

Page 1 of 7 re-recorded Page 1 of 4

RECEIVED FOR RECORD

MAR 7 11 20 AM '79

TOWNHOUSES
~~APARTMENTS~~

PATRICIA NEWKIRK HARDY
REGISTER OF DEEDS
WASHTENAW COUNTY, MICH.
Re-Recorded

AGREEMENT - EASEMENT - RESTRICTIONS

This instrument made this 1st day of November, 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 Georgetown Village, Phase 2, on land in the City of Ann Arbor, County of Washtenaw, 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 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 Agreement is re-recorded to show "as installed" drawing as stipulated in paragraph 4 above.

RECEIVED FOR RECORD

DEC 19 9 17 AM '78

PATRICIA NEWKIRK HARDY
REGISTER OF DEEDS
WASHTENAW COUNTY, MICH.

RECORDED FROM ON MAY 10. 32296

DETROIT, MICHIGAN, OCTOBER 1951

TO: R. J. Ort
FROM: [illegible]

DETROIT

RECEIVED
OCT 21 1951

1951

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OCT 21 1951



RETURN TO
R. J. Ort
The Detroit Edison Company
2020 Plymouth Rd., Room 210
Ann Arbor, MI 48105

LIBER 1697 PAGE 551
Page 2 of 7
rd. recorded

- 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.

RECORDED RIGHT OF WAY

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

Barbara Ann Maher
BARBARA ANN MAHER

Robert F. Kuhn
ROBERT F. KUHN

Joan S. Oja
JOAN S. OJA

THE DETROIT EDISON COMPANY

By Robert R. Townsend
ROBERT R. TOWNSEND, DIRECTOR
Real Estate and Rights of Way Dept.

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

MICHIGAN BELL TELEPHONE COMPANY

By L. P. Gray
L. P. GRAY
Staff Supervisor, Right of Way
(authorized signature)

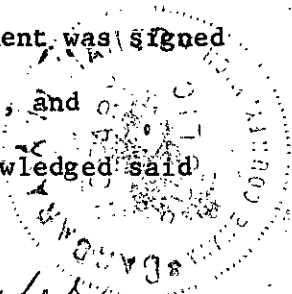
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RETURN TO
R. J. Ort
The Detroit Edison Company
2929 Plymouth Rd., Room 210
Ann Arbor, MI 48105

STATE OF MICHIGAN)
) SS.
COUNTY OF WAYNE)

On this 15th day of November, 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 did say they are the Director, Real Estate and and Assistant Secretary Rights of Way 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 Robert R. Tewksbury and Irene C. Kata acknowledged said instrument to be the free act and deed of said corporation.



Barbara Ann Maher
Notary Public, Wayne County, Michigan

My Commission Expires: _____

BARBARA ANN MAHER
Notary Public, Wayne County, Mich.
My Commission Expires June 28, 1982

RECORDED EIGHT 02 1979

STATE OF MICHIGAN)
) SS.
COUNTY OF WASHTENAW)

On this 22 day of NOVEMBER, 1978, before me the subscriber, a Notary Public in and for said County, appeared L. P. GRAY to me personally known, who being by me duly sworn did say that he is STAFF SUPERVISOR RIGHT OF WAY authorized by and for MICHIGAN BELL TELEPHONE COMPANY corporation, and that said instrument was signed in behalf of said corporation, by authority of its Board of Directors, and L. P. GRAY acknowledged said instrument to be the free act and deed of said corporation.

Robert F. Ruhn
Notary Public, WASHTENAW County, Michigan

My Commission Expires: _____

ROBERT F. RUHN
Notary Public, Washtenaw County, Michigan
My Commission Expires September 18, 1979

OT HANTUC
THE DETROIT EDISON COMPANY
2000 BROAD ST. ROOM 200
DETROIT, MICHIGAN 48226

1957

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1957

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

AS-4431

LIBER 1697 PAGE 553
Page 4 of 7
No. 1687-1697

Witness: Bernice Schunter
Bernice Schunter

Barbara Archer
Barbara Archer

BERT L. SMOKLER AND COMPANY -
a Delaware Corporation

By Billy S. Pitts
By Billy S. Pitts, General Manager

Prepared by:

James M. Davenport
2000 Second Avenue
Detroit, MI 48226

Suite 950 Honeywell Building
Address: 17515 W. Nine-Mile Rd.
Southfield, Michigan 48075

STATE OF MICHIGAN)
COUNTY OF Oakland) SS.

