

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

RE-RECORD LI 0851 PA 264

G499917

F759599

LI 18241 PA 73

AGREEMENT - EASEMENT - RESTRICTIONS

This instrument made this 13th day of October, 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 Du Page Green, on land in the Township of Taylor 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.

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

RECORDED NOV 2 1972 AT 8:00 AM BERNARD J. YOUNGBLOOD, Register of Deeds WAYNE COUNTY, MICHIGAN 48226

RE-RECORDED

F759599

G499917

RECORDED RIGHT OF WAY NO.

28269

329 P

\$39

RECORDED APR 30 1980 AT 4:05 P M DRESI E. 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:

George Williams  
GEORGE WILLIAMS

Irene C. Katz  
IRENE C. KATZ

Diana Yezbick  
DIANA YEZBICK

Marsha Pavelka  
MARSHA PAVELKA

Jason M. Horton  
Jason M. Horton

Denise McLeod  
Denise McLeod

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 ASST. SECRETARY

MICHIGAN BELL TELEPHONE COMPANY

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

FRANKLIN BUILDERS INC.,  
A Michigan Corporation  
24315 Northwestern Hwy.  
Southfield, Michigan 48075

By Irving Seligman  
Irving Seligman, President

By Jack Strickstein  
Jack Strickstein, Secretary

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

RECORDED  
RIGHT OF WAY NO. 28269

LI20851 PA266

State of Michigan

County of Oakland

LI18241 PA 75

On this 13th day of October, 19 72, before me appeared Irving Seligman and Jack Strickstein

to me personally known, who being by me severally duly sworn, did say that they are respectively President and Executive Vice President & Secretary of Franklin 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 Irving Seligman and Jack Strickstein acknowledged the said instrument to be the free act and deed of the said Franklin Builders, Inc..

My commission expires: 9-8-73

Barbara E. Stewart  
Notary Public

Wayne County, Michigan  
Acting in Oakland

Appendix "A"

Du Page Green Apartments

All that part of Lots 560, 561, 562, and 563 of Supervisor's Taylor Plat No. 9, of part of the W.  $\frac{1}{2}$  of Section 33, T.3 S., R. 10 E., Taylor Township, Wayne County, Michigan (Liber 66, Page 26, W.C.R.) (Now City of Taylor) : Beginning at the SW Corner of said Lot 563; thence along the East line of Pardee Road (66 feet wide) N. 20°30'45" E. 108.73 feet; thence N. 87°23'25" E. 315.14 feet; thence N. 02°28'38" W. 197.43 feet; thence N. 89°36'00" E. 222.63 feet; thence S. 02°28'38" E. 390.19 feet; thence S. 88°15'27" E. 47.03 feet thence S. 02°28'38" E. 1285.52 feet; thence, along the North line of I-75 Highway, Westerly 1170.58 feet along a curve concave to the North (Radius of 1806.86 feet, central angle of 37°07'09", long chord bears N. 65°07'53" W. 1150.21 feet); thence along the East line of Pardee Road (66 feet wide) N. 23°33'55" E. 148.37 feet and N. 22°41'45" E. 98.19 feet; thence N. 88°42'00" E. 645.52 feet; thence N. 02°28'38" W. 652.54 feet along the East line of said lot 560; thence S. 87°23'25" W. 357.61 feet along the South line of said Lot 563 to the point of beginning. (819,381 Sq. Ft. - 18.810 Acres)

RECORDED IN BOOK OF MAPS  
28269

attested mp

STATE OF MICHIGAN )  
                          ) SS  
COUNTY OF WAYNE )

LI18241 PA 76

On this 23rd day of October, 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: May 14, 1976

Irene G. Kata  
Notary Public IRENE G. KATA  
Wayne County, Michigan

STATE OF MICHIGAN )  
                          ) SS  
COUNTY OF OAKLAND )

On this 18th day of October, 1972, before me, the  
subscriber, a Notary Public in and for said County, appeared William F. Murray  
Jr. 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  
William F. Murray Jr. acknowledged said instrument to be the free act and  
deed of said corporation.

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

MELFORD HARTMAN  
Notary Public, Wayne County, Michigan  
Acting in Oakland County  
My Commission Expires Sept. 15, 1973

Melford Hartman  
Notary Public  
\_\_\_\_\_ County, Michigan

28269



**NDUM ORDER**  
GENERAL USE  
77 12-53

TO Engineering Coordinator Supervisors DATE 10-27-72 TIME \_\_\_\_\_  
Building H, Room 250 W.S.C.

