

APARTMENTS

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

G510021

F695341

L118026 PA898

L120882 PA537

AGREEMENT - EASEMENT - RESTRICTIONS

RE-RECORD

This instrument made this 16th day of March, 1972, 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".

WITNESSETH:

WHEREAS, Owners are erecting apartments known as Newporte Condominiums, on land in the Township of Plymouth County of Wayne, 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 and 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 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. However, secondary electric service and communication entrance line locations, as shown on an "as installed" drawing are not guaranteed; actual locations can be determined after contact with utilities.
- (5) Owners to pay the cost of conduit for electric and/or communication facilities to accommodate patios or similar site conditions.
- (6) Easements herein granted are subject to the following restrictions and additional conditions:
 - a. Said easements shall be subject to Orders 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.

F695341 G510021

27701

ALLOTTED JUN 17 1980 AT 346 O'CLOCK P. FOREST E. YOUNGBLOOD, Register of Deeds WAYNE COUNTY, MICHIGAN 48226

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

RECORDED MAR 30 1972 AT 1007A O'CLOCK BERNARD J. YOUNGBLOOD, Register of Deeds WAYNE COUNTY, MICHIGAN 48226

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

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. Owners to pay to utility concerned the extra trenching costs involved if trenching is required while ground is frozen.

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 assigned 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:

THE DETROIT EDISON COMPANY

George Williams
GEORGE WILLIAMS

By R. W. Lundgren
R. W. LUNDGREN
VICE PRESIDENT

Irene C. Kata
IRENE C. KATA

By Lillian J. H. Carroll
LILLIAN J. H. CARROLL ASST. SECRETARY

MICHIGAN BELL TELEPHONE COMPANY

Linda M. Loffman
LINDA M. LOFFMAN

By William F. Murray, Jr.
WILLIAM F. MURRAY, JR.
ACTING Staff Supervisor, Right of Way
(Authorized Signature)

Marsha Pavelka
MARSHA PAVELKA

NEWPORTE HOMES INC.
A Michigan Corporation
18610 W. Eight Mile Road
Southfield, Michigan 48075

27701

Sharon Kasunic
Sharon Kasunic

By John J. Tedesco
John J. Tedesco, President

June Goldberg
June Goldberg

By Richard A. Carnaghi
Richard A. Carnaghi, Secretary

DRAFTED BY: AND RETURN TO:
MELFORD HARTMAN
MICHIGAN BELL TELEPHONE CO.
29350 SOUTHFIELD - ROOM 25
SOUTHFIELD MICHIGAN 48076

PLEASE PRINT OR TYPE NAMES
UNDER ALL SIGNATURES

LI20882 PA539

LI18026 PA900

STATE OF MICHIGAN

COUNTY OF WAYNE

On this 16th day of March, 1972, before me appeared

John J. Tedesco and Richard A. Carnaghi

to me personally known, who being by me severally duly sworn, did say that they are respectively President and Secretary of

Newporte Homes 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 John J. Tedesco and Richard A. Carnaghi

acknowledged the said instrument to be the free act and deed of the said

corporation.

My commission expires August 25, 1973

June Goldberg
Notary Public June Goldberg

Oakland, Acting in Wayne County, Michigan.

Appendix "A"

