March 31, 1976

TO:

Elaine M. Ryan

Administrative Services

Record Center

FROM:

C. G. Williams Representative

Real Estate, Rights of Way and Claims

REGARDING: Agreement-Easement-Restrictions for Underground Residential Distribution for Garden City Manor Apartments located in the N.E. 1/4 of Section 14, T2S, R9E, Recorded in Liber 45, Page 4 of Plats, W.C.R.

Attached for the Records Center, is the agreement covering the underground electric-services for the above named project. We are requesting the Records Center set up a file and forward to this Department, the Real Estate file number.

The agreement was negotiated by C. George Williams.

When the file is closed, all pertinent papers will be forwarded to your Department to be placed in the file bearing the number previously assigned.

CGW:dma

att.

cc: file

RECORDS CENTER
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RECORDED R/W 30320

CLASSIF.ED

L119356 PA604

## G 80786

APARTMENTS

## AGREEMENT - EASEMENT - RESTRICTIONS

## WITNESSETH:

W	HEREAS, Owner	s are erecting	apartments	known as	Garden City	Manor
Apartments		on land in the	City	o <del>Ī</del> (	Garden City	,
County of Way	<u> </u>	State of Michig				
attached hereto	and made a pa	rt hereof, and	EDISON XXXXX	XXXX will	install the	ir
electric 数数数数数数	fa &&XXXXXXX	cilities underg	ground excep	t necessar	y above grou	ınd
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.

- (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 Order of and the Rules and Regulations adopted from time to time by the Michigan Public Service Commission.

\* "This easement is re-recorded for purposes of showing the planning "as installed" centerlines of easements granted as shown on drawing attached hereto"

And also to correct the Appendix "A" -1-

Description of Property.

DE FORM LE 11 11-71 CS

RE-RECOLL

E YOUNGBLOOD, Register of Deeds

WALNE COUNTY, MICHIGAN 48226

RECORDED FEB 10 1977 AT OCLOCY AT FOREST E. YOUNGBLOOD, Register of Deeds

OREST E. YOUNGBLOOD, Register of Deed Wayne County, Michigan 48226 RE-RECORD

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- b. Owners will place survey stakes indicating building plot lines and property lines before trenching.
- 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 BEXX 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.

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.  $e^{O^{4.7} - f.0} / e^{O^{4.7} -$ 

THE DETROIT EDISON COMPANY
By M.C. Um Colling
Real Estate and Dights-of Way Dept Oc
po fillen Marke.
ILLIAN J. H CARROLL ASST. SECRETARY
XMIGHIGAN XBELL XPELERHONE XCOMPANY
Ву
Staff Supervisor, Right of Way (authorized signature)

COOP OFFI

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P.E. P.C.

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sRE-RECORD . STATE OF MICHIGAN

L119356 PA606

COUNTY OF WAYNE

ξ,	
On this <u>18th</u> day of <u>Mar</u>	rch , 19 <u>76</u> , before me, the subscriber,
a Notary Public in and for said County, p	ersonally appeared
W. C. Arnold	and Lillian J.H. Carroll
to me personally known, who being by me d	uly sworn, did say that they are the
Director, RE & R/W Dept.	and Assistant Secretary
of THE DETROIT EDISON COMPANY, a corporat	ion 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 s	aid 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 fr	ee act and deed of said corporation.
My Commission Expires: May 14, 1976	Notary Public IRENE C. KATA
	Notary Public IRENE C KATA
# ** **********************************	Wayne County, Michigan
	The same of the same
	HOMEWARD INVESTMENT COMPANY, A Michigan
	Corporation 21540 W. Fleven Mile Road, Suite 109
In the Presence of:	Southfield, Michigan, 48076.
Sances/ Suciano	By: Herwhelph
FRANCES TRUBLANO)	HARRY WEITZER
Ducker Selet	By:
BARBARA FLETCHER	
	ਸ਼ਾਂ ਬ
STATE OF MICHIGAN )	ARCH A.D., 1976, before me, or said county, appeared HARRY
COUNTY OF OAKLAND )	DED
	ARCH A.D., 19 76, before me, G
	A.D., 19 /6, before me,
the subscriber, a Notary Public in and fo	r said county, appeared HARRY
$WE_{I}TZER$ and	to me personally
known, who being by me duly sworn did say	that they are the PRESIDENT HE IS
	and
OF HOMEWARD INVEST	MENT COMPANY
and that the seal affixed to said instrum	ment is the corporate seal of said corpora- and sealed in behalf of said corporation by
tion and that said instrument was signed	and sealed in behalf of said corporation by
authority of its board of directors and _	HARRY WEITZER - PRESIDENT
and	
acknowledged said instrument to be the fr	ee act and deed of said corporation.
_	FRANCES TRUPIANO
	Notary Public, MACOMBCounty, Michigan
My Commission Expires: 8-6-77	_

FRANCES TRUPIANO
Notary Public, Macomb County, Mich.
Acting in Oakland County, Mich.
My Commission Expires 8-6-72

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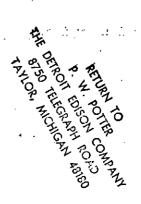
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APPENDIX "A"

LI19356 PA607

The East 1/2 of Lot #161, also Lot #162, except the East 177 Feet and also the West 229.04 feet of Lot #163 of Folker's Full Acre Farms No. 1 - 1/d/t /of /thd /N / 1/d/t /1/d/t /df /dd /1/d/t, T2S, R9E, as recorded in Liber 45, Page 4 of Plats, Wayne County Records.

