

G647666

PLYMOUTH SQUARE APARTMENTS

G627306

LI 21279 PA 679

Detroit Edison

Right of Way Agreement

LI 21350 PA 528

RECORDED MAR 8 1982 AT 1013 O CLOCK A.M.

FOREST E. YOUNGBLOOD, Register of Deeds WAYNE COUNTY, MICHIGAN 48226

October 30, 19 81

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 City of Detroit, Wayne 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 (6') six feet in width unless otherwise indicated and their route is described as follows: (4.A) The exact location of said easements will be shown on a 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. If the lines or 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.
4. No shrubs or 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.

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

IN WITNESS WHEREOF, the undersigned have hereunto set their hand and seal on this date.

Witnesses:

Michael B. Perlman (signature)

JoAnn McGee (signature)

Grantors: PLYMOUTH SQUARE ASSOCIATES LIMITED DIVIDEND HOUSING ASSOCIATION a Michigan limited partnership

By its General Partner: FOREST CITY DILLON, INC., an Ohio corporation

FRANK DARCY (signature)

Its: Assistant Secretary

RECORDED NOV 9 1981 AT 1236 O CLOCK P.M. FOREST E. YOUNGBLOOD, Register of Deeds WAYNE COUNTY, MICHIGAN 48226

RE-RECORD

G627306

G647666

RECORDED RIGHT OF WAY NO. 34110

Prepared By: C. George Williams 8001 Haggerty Rd. S., Belleville, MI., 48111

Address: 10800 Brookpark Road Cleveland, Ohio, 44130

When Recorded, Return to: Michael B. Perlman, Esq. P. O. Box 2589 Southfield, Michigan 48034

DE 963-4187 10-79 CS (DE URD-MBT)

RETURN TO: Real Estate, R/W & Claims 8001 Haggerty Rd. South Room 134 Belleville, Michigan 48111

THIS EASEMENT IS RE-RECORDED FOR PURPOSES OF SHOWING THE PLANNED "AS INSTALLED" CENTERLINES OF EASEMENTS GRANTED AS SHOWN ON DRAWING ATTACHED HERETO.

STATE OF MICHIGAN )  
                          ) SS  
COUNTY OF OAKLAND )

On the 30th day of October, 1981, before me personally appeared FRANK DARCY, Assistant Secretary of FOREST CITY DILLON, INC., the General Partner of PLYMOUTH SQUARE ASSOCIATES LIMITED DIVIDEND HOUSING ASSOCIATION, to me known to be the person described in and who executed the foregoing easement and acknowledged that he executed the same as the free act and deed of himself, the corporation and the limited partnership.

*Joann McGee*  
\_\_\_\_\_  
JOANN MCGEE  
Notary Public, County of Oakland,  
State of Michigan  
My Commission Expires: 2/10/82

APPENDIX "A"

Part of the N.E. 1/4 of Sec. 34, T.1S., R.10 E., City of Detroit, Wayne County, Mich. Being described as: Commencing at the N.E. 1/4 corner of said Sec. 34; th. N. 89°36'26" W., 365.90 ft. along the north line of said Sec. 34, said line being the centerline of Plymouth Rd. (120 ft. wide), th. S. 00°33'00" E. 188.27 ft; th. S. 00°33'00" E. 91.76 ft. along the West Line of Vaughan Rd. (62.86 ft. wide); th. N. 89°47'03" W. 133 ft. along the north line of Lot 208 of Harry Slatkin's Rouge Park Sub. Number 2, Liber 71, Page 62 to the point of beginning; th. N. 89°47'03" W. 17 ft., th. S. 00°33'00" E. 740.07 ft. along the boundary line of said subdivision, th. N. 89°47'03" W. 647.58 ft. along the N. Line of Harry Slatkin's Rouge Park Sub., Liber 71, Page 46; th. N. 00°40'00" W. 382 ft. along the E. line of said Harry Slatkin's Rouge Park Sub; th. N. 89°20'00" E. 310 ft., th. N. 00°40'00" W. 122 ft; th. N. 23°34'24" E. 119.19 ft; th. N. 00°40'00" W. 108 ft., th. N. 89°20'00" E. 42 ft; th. N. 45°23'34" E. 91 ft; th. N. 00°23'34" E. 170 ft; th. S. 89°36'26" E. 200 ft. along the south line of Plymouth Road (120 ft. wide;) th. S. 00°15'34" W. 220.29 ft. to the point of beginning, containing 9.313 acres, more or less and subject to easements of record.

RECORDED RIGHT OF WAY NO. 34170

TO: ERNIE GARRISON, Supervisor  
Rm-134 WAYNE Div.

Date 9-21-81

Real Estate and Rights of Way Dept., WAYNE District

Application No. \_\_\_\_\_

For RE & RW Dept. Use - DE-FEL No. \_\_\_\_\_

We have included the following necessary material and information:

W-EB-12-81

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 or title search)

INFORMATION:

(1) Project name: PLYMOUTH SQUARES APTS. County: WAYNE

City/Township/Village: DETROIT Section No. 34

(2) Name of developer: LIBERTY CONST. CO. MR. JACK FROMM

Address: 28388 FRANKLIN RD. SOUTHFIELD Phone No. 1-356-4060

(3) Date service is wanted 12-21-81

(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: MICHIGAN BELL TELEPHONE CO.

(b) Other utility engineer names and phone numbers: ART-ADAMOWICZ-MBT  
1-459-9938

(7) Part of subdivision is fed from overhead service Yes  No

Let No. \_\_\_\_\_

(8) Additional information or comments: PL-133 AGREEMENT TO BE  
SENT TO CUST.

NOTE: Trenching letter attached  OR, will be submitted later

See "B" ABOVE

Signed: J. JOYAL - DET. SER. PLAN-237-9674  
(Service Planning Department)

420-SB

Received, RE & RW Dept. on: \_\_\_\_\_

RECORDED PLANNING DEPT. NO.

31170



RETURN TO: DET. EDISON  
Real Estate, R/W & Claims - RM139  
8001 Haggerty Rd. South  
Belleville, Michigan 48112

RECORDED RIGHT OF WAY NO. 34170

RETURN TO: DET. EDISON  
Real Estate, R/W & Claims - RM139  
8001 Haggerty Rd. South  
Belleville, Michigan 48112