

THIS INSTRUMENT IS RE-RECORDED WITH "AS INSTALLED" DRAWING AS STIPULATED IN PARAGRAPH 4.

AGREEMENT - EASEMENT - RESTRICTIONS

This instrument made this 30 day of February, 1980 by and between the undersigned Owners and 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, hereinafter called "EDISON", and MICHIGAN BELL TELEPHONE COMPANY, a Michigan corporation, of 1365 Cass Avenue, Detroit, Michigan, 48226, hereinafter called "BELL".

W I T N E S S E T H :

WHEREAS, Owners are erecting apartments known as Windgate Park Condominium, on land in the Township of Ypsilanti, County of Washtenaw, State of Michigan, as described in Appendix "A", attached hereto and made a part hereof, and EDISON and BELL will install their electric and communication facilities underground except necessary above ground equipment.

NOW, THEREFORE, in consideration of the mutual promises and covenants for the installation of underground utility service made by the parties hereto, it is hereby agreed:

- (1) The installation, ownership and maintenance of electric services and the charges to be made therefor shall be subject to and in accordance with the Orders and Rules and Regulations adopted from time to time by the Michigan Public Service Commission.
- (2) Owners must certify to EDISON and BELL that the easements are graded to within four (4") inches of final grade before the underground facilities are installed.
- (3) Owners further agree that if subsequent to the installation of the utility facilities of EDISON and 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 or for any cause or changes attributable to public authority having jurisdiction or to Owners action or request, Owners will pay the cost and expense of repairing, moving, rearrangement or relocating said facilities to EDISON or BELL upon receipt of a statement therefor. Further, if the lines or facilities of EDISON and BELL are damaged by acts of negligence on the part of the Owners or by contractors engaged by Owners, repairs shall be made by the utilities named herein at the cost and expense of the Owners and reimbursement shall be paid to EDISON or BELL upon receiving a statement therefor. Owners are defined as those persons owning the land at the time damage occurred.
- (4) Owners hereby grant to EDISON and BELL easement for electric and communication underground services in land herein described. When utility lines are installed, this instrument shall be re-recorded with an "as installed" drawing showing the location of utility facilities in relation to building lines and indicating the easements by their centerlines. Easements herein granted shall be six (6') feet in width unless otherwise indicated on said drawing.
- (5) Easements herein granted are subject to the following restrictions:
 - a. Said easements shall be subject to Order of and the Rules and Regulations adopted from time to time by the Michigan Public Service Commission.
 - b. Owners will place survey stakes indicating building plot lines and property lines before trenching.
 - c. No shrubs or foliage shall be permitted on Owners land within five (5') feet of front door of transformers or switching cabinet enclosures.

DRAFTED BY AND RETURN TO, M. HARTMAN, MICHIGAN BELL 660 PLAZA DRIVE ROOM 1510 DETROIT, MICHIGAN 48226

JAN 23 9 57 AM '80

PATRICIA HEARNIK HARDY REG. SEC. OF DEEDS WASHTEENAW COUNTY, MICH.

RECEIVED FOR RECORD

JAN 13 2 03 PM '72

PATRICIA HEARNIK HARDY REG. SEC. OF DEEDS WASHTEENAW COUNTY, MICH.

-1- re-recorded

\$15

RECORDED

27496

Page 2 of 7
re-recorded

LIBER 1384 PAGE 11

d. Sanitary sewers shall be installed prior to installation of electric and communication lines. Sewer, water and gas lines may cross easements granted for electric and communication lines, but shall not be installed parallel within said easements.

e. Owners shall make no excavations nor erect any structures within the easements identified on the "as installed" drawing. No excavations for fences shall be allowed within the limits of the utility easements provided for electric and communication lines unless prior written approval is secured from the utilities.

f. Owners to provide for clearing the easements of trees, large stumps, and obstructions sufficiently to allow trenching equipment to operate.

g. EDISON and BELL shall have the right of access at all times upon premises for the purposes of constructing, repairing, and maintaining their electric and communication lines and facilities.

h. Any of the undersigned who are vendors on land contracts wherein a portion of the lands described herein are being sold shall not be liable to BELL or EDISON unless and until the interest of the vendees, under any such contracts, have been forfeited and damage to utility lines and equipment occurs after such forfeiture.

The provisions of this instrument shall run with the land and shall be binding upon and inure to the benefit of 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 on the day and year first above written.

