

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

TO ~~Eng. Superintendent~~ ~~Supervisor~~ ~~D-200~~ ~~U.S.C.~~ DATE 3-12-71 TIME _____

RE: ~~UNDERGROUND SERVICE -~~ ~~Recessed~~ ~~Ways~~ ~~Apts.~~ - ~~Kenoville, Mason County~~

~~Agreement - easement - restrictions obtained. OK to proceed with construction.~~

COPIES TO T. Craft - Mt. Clemens Office

SIGNED

P. Marguardt
P. Marguardt
Law Department

REPORT _____

DATE RETURNED _____

TIME _____

SIGNED _____

RECORDED
RIGHT OF WAY NO. 29160

APARTMENTS

A229011

AGREEMENT - EASEMENT - RESTRICTIONS

This instrument made this 10 day of March, 19 71, 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 Rosewood Manor Apartments, on land in the City of Roseville, County of Macomb, 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 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:

Erin Trapp
Sec. 7, SE 1/4, SE 1/4 of
"C" Hedrick's Small
Tracts a subs.
of Lots 8, 11 of
L.B. Trimmer's Sub.
Lots 1/2 (Rosewood Manor Apts)
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.

DE FORM LE 11 1-71 CS
-1-
"This easement is re-recorded for purposes of showing the planned "as installed" centerlines of easements granted as shown on drawing attached hereto."

RECORDED IN MACOMB COUNTY
RECORDS AT: 1:15 P. M.
JAN 29 1974
Edna Hall
CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

RECORDED IN MACOMB COUNTY
RECORDS AT: 9:25 A. M.
APR - 9 1971
Edna Hall
CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

RECORDED RIGHT OF WAY NO. 29160

21-
57

- 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.
- 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:

Hazel L. Brandau
HAZEL L. BRANDAU

Irene C. Kata
IRENE C. KATA

Marsha Pavelka
MARSHA PAVELKA

Karen Guenther
KAREN GUENTHER

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 Carl T. Hall
CARL T. HALL Staff Supervisor

By _____
(Authorized Signature)

RECORDED RIGHT OF WAY NO. 39160

STATE OF MICHIGAN)
) SS.
COUNTY OF WAYNE)

On this 19th day of March, 1971, before me the subscriber, a Notary Public in and for said County, appeared W. C. Arnold and Lillian J.H. Carroll, to me personally known, who being by me duly sworn did say they are the Director, R/E & 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 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.

Irene C. Katar
IRENE C. KATAR
Notary Public, Wayne County, Michigan

My Commission Expires: June 24, 1972

STATE OF MICHIGAN)
) SS.
COUNTY OF OAKLAND)

On this 29th day of March, 1971, 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 the Staff Supervisor of Right of Way authorized by and for MICHIGAN BELL TELEPHONE COMPANY, a Michigan corporation, and that 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.

Melford Hartman
Notary Public, Oakland County, Michigan

My Commission Expires: _____

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

RECORDED RIGHT OF WAY NO. 29160

In the Presence of:

ROSEWOOD MANOR APARTMENTS, a Michigan
Co-Partnership
18620 W. Ten Mile Road - Southfield, Mich.Claudia Kayfes
Claudia Kayfes

BY:

Partner

Beverly Quinn
Beverly Quinn

BY:

Partner

STATE OF MICHIGAN)
) SS
COUNTY OF Oakland)

On this 10 day of March, 1971, before me the subscriber, a Notary Public in and for said County, personally appeared Joseph S. Dresner and _____, Partners doing business as ROSEWOOD MANOR APARTMENTS, a Michigan Co-Partnership, to me known, and who executed the within instrument and acknowledged the same to be their free act and deed for the Co-Partnership.

