

SUBDIVISIONS  
(PLATTED)

AGREEMENT

THIS AGREEMENT, made this 3rd day of June, 1969,  
between DELTA DEVELOPMENT COMPANY, a Michigan Corporation,  
14035 W. Eight Mile Road, Detroit, Michigan

hereinafter referred to as "DEVELOPER", and THE DETROIT EDISON COMPANY, a New York corporation, with offices at 2000 Second Avenue, Detroit, Michigan 48226, hereinafter referred to as "EDISON", and MICHIGAN BELL TELEPHONE COMPANY, a Michigan corporation, with offices at 1365 Cass Avenue, Detroit, Michigan, 48226, hereinafter referred to as "BELL".

W I T N E S S E T H :

WHEREAS, DEVELOPER has developed land in the City of Woodhaven,  
County of Wayne, State of Michigan, described as: "EASTPOINTE ESTATES  
SUBDIVISION NO. 2", a subdivision of part of the S.W. ¼ of Section 26, T15S,  
R10E, City of Woodhaven, Wayne County, Michigan, as recorded in Liber 91,  
Pages 64 and 65, Wayne County Plat Records.

WHEREAS, DEVELOPER has submitted the plat of a subdivision to EDISON and BELL for their respective approvals of private easements for public utilities described thereon and desires that EDISON and BELL install their lines underground (except necessary cable poles and above ground facilities necessary to such underground installations, and except existing overhead lines) for communication and single phase electric service in said easements, ~~except lots~~

~~which are to receive overhead electric and communication service.~~

Easements in, over, and under the subdivision  
shall have underground lines installed for service beyond said lots.

NOW, THEREFORE, in consideration of the mutual promises and covenants herein made between DEVELOPER and EDISON and BELL, it is hereby agreed as follows:

I.

DEVELOPER AGREES

1. To record, prior to utility installation, the plat of subdivision with private easements for public utilities, including streetlight cables acceptable to EDISON and BELL, and/or record a separate instrument granting any additional private easements for public utilities deemed necessary by EDISON and BELL.

2. To execute a restriction agreement containing language satisfactory to EDISON and BELL for their underground installations.

RECORDED RIGHT OF WAY NO. 25232

3. To install sanitary sewers when required by governmental authority with sewer taps extending three (3') feet beyond easement limits for each lot prior to installation of electrical underground or communication lines in easements so that sewer connections can be made, without undermining electrical system or communication lines. Sewer, water and gas lines may cross but may not be installed within the six (6') foot easements used for electric and communication utility facilities.

4. To grade easements to finished grade in accordance with local governmental regulations prior to installation of underground lines so that said lines can be properly installed in relation to finished grade. The grade established for the subdivision at the time the utilities place their facilities in the easements shall be considered finished grade.

5. To place survey stakes indicating property lot lines before and ~~after~~ trenching to enable EDISON and BELL to properly locate their facilities including lines, transformers and pedestals.

6. DEVELOPER further agrees that if subsequent to the installation of the utility's facilities by EDISON or BELL, it is necessary to repair, move, modify, rearrange or relocate any of their facilities to conform to a new plot plan or change of grade made by DEVELOPER, or for any cause or changes attributable to public authority having jurisdiction or to DEVELOPER's action or request, DEVELOPER will forthwith pay the cost and expense of repairing, moving, modifying, rearranging or relocating said facilities to EDISON or BELL upon receipt of a statement therefor. Further, that if the electric or communication utility facilities of EDISON or BELL, or the electric service conductors owned and installed by DEVELOPER or its successors or assigns and which EDISON will maintain, are damaged by acts of negligence on the part of the DEVELOPER, or by contractors engaged by DEVELOPER or its successors or assigns, repairs shall be made by the utilities named herein at the cost and expense of DEVELOPER or its successors and assigns and shall be paid forthwith to EDISON or BELL by DEVELOPER or / <sup>its</sup> successors and assigns upon receiving a statement therefore.

7. To remove at DEVELOPER's expense all trees, shrubbery or obstructions which may be necessary or required for installation of electric and communication facilities in the easements, and to trench in accordance with separate letter agreement between EDISON and DEVELOPER, and to locate trenches in easements and to backfill in accordance with drawings and specifications of the utilities. The DEVELOPER assures EDISON and BELL that the backfill shall be free of rubble and clods of hard or frozen

RECORDED RIGHT OF WAY NO. 20723

dirt and shall not contain material which can damage emplaced lines. All backfilling of road crossings to comply with all regulations of public authorities having jurisdiction over roads.

8. ~~8. The party shall be responsible for the costs incurred by the utility in installing the service to the residences and in placing~~

9. In the event electric service conductors to residences are furnished and installed by DEVELOPER, between the transformers or service connection pedestals and the residences, the DEVELOPER shall install at least 2 - #1/0 AWG and 1 - #2 AWG copper; or, 2 - #2/0 AWG and 1 - #1 AWG aluminum conductors with RHW-USE insulation or with cross-linked polyethylene insulation. Services to be installed twenty-four (24") inches below finished grade.

II.

