

SEP 6 2 26 PM '78

HS-1601

Nov 29 12 36 PM '78

137

LIBER 900 PAGE 321  
LIBER 885 PAGE 344

APARTMENTS

NANCY HAVILAND  
REGISTER OF DEEDS  
LIVINGSTON COUNTY, MICH.

NANCY HAVILAND  
REGISTER OF DEEDS  
LIVINGSTON COUNTY, MICH.

AGREEMENT - EASEMENT - RESTRICTIONS

This instrument made this 17<sup>th</sup> day of AUG, 19 78, 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 St. Mary Parish Senior Citizen Apartments, on land in the Village of Pinckney, County of Livingston, 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. However, secondary electric service and communication entrance line locations, as shown on an 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 accomodate 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.

NOTE: This Agreement re-recorded to show "as installed" drwng. as stipulated in paragraph 4 above.

RECORDED RIGHT OF WAY NO. 32024

SEP 8 5 28 PM '78

RECEIVED  
MAY 1978

37

RECEIVED  
MAY 1978

RECEIVED

RECEIVED  
MAY 1978

RETURN TO  
R.J. Ort  
The Detroit Edison Company  
2929 Plymouth Rd., Room 210  
Ann Arbor, MI 48105

- 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 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:

Leslie G. Sundstrom  
LESLIE G. SUNDSTROM

Betty M. Hansen  
BETTY M. HANSEN

Charles V. Claphan  
CHARLES V. CLAPHAN

J. Douglas Roy  
J. DOUGLAS ROY

THE DETROIT EDISON COMPANY

By Robert R. Tewksbury  
ROBERT R. TEWKSBURY, DIRECTOR  
Real Estate and Rights of Way Dept.

By Irene C. Kata  
IRENE C. KATA, ASST. SECRETARY

MICHIGAN BELL TELEPHONE COMPANY

By Robert K. Crowhurst  
ROBERT K. CROWHURST,  
Staff Supervisor, Right of Way  
(authorized signature)

RECORDED RIGHT OF WAY NO. 32024

SEP 6 2 26 PM '78  
NANCY HAVILAND  
REGISTER OF DEEDS  
LIVINGSTON COUNTY, MICH.

RECORDED

ROBERT K. CROWHURST

RECORDED

SEP 8 5 59 AM '48

SEP 8 1948

RETURN TO  
R.J. Ort  
The Detroit Edison Company  
2929 Plymouth Rd., Room 210  
Ann Arbor, MI 48105

STATE OF MICHIGAN )  
 ) SS.  
COUNTY OF WAYNE )

On this 15th day of August, 1978, before me the subscriber,  
a Notary Public in and for said County, appeared Robert R. Tewksbury and  
Irene C. Kata, to me personally known, who being by me duly sworn  
Director, Real Estate and  
did say they are the Rights of Way Dept. 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  
Robert R. Tewksbury and Irene C. Kata acknowledged said  
instrument to be the free act and deed of said corporation.

Betty M. Hansen  
Notary Public, Oakland County, Michigan  
Acting in the County of Wayne  
BETTY M. HANSEN  
Notary Public, Oakland County, Mich.  
My Commission Expires May 1, 1982

My Commission Expires: \_\_\_\_\_

STATE OF MICHIGAN )  
 ) SS.  
COUNTY OF OAKLAND )

On this 23rd day of AUGUST, 1978, before me the subscriber,  
a Notary Public in and for said County, appeared ROBERT K. CROWHURST  
to me personally known, who being by me duly sworn did say that he is STAFF  
SUPERVISOR RIW authorized by and for MICHIGAN BELL TELEPHONE  
Co. corporation, and that said instrument was signed in behalf of said cor-  
poration, by authority of its Board of Directors, and ROBERT K. CROWHURST  
acknowledged said instrument to be the free act and deed of said corporation.

Charles Claphan  
Notary Public, \_\_\_\_\_ County, Michigan  
CHARLES V. CLAPHAN  
Notary Public, Livingston County, Michigan  
My Commission Expires December 19, 1978

My Commission Expires: \_\_\_\_\_

RECORDED  
NOV 29 12 36 PM '78  
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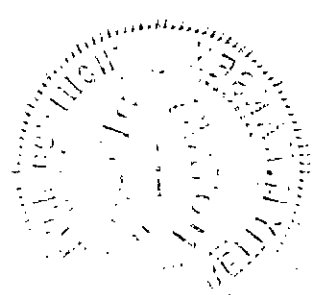
HANCY HAVILAND  
REGISTER OF DEEDS  
LIVINGSTON COUNTY, MICH.