Newporte Condominiums

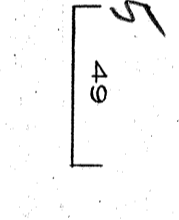
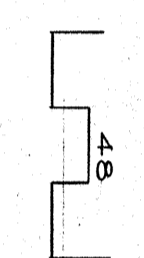
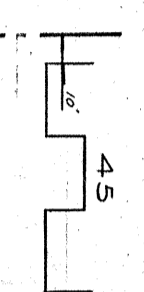
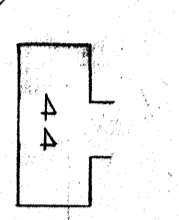
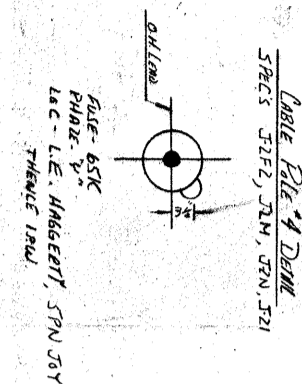
A parcel of land located in the S. 1/2 of Section 36, T1S, R8E, Plymouth Township, Wayne County, Michigan more particularly described as follows: beginning at a point on the South line of Section 36, T1S, R8E, N. 89° 52' 07" W. 408.60 feet from the South 1/4 corner of said Section 36, thence continuing along said south line N. 89° 52' 07" W. 284.72 feet; thence N. 0° 12' 53" E. 566.06 feet; thence N. 89° 45' 23" W. 574.30 feet; thence along the Easterly line of Haggerty Road as now established 120 feet wide, N. 0° 13' 29" E. 695.35 feet; thence S. 89° 48' 39" E. 1264.39 feet to a point on the North and South 1/4 line of said Section 36, thence N. 89° 56' 50" E. 792.56 feet; thence along Westerly right-of-way of I-275, S. 3° 20' 54" E. 72.56 feet, and S. 13° 58' 44" W. 862.68 feet, and S. 72° 09' 18" E. 13.00 feet, and along a curve to the right radius 7442.44 feet, chord bearing S. 18° 39' 02" W. chord 209.32 feet, central angle 1° 36' 42", a distance of 209.33 feet, and S. 19° 27' 23" W. 58.35 feet; thence along the Northerly line of Joy Road, S. 89° 59' 56" W. 424.63 feet, and S. 84° 55' 36" W. 389.01 feet; thence continuing S. 84° 55' 36" W. 112.82 feet; thence S. 0° 08' 26" W. 49.77 feet to the point of beginning. Containing an area of 46.52 acres more or less.

RECORDED IN BOOK OF WAY NO. 27701

grouthead mp

120882
P544

HAGGERTY
N 0° 13' 29" E.
695.35'



NORTH
ARROW

P545

P546

Q.A. 4'-0" N 89° 45' 23" W 574.30'

