## RE-RECORD

### G5**98968** G675760 Right of Way Agreement

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For valuable consideration, the receipt of which is hereby acknowledged, the undersigned hereby grant and convey to 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 and the MICHIGAN BELL TELEPHONE COMPANY, a Michigan corporation, of 444 Michigan Avenue, Detroit, Michigan 48226 hereinafter referred to as "UTILITIES", the easement and right to erect, lay, maintain, reconstruct and replace underground facilities consisting of wires, cables, conduits, fixtures and appurtenances including the necessary above ground equipment, connections, poles and accessories which may from time to time be required in, under, upon, over and across the land located in the <u>City</u> of <u>Detroit</u>, <u>WAYNE</u>
County, Michigan, and more particularly described on the attached Appendix "A", with the full right to the UTILITIES of ingress and egress upon said land for the purposes of this grant, and the further right to trim, cut down or otherwise control brush and trees within the easements herein described.

Said easements shall be <u>Six (6')</u> \_ feet in width unless otherwise indicated and their route is described as follows: The exact location of said easements will be shown on an "As Installed Drawing to be recorded within 90 days after construction.

In order to provide for the proper maintenance and protection of UTILITIES, the undersigned covenant and agree that:

- 1. The easements will be graded to within four (4) inches of final grade before the UTILITIES lines are installed and this ground elevation must be maintained after installation of utilities to avoid the pooling of water in, on or around above ground UTILITIES' equipment.
- 2. No buildings or structures other than UTILITIES equipment are to be placed within the easements herein granted. No excavation is to be permitted within said easement without approval of UTILITIES.
- 3. No shrubs of foliage shall be planted or grown within five (5) feet of the front door of transformers or switching cabinet enclosures. UTILITIES shall not be responsible to Owners for damages to or removal of trees or plant life planted in front of said door or within the easement causing an interference with UTILITIES maintenance of their equipment.
- 4. If the lines of facilities of UTILITIES are damaged by the acts of Owners, their agents, employes or contractors, repairs shall be made by the Utility company so damaged at the cost and expense of Owners. Owners are defined as those persons owning the land at the time the damage occurred.

THIS GRANT is declared to be binding upon the heirs, successors, lessees, licenses and assigns of the parties hereto.

VITNESS WHEREOF, the undersigned have hereunto set their hand and seal on this date. Witnesses: Grantors: NEW CENTER DEVELOPMENT PARTNERSHIP A Michigan Limited Partnership NEW CENTER COMMUNITY CORP O CLOCK AZA JUL 15 1982 AL PECCRDED FOREST E. YOUNGBLOOD, Register of Deeds WAYNE COUNTY, MICHIGAN 48226

Address:

8001 S. Haggerty Rd., Belleville, MI., 48111

C. George Williams

Detroit, Michigan, 48202

3044 West Grand Boulevard

PURPOSES OF SHOWING THE PLANNED JUL 14 1981 EASEMENTS GRANTED AS SHOWN ON FOREST E. YOUNGBLOOD, Register of Deeds

DE 963-4187 10-79 CS (D.E. U.R.D.-MBT)

Secretary

MARGUERITE ROMZICK

THIS EASEMENT IS RE-RECORDED FOR

DRAWING ATTACHED HERETO. WAYNE COUNTY, MICHIGAN 48226

## LI 21191 PA 546

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STATE OF MICHIGAN SS. COUNTY OF WAYNE

The foregoing instrument was acknowledged before me this 2312 day of June , A. D. 1981, by A. T. HASTINGS and MARGUERITE ROMZICK, Vice President and Secretary of NEW CENTER COMMUNITY CORPORATION, General Partner of NEW CENTER DEVELOPMENT PARTMERSHIP, a Limited Partnership, on behalf of the said Partnership.

acting in

Notary Public, Wayne County, Michigan

GORDON PHILIP PETERSON My Commission Expires: Notary Public, Oakland County, Mich.
My Commission Expires July 11, 1983

