

Recorded JUN 14 1974 at 8:10 O'clock P.M. STEWART A. RICHARDS, Register of Deeds

APARTMENTS

MAR 5 - 1975 Recorded at 1:40 o'clock P.M. STEWART A. RICHARDS, Register of Deeds

AGREEMENT - EASEMENT - RESTRICTIONS

This instrument made this 2nd day of May, 1974, 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 referred to as "EDISON", and General Telephone Company, a Michigan corporation of 455 Ellis Road, P.O. Box 149, Muskegon, Michigan 49703, hereinafter referred to as "General".

WITNESSETH:

WHEREAS, Owners are erecting apartments known as A. R. Cade Apartments, on land in the Township of Mussey, County of St. Clair, State of Michigan, as described in Appendix "A", attached hereto and made a part hereof, and EDISON and General 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 General 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 General, 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 General upon receipt of a statement therefor. Further, if the lines or facilities of EDISON and General 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 General 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 General 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.

Mussey Twp. Sec. 14, 71W1/4, SW 1/4 of (A. R. Cade Apts.)

555 583233 E00011.00

DE FORM LE 24 1-71 CS

- 1 -

"This easement is re-recorded for the purpose of showing the planned "as installed" centerline of easements granted as shown on drawing attached hereto."

RECORDS CENTER
 RECEIVED JUN 6 1975
 TICKLER MADE
 CLASSIFIED

RETURN TO J. BROWN THE DETROIT EDISON COMPANY 600 GRAND RIVER AVE. PORT HURON, MICHIGAN 48060

RECORDED RIGHT OF WAY NO. 38077

- 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 General 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 General 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

Diane Korman
DIANE KORMAN

D. Katherine Hayes

R. J. Perry
R. J. Perry

Diane DenHerder
Diane DenHerder

THE DETROIT EDISON COMPANY

BY: *W. C. Arnold*
W. C. Arnold, Director, Real-Estate and Rights of Way Dept.

BY: *Allen J. ...*
Assistant Secretary

GENERAL TELEPHONE COMPANY OF MICHIGAN

BY: *C. E. Sandford*
C. E. SANDFORD
Secretary and Treasurer

BY: _____

APPROVED *D. C. Lee*
LEGAL COUNSEL

RECORDED RIGHT OF WAY NO. 30014

RETURN TO
J. BROWN
THE DETROIT TRADING COMPANY
600 GRAND AVENUE
PORT HURON, MICHIGAN 48069

PLEASE COLLECT
RECEIVED

NOV 1969

NOV 1969

STATE OF MICHIGAN)
) SS.
COUNTY OF WAYNE)

On this 14 day of May, 19 74, before me the subscriber,
a Notary Public in and for said County, appeared H. 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 Depts and 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 instru-
ment 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
H. C. Arnold and Lillian J. H. Carroll acknowledged said
instrument to be the free act and deed of said corporation.

T. Katherine Hayes
Notary Public, Wayne County, Michigan

My Commission Expires: _____
T. KATHERINE HAYES
Notary Public, Oakland County, Mich.
Acting in Wayne County, Mich.
My Commission Expires 1-27-76

STATE OF MICHIGAN)
) SS.
COUNTY OF MUSKEGON)

On this 21st. day of May, 19 74, before me the subscriber,
a Notary Public in and for said County, appeared C. E. Sandford
to me personally known, who being by me duly sworn did say that he is Secretary
and Treasurer authorized by and for General Telephone Company of Michigan,
a Michigan corporation, and that said instrument was signed in behalf of said cor-
poration, by authority of its Board of Directors, and C. E. Sandford
acknowledged said instrument to be the free act and deed of said corporation.