On this 1st day of November A.D. 19 78, before me the subscriber, a Notary Public in and for said county, appeared Billy S. Pitts and _____ to me personally known, who being by me duly sworn did say that _____ is the General Manager and _____

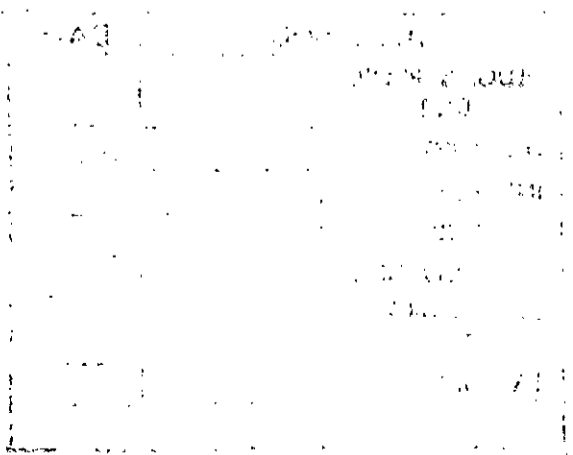
of Bert L. Smokler and Company - a Delaware Corporation and that the seal affixed to said instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors and Billy S. Pitts and _____ acknowledged said instrument to be the free act and deed of said corporation.

Bernice Schunter
Bernice Schunter
Notary Public, Macomb acting County, Michigan
in Oakland

My Commission Expires: 5-9-81

A P P E N D I X "A"

That part of Outlot "F" of Smokler-Hutzel Subdivision No. 2, as recorded in Liber 18, Page 9, 10, 11, Washtenaw County Records, more nearly described as follows: Beginning at a point said point being distant South 01°21'00" East 47.77 feet along the North and South one-quarter line of Section 9, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan from the North one-quarter corner of said Section 9; thence 271.42 feet along the arc of a curve to the left radius 1575.00 feet, central angle 09°52'26", chord length 271.08 feet, chord bearing North 79°29'53" East; thence South 17°00'00" East 200.00 feet; thence South 03°32'36" East 898.25 feet; thence South 88°39'00" West 53.50 feet; thence South 01°21'00" East 35.50 feet; thence South 88°39'00" West 302.46 feet; thence North 01°21'00" West 1082.56 feet to the Point of Beginning.



HE IS
RECORDED
FILED IN
OFFICE OF
CLERK OF
COURT
NO. 1687-1697
33296

RECEIVED
FOR RECORD

DEC 19 9 17 AM '78

PATRICIA HEWKIRK HARDY
REGISTER OF DEEDS
WASHTENAW COUNTY, MICH.

Handwritten notes and signatures in the top right corner, including a large 'X' and the name 'C. J. ...'.

1988*626 40009000 ACD

Handwritten number '920' on the left margin.

APPROVED		DATE
BLDG. & PROP. DEPT.		
DIV. ORG.	<i>KLJ</i>	11-9-78
INS. DEPT.		
LEGAL DEPT.		
RE & RIW DEPT.	<i>LOS</i>	11-13-78 <i>LOS</i>
SYSTEM ENG. DEPT.		
TAX DEPT.		

RETURN TO
R.J. Ort
The Detroit Edison Company
8929 Plymouth Rd., Room 210
Ann Arbor, MI 48105

TO: R. J. ORT
REAL ESTATE AND RIGHTS OF WAY - SUPERVISOR

Application No. A.S. 4431

DISTRICT ANN ARBOR

Date 10-24-78

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 GEORGETOWN VILLAGE TOWNHOUSES STEP II County WASHTENAW
 City/Township/Village ANN ARBOR Section No. 9
 Type of Development Subdivision Mobile Home Park
 Apartment Complex Other TOWNHOUSES
2. Name of Owner BERT L. SMOGLER & CO. Phone No. 559-0900
 Address 17515 W. NINE MILE RD SOUTHFIELD MI. 48075
 Owner's Representative ART STRADER Phone No. 559-0900
3. Date Service is Wanted 12-29-78
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 MBT
 - b. Other utility engineer names, addresses, phone numbers: MBT- GHINETTA BATES
994-6447
7. Part of subdivision is fed from overhead service YES NO
 Lot No. _____
8. Additional information or comments: _____

32296

NOTE: Trenching letter attached will be submitted later.