RECORDED RIGHT OF WAY NO. 338;

Property located in the City of Detroit, County of Wayne and State of Michigan, more particularly described as follows:

Lots 26, 27, 28, 30, 31, 32, and 34 inclusive, all excepting the South 5.50 feet thereof as deeded for alley widening, of "Stone, Todd & Co.'s Subdivision of Lots 1, 2 and 3 of Plat of center part of 1/4 Sections 55 and 56 of the 10,000 Acre Tract, and Lots 41, 42, 43, and 44 of Henry Weber's Subdivision of 1/4 Sections 55 and 56 of the 10,000 Acre Tract", City of Detroit, Wayne County, Michigan, as recorded in Liber 18 of Plats on Page 99, Wayne County Records. Commonly known as 659, 667, 675, 691, 701, 707, and 723 Delaware.

#### AND

That part of Lot 6, Block 4, of "Henry Weber's Subdivision of part of Sections 55 and 56, 10,000 Acre Tract", City of Detroit, Wayne County, Michigan, as recorded in Liber 2 of Plats on Page 40, Wayne County Records, lying North of the East-West public alley, 20 feet wide (the North 10 feet of which was opened through said Lot), excepting the South 5.50 feet of the above described parcel deeded for the widening of the East-West public alley, also that part of the vacated public alley lying between the North line of Lot 6, Block 4, and South of the South line of Delaware Avenue, all being located in the City of Detroit, Wayne County, Michigan. Commonly known as 747-53 Delaware.

### AND

That part of Lot 5, Block 4, of "Henry Weber's Subdivision of part of Sections 55 and 56, 10,000 Acre Tract", City of Detroit, Wayne County, Michigan, as recorded in Liber 2 of Plats on Page 40, Wayne County Records, lying North of the East-West public alley 20 feet wide (the North 10 feet of which was opened through said Lot), excepting the South 5.50 feet of the above described parcel, deeded for the widening of the East-West public alley, also that part of the vacated public alley lying between the North line of Lot 5, Block 4, and South of the South line of Delaware Avenue, all being located in the City of Detroit, Wayne County, Michigan. Commonly known as 739-41 Delaware.

#### A N D

The West 10 feet of Lot 1 and the East 40 feet of Lot 2, all excepting the South 11.00 feet thereof as deeded for alley

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widening, of "Leggett and Miller Subdivision of part of Lots 10 to 30 of Henry Weber's Subdivision of part of 1/4 Sections 55 and 56, 10,000 Acre Tract", as recorded in Liber 28 of Plats, Page 3, Wayne County Records. Commonly known as 811-13 Delaware

#### A N D

The West 30 feet of the North 117.96 feet of Lot 38, Block 4, and the East 3 feet of the West 33 feet of the North 8.50 feet of said Lot 38, Block 4, also including the South 13 feet of vacated Parkman Avenue, lying in the rear of and adjoining the West 33 feet of said Lot 38, all being part of "Henry Weber's Subdivision of part of Sections 55 and 56, 10,000 Acre Tract", City of Detroit, Wayne County, Michigan, as recorded in Liber 2 of Plats, Page 40, Wayne County Records. Commonly known as 818 Delaware

#### AND

The West 10 feet of Lot 2, and the East 25 feet of Lot 3, all excepting the South 11.00 feet thereof as deeded for alley widening, of "Leggett and Miller Subdivision of part of Lots 10 to 30 of Henry Weber's Subdivision of part of 1/4 Sections 55 and 56, 10,000 Acre Tract", City of Detroit, Wayne County, Michigan, as recorded in Liber 28 of Plats, Page 3, Wayne County Records. Commonly known as 819-21 Delaware.

#### AND

The West 25 feet of Lot 3 and the East 30 feet of Lot 4, all excepting the South 11.00 feet thereof as deeded for alley widening, of "Leggett and Miller Subdivision of part of Lots 10 to 30 of Henry Weber's Subdivision of part of 1/4 Sections 55 and 56, 10,000 Acre Tract", City of Detroit, Wayne County, Michigan, as recorded in Liber 28 of Plats, Page 3, Wayne County Records. The above described parcel of land is possibly subject to easements per Deed Liber 19336, Page 729, Wayne County Records. Commonly known as 827-31 Delaware.