IN THE PRESENCE OF:

Stephen A. McNamee
Stephen A. McNamee
Irene C. Kaya
IRENE C. KAYA

THE DETROIT EDISON COMPANY

By W.C. Arnold
W.C. ARNOLD, DIRECTOR
Real Estate and Rights of Way Dept.
By Lillian J.H. Carroll
Lillian J.H. Carroll Assistant Secretary

MICHIGAN BELL TELEPHONE COMPANY

Linda M. Loffman
LINDA M. LOFFMAN
Marsha Pavelka
MARSHA PAVELKA

By Phillip G. Hilzinger
Phillip G. Hilzinger, Area Engineer
~~Staff Supervisor, Right of Way~~
(Authorized Signature)

CATES BUILDERS, INC.
A Michigan Corporation
26011 Evergreen Road, Suite 200
Southfield, Michigan 48076

By Ronald Kates
Ronald Kates, President
K.

John Ziga, Sr.
Stephen Kelemen
STEPHEN KELEMEN

RECORDED RIGHTS OF WAY NO. 27496

PLEASE PRINT OR TYPE NAMES UNDER ALL SIGNATURES

LIBER 1384 PAGE 12

MULTIPLEX CORPORATION
A Michigan Corporation
26011 Evergreen Rd., Suite 200
Southfield, Michigan 48076

By [Signature]
L. David Kellett, President

PLEASE PRINT OR TYPE NAMES
UNDER ALL SIGNATURES

[Signature]
THOMAS C. WAYDS

[Signature]
PATRICIA J. STEVENS

[Signature]
ROBLAT C. ALDER

[Signature]
THOMAS C. WAYDS

[Signature]
Merlin C. Townley

[Signature]
Serena Louise Townley, his wife
116 W. Washington Ave.
Ann Arbor, Michigan

STATE OF MICHIGAN
COUNTY OF Calhoun

On this 23rd day of December, 1971, before me appeared Ronald Cates to me personally known, who being by me duly sworn, did say that he is respectively President of Cates Builders, Inc., 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 Ronald Cates acknowledged the said instrument to be the free act and deed of the said corporation.

My Commission expires: [Signature] STEVENS
Notary Public
Wayne County, Mich.
My Commission Expires July 19, 1975
Wayne County, Michigan

STATE OF MICHIGAN
COUNTY OF Calhoun

On this 25th day of December, 1971, before me appeared L. David Kellett to me personally known, who being by me duly sworn, did say that he is respectively President of Multiplex Corporation, 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 L. David Kellett acknowledged the said instrument to be the free act and deed of the said corporation.

My Commission expires: July 19, 1975
Notary Public
Wayne County, Michigan

PATRICIA J. STEVENS
Notary Public, Wayne County, Mich.
Acting in O. of [unclear] Mich.
My Commission Expires July 19, 1975

DRAFT... RETURN TO:
MICHIGAN...
27496

STATE OF MICHIGAN
COUNTY OF Calhoun

On this 23rd day of December, 1971, before me, the subscriber a Notary Public in and for said County, personally appeared Merlin C. Townley and Serena Louise Townley, a man and wife to me known to be the persons named in and who executed the within instrument and acknowledged that they executed the same as their free act and deed for the intents and purposes therein mention.

My Commission expires: July 19, 1975

Patricia J. Stevens
Notary Public

Wayne County, Michigan

PATRICIA J. STEVENS
Notary Public for the County, Mich.
Act as Notary Public for the County, Mich.
My Commission Expires July 19, 1975

APPENDIX "A" Windgate Park Condominium

Part of the W 1/2 of Section 14, T3S, R7E, Ypsilanti Township, Washtenaw County, Michigan is described as beginning at a point on the west line of said Section 14 distant N 1° 04' 30" W along said west line 33.0 ft. from the W 1/4 corner of said Section 14, thence continuing N 1° 04' 30" W 195.7 ft., thence N 88° 55' 30" E 160.68 ft., thence S 0° 58' E 195.93 ft., thence S 89° 02' W 160.41 ft. to the point of beginning containing 0.721 acres more or less.