UTILITIES AGREE:

1. Upon completion of the above requirements to furnish, install, own and maintain, at their own expense, (except costs and expenses set forth in Paragraphs numbered 6, 7, 8 and 9 above), all electric and telephone communication facilities in the private easements for public utilities located in the lands described ~~in Appendix~~ ~~MAP~~ EDISON will maintain, at its expense, the electric service conductors lying between its facilities in said private easements for public utilities and the residences erected on said lots subject to provisions of Paragraph No. 6 above.

This agreement shall inure to the benefit of and be binding upon the respective heirs, administrators, executors, personal representatives, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

In the Presence of:

*[Signature]*  
*[Signature]*

DELTA DEVELOPMENT COMPANY,  
A Michigan Corporation

BY: *[Signature]*  
Martin S. Myers, President

BY: *[Signature]*  
Nancy Myers, Sec.-Treasurer

DOCUMENT PREPARED BY:  
MELFORD HARTMAN  
2840 SOUTHFIELD ROAD  
SOUTHFIELD, MICHIGAN 48075

RECORDED RIGHT OF WAY NO. 36738

# 25732

Liber 17075  
Pages 351-352

PROJECT NAME:

Eastpointe Estates Subdivision No. 2

EASEMENT

IN CONSIDERATION of the sum of One Dollar (\$1.00) and other valuable considerations, receipt of which is hereby acknowledged, the undersigned owners and parties having interest in lands herein described grant to THE DETROIT EDISON COMPANY, a corporation organized and existing concurrently under the laws of Michigan and New York, with offices at 2000 Second Avenue, Detroit, Michigan, 48226, and MICHIGAN BELL TELEPHONE COMPANY, a Michigan Corporation, 1365 Cass Avenue, Detroit, Michigan, 48226, easements for their underground lines for the transmission and distribution of electricity and communication services, including the necessary above ground transformers, secondary connection pedestals, communication facilities, cable poles and equipment, under, across and upon the following described land in the City of Woodhaven, County of Wayne, State of Michigan, described as:

- Lot 137, the West 6 ft. of the East 12 ft.
- Lot 138, the West 6 ft. of the East 12 ft. of the North 6 ft.

Located in EASTPOINTE ESTATES SUBDIVISION NO. 2, a subdivision of part of the S.W. 1/4 of Section 26, T4S, R10E, City of Woodhaven, Wayne County, Michigan, according to the plat thereof as recorded in Liber 91, Pages 64 and 65, Wayne County Plat Records.

These easements shall be subject to all restrictions dated June 9, 1969 (to be recorded) pertaining to underground electric and communication services for the aforementioned subdivision. Signed and sealed this 9th day of June, 1969.

IN THE PRESENCE OF:

Stan Rosen  
Herbert Rosen  
Stan Rosen  
Herbert Rosen

DELTA DEVELOPMENT COMPANY,  
A Michigan Corporation  
14035 W. Eight Mile Road  
Detroit, Michigan

BY: Martin S. Myers  
Martin S. Myers, President

BY: Nancy Myers  
Nancy Myers, Sec.-Treasurer

John A. Markowicz  
John A. Markowicz

Helen Markowicz  
Helen Markowicz, his wife  
4002 Gertrude  
Dearborn Heights, Michigan

RECORDS CENTER  
JUL 8 0 1969

RECORDED RIGHT OF WAY NO. 25732

Sharon Rosen  
Robert Rosen

Wolfgang K. Schaefer  
Wolfgang K. Schaefer

Antonia S. Schaefer  
Antonia S. Schaefer, his wife  
1501 Edsel Drive  
Trenton, Michigan

STATE OF MICHIGAN } SS  
COUNTY OF Wayne

On this 9th day of June, 1969, before me appeared MARTIN S. MYERS and NANCY MYERS to me personally known, who being by me duly sworn, did say that they are respectively PRESIDENT and SEC.-TREASURER of DELTA DEVELOPMENT COMPANY, a corporation created and existing under the laws of the State of Michigan and that the said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors and the said PRESIDENT and SEC.-TREASURER acknowledged the said instrument to be the free act and deed of the said corporation.

My Commission expires: 11-6-72

Sharon Rosen  
Notary Public  
Wayne County, Michigan  
acting in Wayne

STATE OF MICHIGAN } SS  
COUNTY OF Wayne

On this 9th day of June, 1969, before me, the subscriber, a Notary Public in and for said County, personally appeared JOHN A. MARKOWICZ and HELEN MARKOWICZ, his wife, to me known to be the persons named in and who executed the within instrument as vendor and acknowledged that they executed the same as their free act and deed for the intents and purposes therein mentioned.

My Commission expires: 11-6-72

Sharon Rosen  
Notary Public  
Wayne County, Michigan  
acting in Wayne

STATE OF MICHIGAN } SS  
COUNTY OF Wayne

On this 9th day of June, 1969, before me, the subscriber, a Notary Public in and for said County, personally appeared WOLFGANG K. SCHAEFER and ANTONIA S. SCHAEFER, his wife, to me known to be the persons named in and who executed the within instrument as vendor and acknowledged that they executed the same as their free act and deed for the intents and purposes therein mentioned.

