

A648900

APARTMENTS

LIBER 3097 PAGE 615

(A578268)

AGREEMENT - EASEMENT - RESTRICTIONS

This instrument made this 23rd day of March, 1979, 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 ROMAN GARDENS, on land in the City of Warren, 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.

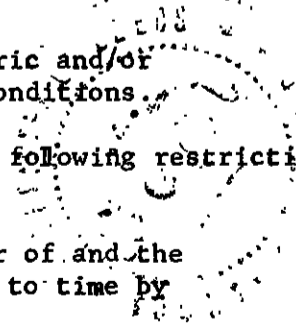
(5) Owners to pay the cost of conduit for electric and/or communication facilities to accomodate patios or similar site conditions.

(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.

"This easement is re-recorded for the purpose of showing the planned "as installed" centerlines of easements granted as shown on drawing attached hereto"

RECORDED RIGHT OF WAY NO. 33195



RECORDED IN MACOMB COUNTY RECORDS AT: 9:28 A.M. MAY - 3 1979

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

RECORDED IN MACOMB COUNTY RECORDS AT: 12:31 P.M.

APR 29 1980

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

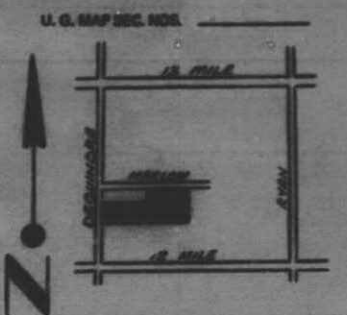
DE FORM LE 11 11 71 CS
RETURN TO
R. R. CULNINGHAM
DETROIT EDISON COMPANY
15600 NINETEEN MILE ROAD
MT. CLEMENS, MICHIGAN 48044

15-1-1980

NOTICE

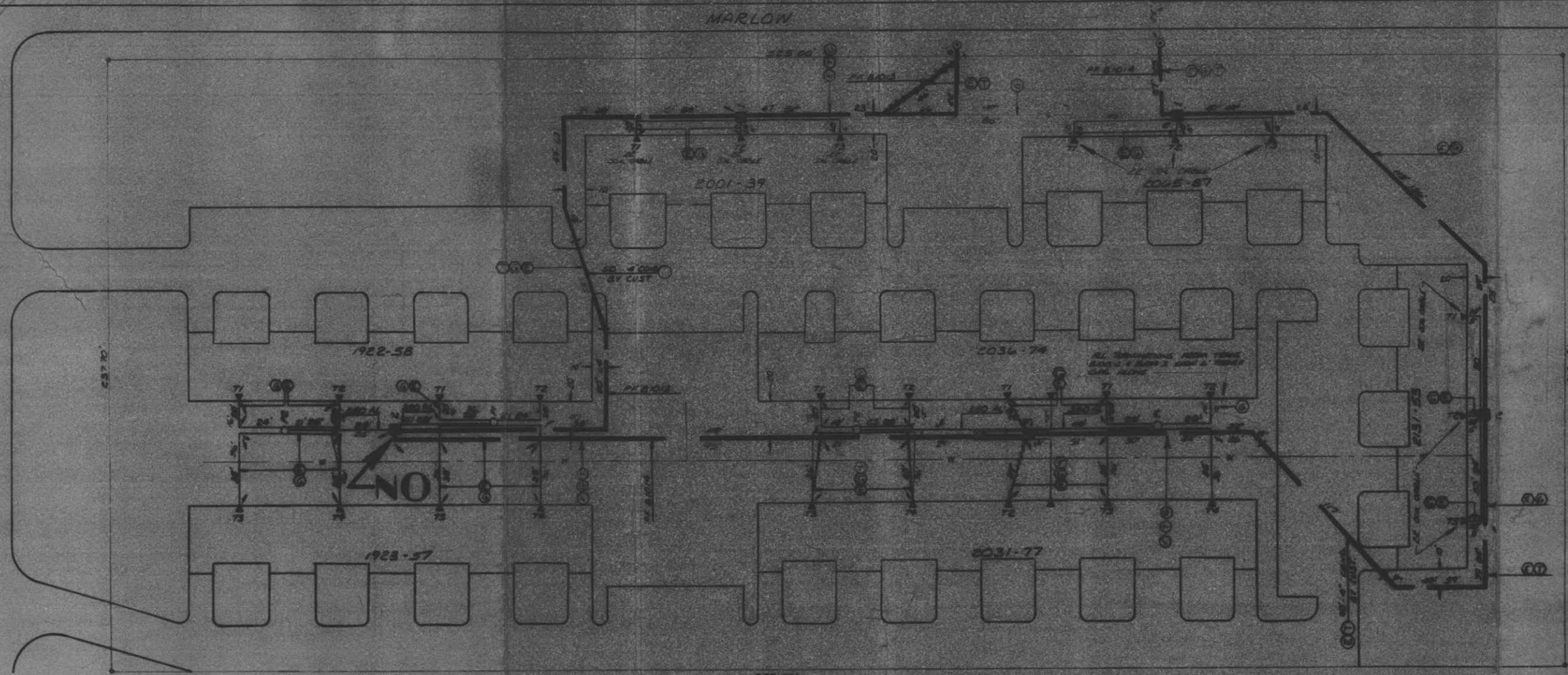
Locations of underground facilities on this drawing are only approximate. Exact locations must be determined by the UTILITY COMPANIES. For exact locations, telephone MISS DIG on 800-482-7171 as required by Public Act 53 of 1974 before doing any power excavating.