Claudia Kayfes
Claudia Kayfes
Notary Public, Oakland County, Mich.
My Commission Expires August 18, 1974

APPENDIX "A"

A parcel of land in and being all of Lot 1 & 2, and part of Lots 3, 4, 6, 7 and 8 of "C" Leidich's Small Farms" a resubdivision of Lots 11 and 8. L.B. Mizner's Sub'n which are a part of the S.E. 1/4 of the S.E. 1/4 of Section 7, T.1N., R.13.E., Erin Township (now City of Roseville) Macomb County, Michigan, as recorded in Liber 3 of Plats, Page 107 and part of Lot 1 AP No. 14, City of Roseville recorded in Liber 19, Page 11 of Plats, Macomb County Records and being more particularly described as follows:

Commencing at the South 1/4 post of Section 7, thence N. 89°39' E. 1332.80 feet along the Southline of Section 7, thence N. 00°18' E. 33.0 ft., to the S.W. corner of said Lot 8, thence N. 89°39' E. 83.0 ft. along the South line of Lot 8, to the point of beginning of this description; thence No. 00°18' E. 175.0 ft.; thence S. 89°39' W. 145.0 ft.; thence N. 00°18' E. 309.36 ft.; thence N. 89°15'30" E. 62.0 ft.; thence N. 00°18' E. 496.49 ft.; thence S. 89°57'30" E. 634.50 ft.; thence S. 00°18' W. 45.92 ft.; thence S. 89°45' E. 242.59 ft.; thence S. 00°05' W. 295.70 ft.; thence N. 89°45' W. 278.7 ft.; thence S. 00°18' W. 460.72 ft.; thence S. 89°39' W. 112.0 ft.; thence S. 00°18' W. 175.0 ft.; thence S. 89°39' W. 80.50 ft.; thence N. 00°18' E. 302.0 ft.; thence S. 89°39' W. 203.50 ft.; thence S. 00°18' W. 302.0 ft.; thence S. 89°39' W. 120.50 ft. to the point of beginning and containing 13.65 acres of land.

PREPARED BY: Stephen A. McNamee
2000 Second Avenue
Detroit, Michigan 48226

RETURN TO: James C. Wetzel
2000 Second Avenue - Rm. 226 - 4 -
Detroit, Michigan 48226

RETURN TO
J. A. ROBERTSON
THE DETROIT EDISON COMPANY
1970 ORCHARD LAKE ROAD
PONTIAC, MICHIGAN 48053

RECORDED RIGHT OF WAY NO. 27160

Detroit
Edison

2000 Second Avenue
Detroit, Michigan 48226
(313) 237-6000

February 12, 1974

Rosewood Manor Apartments
18630 W. Ten Mile
Southfield, Michigan 48075

Gentlemen:

RE: Rosewood Manor Apartments

We are enclosing herewith a copy of the "as installed" Drawing No.
MU-2-4-2761 A & B for the underground electric and communication
services for the above named project.

Sincerely,

John N. Waterloo

John N. Waterloo
1970 Orchard Lake Road
Pontiac, Michigan 48053

JW/lr
Enclosure

RECORDED RIGHT OF WAY NO. 29160

THE DETROIT EDISON COMPANY
2000 SECOND AVENUE
DETROIT, MICHIGAN 48226

March 3, 1971

Rosewood Manor Apartments,
18630 W. Ten Mile
Southfield, Michigan

Re: Rosewood Manor Apartments

Gentlemen:

Enclosed is the original and three copies of the Agreement-Easement-Restrictions for the above described project. Please have the original and two copies executed and returned to us. We will then have the officers of Bell and Edison execute the Agreement and return a fully executed copy to you. The fourth copy should be retained by you until you receive the fully executed copy from us

In order to comply with the recording statutes of the State of Michigan, please have two separate witnesses. The notary can be one of the witnesses. Also, print or type the names of all parties signing the documents, including witnesses and notary.

Your attention is called to Paragraph No. 3 of this Agreement, whereby you would be responsible for any damages which might occur to the Company's underground lines after installation. It is, therefore, extremely important that not only you, but any contractors working for you, exercise due care to avoid any damage.

Prompt return of these instruments, fully completed, will assist in prompt scheduling of our work to be completed in your project. Please return all documents to:

Stephen A. McNamee, Room 226, 2000 Second Avenue,
Detroit, Michigan 48226 (phone number 962-2100, extension 2226).