RE: Underground Service - Du Page Green, Taylor Township, Wayne County, Michigan

Agreements and Easements obtained - OK to proceed with construction.

COPIES TO: Charles Larsen, Wayne Office SIGNED *C. George Williams*  
REPORT File C. George Williams  
Real Estate and Rights of Way Dept.

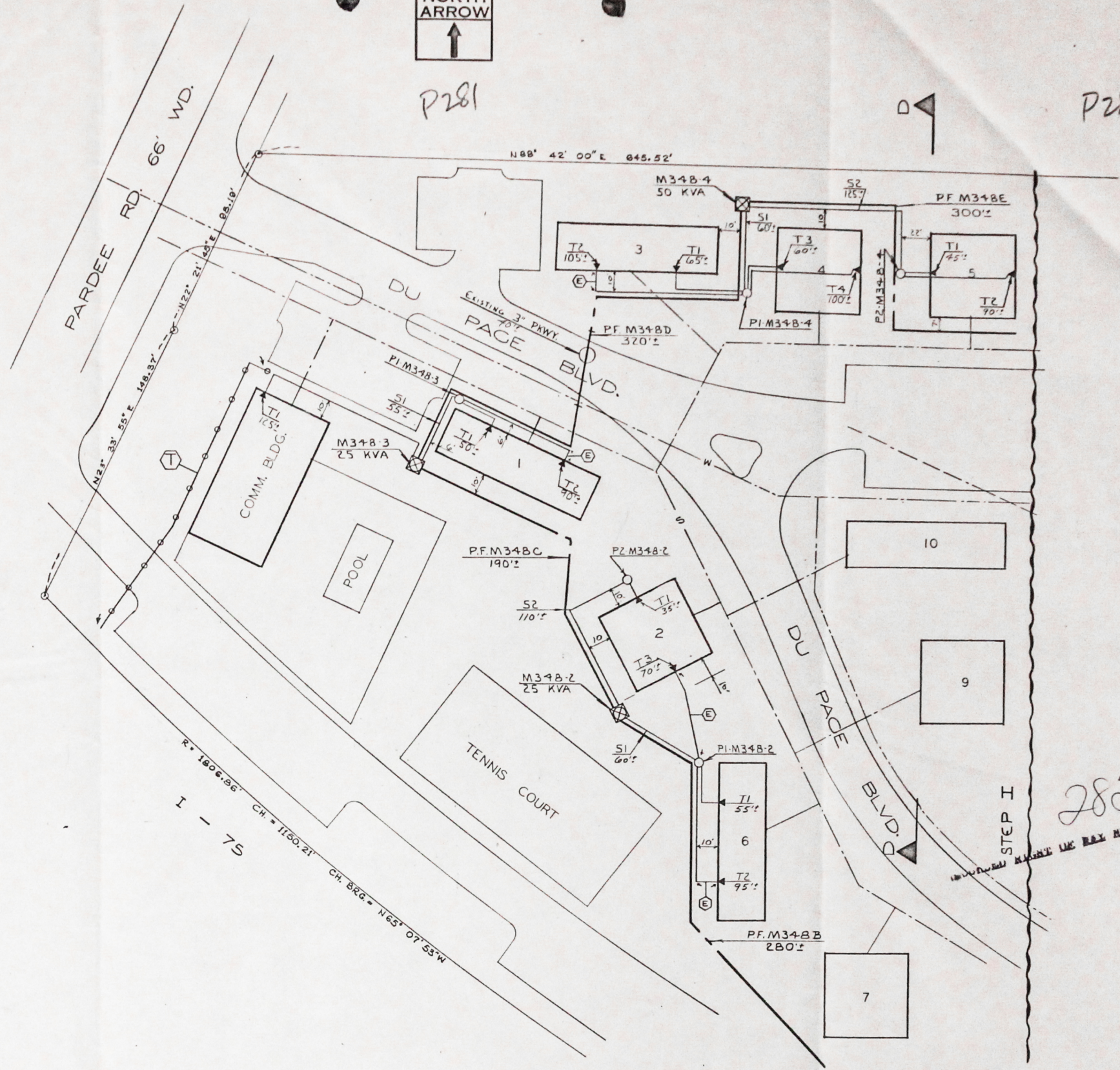
DATE RETURNED \_\_\_\_\_ TIME \_\_\_\_\_ SIGNED \_\_\_\_\_