HANCY HAVILAND  
REGISTER OF DEEDS  
LIVINGSTON COUNTY, MICH.

NOV 29 12 35 PM '78

RECORDED

RECORDED RIGHT OF WAY NO. 32024



ROBERT H. CROMBIE

ROBERT H. CROMBIE

RETURN TO  
R.J. Ort  
The Detroit Edison Company  
2929 Plymouth Rd., Room 210  
Ann Arbor, MI 48105

LIBER PAGE 347  
885

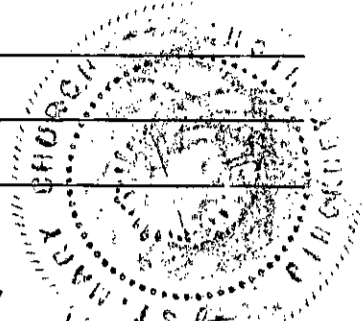
Witnessed By: James C. Donohue  
James C. Donohue

WITNESS:

By: Sister Marjorie Fuchs, SSJ  
Sister Marjorie Fuchs, SSJ

Hugh F. Corbly  
Hugh F. Corbly

Raymond G. DuPont  
Raymond G. DuPont



LIBER PAGE 324  
300

Prepared By:  
James M. Davenport  
2000 Second Avenue  
Detroit, MI 48226

ADDRESS: 551 E. Hamburg St  
Pinckney Mich

STATE OF MICHIGAN )  
COUNTY OF Livingston ) SS.

On this 7th day of August A.D. 1978, before me, the subscriber, a Notary Public in and for said county, appeared James C. Donohue and Sister Marjorie Fuchs, SSJ to me personally known, who being by me duly sworn did say that they are the trustee and trustee of Saint Mary's Roman Catholic Church, Pinckney, Michigan and that the seal affixed to said instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors and James C. Donohue and Sister Marjorie Fuchs, SSJ acknowledged said instrument to be the free act and deed of said corporation.

Sister Mary Dismas Brennan, SSJ  
Sister Mary Dismas Brennan, SSJ Livingston  
Notary Public, County, Michigan

My Commission Expires: 10-3-78

RECORDED  
RIGHT OF  
MAY NO. 32024

A P P E N D I X "A"

Lots 1 through 8, Block 4, Range 1, of "Addition to J.W. Hinchey's Addition to the Village of Pinckney", N.E. 1/4, Section 23, R4E, T1N, Livingston County, Michigan (Liber 51, Page 452 Livingston County Records) and the land to the North from said lots to the southerly right-of-way line of the abandoned Grand Trunk Western Railroad, the entire parcel being more particularly described as beginning at the S.W. corner of Lot 5 of said subdivision; thence along the W. line of Lots 5 and 4 and its extension, Due North 342.44 ft. to the southerly right-of-way line of the abandoned G.T.W.R.R. (75 ft. wide); thence along said line S 85°53'00" E 264.43 ft. to the West right-of-way line Due South 334.82 ft. to the North right-of-way line of Hamburg Street and the S.E. corner of Lot 8 of said subdivision; thence along said right-of-way line N 87°31'59" W, 264.00 ft. to the Point of Beginning, containing 2.050 acres.

NANCY HAYLAND  
REGISTER OF DEEDS  
LIVINGSTON COUNTY, MICH.

SEP 6 2 26 PM '78

RECORDED

APPROVED		DATE
BLDG. & PROP. DEPT.		
DIV. ORG.	<i>RJ Ort</i>	<i>8/14/78</i>
INS. DEPT.		
LEGAL DEPT.		
RE & RIW DEPT.	<i>DS</i>	<i>8/14/78</i>
SYSTEM ENG. DEPT.		
TAX DEPT.		

RETURN TO  
R.J. Ort  
The Detroit Edison Company  
2929 Plymouth Rd., Room 210  
Ann Arbor, MI 48105



**Detroit  
Edison**

Ann Arbor, Michigan  
101 South Main Street  
Post Office Box 10  
Ann Arbor, Michigan 48107

September 1, 1978

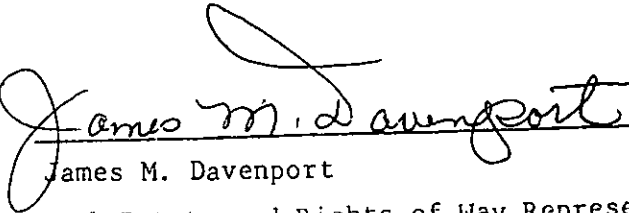
Mr. Michael McCleer  
2249 First National Bldg.  
Detroit, Mi. 48226

Re: St. Mary's Parish Senior Citizens Apt.