My Commission expires: 11-6-72

Sharon Rosen  
Notary Public  
Wayne County, Michigan  
acting in Wayne

PROJECT NAME:

LI 17075 PA 35

F405219

Eastpointe Estates Subdivision No.

EASEMENT

IN CONSIDERATION of the sum of One Dollar (\$1.00) and other valuable considerations, receipt of which is hereby acknowledged, the undersigned owners and parties having interest in lands herein described grant to THE DETROIT EDISON COMPANY, a corporation organized and existing concurrently under the laws of Michigan and New York, with offices at 2000 Second Avenue, Detroit, Michigan, 48226, and MICHIGAN BELL TELEPHONE COMPANY, a Michigan Corporation, 1365 Cass Avenue, Detroit, Michigan, 48226, easements for their underground lines for the transmission and distribution of electricity and communication services, including the necessary above ground transformers, secondary connection pedestals, communication facilities, cable poles and equipment, under, across and upon the following described land in the City of Woodhaven, County of Wayne, State of Michigan, described as:

Lot 137, the West 6 ft. of the East 12 ft.

Lot 138, the West 6 ft. of the East 12 ft. of the North 6 ft.

Located in EASTPOINTE ESTATES SUBDIVISION NO. 2, a subdivision of part of the S.W. 1/4 of Section 26, T4S, R10E, City of Woodhaven, Wayne County, Michigan, according to the plat thereof as recorded in Liber 91, Pages 64 and 65, Wayne County Plat Records.

These easements shall be subject to all restrictions dated June 9, 1969 (to be recorded) pertaining to underground electric and communication services for the aforementioned subdivision. Signed and sealed this 9th day of June 1969.

IN THE PRESENCE OF:

DELTA DEVELOPMENT COMPANY,  
A Michigan Corporation  
14035 W. Eight Mile Road  
Detroit, Michigan

BY: [Signature]  
Martin S. Myers, President

BY: [Signature]  
Nancy Myers, Sec.-Treasurer

[Signature]  
Sam Rosen

[Signature]  
Herbert Rosen

[Signature]  
Sam Rosen

[Signature]  
Herbert Rosen

[Signature]  
John A. Markowicz

[Signature]  
Helen Markowicz, his wife  
4002 Gertrude  
Dearborn Heights, Michigan

RECORDED JUL 10 1969 AT 10 O'CLOCK IN  
BERNARD J. YOUNGBLOOD, Register of Deeds  
WAYNE COUNTY, MICHIGAN 48226

RECORDED RIGHT OF WAY NO. 26722

LI 17075 PA 352

Sam Rosen  
Sam Rosen  
Herbert Rosen  
Herbert Rosen

Wolfgang K. Schaefer  
Wolfgang K. Schaefer

Antonia S. Schaefer  
Antonia S. Schaefer, his wife  
1501 Edsel Drive  
Trenton, Michigan

STATE OF MICHIGAN }  
COUNTY OF Wayne } SS

On this 9th day of June, 1969, before me appeared MARTIN S. MYERS and NANCY MYERS to me personally known, who being by me duly sworn, did say that they are respectively PRESIDENT and SEC.-TREASURER of DELTA DEVELOPMENT COMPANY, a corporation created and existing under the laws of the State of Michigan and that the said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors and the said PRESIDENT and SEC.-TREASURER acknowledged the said instrument to be the free act and deed of the said corporation.

My Commission expires: 11-6-72

Sam Rosen  
Notary Public Sam Rosen  
Calhoun County, Michigan  
acting in Wayne

STATE OF MICHIGAN }  
COUNTY OF Wayne } SS

On this 9th day of June, 1969, before me, the subscriber, a Notary Public in and for said County, personally appeared JOHN A. MARKOWICZ and HELEN MARKOWICZ, his wife, to me known to be the persons named in and who executed the within instrument as vendor and acknowledged that they executed the same as their free act and deed for the intents and purposes therein mentioned.

My Commission expires: 11-6-72

Sam Rosen  
Notary Public Sam Rosen  
Calhoun County, Michigan  
acting in Wayne

STATE OF MICHIGAN }  
COUNTY OF Wayne } SS

On this 9th day of June, 1969, before me, the subscriber, a Notary Public in and for said County, personally appeared WOLFGANG K. SCHAEFER and ANTONIA S. SCHAEFER, his wife, to me known to be the persons named in and who executed the within instrument as vendor and acknowledged that they executed the same as their free act and deed for the intents and purposes therein mentioned.

My Commission expires: 11-6-72

Sam Rosen  
Notary Public Sam Rosen  
Calhoun County, Michigan  
acting in Wayne

RECORDED RIGHT OF WAY NO. 45732

~~shall not be subject to the restrictions contained herein, except that the public utilities shall have the right to trim or remove trees which interfere with the user of the easements in said lots, and except easements in lots receiving electric or communication service overhead, namely~~

~~shall have underground lines installed therein for service to other lots in said subdivision and shall be subject to the following restrictions numbered 1 through 4~~

AND, WHEREAS, it is the intent and purpose of the (party) (parties) hereto to have communication lines installed underground (except necessary above ground communication facilities) to serve lots 135 through 174 and to have a substantial part of the electric power distribution lines placed underground, (except necessary cable pole(s), existing overhead lines, transformers, secondary connection pedestals or switching cabinets) to supply single phase service, to serve lots 135 through 174, inclusive

desire(s) to subject the said land to the restrictions, covenants, easements and charges as hereinafter set forth;

WHEREAS, the undersigned, owners of land, and parties having an interest in land in the City of Woodhaven, County of Wayne, State of Michigan, described as: "EASTPOINTE ESTATES SUBDIVISION NO. 2", a subdivision of part of the S.W. 1/4 of Section 26, T14S, R10E, City of Woodhaven, Wayne County, Michigan, as recorded in Liber 91, Pages 64 and 65, Wayne County Plat Records.

