PROPOSED SUBDIVISIONS (Not Platted)

## AGREEMENT - EASEMENT - RESTRICTIONS

This instrument made this 20 day of MAY, 19 75, 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 MICHIGAN BELL TELEPHONE COMPANY, a Michigan corporation of 1365 Cass Avenue, Detroit, Michigan 48226, hereinafter referred to as "BELL."

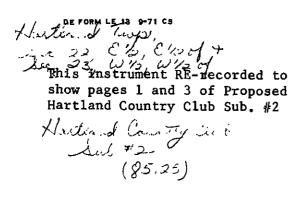
## WITNESSETH:

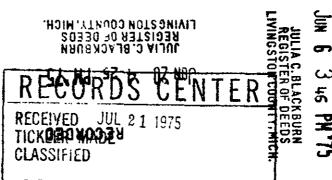
WHEREAS, Owners are developing land for subdivision purposes in the Township of Hartland Livingston County, Michigan, as described in Appendix "A", attached hereto and made a part hereof, and

WHEREAS, the plat of said subdivision will not be recorded until a later date and Owners desire EDISON and BELL to install their underground lines and facilities prior to said recording.

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) Easements for installation of electric and communication services are hereby granted by the Owners to EDISON and BELL as set forth in the attached copy of proposed plat. Any additional easements needed by EDISON and BELL shall be granted by Owners in a separate instrument.
- (3) Owners will place survey stakes indicating property lot lines before trenching.
- (4) Where sewer lines will parallel electric and communication lines, sewer taps must be extended into each lot for a distance of one (1') foot beyond the easement limits. Underground sewer and water lines may cross but shall not be installed parallel within the six (6') foot easements used by EDISON and BELL.
- (5) 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.
- (6) No excavations (except for public utility purposes) and no structures or permanent apparatus of any kind (except line fences and driveways) shall be allowed within the public utility easements used by EDISON and BELL. EDISON and BELL shall have no liability to Owners for removal of trees or plant life lying within said easements which, in the sole opinion of EDISON and BELL, interferes with their facilities or when removal is necessary to repair and maintain the underground service facilities.
- (7) Owners to provide for clearing the easements of trees, large stumps and obstructions sufficient to allow trenching equipment to operate.





- (8) No shrubs or foliage shall be permitted on Owners property within five (5') feet of the front doors of transformers or switching cabinets.
- (9) 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 plat 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 upon receiving a statement therefor. Owners are defined as those persons owning the land at the time damage occurred.
- (10) Owners hereby grant EDISON and BELL the right to install their secondary service and communication lines from termination of utility facilities to the meter or communication building entrance point as the case may be. Owners to pay the cost of conduit for electric and/or communication facilities to accomodate patios or similar site conditions.
- (11) Owners of each lot will pay EDISON for service lateral conductors an amount equal to the straight line measurement in feet from the termination of utility facilities at the front or rear property line to Owners meter entrance multiplied by \$1.25. Where special routing is required, the charge of \$1.25 per foot will apply to the route of the line as installed. These charges are subject to change and modification by Orders, from time to time, by the Michigan Public Service Commission.
- (12) The Owner will pay to utility concerned the extra trenching costs involved if trenching is required while the ground is frozen.
- (13) EDISON and BELL will own and maintain the secondary service and communication laterals from the property line to Owners meter location except such costs or expenses incurred as set forth in Paragraph (9) above shall be borne by Owners.
- (14) Upon the further acceptance and recording of the plat for the above described land, the easement herein granted and all the terms and conditions hereof shall merge with and be part of the private easements for public utilities indicated on said plat, only on condition that there is no dedication to the use of the public for said easements. The utility making use of such easements shall pay all the costs incurred by all prior public utility users in relocating or rearranging their facilities to make the easements available for subsequent use.

This Agreement-Easement-Restriction shall run with the land and shall inure to the benefit of and be binding upon the respective heirs, administrators, executors, personal representatives, successors and assigns of the parties hereto.