RECORDED RIGHT OF WAY NO. 27496

PLEASE SEND RETURN TO:
MICHIGAN TITLE INSURANCE CO.
2150 SOUTH FIELD - ROOM 25
SOUTHFIELD, MICHIGAN 48076

Page of 7
re-recorded

STATE OF MICHIGAN)
) SS
COUNTY OF WAYNE)

On this 7th day of January, 1972, before me, the
subscriber, a Notary Public in and for said County, personally appeared
W. C. Arnold and Lillian J.H. Carroll
to me personally known, who being by me duly sworn, did say that they are
the Director, RE & R/W Dept. and an Assistant 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 W. C. Arnold and Lillian J.H. Carroll
acknowledged said instrument to be the free act and deed of said Corporation.

My Commission expires: June 24, 1972

Irene C. Kata
Notary Public IRENE C. KATA
Wayne County, Michigan
(Seal: IRENE C. KATA, NOTARY PUBLIC, WAYNE COUNTY, MICHIGAN)

STATE OF MICHIGAN)
) SS
COUNTY OF OAKLAND)

On this 4th day of January, 1972, before me the sub-
scriber, a Notary Public in and for said County, appeared Phillip G. Hilzinger
to me personally known, who being by me duly sworn, did say that he is Area
Engineer, 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 Phillip G. Hilzinger
acknowledged said instrument to be the free act and deed of said Corporation

My Commission expires: _____

Melford Hartman
Notary Public
_____ County, Michigan

MELFORD HARTMAN
Notary Public, Wayne County, Michigan
Acting in Oakland County
My Commission Expires Sept. 15, 1975

27496

Liber 1384
Page 10-14

AGREEMENT - EASEMENT - RESTRICTIONS

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W I T N E S S E T H :

WHEREAS, Owners are erecting apartments known as Windgate Park Condominiums, on land in the Township of Ypsilanti, County of Washtenaw, State of Michigan, as described in Appendix "A", attached hereto and made a part hereof, and EDISON and BELL will install their electric and communication facilities underground except necessary above ground equipment.

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(2) Owners must certify to EDISON and BELL that the easements are graded to within four (4") inches of final grade before the underground facilities are installed.

(3) Owners further agree that if subsequent to the installation of the utility facilities of EDISON and 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 or for any cause or changes attributable to public authority having jurisdiction or to Owners action or request, Owners will pay the cost and expense of repairing, moving, rearrangement or relocating said facilities to EDISON or BELL upon receipt of a statement therefor. Further, if the lines or facilities of EDISON and BELL are damaged by acts of negligence on the part of the Owners or by contractors engaged by Owners, repairs shall be made by the utilities named herein at the cost and expense of the Owners and reimbursement shall be paid to EDISON or BELL upon receiving a statement therefor. Owners are defined as those persons owning the land at the time damage occurred.

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(5) Easements herein granted are subject to the following restrictions:

a. Said easements shall be subject to Order of and the Rules and Regulations adopted from time to time by the Michigan Public Service Commission.

b. Owners will place survey stakes indicating building plot lines and property lines before trenching.

c. No shrubs or foliage shall be permitted on Owners land within five (5') feet of front door of transformers or switching cabinet enclosures.

RECORDED RIGHT OF WAY NO. 27496

*Windgate Park
12/24/72 (07212) (Windgate Park Condominiums)*

d. Sanitary sewers shall be installed prior to installation of electric and communication lines. Sewer, water and gas lines may cross easements granted for electric and communication lines, but shall not be installed parallel within said easements.

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

IN THE PRESENCE OF:

Stephen A. McNamara
Stephen A. McNamara
Irene C. Kata
IRENE C. KATA

THE DETROIT EDISON COMPANY

By W. C. Arnold
W. C. ARNOLD, DIRECTOR
Real Estate and Rights of Way Dept.
By Lillian J.H. Carroll
Lillian J.H. Carroll Assistant Secretary

MICHIGAN BELL TELEPHONE COMPANY

Linda M. Loffman
LINDA M. LOFFMAN
Marsha Pavelka
MARSHA PAVELKA

By Phillip G. Hilzinger
Phillip G. Hilzinger, Area Engineer
Staff Supervisor, Right of Way
(Authorized Signature)

GATES BUILDERS, INC.
A Michigan Corporation
26011 Evergreen Road, Suite 200
Southfield, Michigan 48076

John Z...
Stephen...