Gentlemen:

We are enclosing herewith a fully executed copy of the Agreement dated August 7, 1978 for the underground electric and communication services for the above named project.

Very truly yours,

  
James M. Davenport

Real Estate and Rights of Way Representative  
Ann Arbor Division

Enclosure:

RECORDED RIGHT OF WAY NO. 32024

Detroit  
Edison

2929 Plymouth Road, Room 210  
Ann Arbor, Michigan 48105

July 5, 1978

Mr. Michael McCleer  
2249 First National Bldg.  
Detroit, MI 48226

Dear Mr. McCleer:

Re: **St. Mary's Parish Senior Citizen Apartments**

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:

~~Authorized representatives of St. Mary's Parish~~

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.

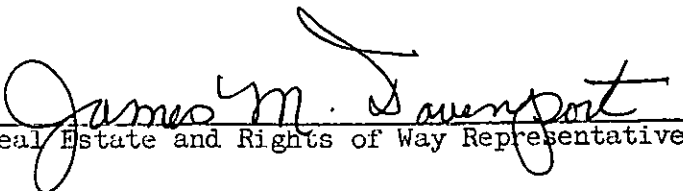
Your attention is called to paragraph No. 3 of this Agreement, whereby you would be responsible for any damages which might occur to the Company's underground lines after installation. It is, therefore, extremely important that not only you, but any contractors working for you, exercise due care to avoid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

Prompt return of 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, 2929 Plymouth Rd., Suite 210, Ann Arbor, MI 48105

If there are any questions, please call me at: 769-5880 extension 255

Yours truly,

  
Real Estate and Rights of Way Representative

Enclosure:

RECORDED RIGHT OF WAY NO. 32024

**Detroit  
Edison**

Date: January 3, 1979

To: Record Center  
130 General Offices

From: James M. Davenport *JMD*  
Real Estate and Rights of Way Department  
Ann Arbor Division

Subject: Agreement-Easement-Restrictions for underground  
residential distribution for St. Mary Parish Senior Citizen Apts.  
located in Village of Pinckney  
Livingston County

Attached for Records Center is the executed agreement dated August 7, 1978 for the above named project. Also enclosed are other pertinent papers relative to this project Easements for this project were requested by Richard Johnson

Service Planning Department, Howell Office  
Ann Arbor Division.

The agreement was negotiated by James M. Davenport  
Ann Arbor Division. of the Real Estate and Rights of Way Department

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

(Additional Information) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attachment

RECORDED RIGHT OF WAY NO. 32024

RE & RW USE	DATE REC'D	DE-BELL NO.
-------------	------------	-------------

TO: R. ORT.  
REAL ESTATE AND RIGHTS OF WAY - SUPERVISOR  
DISTRICT ANN ARBOR

Application No. HS-1601  
Date 6-21-78

We have included the following necessary material and information:

MATERIAL:

- A. Subdivision  
 1. Copy of complete final proposed plat, or  
 2. Recorded plat  
 a. Site plan  
 b. Title information (deed, title commitment, contract, or title search)  
 or  
 B. Other than subdivision  
 1. Property description.  
 2. Site plan.  
 3. Title information (deed, title commitment, contract with title commitment, or title search).

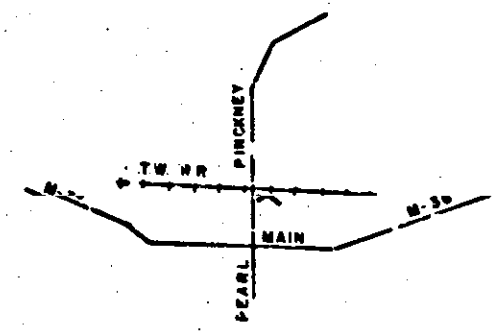
INFORMATION:

1. Project name ST. MARYS CHURCH. SENIOR CITIZEN APTS County LIVINGSTON  
 City/Township/Village PINCKNEY VILLAGE Section No. 23  
 Type of Development  Subdivision  Mobile Home Park  
 Apartment Complex  Other  
 2. Name of Owner ST. MARYS CATHOLIC CHURCH Phone No. \_\_\_\_\_  
 Address \_\_\_\_\_  
 Owner's Representative MICHAEL McCLEER Phone No. 1-313-962-5460  
 3. Date Service is Wanted 8-14-78 ±  
 4. Entire project will be developed at one time . . . . .  YES  NO  
 5. Cable poles on property . . . . .  YES  NO  
 6. Joint easements required . . . . .  YES  NO  
 a. Name of other utilities MICH. BELL TELEPHONE Co.  
 b. Other utility engineer names, addresses, phone numbers: GRANT STEWERT 550 S. MAPLE  
ANN ARBOR 1-313-994-8721  
 7. Part of subdivision is fed from overhead service. . . . .  YES  NO  
 Lot No. \_\_\_\_\_  
 8. Additional information or comments: will send copy of preliminary dwg when  
available

RECORDED HIGHWAY NO. 32024

NOTE: Trenching letter  attached  will be submitted later.

