

Detroit Edison

Right of Way Agreement

5-9/50

MAY 2, 19 84

For valuable consideration, the receipt of which is hereby acknowledged, the undersigned hereby grant and convey to THE DETROIT EDISON-COMPANY, a corporation organized and existing concurrently under the laws of the States of Michigan and New York, of 2000 Second Avenue, Detroit, Michigan 48226 and the GENERAL TELEPHONE COMPANY, 455 E. ELLIS ROAD, P.O. BOX 149, MUSKEGON, MI 49443

hereinafter referred to as "UTILITIES", the easement and right to erect, lay, maintain, reconstruct and replace underground facilities consisting of wires, cables, conduits, fixtures and appurtenances including the necessary above ground equipment, connections, poles and accessories which may from time to time be required in, under, upon, over and across the land located in the TOWNSHIP of BRANDON, OAKLAND County, Michigan, and more particularly described on the attached Appendix "A", with the full right to the UTILITIES of ingress and egress upon said land for the purposes of this grant, and the further right to trim, cut down or otherwise control brush and trees within the easements herein described.

RECORDED RIGHT OF WAY NO. 35493

Said easements shall be TEN (10) feet in width unless otherwise indicated and their route is described as follows:

As shown on attached Appendix "B"

In order to provide for the proper maintenance and protection of UTILITIES, the undersigned covenant and agree that:

- 1. The easements will be graded to within four (4) inches of final grade before the UTILITIES lines are installed and this ground elevation must be maintained after installation of utilities to avoid the pooling of water in, on or around above ground UTILITIES' equipment.
- 2. No buildings or structures other than UTILITIES equipment are to be placed within the easements herein granted. No excavation is to be permitted within said easement without approval of UTILITIES.
- 3. If the lines or facilities of UTILITIES are damaged by the acts of Owners, their agents, employees or contractors, repairs shall be made by the Utility company so damaged at the cost and expense of Owners. Owners are defined as those persons owning the land at the time the damage occurred.
- 4. No shrubs or foliage shall be planted or grown within five (5) feet of the front door of transformers or switching cabinet enclosures. UTILITIES 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 easement causing an interference with UTILITIES maintenance of their equipment.

THIS GRANT is declared to be binding upon the heirs, successors, lessees, licenses and assigns of the parties hereto.

IN WITNESS WHEREOF, the undersigned have hereunto set their hand and seal on this date.

Witnesses:

Grantors:

Noreen Compagnoni
Sally L. Nipps

EDWIN E. MASTERS
ZELMA R. MASTERS

84 MAY 16 12:29

Prepared By:

Address:

JAMES D. McDONALD
30400 Telegraph Road
Birmingham, MI 48010

9500 Bridge Lake Road
Clarkston, MI 48016

Ret. over

7.00

APPENDIX "A"

5-9  
30  
①

Proposed "Masters Brandon Estates", being part of the Southwest 1/4 of Section 30, T5N-R9E, Brandon Township, Oakland County, Michigan; Described as: Beginning at a Point on the West Line of Section 30 that is South 01 Degrees 12 Minutes 15 Seconds West, -1260.99 Feet from the West 1/4 Corner of Said Section; Thence South 01 Degrees 12 Minutes 15 Seconds West, 260.01 Feet; Thence South 89 Degrees 59 Minutes 43 Seconds East, 62.40 Feet; Thence North 80 Degrees 10 Minutes 27 Seconds East, 477.72 Feet; Thence North 73 Degrees 44 Minutes 12 Seconds East, 126.06 Feet; Thence North 76 Degrees 19 Minutes 22 Seconds East, 440.48; Thence North 00 Degrees 59 Minutes 37 Seconds East, 263.00 Feet, Thence South 76 Degrees 19 Minutes 22 Seconds West, 413.48 Feet; Thence South 00 Degrees 59 Minutes 37 Seconds West, 200.98 Feet; Thence South 76 Degrees 19 Minutes 22 Seconds West, 44.11 Feet; Thence South 73 Degrees 44 Minutes 12 Seconds West, 24.42 Feet; Thence North 00 Degrees 59 Minutes 37 Seconds East, 202.12 Feet; Thence South 76 Degrees 19 Minutes 22 Seconds West, 108.30 Feet; Thence South 80 Degrees 33 Minutes 27 Seconds West, 514.92 Feet to The Point of Beginning. This Plat contains 10 Numbered Lots and 6.27 Acres more or less.