By Ronald Cates
Ronald Cates, President

RECORDED RIGHT OF WAY NO. 27492

MULTIPIX CORPORATION
A Michigan Corporation
26011 Evergreen Rd., Suite 200
Southfield, Michigan 48076

August C. Wayne
Patricia J. Stevens
Robert C. Leeder
Thomas C. Wayne

By [Signature]
L. David Kellett, President

[Signature]
Merlin C. Townley
[Signature]
Serena Louise Townley, his wife
116 W. Washington Ave.
Ann Arbor, Michigan

STATE OF MICHIGAN
COUNTY OF Oakland

On this 23rd day of December, 1971, before me appeared Ronald Cates to me personally known, who being by me duly sworn, did say that he is respectively President of Cates Builders, Inc., 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 Ronald Cates acknowledged the said instrument to be the free act and deed of the said corporation.

My Commission expires: July 19, 1975
PATRICIA J. STEVENS
Notary Public, Wayne County, Mich.
Acting in Oakland County, Mich.
My Commission Expires July 19, 1975

[Signature]
Notary Public
Wayne County, Michigan

STATE OF MICHIGAN
COUNTY OF Oakland

On this 23rd day of December, 1971, before me appeared L. David Kellett to me personally known, who being by me duly sworn, did say that he is respectively President of Multiplex Corporation, 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 L. David Kellett acknowledged the said instrument to be the free act and deed of the said corporation.

My Commission expires: July 19, 1975
PATRICIA J. STEVENS
Notary Public, Wayne County, Mich.
Acting in Oakland County, Mich.
My Commission Expires July 19, 1975

[Signature]
Notary Public
Wayne County, Michigan

RECORDED RIGHT OF WAY NO. 87496

STATE OF MICHIGAN

COUNTY OF Caldwell

On this 23rd day of December, 1971, before me, the subscriber a Notary Public in and for said County, personally appeared Merlin C. Townley and Serena Louise Townley, a man and wife to me known to be the persons named in and who executed the within instrument and acknowledged that they executed the same as their free act and deed for the intents and purposes therein mention.

My Commission expires:

July 19, 1975

PATRICIA J. SEVENS
Notary Public, Washtenaw County, Mich.
Acting in Caldwell County, Mich.
My Commission Expires July 19, 1975

Patricia J. Sevens
Notary Public
Wayne County, Michigan

APPENDIX "A"

Windgate Park Condominium

Part of the W 1/2 of Section 14, T3S, R7E, Ypsilanti Township, Washtenaw County, Michigan is described as beginning at a point on the west line of said Section 14 distant N 1° 04' 30" W along said west line 33.0 ft. from the W 1/4 corner of said Section 14, thence continuing N 1° 04' 30" W 195.7 ft., thence N 88° 55' 30" E 160.68 ft., thence S 0° 58' E 195.93 ft., thence S 89° 02' W 160.41 ft. to the point of beginning containing 0.721 acres more or less.

RECORDED REPORT OF WAY NO. 27496

STATE OF MICHIGAN)
) SS
COUNTY OF WAYNE)

On this 7th day of January, 1972, before me, the
subscriber, a Notary Public in and for said County, personally appeared
W. C. Arnold and Lillian J.H. Carroll
to me personally known, who being by me duly sworn, did say that they are
the Director, RE & R/W Dept. and an Assistant 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 W. C. Arnold and Lillian J.H. Carroll
acknowledged said instrument to be the free act and deed of said Corporation.

My Commission expires: June 24, 1972

Irene C. Kata
Notary Public IRENE C. KATA

Wayne County, Michigan

STATE OF MICHIGAN)
) SS
COUNTY OF OAKLAND)

On this 4th day of January, 1972, before me the sub-
scriber, a Notary Public in and for said County, appeared Phillip G. Hilzinger
to me personally known, who being by me duly sworn, did say that he is Area
Engineer, 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 Phillip G. Hilzinger
acknowledged said instrument to be the free act and deed of said Corporation

My Commission expires: _____

Melford Hartman
Notary Public

_____ County, Michigan

MELFORD HARTMAN
Notary Public, Wayne County, Michigan
Resides in Oakland County
My Commission Expires Sept. 15, 1979

RECORDED RIGHT OF WAY NO. 27496

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

TO Engineering Coordinator Supervisor DATE 1-11-72 TIME _____
Building N-250, Warren Service Center

Re: Underground Service, Windgate Park Condominium, Ypsilanti Twp., Washtenaw County
Agreements - Easements obtained. OK to proceed with construction.