Richard J. Perry
Richard J. Perry
Notary Public, Muskegon County, Michigan

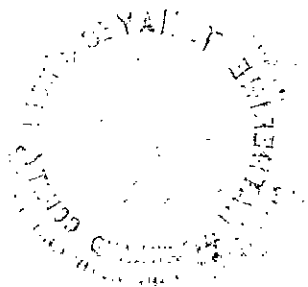
My Commission Expires: February 19, 1978

RECORDED PAGE OF WAY NO. 30074

SEP 15 1960

TUESDAY

10 20



POSTAGE WILL BE PAID BY ADDRESSEE

RETURN TO
J. BROWN
THE DETROIT EDISON COMPANY
600 GRAND RIVER AVE.
PORT HURON, MICHIGAN 48060

REPRODUCTION OF THIS DOCUMENT IS PROHIBITED

APPENDIX "A"

The Southwest 1/4 of the Northwest 1/4 of Section 19, Town 7 North, Range 13 East.

Witness: x Carol Kouach
Carol Kouach

Signed: x Essie-Mae Hansman
Essie-Mae Hansman
4352 Cade Road
Capac, Michigan 48014

Donald E. Fisher
Donald E. Fisher

810

STATE OF MICHIGAN)
COUNTY OF St. Clair) SS.

On this 2nd day of May, 1974, before me, the undersigned, a notary public in and for said county, personally appeared Essie-Mae Hansman

known to me to be the person _____ who executed the foregoing instrument, and acknowledged the same to be her free act and deed.

Donald E. Fisher
Donald E. Fisher

Notary Public St. Clair County, Michigan

My Commission expires July 5, 1975

REGISTERS OFFICE)
ST. CLAIR COUNTY)

Received for record the
day JUN 14 1974
at 8:10 o'clock A.M., and recorded in
L. & P. 1013 of Deeds
on page 505

[Signature]
REGISTER OF DEEDS

RECORDED RIGHT OF WAY NO. 30014

Return
Detroit Edison Co
Don Fisher
600 Grand River Ave
East Haven

804 187

804 187



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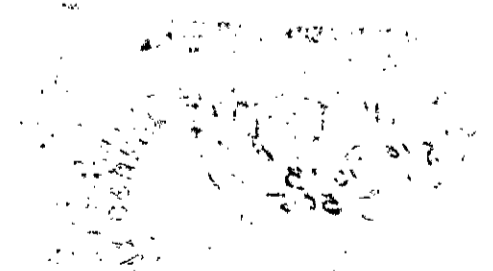
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810



RETURN TO
J. BROWN
THE DETROIT EDISON COMPANY
600 GRAND RIVER AVE.
PORT HURON, MICHIGAN 48060

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Vertical text on the left edge of the page, possibly a page number or reference code.

No. Rev.

2
No. 3.

QUIT-CLAIM DEED

SHORT FORM.

TO

STATE OF MICHIGAN,
ST. CLAIR COUNTY. } ss.

Received for Record the

day of DEC 6 - 1933 A. D. 19

at 4 o'clock P. M., and Recorded in

Libers 376 of Deeds, on page 277

Gilbert H. Chastain

Register of Deeds in and for said County.

STATE OF MICHIGAN,

LIBER 376 PAGE 278

County of St. Clair

} ss.

On this 6th day of September

in the year one thousand, nine hundred and thirty-three before me, the subscriber

a Notary Public in and for said County, personally appeared

Ella M. Watson

to me known to be the same person described in, and who executed the within instrument, who acknowledged the same to be her free act and deed.

E. M. Watson
Notary Public, St. Clair County, Mich
My Com. Expires, Mar. 10, 1937

Ella M. Watson
cap

RECORDED RIGHT OF WAY NO. 30017

Recorded DEC 6 - 1933 at H.P. N.

Walter H. Schuster, Registrar

This Indenture, Made this 9th

day of September in the year of our Lord one thousand nine hundred and thirty-three

BETWEEN Ella M. Watson of Capac, Michigan

of the first part, and Alfred R. Cade and Essie-Mae Hansman, father and daughter, to hold not as tenants in common but jointly and to the survivor of them

Witnesseth, That the said party of the first part, for and in consideration of the sum of One Dollar and other valuable considerations

to her in hand paid by the said parties of the second part, the receipt whereof is hereby confessed and acknowledged, do by these presents grant, bargain, sell, remise, release, and forever QUIT-CLAIM unto the said parties of the second part, and to their heirs and assigns, FOREVER, all that certain piece or parcel of land situate in the Township of Mussey in St. Clair County and State of Michigan, known and described as follows:

The Southwest Quarter of the Northwest Quarter of Section Nineteen (19) in Town Seven (7) North Range Thirteen (13) East, containing forty (40) acres more or less

Together with all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining: To Have and To Hold the said above described premises to the said parties of the second part, and to their heirs and assigns, to the sole and only proper use, benefit and behoof, of the said parties of the second part, their heirs and assigns, Forever.