RECORDED JUL 10 1969 11  
 BERNARD J. YOUNGBLOOD, Register of Deeds  
 WAYNE COUNTY, MICHIGAN 48226

F405217

DECLARATION OF RESTRICTIONS

F405217

SUBDIVISIONS (Platted)

45732

L117075 PA341



2 - #1/0 AWG and 1 - ● AWG copper; or 2 - #2/0 AWG and 1 - #1 AWG aluminum conductors with RHW-USE insulation or with cross-linked polyethylene insulation. EDISON shall maintain the owners lines leading to the residences, provided, however, that should the electric service conductors of the owners or the lines of BELL be damaged by acts of negligence on the part of the owners or their agents or contractors, repairs shall be made by EDISON or BELL at the cost and expense of the owner(s) and paid forthwith to EDISON or BELL upon receiving a statement therefor.

7. The grade established by the undersigned in accordance with local governmental regulations at the time the utilities place their underground facilities in the easements shall be considered final or finished grade.

No property owner shall make any change in such grade in or near easements or alter any ground conditions, including drainage, when the change in grade or alteration of ground conditions, in the opinion of the utility concerned, interferes with the facilities already installed.

8. Property owners shall pay to the utility concerned the cost of relocation or rearrangement of utility equipment where in the opinion of the utility, such relocation or rearrangement is made necessary because of a violation by the property owner of any of the foregoing restrictions pertaining to utility underground installations.

9. The foregoing restrictions 1 through 8 shall be covenants running with the land and shall not be subject to termination without the consent of the utilities herein concerned.

10. Enforcement shall be by proceeding in a civil action against any person or persons violating or attempting to violate any covenants, either to restrain violation or to recover damages.

11. Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions, which shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned (has)(have) set (its)(their) hand(s) and seal(s) on this 9th day of July, 1966.

DOCUMENT PREPARED BY:  
MELFORD HARTMAN  
2930 SOUTHFIELD ROAD  
SOUTHFIELD, MICHIGAN 48075

PLEASE RETURN TO:  
MICHIGAN BELL TELEPHONE CO;  
MR. C. T. FELL, STAFF SUPV.  
2930 SOUTHFIELD ROAD  
SOUTHFIELD, MICHIGAN 48075

RECORDED RIGHT OF WAY NO. 257232

NOW, THEREFORE, the undersigned, hereby declare(s) that said premises shall be held, transferred, sold and conveyed subject to the restrictions, covenants, reservations, easements, charges, obligations and powers as follows:

1. Private easements for public utilities have been granted on the above described plat.
2. For the purpose of these Restrictions, "EDISON" shall mean THE DETROIT EDISON COMPANY and "BELL" shall mean MICHIGAN BELL TELEPHONE COMPANY.
3. No excavations (except for public utility purposes), no changes of finished grade, and no structures or apparatus of any kind, except line fences, shall be allowed within the public utility easements of the subdivision used by EDISON and BELL. Except as provided herein, the owners shall have the right to make any use of the land, subject to such easements, which is not inconsistent with the right of EDISON and BELL; provided, however, that the owners shall not plant trees or large shrubs within the public utility easements used by EDISON and BELL. EDISON and BELL shall have the right, without incurring any liability to the property owner for so doing, to trim or remove trees, bushes, or other plants of any kind within said easements and also shall have the right to trim the roots and foliage which grow into the easements belonging to trees, bushes or other plants of any kind lying outside of said easements and, which, in the sole opinion of EDISON and BELL, interferes with the facilities thereto or is necessary for the installation, reinstallation, modification, repair, maintenance or removal of their underground facilities in any public utility easement of the subdivision.
4. No shrubs or foliage shall be permitted on owner's property within five (5') feet of the front doors of the transformers or switching cabinets; nor shall such shrubs or foliage be permitted within five (5') feet of service connection pedestals.
5. The original or subsequent owners of lots 135 through 174, inclusive

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in this subdivision shall own and install underground, at their own expense, the single phase electric service conductors lying between the residences and the transformer of service connection pedestals located in said easements.

6. The installation of all underground electric service conductors shall be twenty-four (24") inches below finished grade and said conductors shall be at least

RECORDED RIGHT OF WAY NO. 20733

RECORDED RIGHT OF WAY NO. 25742

Notary Public  
Sam Rosen  
County, Michigan

On this \_\_\_\_\_ day of \_\_\_\_\_, 1969, before me appeared  
MARTIN S. MYERS and NANCY MYERS to me personally known, who being by me duly  
sworn, did say that they are respectively PRESIDENT and SEC.-TREASURER of  
DELTA DEVELOPMENT COMPANY, a corporation created and existing under the laws  
of the State of Michigan and that the said instrument was signed and sealed  
in behalf of said corporation by authority of its Board of Directors and the  
said PRESIDENT and SEC.-TREASURER acknowledged the said instrument to be the  
free act and deed of the said corporation.