#### A N D

The East 20 feet of the North 117.96 feet of Lot 38, Block 4, excepting therefrom the West 3 feet of the North 8.50 feet of said parcel; and the West 15 feet of the North 117.96 feet of Lot 39, Block 4, also including the South 13 feet of vacated Parkman Avenue, lying in the rear of and

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adjoining the East 17 feet of said Lot 38, and said West 15 feet of Lot 39, Block 4, all being part of "Henry Weber's Subdivision of part of Sections 55 and 56, 10,000 Acre Tract", City of Detroit, Wayne County, Michigan, as recorded in Liber 2 of Plats, Page 40, Wayne County Records. Commonly known as 810-12 Delaware.

#### AND

The North 20.25 feet of the South 40.65 feet of the Notth 102.54 feet of the West 30 feet of Lot 9, Block 4, of "Henry Weber's Subdivision of part of Sections 55 and 56, 10,000 Acre Tract", City of Detroit, Wayne County, Michigan, as recorded in Liber 2 of Plats, Page 40, Wayne County Records; also the North 20.25 feet of the South 40.65 feet of the East 40 feet of Lot 1 of "Leggett and Miller Subdivision of part of Lots 10 to 30 of Henry Weber's Subdivision of part of 1/4 Sections 55 and 56, 10,000 Acre Tract", City of Detroit, Wayne County, Michigan, as recorded in Liber 28 of Plats, Page 3, Wayne County Records. The above described parcel of land is possibly subject to an easement over and across the West 26.50 feet thereof to provide ingress and egress to a public alley, together with an easement to provide ingress and egress to Delaware Avenue, also possibly subject to a party wall agreement along part of the North and South property line. Commonly known as 7743 Third.

#### A N D

The South 20.40 feet of the North 102.54 feet of the West 30 feet of Lot 9, Block 4, "Henry Weber's Subdivision of part of Sections 55 and 56, 10,000 Acre Tract", City of Detroit, Wayne County, Michigan, as recorded in Liber 2 of Plats, Page 40, Wayne County Records. Also, the South 20.40 feet of the East 40 feet of Lot 1 of Leggett and Miller Subdivision of part of Lots 10 to 30 of Henry Weber's Subdivision of part of 1/4 Sections 55 and 56, 10,000 Acre Tract", as recorded in Liber 28 of Plats, Page 3, Wayne County Records, City of Detroit, Wayne County, Michigan. The above described parcel of land is possibly subject to an easement over and across the West 26.50 feet thereof to provide ingress and egress to a public alley, together with an easement to provide ingress and egress to Delaware Avenue, also possibly subject to a party wall agreement along part of

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the North property line. Commonly known as 7741 Third.

#### A N D

The East 35 feet of the North 117.96 feet of Lot 39, and West 30 feet of North 117.96 feet of Lot 40, Block 4, together with the Southerly 13 feet of vacated Parkman Avenue, lying Northerly of and adjoining said parcel, Henry Weber's Subdivision as recorded in Liber 2 of Plats, Page 40, Wayne County Records. Commonly known as 8001-8021 Third.

#### A N D

The East 40 feet of that part of Lot 7, Block 4, of "Henry Weber's Subdivision of part of Sections 55 and 56, 10,000 Acre Tract", as recorded in Liber 2 of Plats, Page 40, Wayne County Records, lying North of the East-West public alley (20 feet wide), excepting the South 5.50 feet of the East 9.00 feet of the above described parcel as deeded for alley widening, also that part of the vacated public alley lying between the North line of the East 40 feet of Lot 7, Block 4, and South of the South line of Delaware Avenue, City of Detroit, Wayne County, Michigan. Commonly known as 7740-7750 Third.