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

In the Presence of:

THE DETROIT EDISON

MICHIGAN BELL TELEPHONE COMPANY

..., ASST. SECRETARY

RIGHT

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Staff Supervisor, Right of Way

(authorized signature)

STATE OF MICHIGAN )		
WAYNE ) SS		
COUNTY OF CARRENCE )		
On this 23rd day of		9 <u>75</u> before
me, the subscriber, a Notary Public in and	for said County, person	ally appeared
W. C. Arnold and	Lillian J.H. Carro	11
to me personally known, who being by me dul	y sworn, did say that t	hey are the
Director, RE & R/W Dept. and	Assistant Secretary	
of THE DETROIT EDISON COMPANY, a corporation	n organized and existin	g concurrently
under the laws of Michigan and New York, and	d that the seal affixed	to said instru-
ment is the corporate seal of the said corporate	oration, and that said	instrument was
signed in behalf of said corporation by auth	nority of its Board of	Directors and
W. C. Arnold and	Lillian J.H. Carrol	1 30 0
acknowledged said instrument to be the free  My Commission Expires: May 14, 1976	Inens 6.7	orporation.
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	<u>Wayne</u> Co	unty, Michigan
STATE OF MICHIGAN )  SS  COUNTY OF OAKLAND )		
On this 29th day of M	lau.	19 <b>75</b> _, before
me, the subscriber, a Notary Public in and i	· · ·	
MURRAY, JR. to me personally known, who beir		
STAFF SUPERVISOR OF RIGHT OF WAY, authorized		•
COMPANY, a Michigan Corporation, and that the	•	
of said corporation, by authority of its Boa		_
acknowledged said instrument to be the free	•	·
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My Commission Expires:	Frances VII	Tichaels
FRANCES J. MICHAELS	Notary Public	
Notary Public, Oakland County, Michigan My Commission Expires October 8, 197	7	_County, Michigan &
		County, Michigan & CORDED RIGHT
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REGISTER OF DEEDS LIVINGSTON COUNTY, MICH.		MO
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LIBER 115 PAGE 609 LIBER 115 PAGE 289

