

RECORDED IN MACOMB COUNTY
RECORDS AT: 12:30 P.M.
APARTMENTS
FEB 15 1979

LIBER 3068 PAGE 437

LIBER 3234 PAGE 13

LIBER 2984 PAGE 173

(A562702)

(A518181)

A650902

AGREEMENT - EASEMENT - RESTRICTIONS

Edna M. Hill

CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

This instrument made this 26th day of June, 1978, 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 BEACHWOOD APARTMENTS, on land in the Township of Harrison, County of Macomb, 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 easement is re-recorded for the purpose of showing the planned "as installed" centerlines of easements granted as shown on drawing attached hereto."

DE FORM LE 11 11 71 CS

RETURN TO
R. R. CUNNINGHAM
DETROIT EDISON COMPANY
15600 NINETEEN MILE ROAD
MT. CLEMENS, MICHIGAN 48044

RECORDED IN MACOMB COUNTY
RECORDS AT: 1:20 P.M.
AUG - 8 1978

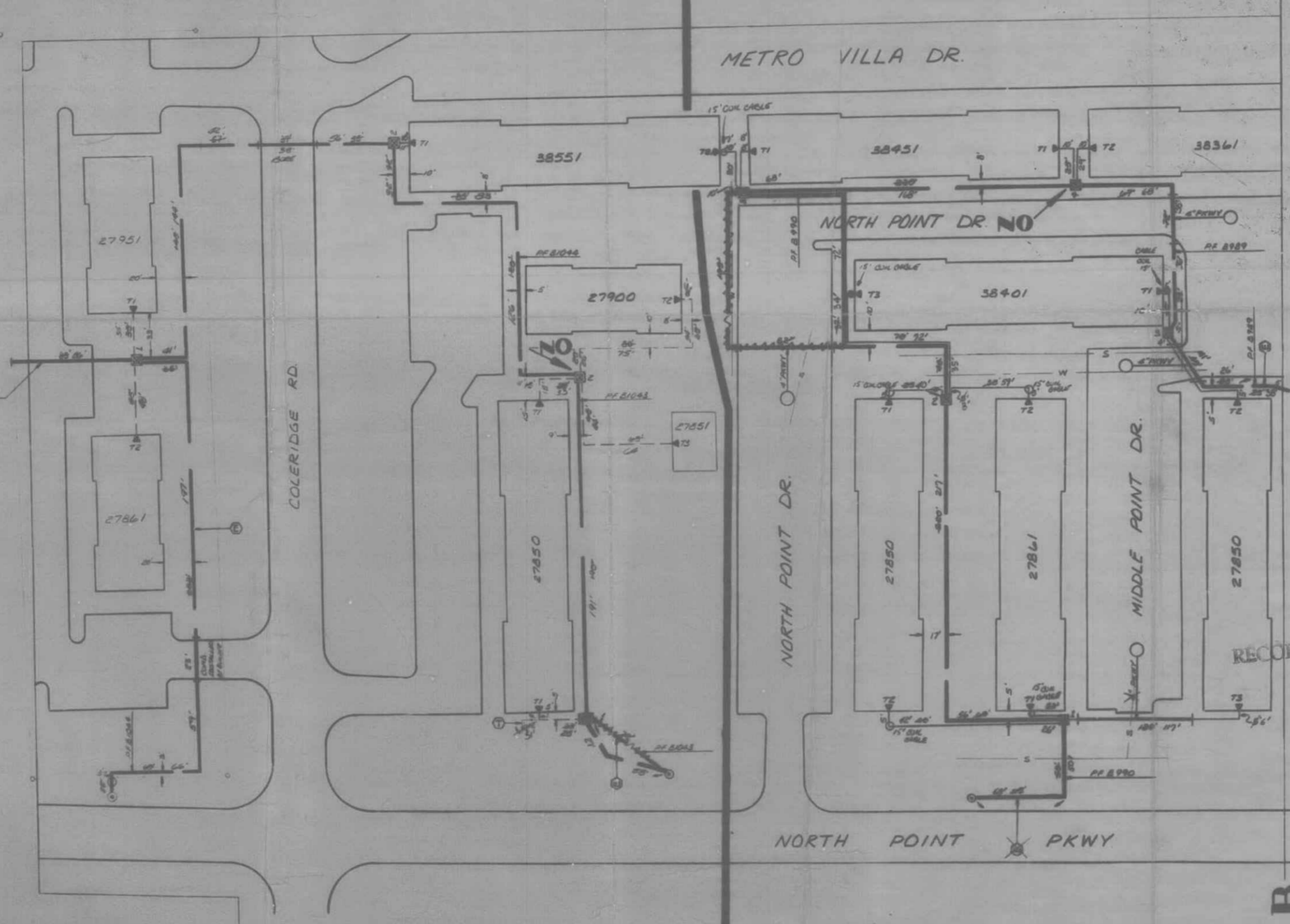
Edna M. Hill
CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

RECORDED IN MACOMB COUNTY
RECORDS AT: 12:40 P.M.
MAY 13 1980

RECORDED RIGHT OF WAY NO. 33082

STEP-5

STEP-4



NOTICE
Locations of underground facilities on this drawing are only approximate. Exact locations must be determined by the utility companies. For exact locations, telephone, MSS Dig on 800-482-7171 as required by Public Act 53 of 1974 before doing any excavation.