RECORDED RIGHT OF WAY NO. 35423

PART OF TAX ITEM 03-30-301-001

STATE OF MICHIGAN )  
County of OAKLAND ) SS

On this 2 day of MAY, A.D. 19 84, before me, the undersigned, a notary public in and for said county, personally appeared EDWIN E. MASTERS AND ZELMA R. MASTERS, HIS WIFE known to me to be the person s who executed the foregoing instrument, and acknowledged the same to be THEIR free act and deed.

Sally L. Nipps  
Notary Public, OAKLAND County, Michigan

SALLY L. NIPPS  
Notary Public, Oakland County, Michigan  
My Commission Expires September 3, 1984

My commission expires: \_\_\_\_\_

MEMORANDUM ORDER  
FOR GENERAL USE  
DE FORM MS 77 12-83

TO RECORDS CENTER

DATE 5-20-85 TIME

Please set-up R/W file for: Masters Brandon Estates  
Being a part of S.W. 1/4 of Section 30, Brandon Twp.  
Oakland County, Michigan.

COPIES TO

SIGNED

James D. McDonald/ls  
James D. McDonald  
264 Oakland Division Hqtrs.

REPORT

DATE RETURNED

TIME

SIGNED

To (Supervisor, RE & RW) <i>JAMES ROBERTSON</i>	For RE & RW Date <i>4-20-84</i>	Date Received <i>4-20-84</i>
Division <i>OAKLAND</i>	Date <i>4-15-84</i>	Application No. <i>OE 84-3</i>

We have included the following necessary material and information:

**Material:**

**A Proposed Subdivision**

- 1 copy of complete final proposed plat - All pages

or

**B. Other than proposed subdivision (condo., apts. mobile home park**

— other)

- 1. Property description.
- 2. Site plan.
- 3. title information (deed, title commitment, contract with title commitment, or title search).

Note: Do not submit application for URD easements until all above material has been acquired.

**Information**

1 Project Name <i>MASTERS BRANDON ESTATES</i>	County <i>OAKLAND</i>
City/Township/Village <i>BRANDON</i>	Section No. <i>30</i>
Type of Development <input checked="" type="checkbox"/> Proposed Subdivision <input type="checkbox"/> Subdivision	<input type="checkbox"/> Apartment Complex <input type="checkbox"/> Mobile Home Park <input type="checkbox"/> Condominium <input type="checkbox"/> Other
2 Name of Owner <i>EDWIN MASTERS</i>	Phone No. <i>625-3027</i>
Address <i>9500 BRIDGE LAKE RD</i>	
Owner's Representative	Phone No.
Date Service is Wanted <i>JUNE</i>	

4 Entire Project will be developed at one time .....  Yes  No

5. Joint easements required — Michigan Bell Telephone *GENERAL TELEPHONE* .....  Yes  No  
 — Consumers Power .....  Yes  No

a Name of Other Utilities if Not Michigan Bell Telephone or Consumers Power

b Other Utility Engineer Names <i>AL BERRY</i>	Phone Numbers <i>653-9746</i>
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Addresses <i>7362 DAVISON</i> <i>DAVISON, MICH</i>
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6 Additional Information or Comments

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Note: Trenching letter  attached  will be submitted later

Service Planner <i>DONALD REED</i> <i>186-4438</i>	Signed (Service Planning Supervisor)
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Phone No.	Address
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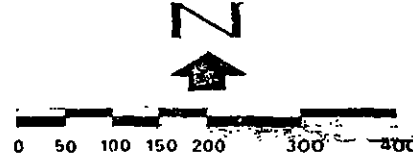
RECORDED RIGHT OF WAY NO. 35493

# PROPOSED 'MASTERS BRANDON ESTATES'

PART OF THE SOUTHWEST 1/4, SECTION 30, T5N-R9E,  
BRANDON TOWNSHIP, OAKLAND COUNTY, MICHIGAN.