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	aurence A. Tunney			
		By:	11/11	W.
$\sim 10^{\circ}$	One >	Tom J. Adle	r, President	:
Monu	Kill	By: X (have 1	loter	
Thomas F	. McQueary	Chava Adler	, his wife	**
	• /	Secretary T	reasurer	
		Address: 1077 West		
		Highland,	Michigan 4	±8031
STATE OF MICH	IGAN )			
	) ss.			
COUNTY XORKL	<u>.n~0</u> _)	٧		
On t	his X CTH day of X 11 K	A-D. 192C	hefore me t	he sub-
scriber, a No	his $\times$ $6^{74}$ day of $\times$ $MF$ tary Public in and for said c	ounty, appeared Tom J	. Adler and	Chava
Adler, to me	personally known, who being b	y me duly sworn did s	ay that they	are
	and Secretary Treasurer of A			
	nd that the seal affixed to s			
	ion and that said instrument y authority of its board of d			
	edged said instrument to be t			
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		-X-22-22	we a	5
			RENCE A. TUNNEY	/
		Notar Notar Notar	So Wayna County.	Mich County, Mich
My Commission	Expires: <u>XFPT, 17, 1977</u>	Acting in (	Orbland County, M	ich. /
0	<u></u>	My Commissi,	on Esperce Sout. 1	7, 1977.
Witness:	errom & On human	Signed: Millian	* Su	app
Law	rence k. Tunney		Kaapp, Jr.	11/1/1/3
S S		10 4	FI	
	omas H. McQueary	* Calher	ne sitn	soft
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	A	ddress: 3207 Commerce	e	
		Milford, Mich	hig <b>an</b> 4804	2
STATE OF MICH	TCAN \			
STATE OF MICH	) SS.			
COUNTY OF BAA				
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	a Notary Public in and for sa	MAY A.1	D. 19 <u>75</u> , b	efore me the
Knapp and Kat	hrine L. Knapp, his wife know	n to me to be the per-	appeared Wi	Illam J.
foregoing ins	trument and acknowledged the	same to be their free	act and dee	d.
	<b>G</b>			
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		Avrence	Tunney	may
		Notary Public,		ounty, Mich.
My Commission	Expires: XSEPT, 17, 1977	LAWRE	NCE A. TUNNEY	ouncy, Mich.
		Notary Public	Wayne County, M	ich. 🏻 🖀
Danamania (1. 1.		Acting in Oa	kland County, Mid	h. 👸
Prepared by:	James M. Davenport, Jr. 2000 Second Avenue	My Commission	Expires Sept. 17,	_ 197 <u>7.</u>
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Part of the E. 1/2 of the E 1/2 of Section 22, and part of the W 1/2 of the W 1/2 of Section 23, T3N, R6E, Hartland Township, Livingston County, Michigan, described as beginning at the SW corner of Lot 1 of "Hartland Country Club Subdivision", as recorded in Liber 12 of Plats, Page 45, Livingston County Records, thence S. 88°49'10" E. 255.03 feet along the South line of Lots 1, 2 and part of 3 of said "Hartland Country Club Subdivision"; thence along the West line of Sun Terrace, (a 66.00 foot wide road as recorded in Liber 699, Pages 556, 558, Livingston County Records) Northeasterly on an arc right, having an arc length of 58.57 feet, a central angle of 12°45'38", a radius of 263.00 feet and a chord that bears N. 7°33'39" E., 58.45 feet; thence Northeasterly on an arc left having an arc length of 43.88 feet, a central angle of 12°45'38", a radius of 197.00 feet and a chord that bears N. 7°33'39" E. 43.78 feet; thence N. 1°10' 50" E., 128.39 feet; thence Northwesterly on an arc left having an arc length of 31.42 feet, a central angle of 90°00'00", a radius of 20.00 feet and a chord that bears N. 43°49'10" W., 28.28 feet; thence S. 88°49'10" E. 106.00 feet along the South rightof-way line of Dunham Road; thence along the East line of Sun Terrace Southwesterly on an arc left having an arc length of 31.42 feet, a central angle of 90°00'00", a radius of 20.00 feet and a chord that bears S. 46°10'50" W., 28.28 feet; thence S. 1°10'50" W., 128.39 feet; thence Southwesterly on an arc right, having an arc length of 58.57 feet; a central angle of 12°45'38", a radius of 263.00 feet and a chord that bears S. 7°33'39" W., 58.45 feet; thence Southwesterly on an arc left, having an arc length of 43.88 feet, a central angle of 12°45'38" a radius of 197.00 feet and a chord that bears S. 7°33'39" W., 43.78 feet to a point on the South line of Lot 3 of "Hartland Country Club Subdivision", thence S. 88°49'10" E. 681.05 feet; thence S. 1°06'55" W., 1447.23 feet; thence S. 88°28' 05" E., 1339.81 feet; thence S. 1°43'20" W., 620.19 feet; thence S. 18°41'15" W., 482.20 feet; thence S. 71°18'12" E., 300.04 feet; thence S. 18°43'00" W., 134.67 feet along the center line of Bullard Road; thence continuing along said center line Southwesterly on an arc left, having an arc length of 142.05 feet, a central angle of 21°01'50", a radius of 387.00 feet and a chord that bears S. 8°12'05" W., 141.25 feet; thence S. 87°41'10" W. 50.00 feet; thence Northwesterly on an arc left, having an arc length of 24.08 feet, a central angle of 68°58'10", a radius of 20.00 feet and a chord that bears N. 36°47'55" W., 22.65 feet; thence N. 71°17'00" W. 133.44 feet; thence Northwesterly on an arc right, having an arc length of 132.54 feet, a central angle of 28°52'27", a radius of 263.00 feet and a chord that bears N. 56°50'47" W., 131.14 feet; thence S. 18°43'00" W. 312.70 feet; thence N. 71°17°00" W., 1020.00 feet; thence N. 25°30°00" E., 400.66 feet; thence Northwesterly on an arc right, having an arc length of 174.48 feet, a central angle of 38°00'42", a radius of 263.00 feet, and a chord that bears N. 9°08'15" W., 171.30 feet; thence N. 80°07'54" W., 210.57 feet; thence N. 53°30'00" W., 1188.37 feet; thence N. 0°52°00" E., 1508.31 feet to the point of beginning and containing 85.25 acres more or less and containing Outlots "A", "B", and "C" and proposed Lots 41 through 116 inclusive and also two private parks.