Signed H. Quist

SERVICE PLANNING DEPARTMENT

Address _____ Phone X-235

MEMORANDUM ORDER

FOR GENERAL USE
OE FORM MS 77 12-53

TO Eng. Coordinator Supervisor
Bldg. H. Room 250 - W.S.C.

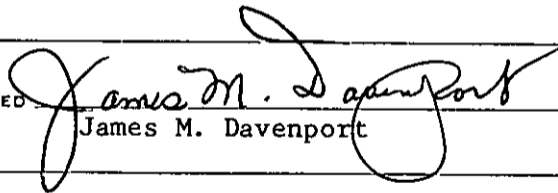
DATE 11/7/78

TIME _____

RE: Underground Service for Georgetown Village Phase 2, located in City of Ann Arbor,
Washtenaw County; Agreement-Easement-Restrictions obtained. OK to proceed with construction.

COPIES TO H. Quist
File

SIGNED


James M. Davenport

REPORT _____

DATE RETURNED _____

TIME _____

SIGNED _____

**Detroit
Edison**

Ann Arbor Division
401 South Main Street
Post Office Box 18
Ann Arbor, Michigan 48107
(313) 769-5860

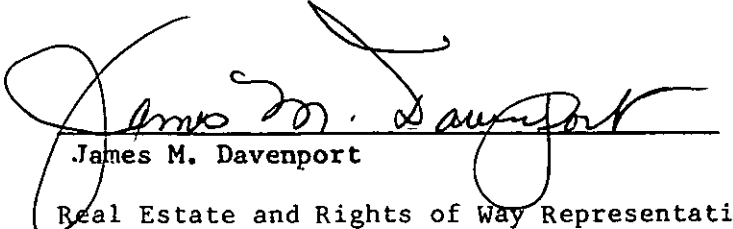
Mr. Art Strader
17515 W. Nine Mile Rd.
Southfield, MI 48075

Re: Georgetown Village Townhouses, Step 2

Gentlemen:

We are enclosing herewith a fully executed copy of the Agreement dated November 1, 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:

32296

2929 Plymouth Road, Room 210
Ann Arbor, Michigan 48105

**Detroit
Edison**

October 30, 1978

Mr. Art Strader
17515 W. Nine Mile Rd.
Southfield, MI 48075

Dear Mr. Strader:

Re: **Georgetown Village Townhouses, Step 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:

At least one officer from Bert L. Smokler Co. - A Delaware Corporation

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.

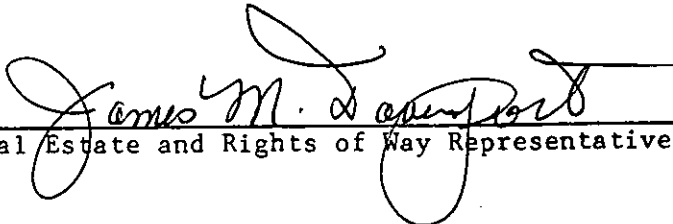
Your attention is called to paragraph No. 3 of this Agreement, whereby you would be responsible for any damages which might occur to the Company's underground lines after installation. It is, therefore, extremely important that not only you, but any contractors working for you, exercise due care to avoid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

Detroit
Edison

Date: March 21, 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 Georgetown Village Townhouses, Step 2
located in City of Ann Arbor
- Washtenaw County

Attached for Records Center is the executed agreement dated November 1, 1978 for the above named project. Also enclosed are other pertinent papers relative to this project Easements for this project were requested by H. Quist

Service Planning Department, Ann Arbor Office
Ann Arbor Division.