In Witness Whereof, the said party of the first part, has hereunto set her hand and seal the day and year first above written.

Signed, Sealed and Delivered in Presence of

[Signature]

James W. Goblard

Ella M. Watson [L. S.]

[L. S.]

[L. S.]

[L. S.]

RECORDED RIGHT OF WAY NO. 30014

May 1, 1974

Mrs. Essie-Mae Hansman
4352 Cade Road
Capac, Michigan 48014

Dear Mrs. Hansman:

A. R. Cade Apartments - Mussey Township, St. Clair County, Michigan


Enclosed is the Agreement-Easement-Restrictions for the above described project prepared for signatures of owners of record as indicated on documents furnished by you. If there are now any additional owners involved, their signatures and evidence of their ownership are also required. Please have the original and 1 copy executed and returned to us. We will then have the Agreement executed by Edison and General Telephone Company of Michigan. The Copy should be retained by you until you receive a copy of the fully executed document 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 executed, will assist in prompt scheduling of our work to be completed in your project. Please return documents to Donald E. Fisher, at 600 Grand River Avenue, Port Huron, Michigan 48060, (phone number 987-3520, extension 285.)

Sincerely yours,


Donald E. Fisher, Representative
Real Estate and Rights of Way Dept.

DEF:pb

Enclosures

RECORDED RIGHT OF WAY NO. 30014

Detroit
Edison

June 25, 1974


Mrs. Essie-Mae Hansman
4352 Cade Road
Capac, Michigan 48014

Dear Mrs. Hansman:

A. R. Cade Apartments - Mussey Township, St. Clair County

We are enclosing herewith a fully executed copy of the Agreement dated May 2nd, 1974, for the underground electric and communication services for the above named project.

Sincerely,


Donald E. Fisher, Representative
Real Estate and Rights of Way Dept.

DEF:pb

Enclosure

RECORDED RIGHT OF WAY NO. 30014

Detroit
Edison

June 25, 1974

Mr. Louis Goodrich
General Telephone Company of Michigan
455 Ellis Road
Muskegon, Michigan 49443

Dear Mr. Goodrich:

A. R. Cade Apartments - Mussey Township, St. Clair County, Michigan

We are enclosing a copy of the underground electric and communication services Agreement with A. R. Cade Apartments for your files. The Agreement was fully executed on May 2nd, 1974, and recorded June 14, 1974.

Sincerely,


Donald E. Fisher, Representative
Real Estate and Rights of Way Dept.

DEF:pb

Enclosure

RECORDED RIGHT OF WAY NO. 30074

Date: February 21, 1975

To: J. Frederick Bernard
Director of Plant Accounting

From: Jack Brown *JB*
North District Supervisor
Real Estate and Rights of Way Department

Subject: Agreement-Easement-Restrictions for Underground Residential
Distribution for A. R. Cade Apartments, located in the
Southwest 1/4 of the Northwest 1/4 of Section 19, Town 7
North, Range 13 East, Mussey Township, St. Clair County,
Michigan.

We have completed all paper work for the underground installation
for electric and telephone lines in the above named project. This
is a joint installation with

General Telephone Company of Michigan
455 E. Ellis Road, P.O. Box 149
Muskegon, Michigan 49443

Please bill this telephone company Fifty(\$50.00) Dollars for our
services in obtaining the Agreement-Easements and credit payment to
Work Order No. 821 AD 646.