Prepared BY:

James M. Davenport Jr. 2000 Second Avenue Detroit, Michigan 48226

AT 4:25 P.MOCIOCK

JUILLA C. MARCHANA S

RECURSOR CONTACTOR S

LIVEROSTOR COLUMN

RECORDED RICHT OF WAY NO. 3005

Date:	July 3, 1975
To:	Records Center 130 General Offices
From:	James M. Davenport Jr. (1)  Real Estate and Rights of Way Department  West District - Ann Arbor
Subject:	Agreement-Easement-Restrictions for underground residential distribution for <u>Hartland Country Club Prop</u> Sublocated in <u>Hartland Township</u> Livingston County
May 20, are other p	or Records Center is the executed agreement dated  1975
Service Pla	unning Department, Ann Arbor Division
The agreeme	ent was negotiated by <u>J. Davenport</u> of this Department.
Please make	the attached papers a part of recorded Right of Way file.
(Additional	. information)

Attachment

July 3, 1975

Adler Homes Inc. 1077 E.Highland Rd. Highland, Michigan 48031

RE: Proposed Hartland Country Club Sub. #2

Gentlemen: '

We are enclosing herewith a fully executed copy of the Agreement dated May 20, 1975 for the underground electric and communication services for the above memed project.

Very truly yours,

James M. Davenport Jr.

Real Estate and Rights of Way herresentative

ين Arbor - Howell District

RECORDED RIGHT OF WAY NO .-

30055

343 S. Main St. 48107

Detroit Edison

April 24, 1975

Mr. Tom J. Adler 1977 W. Highland Highland, Michigan 48031

Re: Froposed Hartland Country Club Sub. No. 2

Enclosed is the original and two copies of the Agreement-Easement-Restrictions for the above described project. Please have the original and one copy executed and returned to us. It appears to me from the evidence that you have furnished that the following parties should execute this agreement:

Mr. and Mrs. Adler as officers of Adler Development Corp. and

Mr. and Mrs. Knapp as individuals

If any additional interest holders are now involved, their signatures are also required.

We will have the officers of Bell and Edison execute the Agreement and return a fully executed copy to you. The 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 sign where indicated. The Notary can be one of the witnesses. Also, Print or type the names of all parties signing the document, including witnesses and Notary.

Your attention is called to paragraph No. 9 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 this instrument, fully completed, will assist in prompt scheduling of our work to be completed in your project. Please return signed document to:

James M. Davenport Jr., 343 S. Main Street, Suite 214, Ann Arbor, Michigan 48168

If there are any questions, please call me at: 769-5880, Extension 355 (Area Code 313)

Yours truly,

James M. Davenport Jr.