STATE OF MICHIGAN )  
COUNTY OF \_\_\_\_\_ )  
SS

My Commission expires: \_\_\_\_\_

IN THE PRESENCE OF:

DELTA DEVELOPMENT COMPANY,  
A Michigan Corporation  
14035 W. Eight Mile Road  
Detroit, Michigan

BY: Martin S. Myers, President

BY: Nancy Myers, Sec.-Treasurer

John A. Markowicz

Helen Markowicz, his wife

Dearborn Heights, Michigan

Wolfgang K. Schaefer

Antonia S. Schaefer, his wife

1501 Easel Drive  
Trenton, Michigan

Herbert Rosen

Sam Rosen

Herbert Rosen

Sam Rosen

Herbert Rosen

Sam Rosen

L117075 PA344

Notary Public SAM ROSE  
County, Michigan

My Commission expires: 11-6-72

On this 7th day of June, 1969, before me, the subscriber, a Notary Public in and for said county, personally appeared WOLFGANG K. SCHAEFER and ANTONIA S. SCHAEFER, his wife, to me known to be the persons named in and who executed the within instrument as vendor and acknowledged that they executed the same as their free act and deed for the intents and purposes therein mentioned.

STATE OF MICHIGAN )  
COUNTY OF WOOD )  
SS

Notary Public SAM ROSE  
County, Michigan

My Commission expires: 11-6-72

On this 9th day of June, 1969, before me, the subscriber, a Notary Public in and for said county, personally appeared JOHN A. MARKOWICZ and HELEN MARKOWICZ, his wife, to me known to be the persons named in and who executed the within instrument as vendor and acknowledged that they executed the same as their free act and deed for the intents and purposes therein mentioned.

STATE OF MICHIGAN )  
COUNTY OF WOOD )  
SS

117075 PA 315

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned, owners of land, and parties having an interest in land in the City of Woodhaven, County of Wayne, State of Michigan, described as: "EASTPOINTE ESTATES SUBDIVISION NO. 2", a subdivision of part of the S.W. 1/4 of Section 26, T4S, R10E, City of Woodhaven, Wayne County, Michigan, as recorded in Liber 91, Pages 64 and 65, Wayne County Plat Records.

desire(s) to subject the said land to the restrictions, covenants, easements and charges as hereinafter set forth;

AND, WHEREAS, it is the intent and purpose of the (party)(parties) hereto to have communication lines installed underground (except necessary above ground communication facilities) to serve Lots 135 through 174 and to have a substantial part of the electric power distribution lines placed underground, (except necessary cable pole(s), existing overhead lines, transformers, secondary connection pedestals or switching cabinets) to supply single phase service, to serve Lots 135 through 174, inclusive

~~Lots \_\_\_\_\_ are to be served from overhead electric lines, and shall not be subject to the restrictions contained herein, except that the public utilities shall have the right to trim or remove trees which interfere with the user of the easements in said Lots, and except easements in Lots receiving electric or communication service overhead, namely \_\_\_\_\_~~

~~shall have underground lines installed therein for service to other lots in said subdivision and shall be subject to the following restrictions numbered 1 through 8~~

RECORDED RIGHT OF WAY NO. 215732

2 - #1/0 AWG and 1 - #1 AWG copper; or 2 - #2/0 AWG and 1 - #1 AWG aluminum conductors with RHW-USE insulation or with cross-linked polyethylene insulation. EDISON shall maintain the owners lines leading to the residences, provided, however, that should the electric service conductors of the owners or the lines of BELL be damaged by acts of negligence on the part of the owners or their agents or contractors, repairs shall be made by EDISON or BELL at the cost and expense of the owner(s) and paid forthwith to EDISON or BELL upon receiving a statement therefor.

7. The grade established by the undersigned in accordance with local governmental regulations at the time the utilities place their underground facilities in the easements shall be considered final or finished grade.

No property owner shall make any change in such grade in or near easements or alter any ground conditions, including drainage, when the change in grade or alteration of ground conditions, in the opinion of the utility concerned, interferes with the facilities already installed.

8. Property owners shall pay to the utility concerned the cost of relocation or rearrangement of utility equipment where in the opinion of the utility, such relocation or rearrangement is made necessary because of a violation by the property owner of any of the foregoing restrictions pertaining to utility underground installations.

9. The foregoing restrictions 1 through 8 shall be covenants running with the land and shall not be subject to termination without the consent of the utilities herein concerned.

10. Enforcement shall be by proceeding in a civil action against any person or persons violating or attempting to violate any covenants, either to restrain violation or to recover damages.

11. Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions, which shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned (has)(have) set (its)(their) hand(s) and seal(s) on this 9th day of June, 1969.

