO. ESM'T. RECD.

10' x 14' DE. CO. ESM'T. RECD.

LOT 96

147.04'

ORIGINAL PLAT CITY OF PONTIAC LIBER. 1 PAGE 1

LOT 98

S.E. 1/4 SEC. 29 T3N, R10E

O.F.W. 8' J.C.C.B.8/HOT

RAPID SUB

JOB NO. 88-064

FOR R/W USE ONLY

MEMORANDUM ORDER
FOR GENERAL USE
OF FORM NS 77 12-53

TO Records Center

DATE 1-3-96 TIME _____

Please set up R/W file for: Crystal Lake Apartments

Being a part of N 1/2 of Section 5 & South 1/2 of Section 32 & SE 1/4 of Section 31

City of Pontiac Oakland County, Michigan

COPIES TO _____

SIGNED _____

Omer V. Racine
Omer V. Racine

REPORT _____

277 Oakland Division Headquarter

DATE RETURNED _____

TIME _____

SIGNED _____

1/11/96

B

APPLICATION FOR RIGHT OF WAY

DE 943-08 5-7458 (MS 80)

Pontiac Top
11-29

Rapid Sub
Job No. 88-064

PLEASE SECURE RIGHT OF WAY AS FOLLOWS

11-15-88

DATE ~~August 11, 1988~~

LOCATION W. Pike St. West of Saginaw Street

APPLICATION NO. _____

CITY OR VILLAGE ~~XXXXX~~ Pontiac

DEPT ORDER NO _____

TOWNSHIP _____ COUNTY Oakland

O F W NO _____

DATE BY WHICH RIGHT OF WAY IS WANTED October 10, 1988

BUDGET ITEM NO _____

INQUIRY NO. _____

THIS R/W IS _____ % OF TOTAL PROJECT NO _____ ACCUM. _____ %

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 Proposed 14' x 12' & 12' x 42' D.E.C.O. 14'x10 E 14'x10 easements with rights of ingress and egress as shown on Drawing U1-1-3453.

PURPOSE OF RIGHT OF WAY Installing of new electrical equipment due to the dismantling and demolition of west pike vault.

RECORDED RIGHT OF WAY NO.

SIGNED R F Burtwell
R. F. Burtwell,
Planning & Layout
OFFICE

Division Services
DEPARTMENT

45140

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT

Recordable underground right of way obtained as requested per attached drawing. Contacts made by Annie P. Grimmitt, Representative; Real Estate, Rights of Way and Claims; Oakland Division.

PERMITS IN RECORD CENTER _____ R.E. & R/W DEPT. FILE _____ GRANTOR _____

NO. OF PERMITS _____ NO OF STRUCTURES _____ NO. OF MILES _____ PERMITS TO MBT _____

DATE September 27, 1989

SIGNED James D. McDonald
James D. McDonald, Sr. Representative