## CORRECTED APPENDIX "A"

The East 1/2 of Lot #161, also Lot #162, except the East 177 feet and also the West 229.04 feet of Lot #163 of Folker's Full Acre Farms No. 1 - Part of the S. E. 1/4 of Section 11, T2S,—R9E, as recorded in Liber 45, Page 4 of Plats, Wayne County Records.

Prepared by:

C. George Williams

8750 Telegraph, Room 225 Taylor, Michigan, 48180

RE-RECORD

1976 MAR 25 PM 2 31

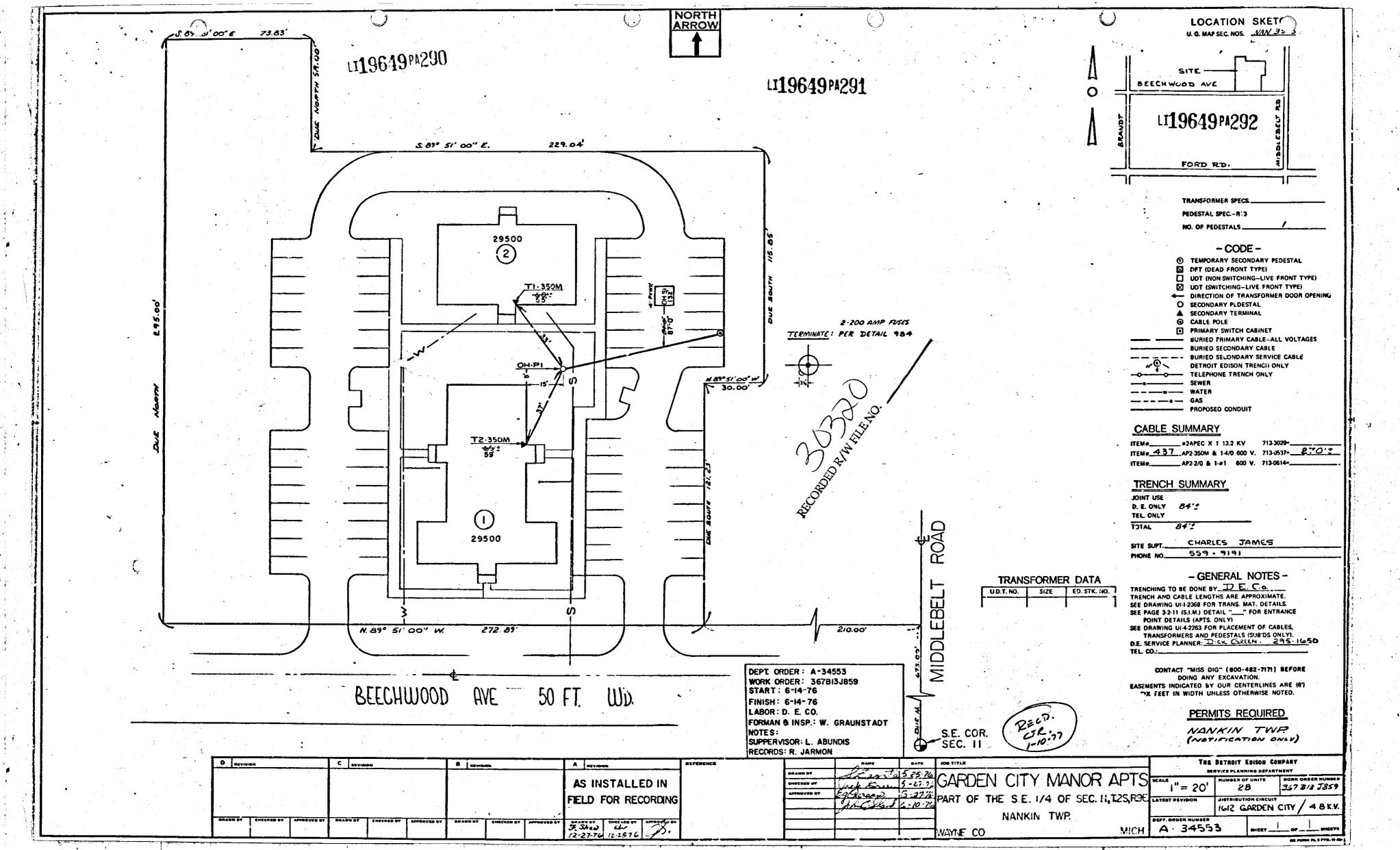
FOREST E. YOUNGBLOOD REGISTER OF DEEDS

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Charles Co.

R. P.C.



P. W. POTTER
THE DETROIT EDISON COMPANY
8750 TELEGRAPH ROAD
TAYLOR, MICHIGAN 48180

RETURN TO
P. W. POTTER
THE DETROIT EDISON COMPANY
8750 TELEGRAPH ROAD
TAYLOR, MICHIGAN 48180

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