DOCUMENT PREPARED BY:  
MELFORD HARTMAN  
29350 SOUTHFIELD ROAD  
SOUTHFIELD, MICHIGAN 48075

PLEASE RETURN TO:  
MICHIGAN BELL TELEPHONE CO;  
MR. C. T. HALL, STAFF SUPV,  
29350 SOUTHFIELD ROAD  
SOUTHFIELD, MICHIGAN 48075

RECORDED RIGHT OF WAY NO. 05733

NOW, THEREFORE, the undersigned, hereby declare(s) that said premises shall be held, transferred, sold and conveyed subject to the restrictions, covenants, reservations, easements, charges, obligations and powers as follows:

1. Private easements for public utilities have been granted on the above described plat.

2. For the purpose of these Restrictions, "EDISON" shall mean THE DETROIT EDISON COMPANY and "BELL" shall mean MICHIGAN BELL TELEPHONE COMPANY.

3. No excavations (except for public utility purposes), no changes of finished grade, and no structures or apparatus of any kind, except line fences, shall be allowed within the public utility easements of the subdivision used by EDISON and BELL. Except as provided herein, the owners shall have the right to make any use of the land, subject to such easements, which is not inconsistent with the right of EDISON and BELL; provided, however, that the owners shall not plant trees or large shrubs within the public utility easements used by EDISON and BELL. EDISON and BELL shall have the right, without incurring any liability to the property owner for so doing, to trim or remove trees, bushes, or other plants of any kind within said easements and also shall have the right to trim the roots and foliage which grow into the easements belonging to trees, bushes or other plants of any kind lying outside of said easements and, which, in the sole opinion of EDISON and BELL, interferes with the facilities thereto or is necessary for the installation, reinstallation, modification, repair, maintenance or removal of their underground facilities in any public utility easement of the subdivision.

4. No shrubs or foliage shall be permitted on owner's property within five (5') feet of the front doors of the transformers or switching cabinets; nor shall such shrubs or foliage be permitted within five (5') feet of service connection pedestals.

5. The original or subsequent owners of Lots 135 through 174, inclusive

in this subdivision shall own and install underground, at their own expense, the single phase electric service conductors lying between the residences and the transformer of service connection pedestals located in said easements.

6. The installation of all underground electric service conductors shall be twenty-four (24") inches below finished grade and said conductors shall be at least

RECORDED RIGHT OF WAY NO. 207338

IN THE PRESENCE OF:

DELTA DEVELOPMENT COMPANY,  
A Michigan Corporation  
14035 W. Eight Mile Road  
Detroit, Michigan

[Signature]  
Herbert Rosen

BY: [Signature]  
Martin S. Myers, President

BY: [Signature]  
Nancy Myers, Sec.-Treasurer

[Signature]  
Herbert Rosen

[Signature]  
John A. Markowicz

[Signature]  
Helen Markowicz, his wife  
4002 Gertrude  
Dearborn Heights, Michigan

[Signature]  
Herbert Rosen

[Signature]  
Wolfgang K. Schaefer

[Signature]  
Antonia S. Schaefer, his wife  
1501 Edsel Drive  
Trenton, Michigan

STATE OF MICHIGAN )  
COUNTY OF Wayne )SS

On this 9th day of June, 1969, before me appeared MARTIN S. MYERS and NANCY MYERS to me personally known, who being by me duly sworn, did say that they are respectively PRESIDENT and SEC.-TREASURER of DELTA DEVELOPMENT COMPANY, a corporation created and existing under the laws of the State of Michigan and that the said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors and the said PRESIDENT and SEC.-TREASURER acknowledged the said instrument to be the free act and deed of the said corporation.

My Commission expires: 11-6-71

[Signature]  
Notary Public

[Signature] County, Michigan

RECORDED RIGHT OF WAY NO. 35733



STATE OF MICHIGAN )  
COUNTY OF ) SS

On this \_\_\_\_\_ day of \_\_\_\_\_, 1969, before me, the subscriber, a Notary Public in and for said County, personally appeared JOHN A. MARKOWICZ and HELEN MARKOWICZ, his wife, to me known to be the persons named in and who executed the within instrument as vendor and acknowledged that they executed the same as their free act and deed for the intents and purposes therein mentioned.

My Commission expires: 11-6-72

[Signature]  
Notary Public  
Oakland County, Michigan

STATE OF MICHIGAN )  
COUNTY OF ) SS

On this \_\_\_\_\_ day of \_\_\_\_\_, 1969, before me, the subscriber, a Notary Public in and for said county, personally appeared WOLFGANG K. SCHAEFER and ANTONIA S. SCHAEFER, his wife, to me known to be the persons named in and who executed the within instrument as vendor and acknowledged that they executed the same as their free act and deed for the intents and purposes therein mentioned.