#### AND

The West 35 feet of Lot 37 of "Lothrop and Duffield's Subdivision of part of 1/4 Sections 55 and 56, 10,000 Acre Tract", City of Detroit, Wayne County, Michigan, as recorded in Liber 17 of Plats, Page 22, Wayne County Records. Commonly known as 756 Bethune.

#### A N D

The East 35 feet of Lot 71 and the West 5 feet of Lot 72, all excepting the South 11.00 feet thereof as deeded for alley widening, of "Lothrop and Duffield's Subdivision of part of 1/4 Sections 55 and 56, 10,000 Acre Tract", City of Detroit, Wayne County, Michigan, as recorded in Liber 17 of Plats, Page 22, Wayne County Records. Commonly known as 741 Bethune.

#### A N D

The East 35 feet of the West 40 feet of Lot 72, except the South 11.00 feet thereof as deeded for alley widening, of "Lothrop and Duffield's Subdivision

of part of 1/4 Sections 55 and 56, 10,000 Acre Tract, City of Detroit, Wayne County, Michigan, as recorded in Liber 17 of Plats, Page 22, Wayne County Records. Commonly known as 735 Bethune.

#### AND

The East 10 feet of Lot 72 and the West 40 feet of Lot 73, all excepting the South 11.00 feet thereof as deeded for alley widening, of "Lothrop and Duffield's Subdivision of part of 1/4 Sections 55 and 56, 10,000 Acre Tract", City of Detroit, Wayne County, Michigan, as recorded in Liber 17 of Plats, Page 22, Wayne County Records. Commonly known as 725 Bethune.

#### A N D

The East 20 feet of Lot 74 and the West 15 feet of Lot 75, all excepting the South 11.00 feet thereof as deeded for alley widening, of "Lothrop and Duffield's Subdivision of part of 1/4 Sections 55 and 56, 10,000 Acre Tract", City of Detroit, Wayne County, Michigan, as recorded in Liber 17 of Plats, Page 22, Wayne County Records. Commonly known as 709 Bethune.

#### A N D

The West 40 feet of Lot 76, except the South 11.00 feet thereof as deeded for alley widening, of "Lothrop and Duffield's Subdivision of part of 1/4 Sections 55 and 56, 10,000 Acre Tract", City of Detroit, Wayne County, Michigan, as recorded in Liber 17 of Plats, Page 22, Wayne County Records. Commonly known as 693 Bethune.

#### A N D

The West 25 feet of Lot 77 and the East 10 feet of Lot 76, all excepting the South 11.00 feet thereof as deeded for alley widening, of "Lothrop and Duffield's Subdivision of part of 1/4 Sections 55 and 56, 10,000 Acre Tract", City of Detroit, Wayne County, Michigan, as recorded in Liber 17 of Plats, Page 22, Wayne County Records. Commonly known as 685 Bethune.

#### A N D

The West 10 feet of Lot 78 and the East 25 feet of Lot 77, all excepting the South 11.00 feet thereof as deeded for alley widening, of "Lothrop and Duffield's Subdivision of part of 1/4 Sections 55 and

56, 10,000 Acre Tract", City of Detroit, Wayne County, Michigan, as recorded in Liber 17 of Plats, Page 22, Wayne County Records. Commonly known as 675 Bethune.

#### A N D

The East 40 feet of Lot 78, except the South 11.00 feet thereof as deeded for alley widening, of "Lothrop and Duffield's Subdivision of part of 1/4 Sections 55 and 56, 10,000 Acre Tract", City of Detroit, Wayne County, Michigan, as recorded in Liber 17 of Plats, Page 22, Wayne County Records. Commonly known as 667 Bethune.

#### A N D

The West 33.33 feet of Lot 79, except the South 11.00 feet thereof as deeded for alley widening, of "Lothrop and Duffield's Subdivision of part of 1/4 Sections 55 and 56, 10,000 Acre Tract", City of Detroit, Wayne County, Michigan, as recorded in Liber 17 of Plats, Page 22, Wayne County Records. Commonly known as 661 Bethune.