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28269

D REVISION				C REVISION				B REVISION				A REVISION				REFERENCE	NAME	DATE	STATION	THE DETROIT EDISON COMPANY SERVICE PLANNING DEPARTMENT			
												AS INSTALLED IN FIELD FOR RECORDING					Zagata	9-1-72	DU PAGE GREEN APTS.	SCALE	LATEST REVISION		
																	Checked	9-26-72	PART OF THE N. W. 1/4 OF SEC. 33	1" = 30'	STEP NO. 5 OF 5		
																	Approved	9-26-72	CITY OF TAYLOR	PLAN	U-3064 / 30235		
																			WAYNE CO.	DRAWING NUMBER			
																			MICH.	U.30164	SHEET 5 OF 5 SHEETS		
MADE BY				MADE BY				MADE BY				MADE BY				MADE BY				DE FORM PL 3 PFG. 3-71			
CHK BY				CHK BY				CHK BY				CHK BY				CHK BY							
APPROVED				APPROVED				APPROVED				APPROVED				APPROVED							
APPROVED				APPROVED				APPROVED				APPROVED				APPROVED							
												B. WILDE											
												3-28-80											

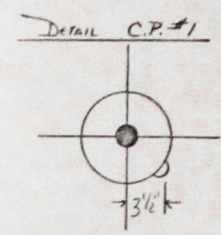
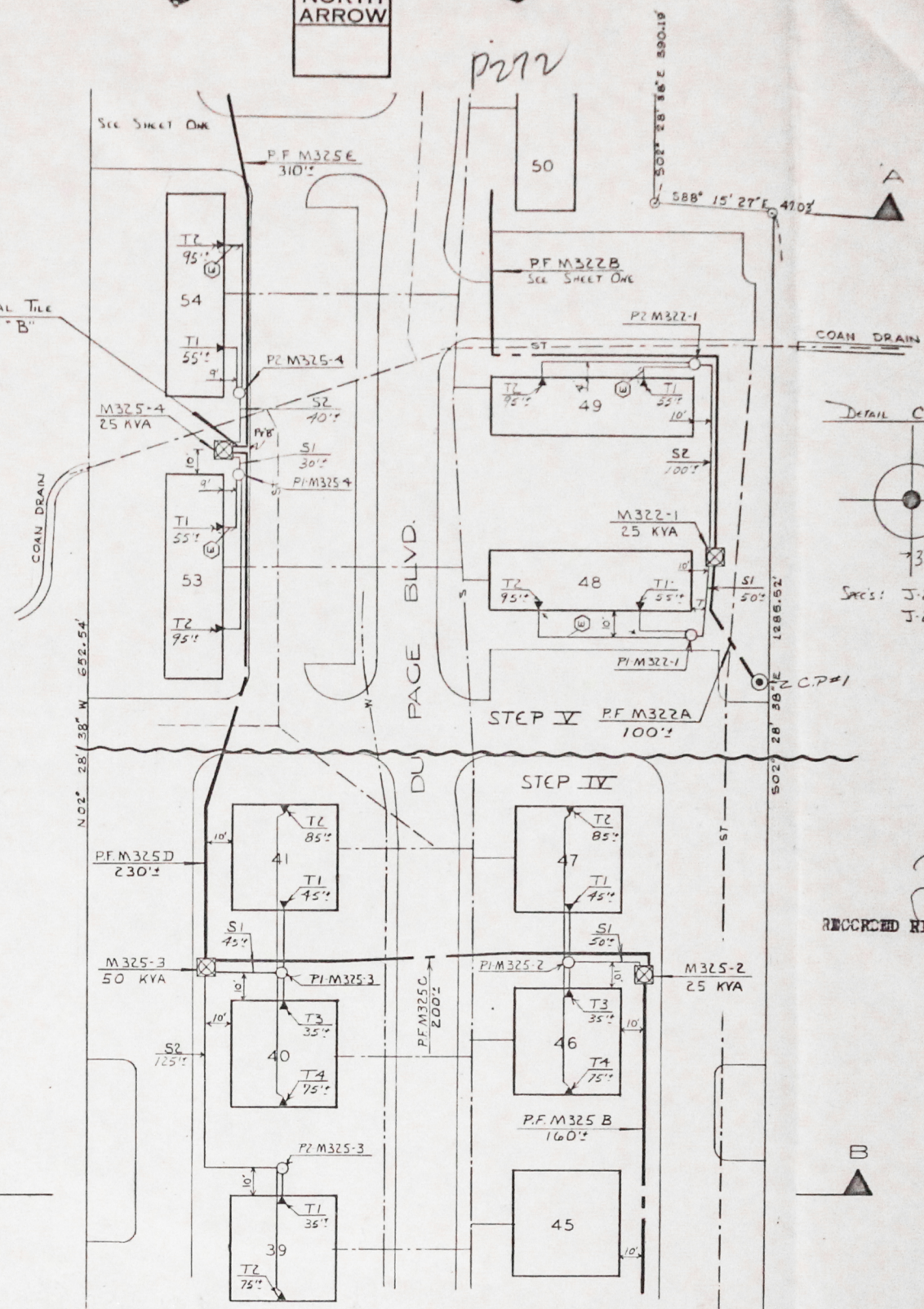