My Commission expires: 11-6-72

[Signature]  
Notary Public  
Oakland County, Michigan

RECORDED RIGHT OF WAY NO. 25753

IN THE PRESENCE OF:

Mary Lou Stickney

Betty A. Marr

Barbara D'Agostino  
BARBARA D'AGOSTINO

Carol A. Moore  
CAROL A. MOORE

THE DETROIT EDISON COMPANY

BY: R. Q. Duke

R. Q. DUKE, DIRECTOR  
Properties and Rights of Way Dept.

BY: Lillian J. H. Carroll  
LILLIAN J. H. CARROLL ASST. SECRETARY

MICHIGAN BELL TELEPHONE COMPANY

BY: Paul T. Hall

Staff Supervisor, Right of Way  
(Authorized signature)

STATE OF MICHIGAN )  
COUNTY OF Wayne )SS

On this 30 day of Dec, 1969, before me appeared MARTIN S. MYERS and NANCY MYERS to me personally known, who being by me duly sworn, did say that they are respectively PRESIDENT and SEC.-TREASURER of DELTA DEVELOPMENT COMPANY, a corporation created and existing under the laws of the State of Michigan and that the said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors and the said PRESIDENT and SEC.-TREASURER acknowledged the said instrument to be the free act and deed of the said corporation.

My Commission expires: 11-6-70

James Roscoe  
Notary Public

Wayne County, Michigan  
act in Wayne

RECORDED RIGHT OF WAY NO. 25732

STATE OF MICHIGAN )  
  SS  
COUNTY OF WAYNE )

On this 18th day of June, 1969, before me, the subscriber, a Notary Public in and for said County, personally appeared  
R. Q. DUKE and LILLIAN J. H. CARROLL  
to me personally known, who being by me duly sworn, did say that they are the Director and Asst. Secretary  
of THE DETROIT EDISON COMPANY, a corporation organized and existing concurrently under the laws of Michigan and New York, and that the seal affixed to said instrument is the corporate seal of the said corporation, and that said instrument was signed in behalf of said corporation by authority of its Board of Directors and R. Q. DUKE and LILLIAN J. H. CARROLL  
acknowledged said instrument to be the free act and deed of said Corporation.

My Commission expires: 12-1-69

Stephen A. M. Vance  
Notary Public

Wayne County, Michigan

STATE OF MICHIGAN )  
  SS  
COUNTY OF OAKLAND )

On this 13th day of June, 1969, before me, the subscriber, a Notary Public in and for said County, appeared CARL T. HALL  
to me personally known, who being by me duly sworn, did say that he is Staff Supervisor of Right of Way, authorized by and for MICHIGAN BELL TELEPHONE COMPANY, a Michigan Corporation, and that the said instrument was signed in behalf of said Corporation, by authority of its Board of Directors, and CARL T. HALL  
acknowledged said instrument to be the free act and deed of said Corporation.

My Commission expires: \_\_\_\_\_

Melford Hartman  
Notary Public

Wayne County, Mich.

MELFORD HARTMAN  
Notary Public, Wayne County, Mich.  
Acting in Oakland County  
My Commission Expires Oct. 3, 1971

RECORDED RIGHT OF WAY NO. 25732

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

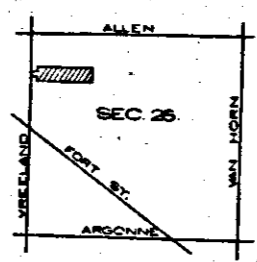
TO Art Lawrence, 1991 Second - Room 106 DATE 6-17-69 TIME \_\_\_\_\_  
Engineering Coordinator Supervisor  
Re: Underground Service - Eastpointe Estates Subdivision No. 2  
City of Woodhaven, County of Wayne

Agreements and easements obtained by M.R.T.

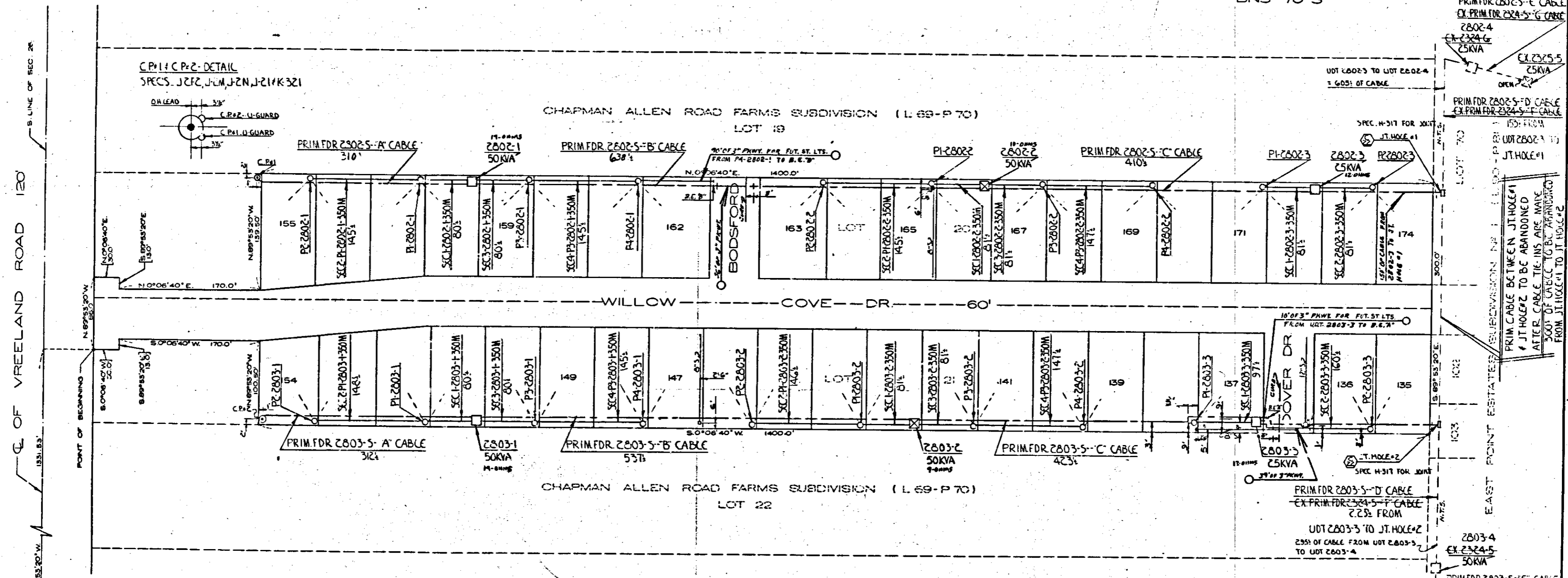
OK to proceed with construction.