JB:pb

**Detroit
Edison**

April 5, 1974

Mr. J. M. Hansman
4352 Cade Road
Capac, Michigan 48014

Regarding: A. R. Cade Apartments

Dear Sir:

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 feet (6') in width, which will be subsequently platted or provided by a separate easement instrument. Location of the lines and equipment will be as shown on the combined utility plan as approved by you on _____.

The cost to you for said electric line installation is \$384.00 based on 192 trench feet or -- lot front feet. Extra charges in addition to the above will be \$284.59 as your contribution for converting existing overhead service to underground service. All charges are based on rules and rates as filed with the Michigan Public Service Commission and as shown in our current rate book. We will require full payment of the aforementioned charges prior to constructing the system.

Service cable requirements will be fulfilled as per our rules and rates as filed with the Michigan Public Service Commission.

Community antenna systems or other cable systems shall not be installed in the same trench with Company and telephone cables without a separate signed agreement.

If adverse soil or field conditions such as rock, frozen ground or other are encountered, and you require us to trench through, additional charges will be assessed and may be billed at a later date. Additional charges will also be assessed if it is necessary to bore under paved streets or other paved areas.

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, employees, successors and assignees. If such damage should occur, we will require reimbursement for any such damage.

RECORDED RIGHT OF WAY NO. 3014

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

TO M. Houghton, Ser. Pl., Pt. Huron Office DATE 5-3-74 TIME _____

RE: Underground Service - A. R. Cade Apartments, Mussey Twp., St. Clair County

Agreement-Easement-Restrictions obtained. OK to proceed with construction.

COPIES TO: Eng. Coordinator Supervisor H-250 W.S.C.

SIGNED *Donald E. Fisher*
Donald E. Fisher, Representative
Real Estate & Rights of Way Dept.

REPORT _____

DATE RETURNED _____ TIME _____ SIGNED _____

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

TO Thomas Beagan, 434 W.C.B. DATE 5-3-74 TIME _____

RE: A. R. Cade Apartments - Mussey Township, St. Clair County

Please have enclosed copies of Agreement-Easement-Restrictions signed by
Edison and General Telephone and the jurats completed.

COPIES TO: _____

SIGNED *Donald E. Fisher*
Donald E. Fisher, Representative
Real Estate & Rights of Way Dept.

REPORT _____

DATE RETURNED _____ TIME _____ SIGNED _____

Date: March 12, 1975

To: Monica J. Maier
Records Center

From: Jack Brown *JB*
North District Supervisor
Real Estate and Rights of Way Department

Subject: Agreement-Easement-Restrictions for Underground
Residential Distribution for A. R. Cade Apartments,
located in the Southwest 1/4 of the Northwest 1/4
of Section 19, Town 7 North, Range 13 East, Mussey
Township, St. Clair County, Michigan.

Attached for Records Center is the executed Agreement dated
May 2, 1974, for the above named project. Also enclosed are
other pertinent papers relative to this project.

Easement for this project was requested by Merrill Houghton of
Service Planning Department, North District.

The Agreement was negotiated by Donald E. Fisher of this
Department.

The Detroit Edison Company and General Telephone Company of
Michigan made this agreement with Essie-Mae Hansman, owner
of A. R. Cade Apartments.

Please make the attached papers a part of recorded Right of
Way file.

JB:pb

Attachments

Mr. J. M. Hansman
April 5, 1974
Page 2

Notwithstanding anything herein to the contrary, the installation, ownership and maintenance of electric services and the rates, fees, and charges to be made shall be subject to and in accordance with the orders and rules and regulations adopted and approved from time to time by the Michigan Public Service Commission.

Please sign both of the enclosed copies and return the original. You may retain the carbon copy for your file.