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NORTH  
ARROW

10' OF CATHEDRAL TILE  
M325-4 TO PT. B



Sec's: J-2F2, J-2M, J-2N  
J-2I & K-321

28209

RECORDED RIGHT OF WAY NO.

Sec SHEET THREE

D	REVISION	C	REVISION	B	REVISION	A	REVISION	REFERENCE	DRAWN BY	NAME	DATE	STATION
			AS INSTALLED IN FIELD FOR RECORDING		ADDED STEP III AND IV		TIE CABLE 4' OFF NORTH SIDE OF BLDG 49		J. Zagata	9-1-72		DU PAGE GREEN APTS
									Checked by	9-26-72		PART OF THE N. W. 1/4 OF SEC. 33
									Approved by	9-26-72		CITY OF TAYLOR
												WAYNE CO. MICH.

THE DETROIT EDISON COMPANY SERVICE PLANNING DEPARTMENT	
SCALE 1" = 30'	LAYOUT NO. AND DATE U-30164 / U-30275 / U-30275
DRAWING NUMBER U-30164	SHEET 2 OF 5 SHEETS

LATEST  
REVISION  
B



P274

NORTH  
ARROW

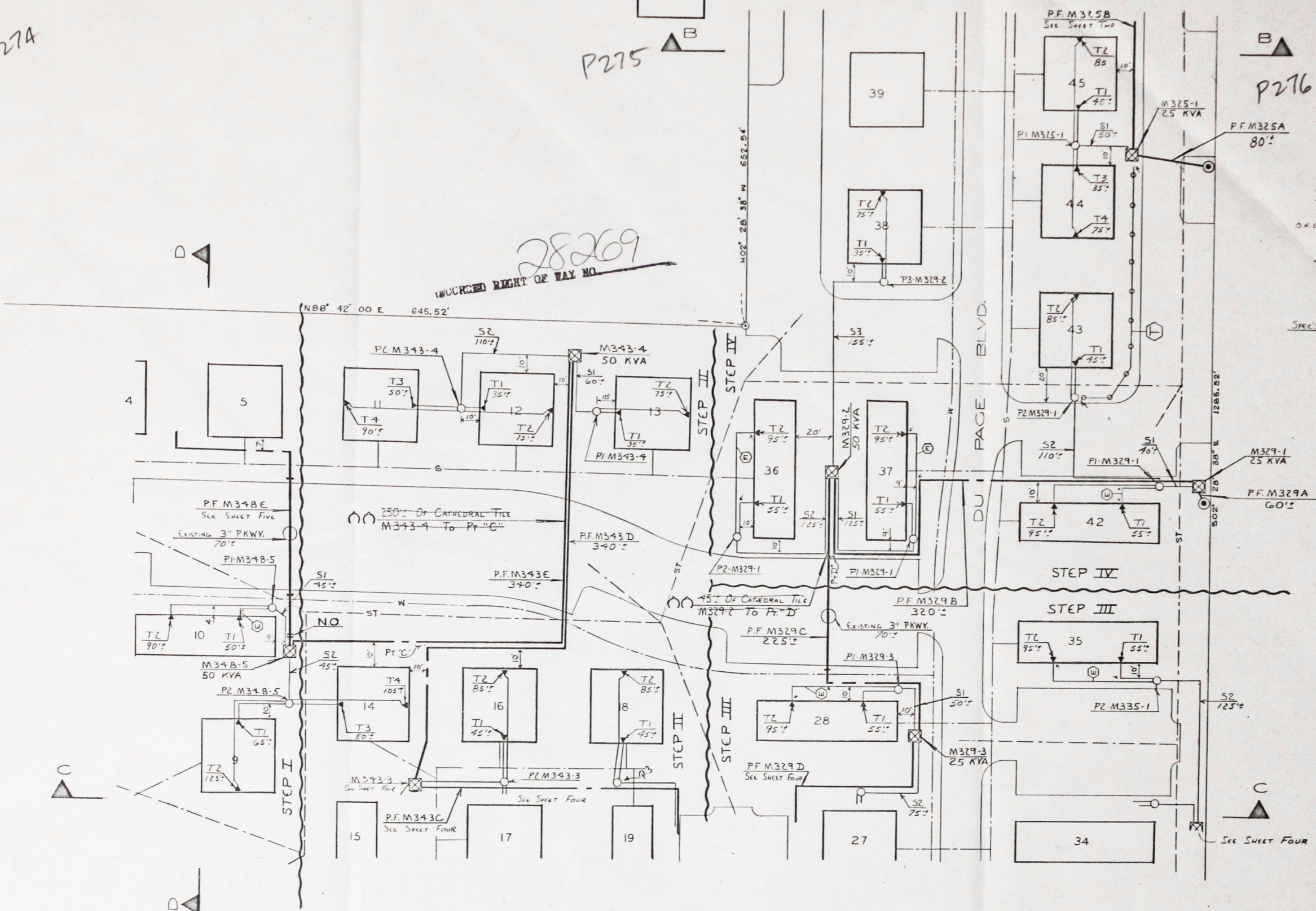
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B