#### AND

Lot 31, except the South 11.00 feet thereof as deeded for alley widening, of "Leggett's Subdivision of part of Henry Weber's Subdivision of part of Sections 55 and 56, 10,000 Acre Tract", City of Detroit, Wayne County, Michigan, as recorded in Liber 21 of Plats, Page 53, Wayne County Records. Commonly known as 749 Pallister.

#### AND

Lot 30 and the West 7.50 feet of Lot 29, all excepting the South 11.00 feet thereof as deeded for alley widening, of "Leggett's Subdivision of part of Henry Weber's Subdivision of part of Sections 55 and 56, 10,000 Acre Tract", City of Detroit, Wayne County, Michigan, as recorded in Liber 21 of Plats, Page 53, Wayne County Records. Commonly known as 741 Pallister.

#### AND

The West 10 feet of Lot 25 and the East 35 feet of Lot 26, all excepting the South 11.00 feet thereof as deeded for alley widening, of "Leggett's Subdivision of part of Henry Weber's Subdivision of part of Sections 55 and 56, 10,000 Acre Tract", City of Detroit, Wayne County, Michigan, as recorded in Liber 21 of Plats, Page 53,

Wayne County Records. Commonly known as 697 Pallister.

#### AND

The West 20 feet of Lot 22 and the East 40 feet of Lot 23, all excepting the South 11.00 feet thereof as deeded for alley widening, of "Leggett's Subdivision of part of Henry Weber's Subdivision of part of Sections 55 and 56, 10,000 Acre Tract", City of Detroit, Wayne County, Michigan, as recorded in Liber 21 of Plats, Page 53, Wayne County Records. Commonly known as 665 Pallister.

#### A N D

The Esat 8.50 feet of Lot 24, Block 8 and the West 26.50 feet of the vacated street (66 feet wide, lying East of and adjacent to the East line of said Lot 24), all excepting the South 11.00 feet thereof as deeded for alley widening, being part of "Beck's Subdivision of part of 1/4 Sections 55 and 56, 10,000 Acre Tract", City of Detroit, Wayne County, Michigan, as recorded in Liber 4 of Plats, Page 59, Wayne County Records. Commonly known as 837 Seward.

#### A N D

The East 35 feet of the West 61.50 feet of the vacated street (66 feet wide) lying between Blocks 7 and 8, except the South 11.00 feet thereof as deeded for alley widening, of "Beck's Subdivision of part of 1/4 Sections 55 and 56, 10,000 Acre Tract", City of Detroit, Wayne County, Michigan, as recorded in Liber 4 of Plats on Page 59, Wayne County Records. Commonly known as 829-31 Seward.

#### AND

The West 30.50 feet of Lot 13, Block 7, and the East 4.50 feet of the vacated street (66 feet wide) lying between Blocks 7 and 8, all excepting the South 11.00 feet thereof as deeded for alley widening, being part of "Beck's Subdivision of part of 1/4 Sections 55 and 56, 10,000 Acre Tract", City of Detroit, Wayne County, Michigan, as recorded in Liber 4 of Plats on Page 59, Wayne County Records. Commonly known as 823 Seward.