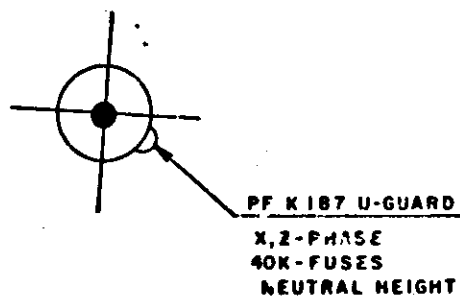
Signed Richard E. Johnson  
SERVICE PLANNING DEPARTMENT  
Address HWY. SERV. CENT. Phone X 763



Page 1-17-222  
Page 1-17-263

TRANSFORMER SPECS. \_\_\_\_\_  
PEDESTAL SPEC.-K15 \_\_\_\_\_  
NO. OF PEDESTALS NONE

CABLE POLE DETAIL  
Page 1-20-21



- Legend**
- 1 D. E. Main Trench
  - 2 D. E. Service Trench
  - P Primary Cable Length
  - S Secondary Cable Length
  - X Service Cable Length
  - T Telephone Trench
  - Y EYE HOLE

**T. & B. Block**

W. O.	_____
D. O.	_____
P. O.	_____
E. S.	_____
Contract	_____
Estimator	_____
Foreman	_____
Contractor	_____
Project	_____
Notes	_____
Print	_____

- CODE -**
- ⊙ 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**

(Install x 2) #2XLPE 1 132 KV	713 3062*	266'
(Services) AP2.350M & 1-4/0 600 V.	713 0537*	51'
(Services) AP2.2/0 & 1-#1 600 V.	713 0614*	_____

**TRENCH SUMMARY**

JOINT USE	92'	(25' MAIN TRENCH, 67' SERVICE TRENCH)
D. E. ONLY	38'	(14' MAIN TRENCH, 24' SERVICE TRENCH)
TEL. ONLY	5'	_____
<b>TOTAL</b>	<b>632'</b>	_____

SITE SUPT. Michael McCleer  
PHONE NO. (313) 952-5460

**- GENERAL NOTES -**

TRENCHING TO BE DONE BY M.B.T. Co.  
TRENCH AND CABLE LENGTHS ARE APPROXIMATE.  
SEE DRAWING UI-1-2369 FOR TRANS. MAT. DETAILS.  
SEE PAGE 32-11 (S.I.M.) DETAIL "\_\_\_\_\_" FOR ENTRANCE POINT DETAILS (APTS. ONLY)  
SEE DRAWING UI-4-2263 FOR PLACEMENT OF CABLES, TRANSFORMERS AND PEDESTALS (CUB'S ONLY).  
D.E. SERVICE PLANNER: Richard E. Johnson 546-5440 Ext. 763  
TEL. CO.: Grant Stewart (313) 994-8721  
M & T. Co. Job No. 06081

EASEMENTS INDICATED BY OUR CENTERLINES ARE (6') SIX FEET IN WIDTH UNLESS OTHERWISE NOTED.