COPIES TO V. J. Amos - 724 G.O. SIGNED *Stephen A. McNamee*  
F. Bender - B202 Warren Service Center Stephen A. McNamee/ku  
REPORT File Staff Attorney  
Law Department

DATE RETURNED \_\_\_\_\_ TIME \_\_\_\_\_ SIGNED \_\_\_\_\_

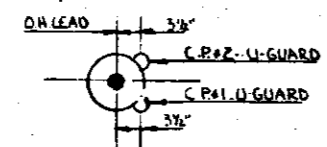


BNS-70-3



RECORDED RIGHT OF WAY  
25732

C.P. 1 & C.P. 2 - DETAIL  
SPECS. J2F2, J2M, J2N, J2K, K321



**NOTES**  
SEE DRAWING UF-12369 FOR TRANS. MAT DETAIL  
ALL TRENCHING AND BACKFILLING BY D.E.CO.  
ALL CABLE LENGTHS ARE APPROXIMATE  
D.E.CO. CONST. SUPERVISOR: MR. BELLETINI, RM 136 1501 2ND. W. 22100, EXT. 2640  
M.B.T. ENGINEER: MR. BELL, 19366 ALLEN RD. TRENTON, 282-9974  
M.B.T. CONTROL FOREMAN: PHONE: 285-9912

**TRANSFORMER DATA**

LOT	SIZE	ED. NO.
2802-1	50KVA	661-0497
2802-2	50KVA	661-0501
2802-3	25KVA	661-0496
2803-1	50KVA	661-0497
2803-2	50KVA	661-0501
2803-3	25KVA	661-0496

\*INDICATES TRANS. W/ SWITCHING

**CABLE SUMMARY**  
**PRIMARY CABLE**  
IT NO 135 2 APC X1 13.2KV 713-3029 - 2987'  
**SECONDARY CABLE**  
IT NO 137 AP 2-350M + 1-46 - 600VOLTS 713-0531 - 2,220'

**TITLE BLOCK**

D.D.	22773
W.D.	347847
FOREMAN	GERARDI
LABOR	D.E. CO.
START	9-24-69
FINISH	10-1-69
NOTES	GERARDI
SUPERVISOR	BELLETINI
RECORDS	RAK

**TRENCH SUMMARY**  
JOINT USE - 2040'

- PAD MOUNT TRANSFORMER
- PAD MOUNT TRANSFORMER WITH SWITCHING
- SECONDARY PEDestal
- PRIMARY SWITCH CABINET
- CABLE POLE
- SECONDARY TERMINAL
- DIRECTION TRANSFORMER DOOR OPENING
- O.P.L. LIGHT FIXTURE
- BURIED PRIMARY CABLE - ALL VOLTAGES
- BURIED SECONDARY MAIN OR O.P.L. CABLE
- DETROIT EDISON TRENCH ONLY
- M.B.T. CO. TRENCH ONLY
- PROPOSED CONDUIT
- SEWER
- WATER
- GAS
- BURIED CUSTOMER CABLE

PERMITS REQ'D  
CITY OF WOODHAVEN

DIST. CIR. 8188 FISHER  
13.2KV

**DIRECT BURIED SYSTEM** M.B.T. JOB NO. TRENTON-0730

D	C	B	A	OTHER APPROVAL	DATE
			AS INSTALLED IN FIELD JOB COMPLETE.		11-14-69

**EAST POINT ESTATES SUBDIVISION NO 2**  
PART OF THE SW 1/4 SEC 26  
CITY OF WOODHAVEN

W02 4-22-45

Office  
Date

RECORDED RIGHT OF WAY NO. 25732

25732

TO THE PUBLIC RECORDS DEPARTMENT  
OF THE COUNTY OF LOS ANGELES  
FOR RECORDING AND INDEXING  
THE FOLLOWING INSTRUMENT  
FILED FOR RECORDING  
ON [illegible] DAY OF [illegible] 19[illegible]  
AT [illegible] O'CLOCK [illegible] M.  
BY [illegible]

RECORDED  
INDEXED  
FILED  
[illegible text]