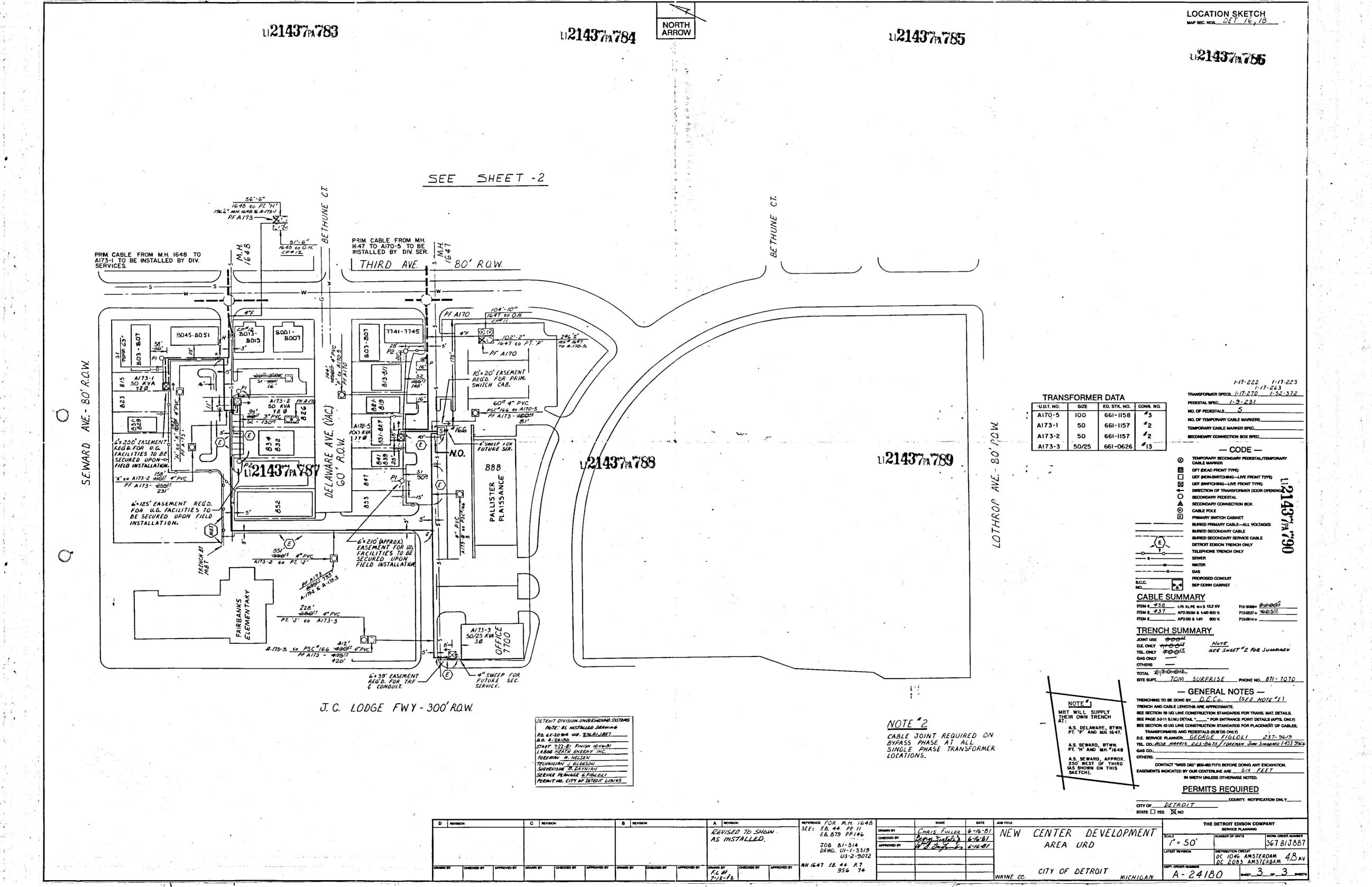
#### A N D

The West 17 feet of Lot 14 and the East 13 feet of Lot 13, Block 7, all excepting

the South 11.00 feet thereof as deeded for alley widening, of "Beck's Subdivision of part of 1/4 Sections 55 and 56, 10,000 Acre Tract", City of Detroit, Wayne County, Michigan, as recorded in Liber 4 of Plats, on Page 59, Wayne County Records. Commonly known as 815 Seward.

#### A N D

The West 3.50 feet of Lot 16, all of Lot 15, and the East 33 feet of Lot 14, Block 7, excepting the South 11.00 feet of the West 21.50 feet thereof, deeded for alley widening, of "Beck's Subdivision of part of 1/4 Sections 55 and 56, 10,000 Acre Tract", City of Detroit, Wayne County, Michigan, as recorded in Liber 4 of Plats, Page 59, Wayne County Records. Commonly known as 801-807 Seward and 8043-8051 Third.