Very truly yours,


Stephen A. McNamee
Senior Staff Attorney

:sa
Enclosures

RECORDED COPY OF WAY NO. 29160

THE DETROIT EDISON COMPANY

2000 SECOND AVENUE
DETROIT, MICHIGAN 48226

January 15, 1971

Highland Construction Company
16620 West Ten Mile Road
Southfield, Michigan
48075

Regarding: **Rosewood Manor Apartments**
Roseville, Michigan

Gentlemen:

Subject to our agreement with you for the installation of underground electric lines in the above project, The Detroit Edison Company will own, install and maintain its electric lines and equipment and provide trenching in easements six (6') feet in width, which will be subsequently platted or provided by separate easement instrument at a cost to you of \$ 7,950.00 based on 3975' estimated trench feet at the rate of \$ 2.00 per trench foot. This estimated cost is based on the location of lines and equipment as shown on the combined utility plan as approved on 1-18-71. Upon completion, field measurements may require an adjustment in this cost figure. Notwithstanding anything herein to the contrary, the installation, ownership and maintenance of electric services and the rates, fees and charges to be made therefor shall be subject to and in accordance with the orders and rules and regulations adopted and approved by the Michigan Public Service Commission.

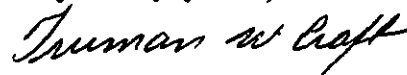
Normally, trenching operations will not be undertaken during December, January, February, or March unless soil conditions are suitable. However, if you request us to trench under adverse conditions and will make payment to us for any additional costs to us over and above the trenching cost stated above, we will proceed with the installation.

The future maintenance of our electric lines in the proposed easements does not include repair of damage to our lines and equipment caused by you, your contractors, agents, employes, successors and assignees. If such damage should occur, we will require reimbursement for any such damage.

For your convenience, we will bill you on terms of thirty (30) days.


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

Very truly yours,



Truman Craft
Service Planner

ACCEPTED



RICHARD DICKMAN
Date: 1-18-71

FILED UNDER RIGHT OF WAY NO. 29160

E-0-80

Mr. [unclear] of [unclear]
to send me [unclear]
still [unclear] 12/17'

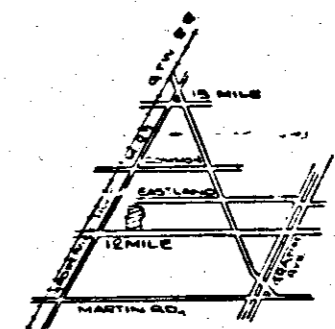
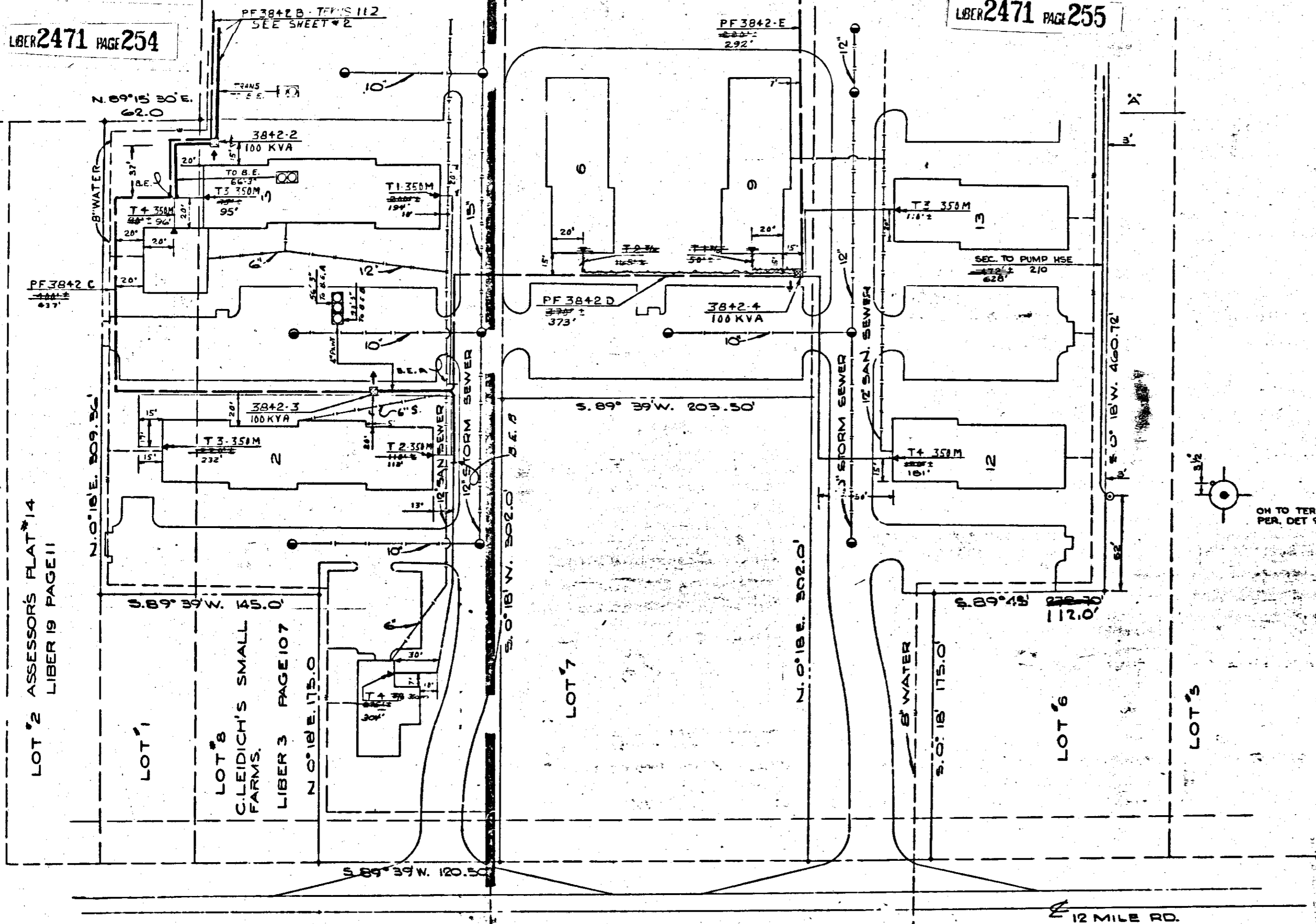
Called again
3/26/71
Mr. Dickman
to send me
to me -
AM