COPIES TO: E. McLean, Service Planning, Ann Arbor
file

SIGNED

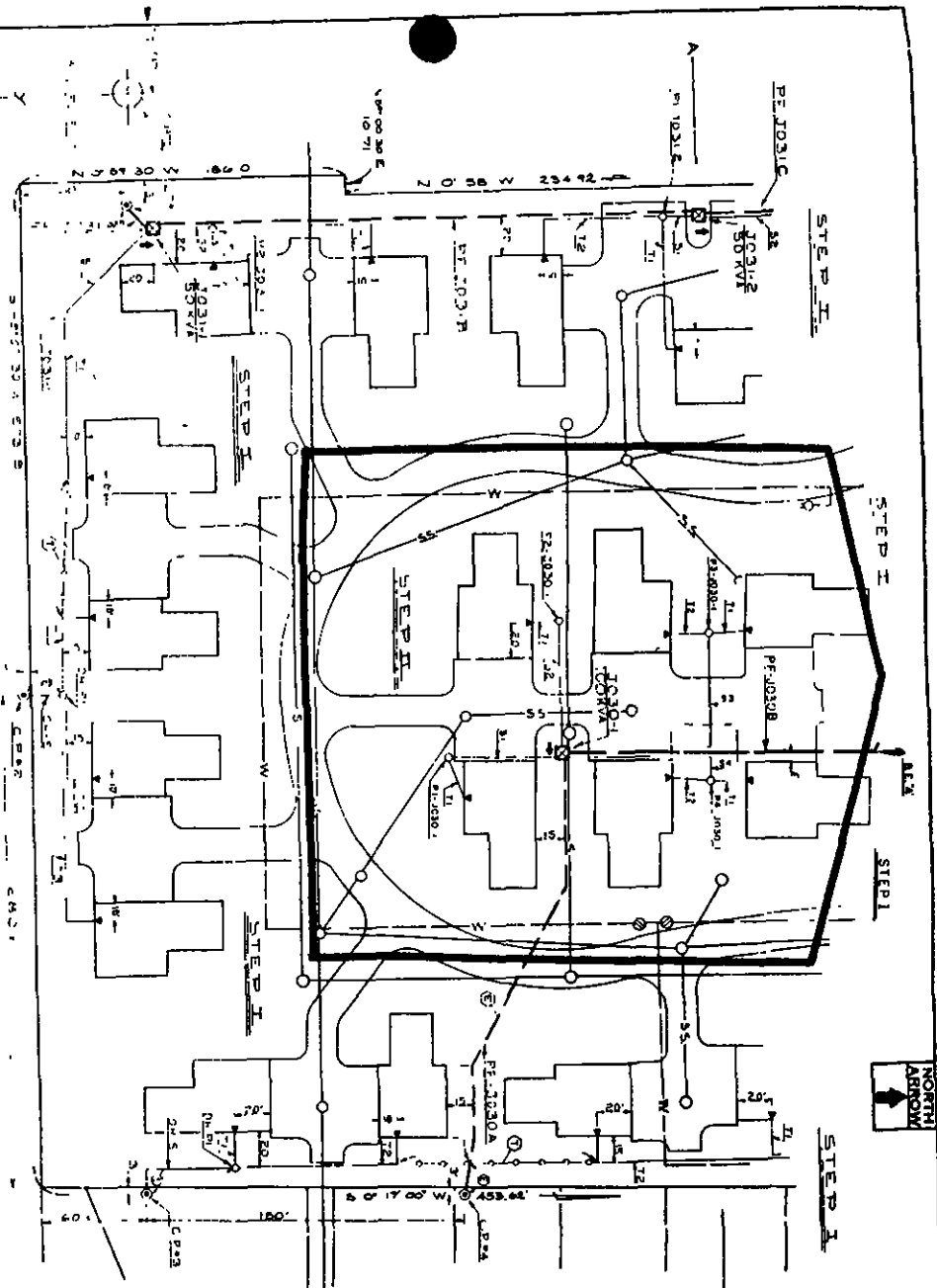
Stephen A. McNamee
Stephen A. McNamee
Sr. Staff Attorney/lhd

REPORT _____

DATE RETURNED _____

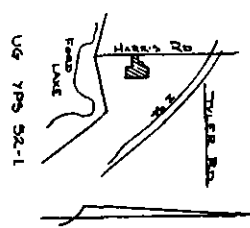
TIME _____

SIGNED _____



REPLAT OF WESTWILLOW UNIT # 14-P
GATTEGNO ROAD

27496



GENERAL NOTES
 1. REFER TO DRAWING U-38192 FOR CONSTRUCTION OF 15 KV BUSBAR AND METER ENCLOSURE.
 2. METER ENCLOSURE TO BE INSTALLED PER METER MANUFACTURER'S INSTRUCTIONS.
 3. METER TO BE CONTROLLED BY THE METER MANUFACTURER'S INSTRUCTIONS.
 4. SEE DRAWING U-38192 FOR CONSTRUCTION DETAIL.
 5. SERVICE PANEL TO BE INSTALLED PER MANUFACTURER'S INSTRUCTIONS.