Very truly yours,


Service Planner - M. W. Houghton

MWH:csw

ACCEPTED:

Name Essie Mae Hansman

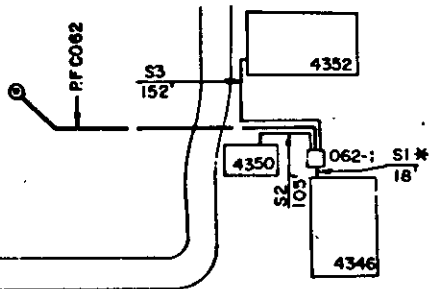
Title Owner

Name James M. Hansman

Title _____

Date 4-22-74

RECORDED RIGHT OF WAY NO. 30074



JOINT TRENCH WITH MBT.
A.R. CADE APTS.

A-79546	1974
SEC MAINS-	
* SERS - 2-350 & 4/OX1	
SERS - 2/OALX2, 1/OX1	
UNLESS TAGGED	

*SOUTHWEST 1/4 OF THE
NORTHWEST 1/4 OF SEC 19,
T1N. R13E. MUSSEY TWP.
ST. CLAIR CO.*

"As Installed Drawing"

CADE

REGISTERS OFFICE)
ST CLAIR COUNTY) ss.

Received for record the MAR 5 1975

day _____ A.D. 19 _____

at 1:40 o'clock P M., and recorded in

Lib. 1024 of Deeds

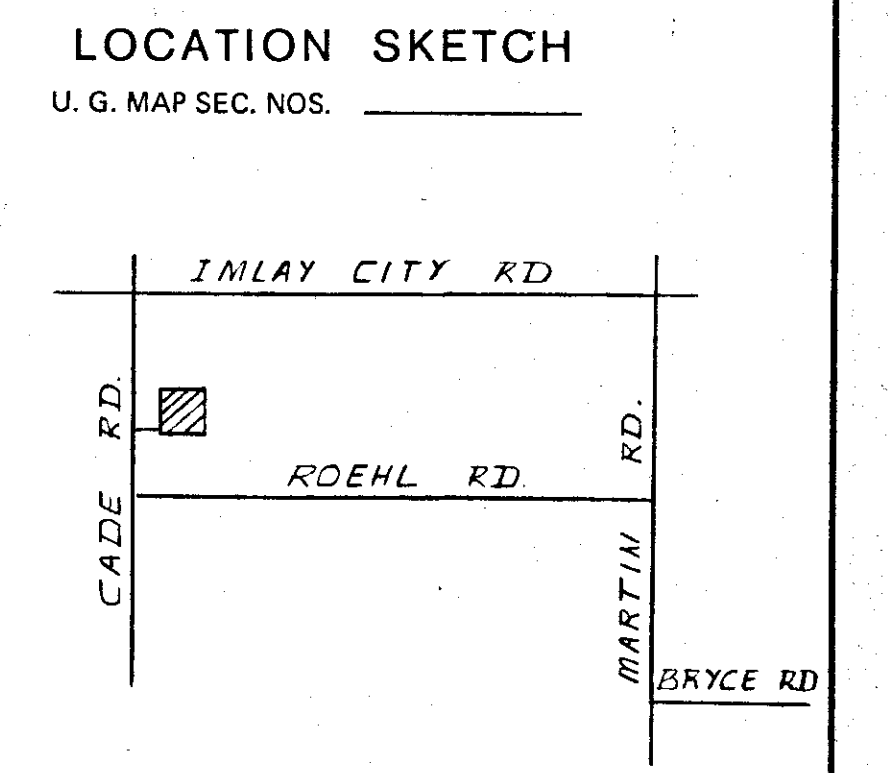
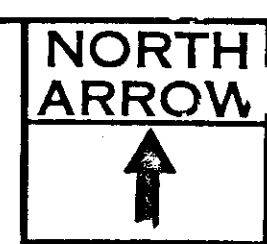
page 480