Send to: Stephen A. McNamee
226 G. O.

APARTMENT PROJECTS - UNDERGROUND SERVICE

- Name of Project ROSEWOOD MANOR APARTMENTS
2. Name of Developer RICHARD DICKMAN HIGHLAND CONSTRUCTION CO.
18620
Address 18620 WEST 10 MILE ROAD SOUTHFIELD, MICH. 48075
- Phone ELGIN 3-9300
3. Description of Property (please attach description)
4. Primary or individual metering? INDIVIDUAL
5. When is service wanted? 3-1-71
6. Will entire project be developed at one time? YES
7. Single Phase YES? Three Phase NO
8. Cable poles on property YES?
9. Customer service cable NO?
10. Do we furnish trenching? YES
11. Are easements all joint with Bell? YES
12. Do we need additional easement drawings from Bell? YES
13. Bell Engineer SMITH Phone 777-9950
14. Sales Representative TILCRAFT Phone 463-1511 EXT 364

RECORDED RIGHT OF WAY NO. 29160



U.S. ERN. 17-3

D.F. TRANSFORMER DATA

LOT NO.	SIZE	STOCK NO.	APPROX. HGT.
3842-1	100 KVA	461-115-3	35' E
3842-2	100 KVA	461-115-3	"
3842-3	100 KVA	461-115-3	"
3842-4	100 KVA	461-115-3	"
3842-5	100 KVA	461-115-3	"
3842-6	50 KVA	461-115-2	"

ALSO R21 SPEC.

CODE

- 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
- SEW'N
- WATER
- GAS
- BURIED CUSTOMER CABLE
- DEAD FRONT TRANSFORMER

NOTES

DE.CO. TO DO ALL TRENCHING & BACKFILLING. ALL TRENCH & CABLE LENGTHS ARE APPROXIMATE. DE.CO. SERVICE PLANNER T. CRAFT 463-1511 EX. 364. DE.CO. CONSTRUCTION SUPERVISOR T. DAVIS 762-2100 EX. 3810. M.B.T. CO. MR. SMITH 777-9950 - 18015 E. 10 MILE RD.