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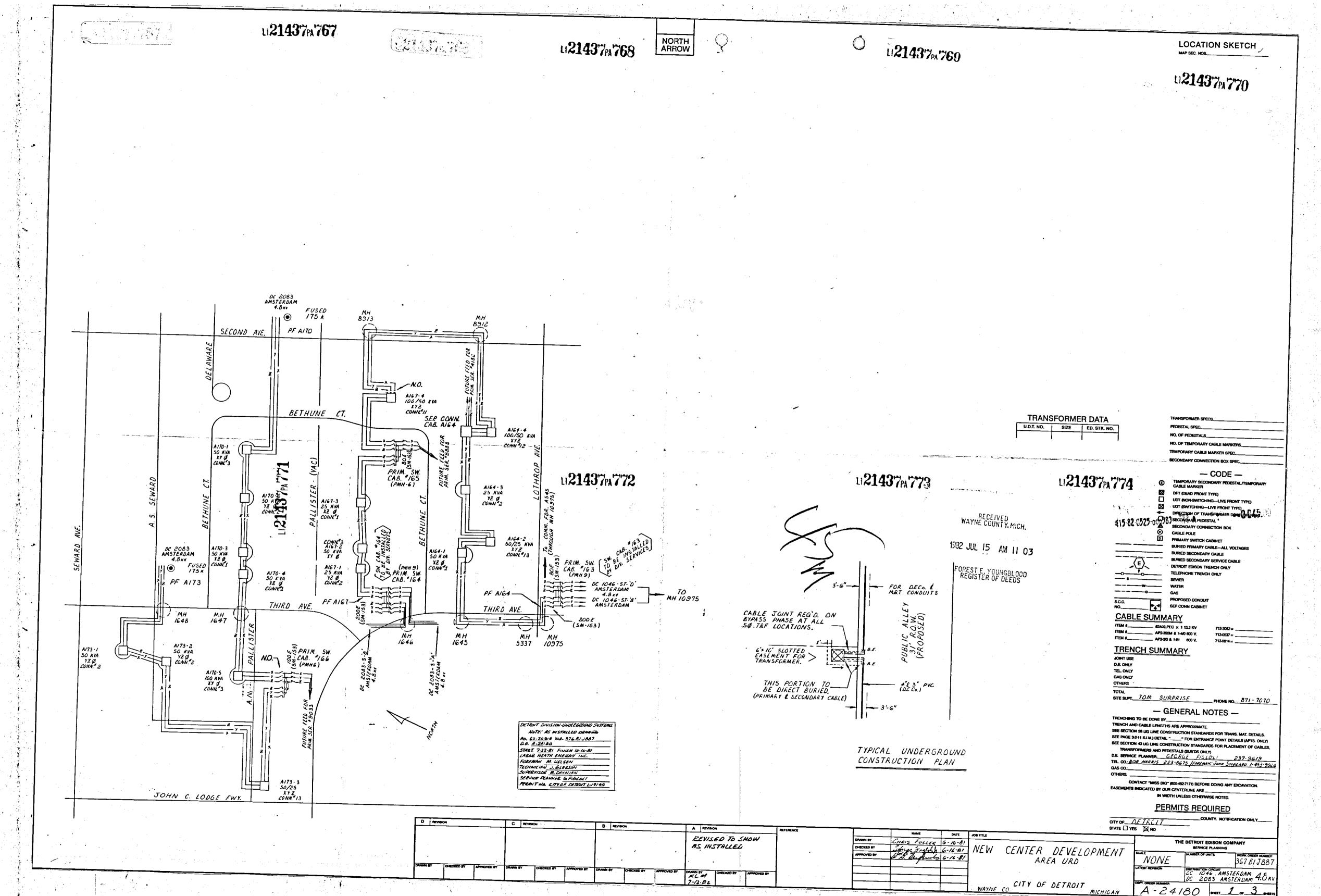