**PERMITS REQUIRED**

NONE

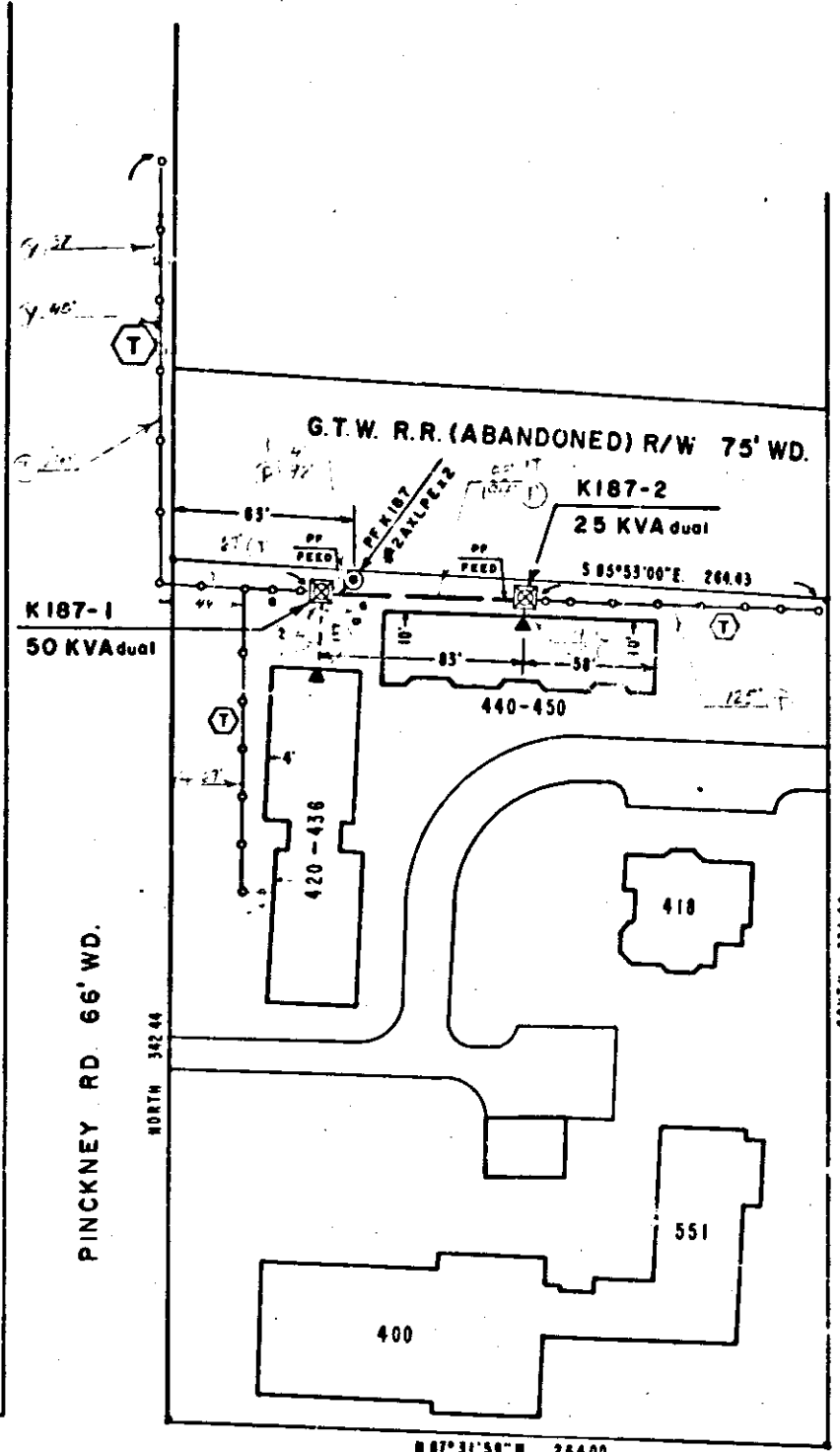
EST. START DATE: 8-24-78

**TRANSFORMER DATA**

U.D.T. NO.	SIZE	ED. STK. NO.
K187-1	50 KVA	661-1157
-2	25 KVA	661-1156

**NOTICE**

Locations of underground facilities on this drawing are only approximate. Exact locations must be determined by the UTILITY COMPANIES. For exact locations, telephone MISS DIG on 800-482-7171 as required by Public Act 53 of 1974 before doing any power excavating.



HAMBURG ST. 66' WD.

32024

B REVISION			A REVISION			REFERENCE	NAME	DATE	JOB TITLE	THE DETROIT EDISON COMPANY SERVICE PLANNING DEPARTMENT			
BY	APPROVED BY	DRAWN BY	CHECKED BY	APPROVED BY	DRAWN BY	CHECKED BY	APPROVED BY				SCALE 1" = 50'	NUMBER OF UNITS 2	WORK ORDER NUMBER 367B6J670
											LATEST REVISION	DISTRIBUTION CIRCUIT 300 PINCKNEY 4.8 KV	
											DEPT. ORDER NUMBER A-49836	SHEET 1 OF 1 SHEETS	

RECORDED RIGHT OF WAY NO. 32024

RETURN TO  
H.J. Ort  
The Detroit Edison Company  
2929 Plymouth Rd., Room 210  
Ann Arbor, MI 48103

NANCY HAYLAND  
REGISTER OF DEEDS  
LIVINGSTON COUNTY, MICH.

NOV 29 12 35 PM '78

RECORDED