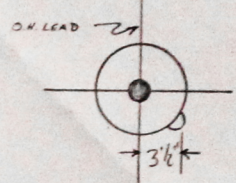
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28269

IMPROVED RIGHT OF WAY NO.



DETAIL C.P.#2 & #3



SPEC'S: J-2F2, J-2M, J-2N, J-2I # K 321

D	REVISION	C	REVISION	B	REVISION	A	REVISION	REFERENCE
		AS INSTALLED IN FIELD FOR RECORDING		ADDED STEP IV AND V		ADDED STEP III		
						U-3023		
MADE BY	CHK BY	APPROVED	APPROVED	MADE BY	CHK BY	APPROVED	APPROVED	
B WILDE								

NAME	DATE	STATION
Drawn by: Zagata	9-1-72	
Checked by: Sano	9-26-72	
Approved by: [Signature]	9-26-72	

THE DETROIT EDISON COMPANY  
 SERVICE PLANNING DEPARTMENT  
 SCALE: 1" = 30'  
 LAYOUT JOB NO. U-30164 U-3023 U-30245  
 DU PAGE GREEN APTS.  
 PART OF THE N. W. 1/4 OF SEC. 33  
 CITY OF TAYLOR  
 WAYNE CO. MICH.

DRAWING NUMBER	SHEET	OF	SHEETS
U-30164	3	OF	5

LATEST REVISION B

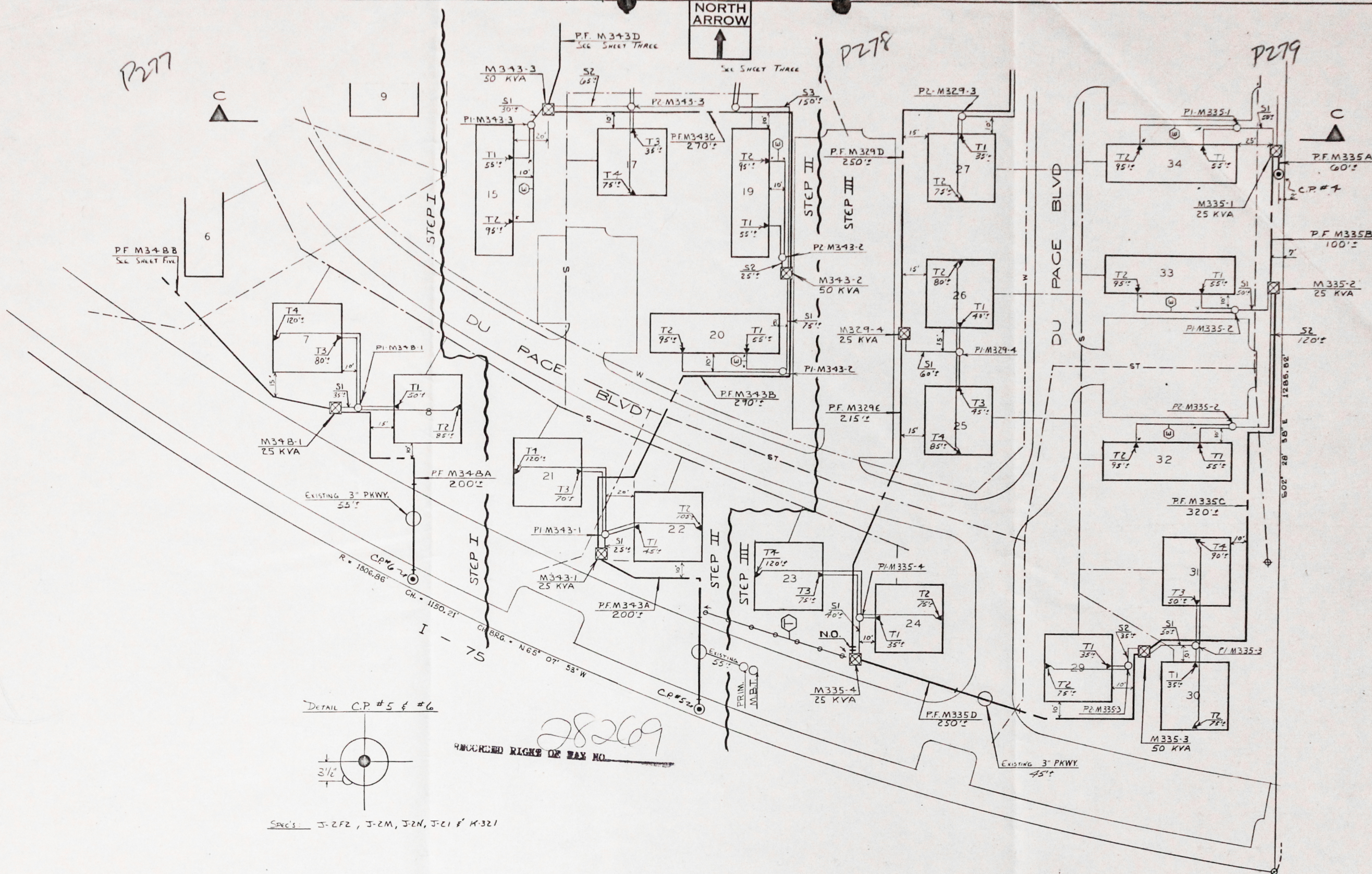


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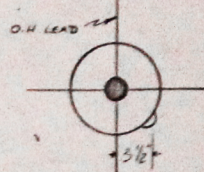


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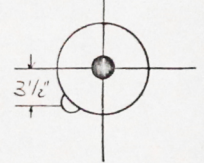