STEP 1

STEP 2

RECORDED RIGHT OF WAY
R221701

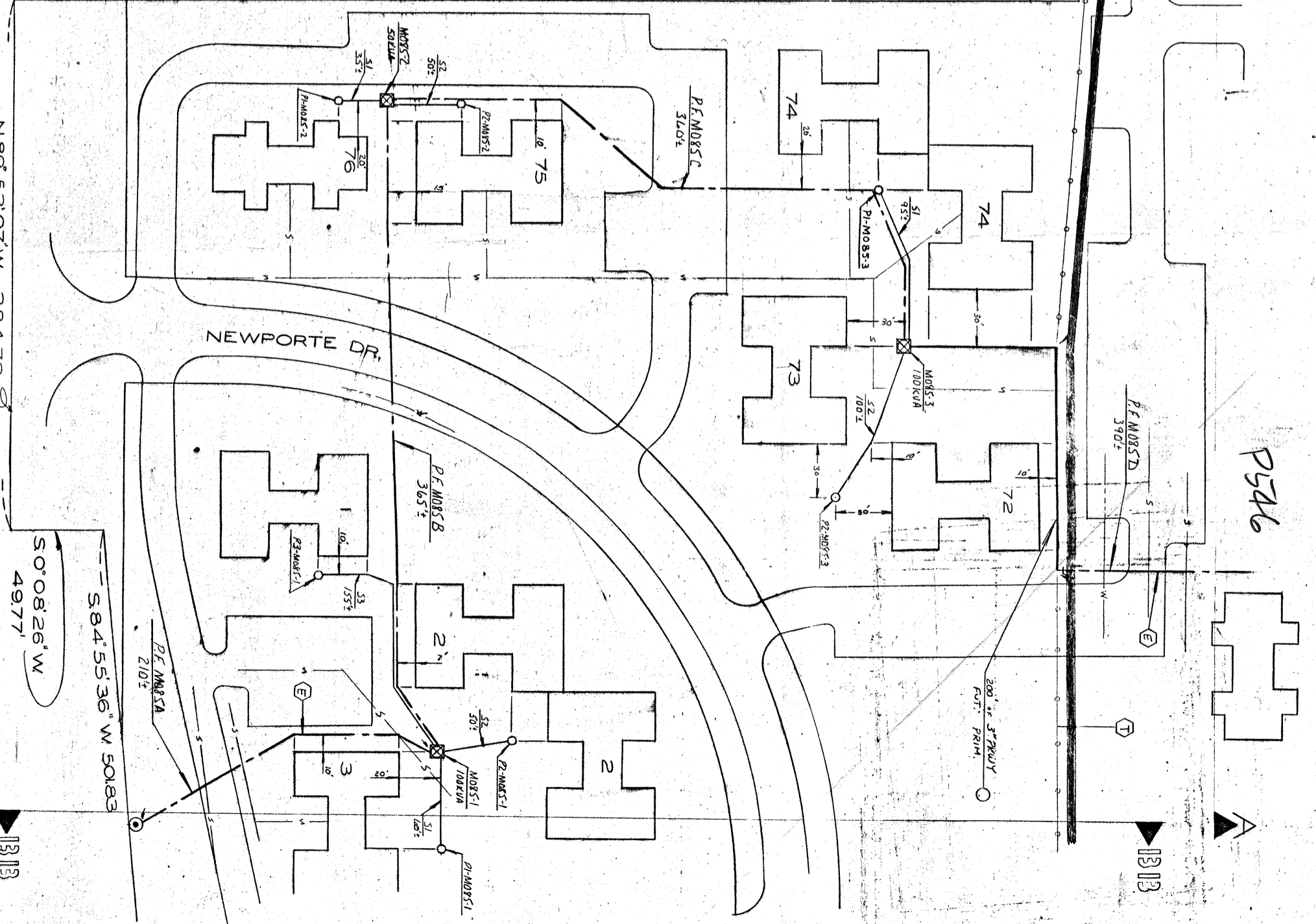
N 0° 12' 53" E 566.06'

PLYMOUTH
TWP
CANTON
TWP

N 89° 52' 07" W 284.72'
SOUTH LINE SEC. 36

S 84° 55' 36" W 501.83'
4977'

1313



DATE	BY	REVISION	DESCRIPTION
01/12/21	PLM	1	AS INSTALLED IN FIELD FOR RECORDING
02/20/21	PLM	2	REVISED PER COMMENTS
03/10/21	PLM	3	REVISED PER COMMENTS
03/22/21	PLM	4	REVISED PER COMMENTS
04/01/21	PLM	5	REVISED PER COMMENTS
04/15/21	PLM	6	REVISED PER COMMENTS
04/28/21	PLM	7	REVISED PER COMMENTS
05/12/21	PLM	8	REVISED PER COMMENTS
05/26/21	PLM	9	REVISED PER COMMENTS
06/09/21	PLM	10	REVISED PER COMMENTS
06/23/21	PLM	11	REVISED PER COMMENTS
07/07/21	PLM	12	REVISED PER COMMENTS
07/21/21	PLM	13	REVISED PER COMMENTS
08/04/21	PLM	14	REVISED PER COMMENTS
08/18/21	PLM	15	REVISED PER COMMENTS
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10/19/24	PLM	98	REVISED PER COMMENTS
11/02/24	PLM	99	REVISED PER COMMENTS
11/16/24	PLM	100	REVISED PER COMMENTS

1-20881
P 547

B3

S 89° 40' 39" E 1264.39'