TABLE SUMMARY

| ITEM | DESCRIPTION | STEP I | STEP II | STEP III |
|------|---------------------|----------|----------|----------|
| 1 | PRIMARY CABLE | 12KV | 100-0000 | 100-0000 |
| 2 | SECONDARY CABLE | 15KV | 100-0000 | 100-0000 |
| 3 | TRIPLE TRENCH | 100-0000 | 100-0000 | 100-0000 |
| 4 | TRIPLE TRENCH TOTAL | 100-0000 | 100-0000 | 100-0000 |

ABLT. POLY. DATA
 1. ALL CABLES TO BE INSTALLED PER MANUFACTURER'S INSTRUCTIONS.
 2. ALL CABLES TO BE INSTALLED PER MANUFACTURER'S INSTRUCTIONS.
 3. ALL CABLES TO BE INSTALLED PER MANUFACTURER'S INSTRUCTIONS.
 4. ALL CABLES TO BE INSTALLED PER MANUFACTURER'S INSTRUCTIONS.

ENTRANCE DETAIL
 SEE DRAWING U-38192 FOR SERVICE ENTRANCE DETAIL
 STEP II NO 36782 1384

NEW DWG NO. U-38192

LIST FOR 350 PAUL
 13.2 KV 150 UP

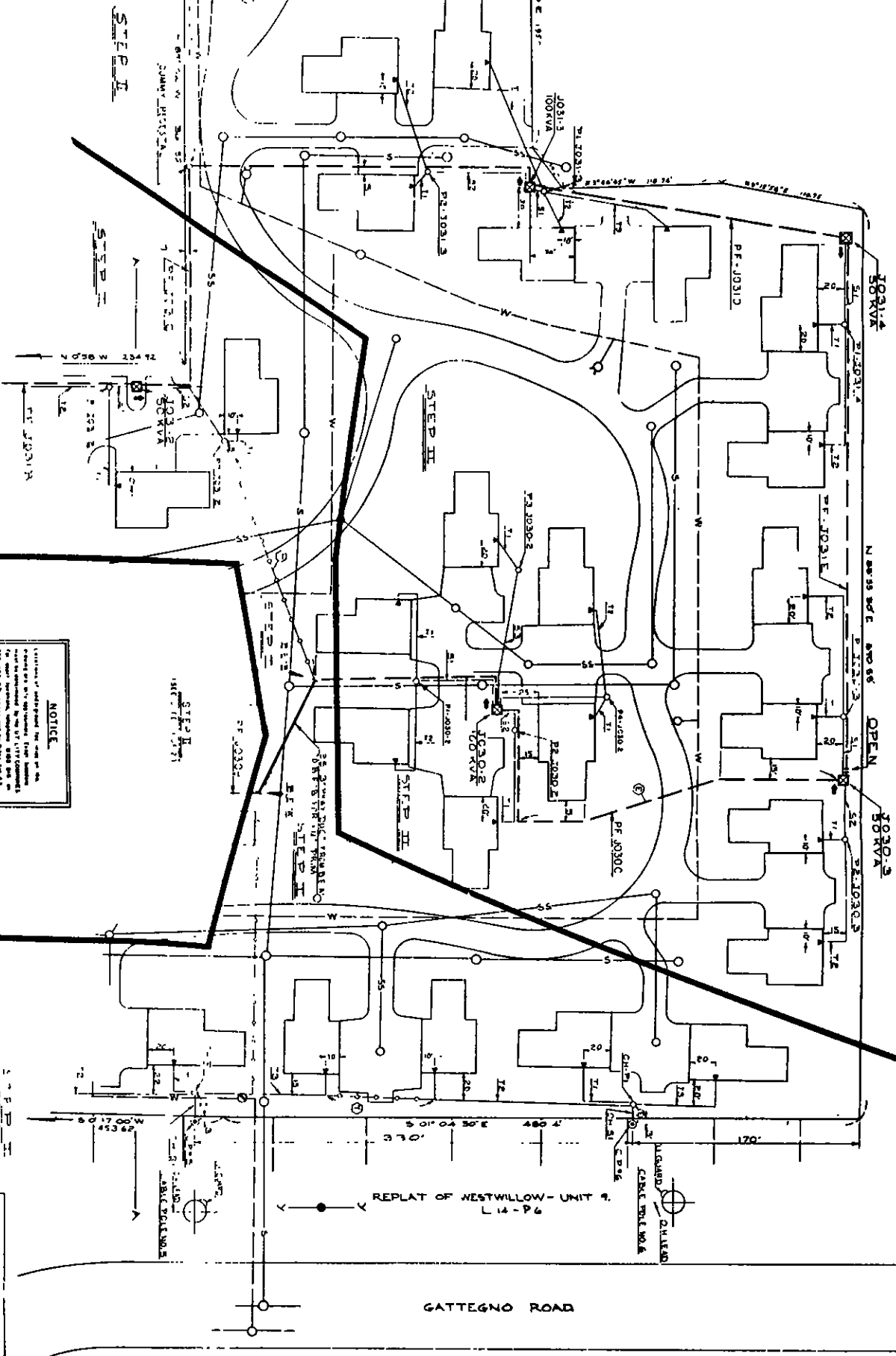
As Installed

100-0000

| NO. | DESCRIPTION | DATE | BY | CHECKED |
|-----|---------------------|----------|------|---------|
| 1 | REVISION OF STEP II | 10/15/11 | J.P. | J.P. |
| 2 | REVISION OF STEP II | 10/15/11 | J.P. | J.P. |
| 3 | REVISION OF STEP II | 10/15/11 | J.P. | J.P. |
| 4 | REVISION OF STEP II | 10/15/11 | J.P. | J.P. |
| 5 | REVISION OF STEP II | 10/15/11 | J.P. | J.P. |
| 6 | REVISION OF STEP II | 10/15/11 | J.P. | J.P. |
| 7 | REVISION OF STEP II | 10/15/11 | J.P. | J.P. |
| 8 | REVISION OF STEP II | 10/15/11 | J.P. | J.P. |
| 9 | REVISION OF STEP II | 10/15/11 | J.P. | J.P. |
| 10 | REVISION OF STEP II | 10/15/11 | J.P. | J.P. |

U-38192

N 104° 30' W 350'
04° 30' W 115.86'
HARRIS ROAD



RECORD RIGHT OF WAY NO. 27496

NOTICE.
 I HEREBY CERTIFY THAT THE WORK SHOWN ON THIS PLAN WAS DONE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF MICHIGAN.
 JOHN J. JONES, P.E.