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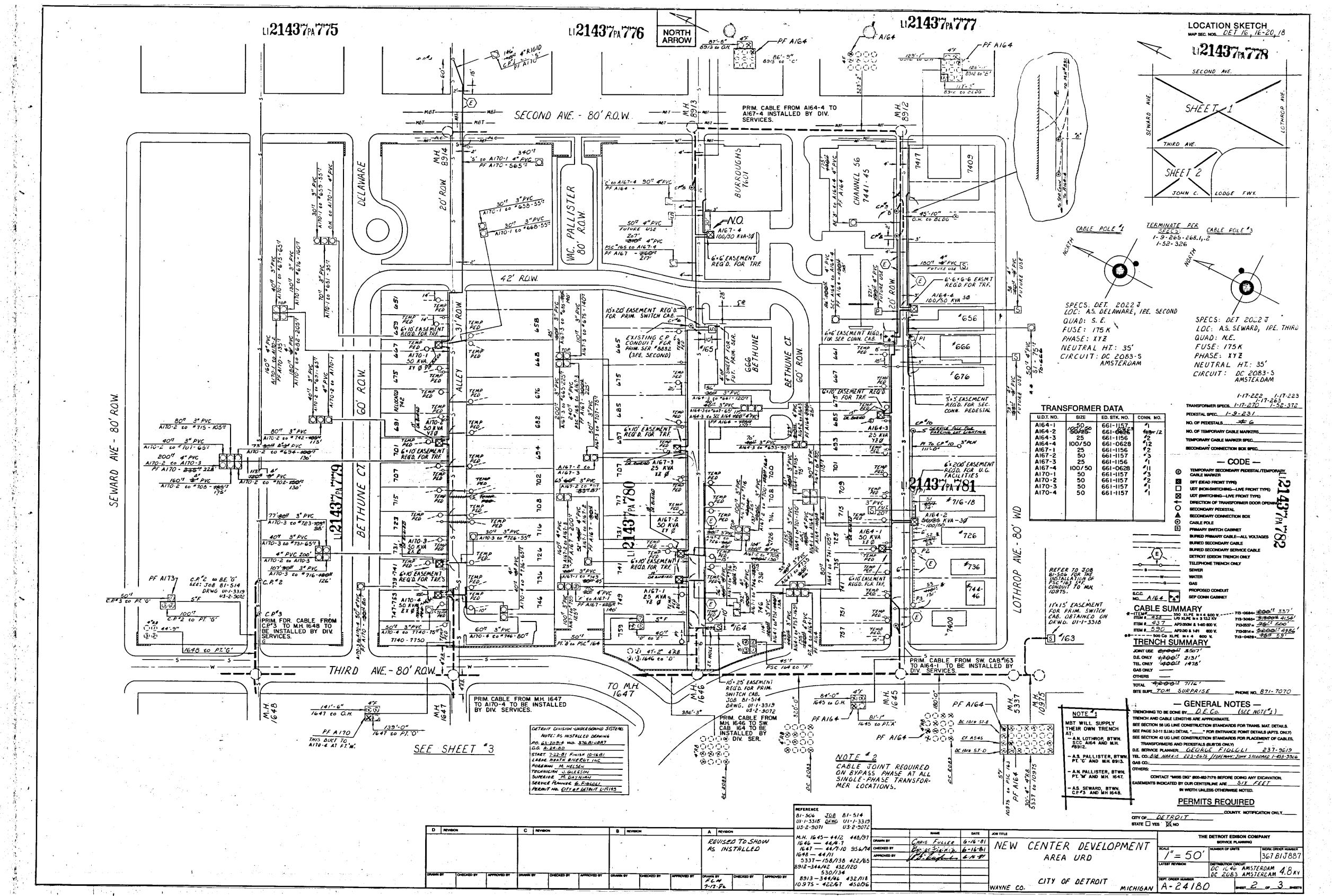
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