TRANSFORMER DATA

| U.D.T. NO. | SIZE | ED. STK. NO. |
|------------|------|--------------|
| 4289-1 | 50 | 441-1152 |
| -2 | - | - |
| -3 | - | - |
| -4 | - | - |
| 4990-1 | 100 | 441-1153 |
| -2 | 100 | -1153 |
| -3 | 50 | -1152 |

TRANSFORMER SPEC: 17-261
PEDESTAL SPEC: 813
NO. OF PEDESTALS: NONE

- CODE -**
- TEMPORARY SECONDARY PEDESTAL
 - DPT (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

33089

RECORDED R/W FILE NO.

CABLE SUMMARY

| ITEM | DESCRIPTION | QUANTITY | UNIT |
|-------|----------------------|----------|------|
| ITEM# | 4DAFC X 1 13.2 KV | 7133028 | 600' |
| ITEM# | AP2-30M & 1-40 600 V | 7130327 | 450' |
| ITEM# | AP2-20 & 1-41 600 V | 7130314 | 300' |

TRENCH SUMMARY

| ITEM | DESCRIPTION | QUANTITY | UNIT |
|------------|-------------|----------|------|
| JOINT USE | 4005' | 18% | |
| D. E. ONLY | 367' | 245' | |
| TEL ONLY | 108' | 116' | |
| TOTAL | 2580' | 2257' | |

SITE SUPT.
PHONE NO.

- GENERAL NOTES -
TRENCHING TO BE DONE BY...
TRENCH AND CABLE LENGTHS ARE APPROXIMATE.
SEE DRAWING U1-2389 FOR TRANS. MAT. DETAILS.
SEE PAGE 3-2-11 (S.I.M.) DETAIL " " FOR ENTRANCE POINT DETAILS (APTS. ONLY).
SEE DRAWING U1-2383 FOR PLACEMENT OF CABLES, TRANSFORMERS AND PEDESTALS (APTS. ONLY).
D.E. SERVICE PLANNER: MICHAEL B. BARRON, 686-7460
TEL. CO.: H. MORGENTHAU, 465-7788

CONTACT "MISS DIG" 15477-344 BEFORE DOING ANY EXCAVATION.
EASEMENTS INDICATED BY OUR CENTERLINES ARE 10' SIX FEET IN WIDTH UNLESS OTHERWISE NOTED.

PERMITS REQUIRED
NOTIFICATION: AMERICAN TR

METRO VILLA

BEACHWOOD APTS.
PART OF AC 134 & 136 TEN. R.A.E.

| | | | |
|-------------|------------|------|---------|
| DESIGNED BY | ED. BARRON | DATE | 9-2-78 |
| CHECKED BY | W. PURCELL | DATE | 9-18-78 |
| APPROVED BY | W. PURCELL | DATE | 9-18-78 |

SCALE: 1"=40'
LATEST REVISION: C
8416 BEACH 132M

STEP-5

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|------------|------|--------------|
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| -3 | - | - |
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| JOINT USE | 4005' | 18% | |
| D. E. ONLY | 367' | 245' | |
| TEL ONLY | 108' | 116' | |
| TOTAL | 2580' | 2257' | |

DEPT ORDER NO. 788-2428
WORK ORDER NO. 867-237-267
NO. OF UNITS
NO. OF PEDESTALS: NONE
DR. CO. REP. [Name]
TEL. CO. REP. [Name]
SITE SUPT. [Name]

TITLE BLOCK
PROJECT: BEACHWOOD APTS.
DATE: 9-18-78
DRAWN BY: [Name]
CHECKED BY: [Name]
APPROVED BY: [Name]

| NO. | REVISION | DATE |
|-----|--------------------------------------|------|
| D | REVISION | |
| C | SHOWN AS INSTALLED IN FIELD - STEPS | |
| B | REVISED TO SHOW STEP-5 | |
| A | SHOWN AS INSTALLED IN FIELD - STEP 4 | |

RECORDED RIGHT OF WAY NO. 33089

33089

RETURN TO
R. R. CUNNINGHAM
DETROIT EDISON COMPANY
15600 NINETEEN MILE ROAD
MT. CLEMENS, MICHIGAN 48044