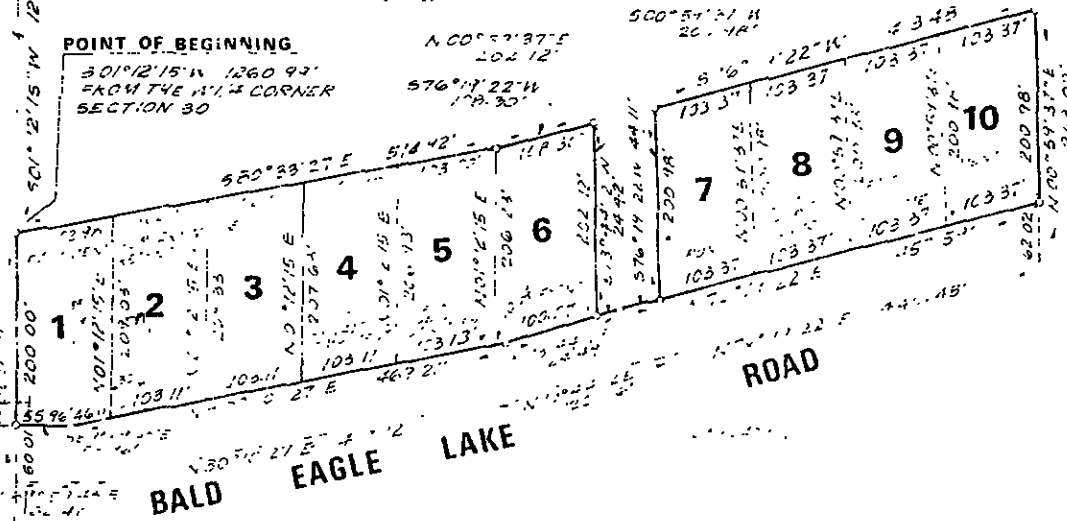
## APPENDIX "B"

W-1/4 CORNER, SECTION 30, T5N R9E  
BRANDON TOWNSHIP, OAKLAND  
COUNTY, MICHIGAN

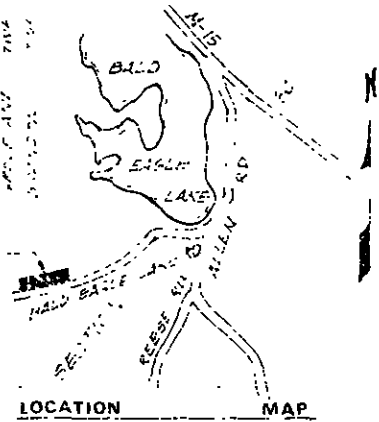


### NOTICE

Locations of underground facilities on this drawing are only approximate. Locations must be determined by the UTILITY COMPANIES. For exact locations, telephone MISS DIG on 800-482-171 as required by Public Act 53 of 1974 before doing any power excavating.



BALD EAGLE LAKE ROAD



MASTERS BRANDON ESTATES

LOCATION MAP

THIS PLAT HAS BEEN PREPARED BY ME IN ACCORDANCE WITH THE ACTS OF THE LEGISLATURE OF THE STATE OF MICHIGAN, PASSED MARCH 23, 1906, AND MARCH 23, 1907, AND THE ACTS OF THE LEGISLATURE OF THE STATE OF MICHIGAN, PASSED MARCH 23, 1906, AND MARCH 23, 1907, AND THE ACTS OF THE LEGISLATURE OF THE STATE OF MICHIGAN, PASSED MARCH 23, 1906, AND MARCH 23, 1907.

REGISTERED PROFESSIONAL  
STATE OF MICHIGAN  
OAKLAND COUNTY  
THIS PLAT WAS RECEIVED FOR RECORD IN THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1983  
AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M.  
RECORDED IN BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

RECORDED RIGHT OF WAY NO. 35493

STATE LAND SURVEYING & ENGINEERING CO.  
333 MILL STREET  
ORTONVILLE, MICHIGAN 48462



LIBER 8669 p. 232