TRENCH SUMMARY

	STEP-I	STEP-II
DE.CO. ONLY	218'	630'
M.B.T. CO. ONLY	3975'	268'
JOINT USE	1007'	3954'
TOTAL	4185'	4860'

CABLE SUMMARY

IT. NO.	DESCRIPTION	STEP-I	STEP-II
2	APEC.XI 13.2 KV 713-3029 - 3185'	874'	1965'
2	350014/6 600 V.A.P.713-0537 - 2665'	350'	2735'
3	3/0-1CX2, 4/0-1CX1 A.P.713-0536 - 1380'		1234'
4	AP20-1CX3, 4/0-1CX1 713-0614 - 682'		

TO PUMP HSE

PERMITS REQUIRED
CITY OF ROSEVILLE (NOTIFICATION ONLY)

DE.CO. W.O. 36709300
M.B.T. JOB-91-886

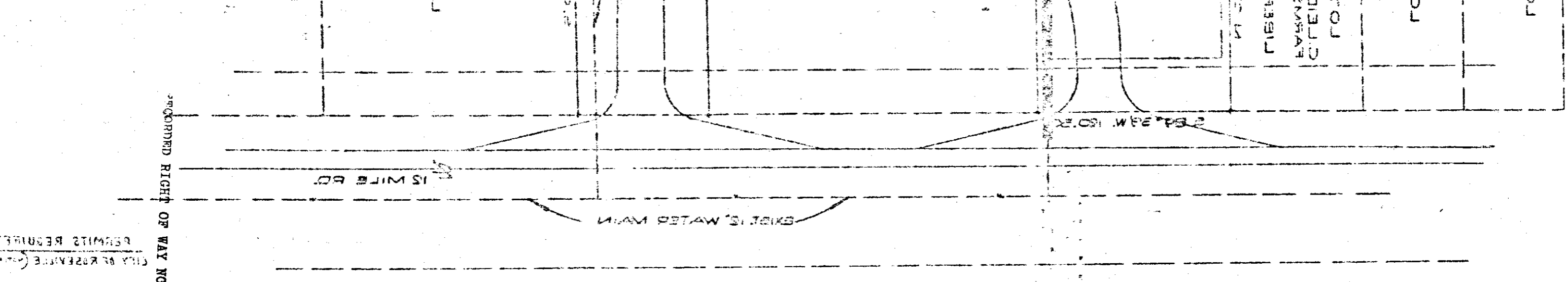
DIST. CIR. 8177 BUNERT 13.2 KV.

OF KNUTSON
- ROSEVILLE, I.A. U.
PLANNED ROSEVILLE TROUBLE SHOOT
SERV. THAT GUARANTY OVER
ROSEVILLE, MICHIGAN

D	C	B	A	OTHER APPROVAL	DATE	BY	DATE	DATE	DATE
	REVISED TO SHOW 95' INSTALLED	AS INSTALLED STEP I	ADD 3Ø PUMP SER.		2-6-71	O. BERGIN	2-12-71	2-24-71	2-24-71