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

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

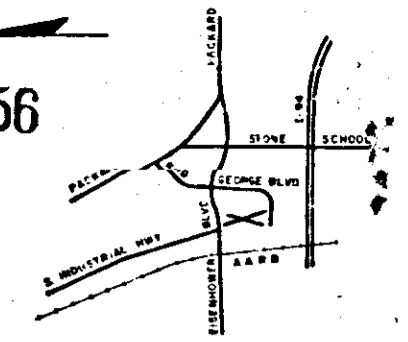
(Additional Information) _____

Attachment

RECORDED RIGHT OF WAY NO. 32296



LOCATION SKETCH



TRANSFORMER DATA

U.O.T. NO.	SIZE	ED. STK. NO.
2667-4	50 KVA	661-1152
-5	50 KVA	661-1152
J383-1	50 KVA	661-1152
-2	50 KVA	661-1152
-3	50 KVA	661-1152

Page 1-17-261
TRANSFORMER SPEC. - R13
PEDESTAL SPEC. - R13
NO. OF PEDESTALS (66) 6 Permanent
6 Temporary

- CODE -

- ⊙ TEMPORARY SECONDARY PEDESTAL
- ⊠ DFT (DEAD FRONT TYPE)
- ⊡ UOT (NON SWITCHING-LIVE FRONT TYPE)
- ⊢ UOT (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

DESCRIPTION	LENGTH	UNIT PRICE	TOTAL
42ALPE 1 132 KV	713.3062	166.2	
AP2 360M 14/0 600 V.	713.0537	422	
(Services) AP2 20 B 1+1 600 V.	713.0114	126.6	

TRENCH SUMMARY

JOINT USE	LENGTH	SERVICE TRENCH
D. E. ONLY	1243'	26
TEL ONLY	556'	16
TEL ONLY	174'	16
TOTAL	1953'	42'

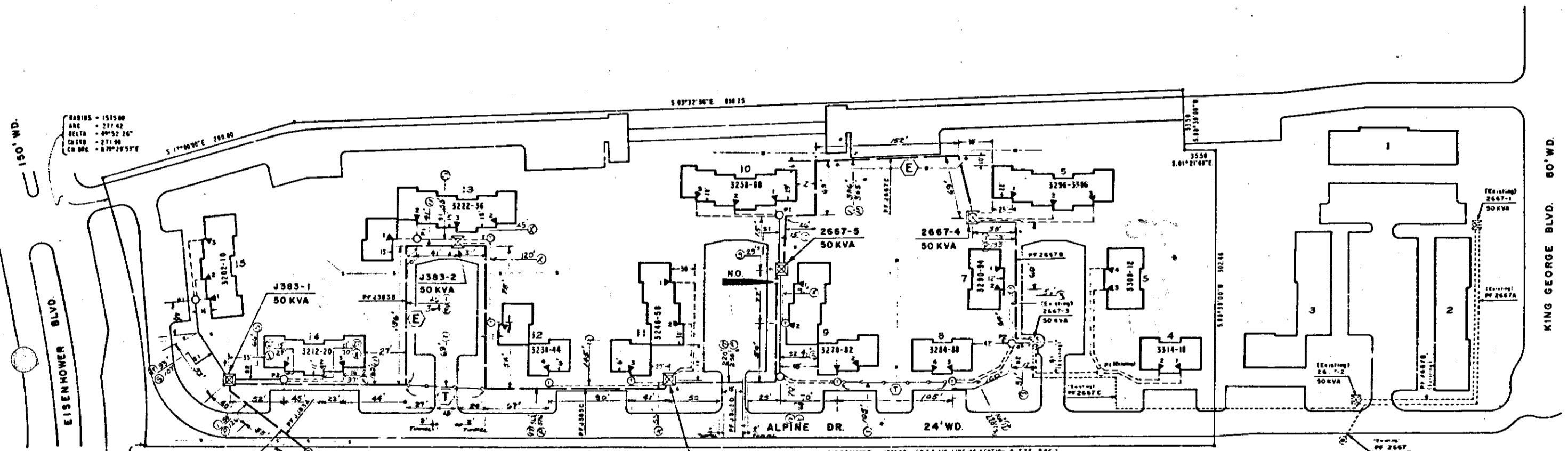
SITE SUPT. Bill Forten
PHONE NO. 665-2369