 1500 W. WASHINGTON ST.
 ANN ARBOR, MICHIGAN 48106

AS INSTALLED
NEW DWG NO U-38192

| NO. | DATE | DESCRIPTION |
|-----|--------------|--------------------|
| 1 | AS INSTALLED | NEW DWG NO U-38192 |
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#27496

THE DETROIT EDISON COMPANY

2000 SECOND AVENUE
DETROIT, MICHIGAN 48226

Date: 4-6-72

MULTI PLEY CORPORATION
1469 HARRIS RD.
YPSILANTI, MICHIGAN
Re: WINDGATE PARK CONDOMINIUM

Gentlemen:

Pursuant to establishing a field construction date for the above named project, it is necessary that the conditions of the grade in the area of construction be determined. Work cannot start until this is accomplished. In addition, you must agree to pay all frost charges if involved, at a cost not to exceed \$1.50 per linear foot of trench.

Please sign and return three copies of the certificate below. You may retain the fourth copy for your file.

Very truly yours,

Ernest McLean
Service Planner

4-6-72
Date

C-E-R-T-I-F-I-C-A-T-E

I/We, the undersigned, hereby certify to The Detroit Edison Company that all grading in utility easements and/or the routes of the underground facilities on the above subject development has been completed within four (4) inches of final grade.

I/We, the undersigned, agree to pay all frost charges if involved, at a price not to exceed that shown above and further agree that a stake will be placed at the location of each piece of above grade equipment, indicating the final grade to be achieved. A copy of The Detroit Edison Company underground construction drawing No. 4-38067 for this development is in my/our possession and will be used for this purpose.

Wm. Blong
Signed

Signed
Bl. Sup
Title

4-6-72
Date

RECORDED DETROIT OF WAY NO. 27496