ROSEWOOD MANOR APARTMENTS SE 1/4 OF SE 1/4 OF SEC. 7

CITY OF ROSEVILLE WACOMB CO. MU2-4-2761A



PERMITS REQUIRED
CITY OF ROSELAND

29100
1534
2730
1988

TABLE SUMMARY

IT NO. 1110 - 1500' X 100' VOICED 1/3-0-01 - 1534

IT NO. 1111 - 1500' X 100' VOICED 1/3-0-01 - 1534

IT NO. 1112 - 1500' X 100' VOICED 1/3-0-01 - 1534

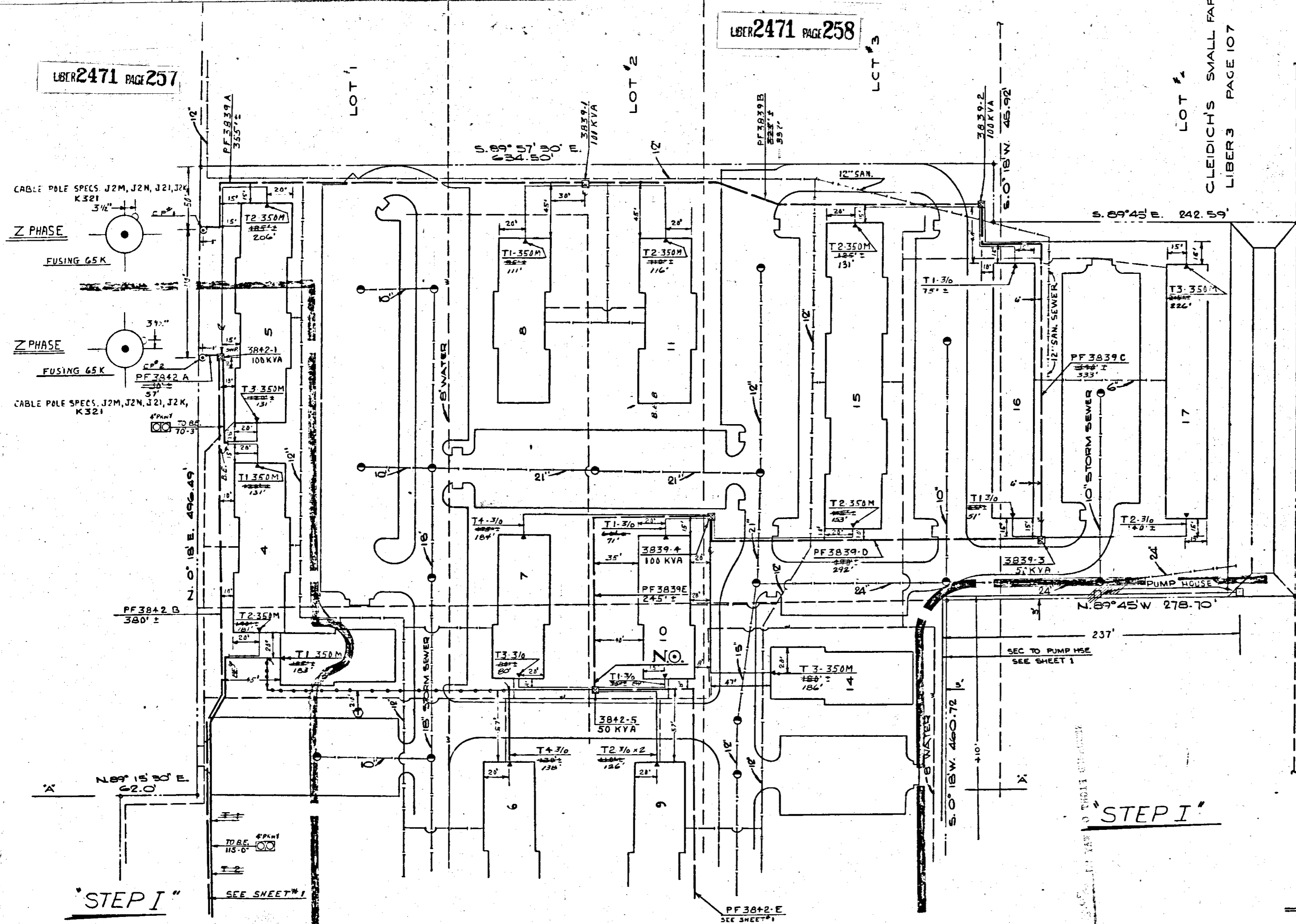
IT NO. 1113 - 1500' X 100' VOICED 1/3-0-01 - 1534

IT NO. 1114 - 1500' X 100' VOICED 1/3-0-01 - 1534

RETURN TO
J. A. ROBERTSON
THE DETROIT EDISON COMPANY
1970 ORCHARD LAKE ROAD
PONTIAC, MICHIGAN 48053

DIST. CIR. 8177

NO.	DESCRIPTION	AREA	REMARKS
1	ADD 80' PUMP GEA		
2	AS INSTALLED		
3	AS INSTALLED		
4			
5			
6			
7			
8			
9			
10			



"STEP I"

"STEP I"

D.E.C.O.W.O. 367B-300

RETURN TO
J. A. ROBERTSON
FOR DETAIL WORKING DRAWINGS
1930 GRAND PINE ROAD
BOSTON, MASSACHUSETTS 02108

REVISION		REVISION		REVISION		REVISION		OTHER APPROVAL		DATE		STATION		SCALE		PROJECT NO.	
D	C	B	A	NAME	DATE	STATION	SCALE	PROJECT NO.	DATE	DATE	DATE	DATE	DATE	DATE	DATE	DATE	
	Revised to show NS INSTALLED	AS INSTALLED. "STEP I"	ADD 30 PUMP SER.	D. SERGIN	2-6-77	DIRECT BURIED SYSTEM-M.D.F.	1" = 30'	71-742									
				Checked by	2-10-77	ROSEWOOD MANOR APARTMENTS											
				Approved by	2-22-77	SE. 1/4 OF S.E. 1/4 OF SEC. 7											
				Reference	2-23-77												