LOCATION SKETCH



TRANSFORMER DATA

U.G.T. NO.	SIZE	ED. STK. NO.
2018-1	25	441-1121
2	20	1-1122
2018-1	25	441-1121
2	20	1-1122



TRANSFORMER SPEC. 1-12-261
 PEDESTAL SPEC.-R13
 NO. OF PEDESTALS 4

- CODE -**
- ⊙ TEMPORARY SECONDARY PEDESTAL
 - DPT (DEAD FRONT TYPE)
 - ▣ DPT (NON-SWITCHING-LIVE FRONT TYPE)
 - ▢ DPT (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 EDITION TRENCH ONLY
 - TELEPHONE TRENCH ONLY
 - SEWER
 - WATER
 - GAS
 - PROPOSED CONDUIT

CABLE SUMMARY

ITEM	DESCRIPTION	LENGTH	UNIT
ITEM#	AP3300 13.2 KV	712	FEET
ITEM#	AP3300 140 600 V.	712	FEET
ITEM#	AP3310 1-01 600 V.	712	FEET

TRENCH SUMMARY

JOINT USE	LENGTH	FEET
D.E. & GAS	1656	95
D.E. & TEL	394	394
GAS ONLY	166	166
TOTAL	2216	

SITE SUPT. **ED. HANSEN**
 PHONE NO. **864-0830**

- GENERAL NOTES -

TRENCHING TO BE DONE BY...
 TRENCH AND CABLE LENGTHS ARE APPROXIMATE.
 SEE DRAWING U-1-250 FOR TRANS. MAT. DETAILS.
 SEE PAGE 5-11 (S.I.M.) DETAIL " " FOR ENTRANCE POINT DETAILS (APPL. ONLY).
 SEE DRAWING U-4-250 FOR PLACEMENT OF CABLES, TRANSFORMERS AND PEDESTALS (S.I.M. ONLY).
 D.E. SERVICE PLANNER: **MISS CHANDE 864-2427**
 TEL. CO.: **864-2427 772-2501**
 CONSULT POWER ON **ALL T. DRAWINGS 864-2427 1-217**

CONTACT "MISS DIG" 1877-340 BEFORE DOING ANY EXCAVATION.
 EASEMENTS INDICATED BY OUR CENTERLINES ARE 10' SIX FEET IN WIDTH UNLESS OTHERWISE NOTED.

PERMITS REQUIRED
 NOTIFICATION, CITY OF WARREN

ST. HUBERT
 MARSHFIELD, N. H.
 FRANKS HOLEY FLOTTED
 11405 WILKINSON RD.
 11405 WILKINSON RD.

REVISION			DATE			JOB TITLE			THE SERVICE DESIGN COMPANY		
D	REVISION								SERVICE PLANNING DEPARTMENT		
C	REVISION								SCALE	NUMBER OF SHEETS	WORK ORDER NUMBER
B	REVISION	SHOW AS INDICATED IN FIELD							1"=30'	54	367897513
A	REVISION	REVISED TO SHOW PROPOSED GAS LINE							LAYOUT NUMBER	CONTRACTOR NUMBER	
APPROVED BY	CHECKED BY	DATE	APPROVED BY	CHECKED BY	DATE	ROMAN GARDENS TOWNHOUSE APARTMENTS LOTS NO. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 INCLUDING OF ROMAN GARDENS BLDG. (UNRECORDED)					
		1-1-77			1-1-77	CITY OF WARREN			DEPT. ORDER NUMBER		
		1-1-77			1-1-77	MCCOMB Co.			79A-74913		

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