N 85.1/4
POST

RECORDED RIGHT OF WAY
R 22nd St

P 548

NORTH
ARROW

N 89° 56' 50" E 792.56'

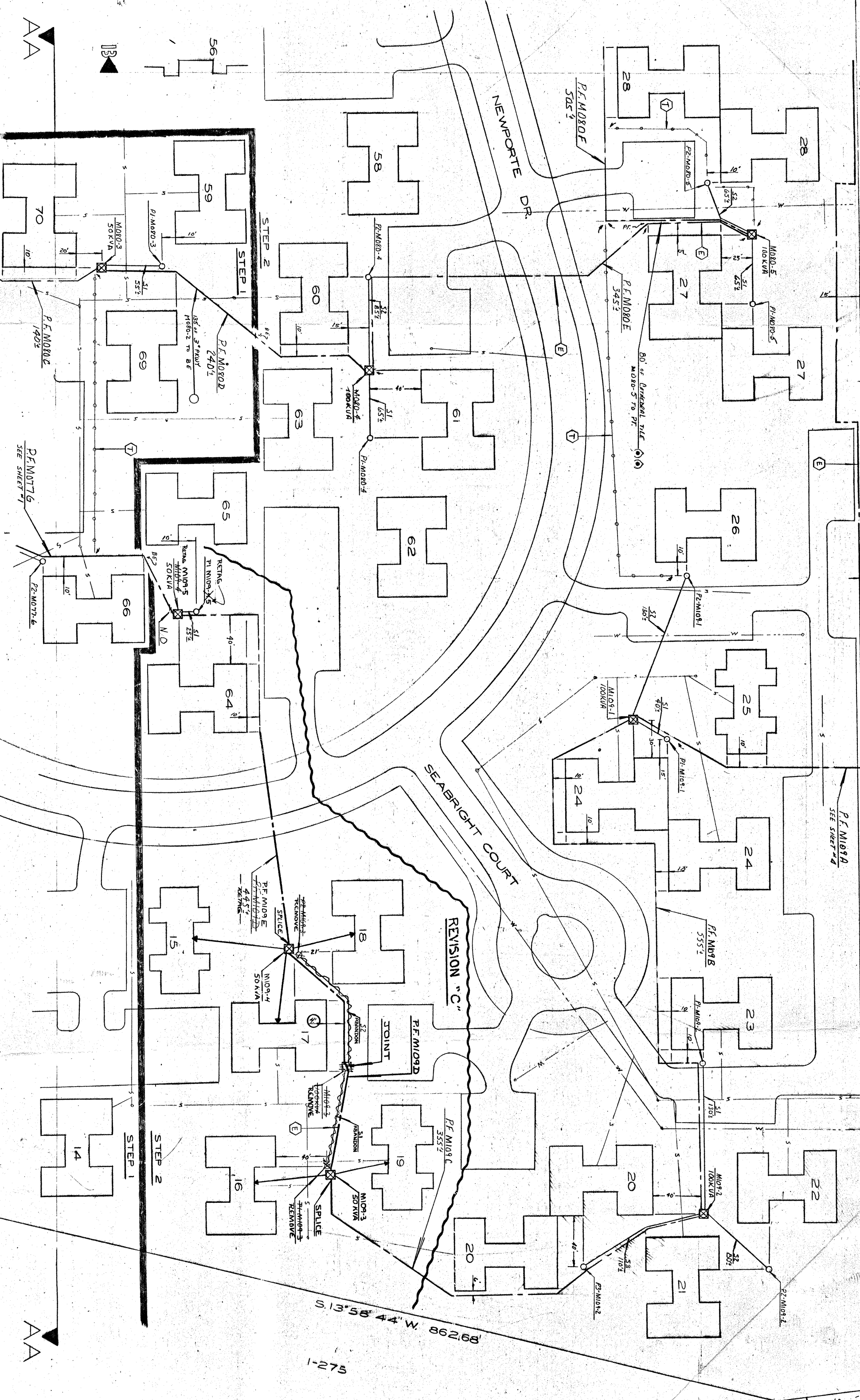
P.C. M1088A
SEE SHEET 74

P 549

S 320° 54' E
72.56'