- GENERAL NOTES -

TRENCHING TO BE DONE BY Detroit Edison
TRENCH AND CABLE LENGTHS ARE APPROXIMATE.
SEE DRAWING UH1289 FOR TRANS. MAT. DETAILS.
SEE PAGE 32-11 (S.I.M.) DETAIL " " FOR ENTRANCE POINT DETAILS (APTS. ONLY)
SEE DRAWING UH-4283 FOR PLACEMENT OF CABLES, TRANSFORMERS AND PEDESTALS (S.I.B.O.S. ONLY).
D.E. SERVICE PLANNER M. Quill 769-5880 Ext. 235
TEL. CO. SHIRLEY BATES 934-6447
M.B.T. Co. Job No. 79-7005

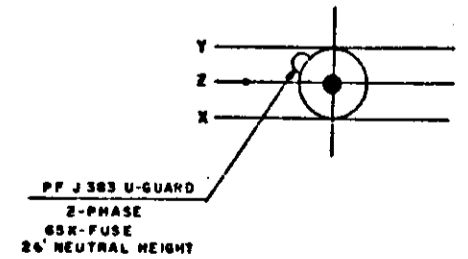
NOTICE
Locations of underground facilities on this drawing are only approximate. Exact locations must be determined by the UTILITY COMPANIES. For exact locations, telephone MISS DIG on 800-482-7171 as required by Public Act 55 of 1974 before doing any power excavating.

PERMITS REQUIRED
CITY OF ANN ARBOR (NOTIFICATION ONLY)



NO COVER OF OUTLET "F" SHALL BE INSTALLED UNLESS IN CASES WHERE WASHTENAW COUNTY

CABLE POLE DETAIL
Page 1-20-21a



H.D. — 36782J875
D.D. — A-39706
P.O. — CC 880344
START — 12-26-78
FINISH — 1-5-79
CONTR. — HEATH ENERGY
FORE. — L. HARRISON
RECORDS — K. KRASLINSKA
NOTES — C. UHEREK
PRINT — C. UHEREK

(See WU-2-4-2610A881)

- LEGEND
- ① DE MAIN TRENCH
 - ② DE SERVICE TRENCH
 - ③ TELEPHONE TRENCH
 - ④ PRIMARY CABLE LENGTH
 - ⑤ SECONDARY CABLE LENGTH
 - ⑥ SERVICE CABLE LENGTH
 - ⑦ FIBER DUCT

RECORDED RIGHTS OF WAY NO. 32296

NO.	DATE	BY	DESCRIPTION
1	12-26-78	Don Blay	AS INSTALLED

DESIGNED BY	CHECKED BY	APPROVED BY	DESIGNED BY	CHECKED BY	APPROVED BY	DESIGNED BY	CHECKED BY	APPROVED BY	DESIGNED BY	CHECKED BY	APPROVED BY

REFERENCE	U.R.D. Oper. Map PIT-50 WU-6-2610 A88	DATE	11-8-78	JOB TITLE	STEP II
DRAWN BY	Don Blay	DATE	11-8-78	PROJECT	GEORGETOWN VILLAGE TOWNHOUSE PART OF OUTLOT 'F' SMOKLER-HUTZEL SUB. NO. 2 LIBER 18 - PAGES 9, 10 & 11
CHECKED BY		DATE	1-24-79	DEPT. ORDER NUMBER	A-39706
APPROVED BY				SCALE	1" = 50'
				NUMBER OF UNITS	59
				WORK ORDER NUMBER	36782J875
				DISTRIBUTION CIRCUIT	8137 STATE 132 KV
				DEPT. ORDER NUMBER	A-39706
				CITY OF ANN ARBOR - WASHTENAW CO.	SHEET 1 OF 1 SHEETS

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

R 32296

(15)

78R 22792 *C 0000000

RECORDED NIGHT OF MAY NO. 32296

RECEIVED
FOR RECORD
MAR 7 11 20 AM '79
PATRICIA NEWKIRK HARDY
REGISTER OF DEEDS
WASHTENAW COUNTY, MICH.

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

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222-7001

R. J. Ort
43