Real Estate and Rights of Way Representative

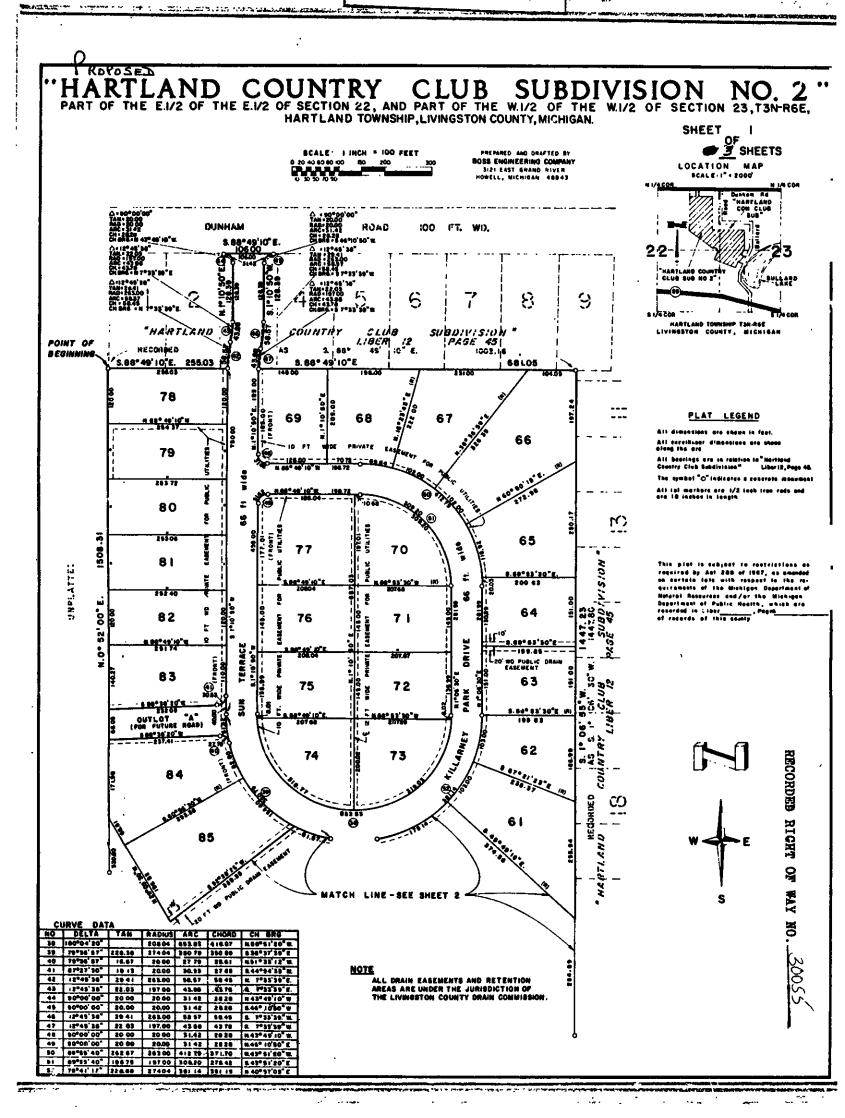
Enclosure

		14.39
APPLICATION FOR U.R.D. EASEMENTS	FOR RE& RW DATE DEPT USE REC D	DE-BE
TO R. art	Application No. 45	907
DISTRICT COMM OF WAY - SLEER 1.508	Date 4/23/	75
We have included the following necessary material and information		,
WATERIAL  A. Subdivision  1. Capy of complete final proposed plat, or 2. Recorded plat a. Site plan b. Title information (deed, title commitment, contract, or tit or 5. Other than subdivision	le search) To follow S	hortly.
<ol> <li>Property description.</li> <li>Site plan.</li> <li>Title information (deed, title committeent, contract with title</li> </ol>	committeent or title search).	
		/
1. Project name Hartland Country Club Sur City/Township Village Hartland	County Surings!  Section No. 22 \$	23
Type of Development Subdivision	Mobile Home Park	
[_] Apartment Complex	( Other	
2. Name of Owner addler Homes, Inc.	Phone No. 1-3/3-82	87-1001
Address 1077 E. Highland Pd A	lighland mich	-48031
Owner's Jonn after	Phone No. 1-3/3-88	37-1001
3. Date Service is Wanted Quine 2, 1973	Thore No.	·
4. Entire project will be developed at one time	🗙 YESN	10
5. Cable poles on property	_	
Joint easements required		
a. Name of other utilities Michigan Bell		20
b. Other utility engineer names, addresses, phone numbers:	// // //	ECORDED E
1-5/7-482-40/0		RIGHT
7. Part of subdivision is fed from overhead service	" YES 🔀 N	
Lot No		WAY .
8. Additional information or comments. Secure as	Iditional K/w.	as shown
NOTE. Trenching letter ? attached 🗶 will be submitted late	illian X Binal	30050
Address Address	SERVICE PLANNING DEPARTMENT	ne 185-760
	17	

MEMORANDI FOR GENER DE FORM MS 77	AL USE	TO Regimeering Coordinate  Ridg. H - Room 250 - H	r Supervisor DATE 5-21-75 TIME
£:	Underg	round Service for Proposed Hartlan	ed Country Club Subdivision, No. 2 located in
			- Agreement-Easement-Restrictions obtained
·	OK to	proceed with construction.	
COPIES TO:	Bill file	Bingley	James M. Davemport Jr.
REPORT _			
	<del></del>		
DATE RETU	JRNED	TIME	SIGNED

MECORDED ....June 20,1975. AT 4:25 P.Mo'CLOCK .....

JULIA C. BLACKBURN REGISTER OF DUIDS LIVINGSTON COUNTY



..........

AT 4:25 P.MO'CLOCK

JULIA C. BLACKEURN

REGISTER OF DEFES
LIVINGSTON COUNTY