S 13° 58' 44" W 862.68'

1-275



D. APPROVED		C. APPROVED		B. APPROVED		A. APPROVED		APPROVED		DATE		SYMBOL		REVISION	
AS INSTALLED IN FIELD FOR RECORDING		RECONSTRUCTED BY R. J. JOHNSON AND P. J. JOHNSON AND		REMOVED BY R. J. JOHNSON AND P. J. JOHNSON AND		REMOVED BY R. J. JOHNSON AND P. J. JOHNSON AND		REMOVED BY R. J. JOHNSON AND P. J. JOHNSON AND		DATE		SYMBOL		REVISION	
BY P. J. JOHNSON		BY R. J. JOHNSON		BY R. J. JOHNSON		BY R. J. JOHNSON		BY R. J. JOHNSON		DATE		SYMBOL		REVISION	
DATE 5-2-80		DATE 5-2-80		DATE 5-2-80		DATE 5-2-80		DATE 5-2-80		DATE		SYMBOL		REVISION	
DRAWING NUMBER U-30099		DRAWING NUMBER U-30099		DRAWING NUMBER U-30099		DRAWING NUMBER U-30099		DRAWING NUMBER U-30099		DATE		SYMBOL		REVISION	
SHEET 3 OF 4		SHEET 3 OF 4		SHEET 3 OF 4		SHEET 3 OF 4		SHEET 3 OF 4		DATE		SYMBOL		REVISION	

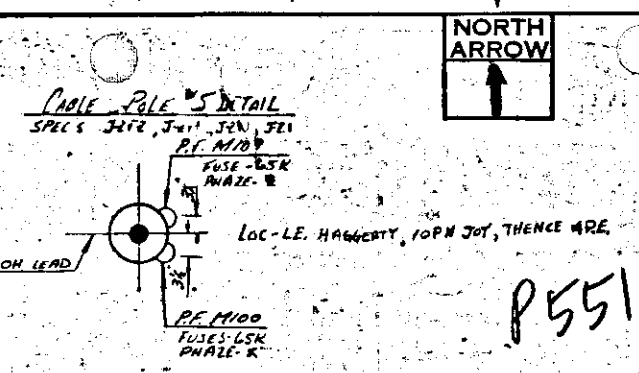
THE DETROIT EDISON COMPANY
SERVICE PLANNING DEPARTMENT
SCALE 1" = 30'
U-30099
DRAWING NUMBER
SHEET 3 OF 4

NEWPORTE APTS.
PART OF THE SOUTH 1/2 SEC. 36
T1S. R8E1
PLYMOUTH TWP.
WAYNE CO.