[Signature]
REGISTER OF DEEDS

RECORDED RIGHT OF WAY NO. 30014

140

RETURN TO
J. BROWN
THE DETROIT EDISON COMPANY
600 GRAND RIVER AVE.
PORT HURON, MICHIGAN 48060



TRANSFORMER SPECS. 1-52-370-E & 1-17-261
 PEDESTAL SPEC.-R13
 NO. OF PEDESTALS _____

- CODE -
- ⓪ TEMPORARY SECONDARY PEDESTAL
 - Ⓛ DFT (DEAD FRONT TYPE)
 - UDT (NON-SWITCHING-LIVE FRONT TYPE)
 - Ⓧ UDT (SWITCHING-LIVE FRONT TYPE)
 - ← DIRECTION OF TRANSFORMER DOOR OPENING
 - SECONDARY PEDESTAL
 - ▲ SECONDARY TERMINAL
 - Ⓢ CABLE POLE
 - Ⓜ PRIMARY SWITCH CABINET
 - BURIED PRIMARY CABLE-ALL VOLTAGES
 - - - BURIED SECONDARY CABLE
 - - - BURIED SECONDARY SERVICE CABLE
 - Ⓢ DETROIT EDISON TRENCH ONLY
 - TELEPHONE TRENCH ONLY
 - - - SEWER
 - - - WATER
 - - - GAS
 - - - PROPOSED CONDUIT

CABLE SUMMARY

ITEM#	#2APEC X, 1 13.2 KV	713-3029=	300'±
ITEM#	AP2-350M & 1-4/0 600 V.	713-0537=	30'±
ITEM#	AP2-2/0 & 1-#1 600 V.	713-0614=	260'±

TRENCH SUMMARY

JOINT USE	270'±
D. E. ONLY	—
TEL. ONLY	—
TOTAL	270'±

SITE SUPT. JAMES M. HANSON
 PHONE NO. 395-7952 OR 693-6271

- GENERAL NOTES -

TRENCHING TO BE DONE BY D.E. CO.
 TRENCH AND CABLE LENGTHS ARE APPROXIMATE.
 SEE DRAWING UI-1-2369 FOR TRANS. MAT. DETAILS.
 SEE PAGE 3-2-11 (S.I.M.) DETAIL "—" FOR ENTRANCE POINT DETAILS (APTS. ONLY)
 SEE DRAWING UI-4-2263 FOR PLACEMENT OF CABLES, TRANSFORMERS AND PEDESTALS (SUB'DS ONLY). EXT. 233
 D.E. SERVICE PLANNER: M. HOUGHTON - PT. HURON OFF. 987-3520
 TEL. CO.: ENG - M. ADEMA - 1-724-0501