DETAIL C.P. #4



Spec's: J-2F2, J-2M, J-2N, J-2I & K-321

DETAIL C.P. #5 & #6



Spec's: J-2F2, J-2M, J-2N, J-2I & K-321

28269  
RECORDED RIGHT OF WAY NO.

D REVISION				C REVISION				B REVISION				A REVISION				REFERENCE				NAME				DATE				STATION				THE DETROIT EDISON COMPANY							
AS INSTALLED IN FIELD FOR RECORDING												ADDED STEP II				U-30233								DRAWN BY <i>L. Zagata</i>				9-1-22				DU PAGE GREEN APTS.				SERVICE PLANNING DEPARTMENT			
																								CHECKED BY <i>L. Zagata</i>				9-26-22				PART OF THE N. W. 1/4 OF SEC. 33				SCALE 1" = 30'			
																								APPROVED BY <i>E. E. Johnson</i>				9-26-22				CITY OF TAYLOR				LAYOUT JOB NO. U-30164 U-30233			
MADE BY <i>B. WILDE</i>												3-28-80				CHK BY <i>B. WILDE</i>				APPROVED <i>B. WILDE</i>				MADE BY <i>C. WILDE</i>				6-7-73				WAYNE CO.				DRAWING NUMBER U-30164			
																												MICH.				SHEET 4 OF 5 SHEETS							

LATEST REVISION A