AA

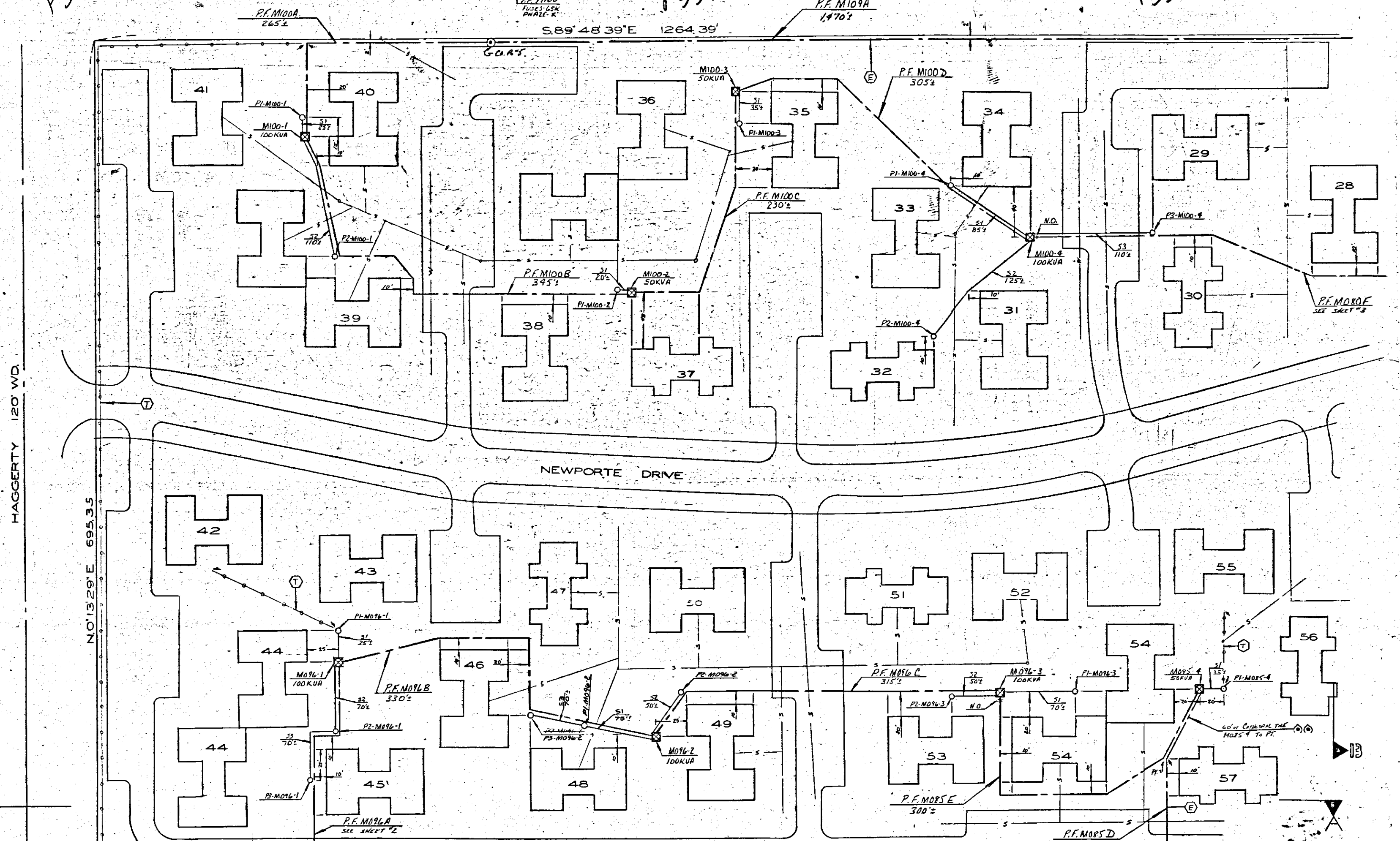
AA

L20880
P550



P551

P552



D	C	B	A	OTHER APPROVAL	DATE	STATION
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MADE BY DADAMS 5-2-80	CHK BY DADAMS 5-2-80	APPROVED DADAMS 5-2-80	APPROVED DADAMS 5-2-80	APPROVED DADAMS 5-2-80	APPROVED DADAMS 5-2-80	APPROVED DADAMS 5-2-80

NAME	DATE	STATION
PETERS	2-8-72	
AMSLAVEN	2-8-72	
EDMERSON	2-10-72	

THE DETROIT EDISON COMPANY SERVICE PLANNING DEPARTMENT	
SCALE LAYOUT FOR USE	PLAN U-30099
DRAWING NUMBER U-30099	
SHEET 4 OF 4 SHEETS	

NEWPORTE APTS.
PART OF THE SOUTH 1/2 SEC. 36
TIN R.B.E.
PLYMOUTH TWP WAYNE CO. U-30099

RECORDED RIGHT OF WAY NO. 27701

R27701