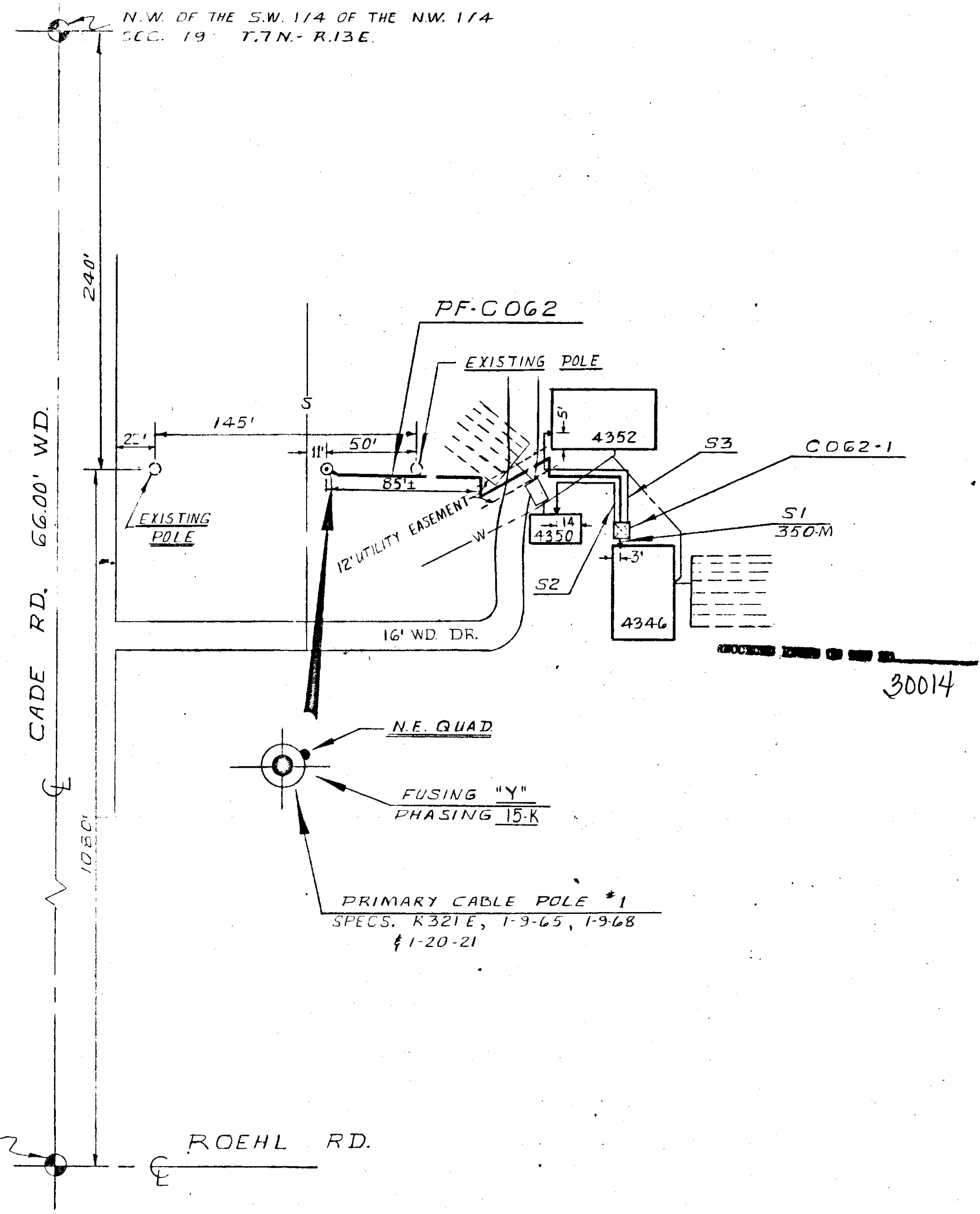
CONTACT "MISS DIG" (6477-344) BEFORE DOING ANY EXCAVATION.
 EASEMENTS INDICATED BY OUR CENTERLINES ARE (6') SIX FEET IN WIDTH UNLESS OTHERWISE NOTED.

PERMITS REQUIRED
MUSSEY TWP.
 (NOTIFICATION ONLY)

NOTE: ALL SECONDARY 2-2/0 & 1-#1 UNLESS TAGGED
 * SEPTIC & WATER NOT GUARANTEED BUT CUSTOMER WILL ASSUME ALL RESPONSIBILITY FOR ANY DAMAGE

TRANSFORMER DATA

U.D.T. NO.	SIZE	ED. STK. NO.
COG2-1	50KVA	661-1152



S.W. 1/4 OF THE N.W. 1/4 SEC. 19 T.T.N.-R.13E.

D REVISION			C REVISION			B REVISION			A REVISION			REFERENCE	DRAWN BY D. Debus 5-8-74	NAME M. Houghton 5-15-74	DATE 5-15-74	JOB TITLE A. R. CADE APTS. S.W. 1/4 OF N.W. 1/4 SEC. 19 T.T.N., R.13 E. ST. CLAIR CO.	THE DETROIT EDISON COMPANY SERVICE PLANNING DEPARTMENT		
DRAWN BY	CHECKED BY	APPROVED BY	DRAWN BY	CHECKED BY	APPROVED BY	DRAWN BY	CHECKED BY	APPROVED BY	DRAWN BY	CHECKED BY	APPROVED BY						SCALE 1"=50'	NUMBER OF UNITS 6	WORK ORDER NUMBER 367 B10J356
												LATEST REVISION			DISTRIBUTION CIRCUIT 312 CAPAC / 13.2KV THRU 150-UP				
												DEPT. ORDER NUMBER A-79546			SHEET 1 OF 1 SHEETS				

St. John office

RECORDED RIGHT OF WAY NO. 30014