

**Detroit Edison**

**Right of Way Agreement**

NORTHWOOD HEIGHTS  
APT. COMPLEX

SEPTEMBER 21, 1981

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 General Telephone Company of Michigan, 455 E. Ellis Rd., P.O. Box 149, Muskegon, MI. 49443 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 Village of Cass City, Tuscola 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 feet in width unless otherwise indicated and their route is described as follows: 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:

Grantors: BAVARIAN BUILDING & LAND  
DEVELOPMENT CORPORATION, A  
Michigan Corporation

X Robert J. Gardner  
ROBERT J. GARDNER

X Dorothy Schneirla  
DOROTHY SCHNEIRLA

X Timothy W. Zehnder  
TIMOTHY W. ZEHNDER, EXEC. V. P.

X Gail M. Cunningham, Sr.  
GAIL M. CUNNINGHAM, SR.

Prepared By: Donald E. Fisher

Address: 9720 Junction Road

600 Grand River Ave.-P.O. Box 588

Frankenmuth, MI. 48734

Port Huron, Michigan 48060

RETURN TO  
J. BROWN  
THE DETROIT EDISON COMPANY  
600 GRAND RIVER AVE.  
PORT HURON, MICHIGAN 48060

RECORDED RIGHT OF WAY NO. 34295

APPENDIX "A"

Lot 47 of "Northwood Village & Estate No. 1", Subject to easements and right's of way of record, as recorded in Liber 4, pages 49, 50, 21, and 52, Tuscola County Michigan records. Village of Cass City, Michigan.

CORPORATION

STATE OF MICHIGAN

County of SAGINAW )  
 ) SS  
 )

On this 21st day of SEPTEMBER, A.D. 19 81, before me, the subscriber, a notary public in and for said County, appeared TIMOTHY W. ZEHNDER AND GAIL M. CUNNINGHAM, SR. and \_\_\_\_\_ to me personally known, who being by me duly sworn did say that they are the EXECUTIVE VICE-PRESIDENT and VICE-PRESIDENT of BAVARIAN BUILDING AND LAND DEVELOPMENT CORP.

and that the seal affixed to said instrument is the corporate seal of said corporation and said instrument was signed and sealed in behalf of said corporation by authority of its board of directors and DOROTHY L. SCHNEIDER and ROBERT J. GARDNER acknowledged said instrument to be the free act and deed of said corporation.

Dorothy L. Schneider  
Notary Public, SAGINAW County, Michigan

My commission expires: June 25, 1983

RECORDED RIGHT OF WAY NO. 34295  
RECEIVED FOR RECORD  
LIBER NO. 519 PAGE NO. 929-930  
FILING NO. \_\_\_\_\_  
1981 OCT - 1 AM 11: 20  
JOHN W. MARSHALL  
REGISTER OF DEEDS  
TUSCOLA COUNTY, MICHIGAN

RETURN TO  
J. BROWN  
THE DETROIT EDISON COMPANY  
600 GRAND RIVER AVE.  
PORT HURON, MICHIGAN 48060

**Detroit Edison**

**Affidavit**

RECEIVED FOR RECORDING  
LIBER NO. 522 PAGE NO. 886-887  
FILED NO. \_\_\_\_\_  
1982 JAN 26 AM 11:36  
JOHN W. MARSHALL  
REGISTER OF DEEDS  
TUSCOLA COUNTY MICHIGAN

STATE OF MICHIGAN  
County of St. Clair ) SS

Donald E. Fisher, Supervisor Real Estate, Rights of Way & Claims of The Detroit Edison Company

Detroit, Michigan, being duly sworn deposes and says:

THAT Northwood Heights Apartment Complex granted an easement to The Detroit Edison Company and General Telephone Company of Michigan dated the 21st day of September, 1981. Said easement was recorded in the office of the Register of Deed of Tuscola County, Michigan on the 1st day of October, 1981 in Liber 519 Page 929 & 930.

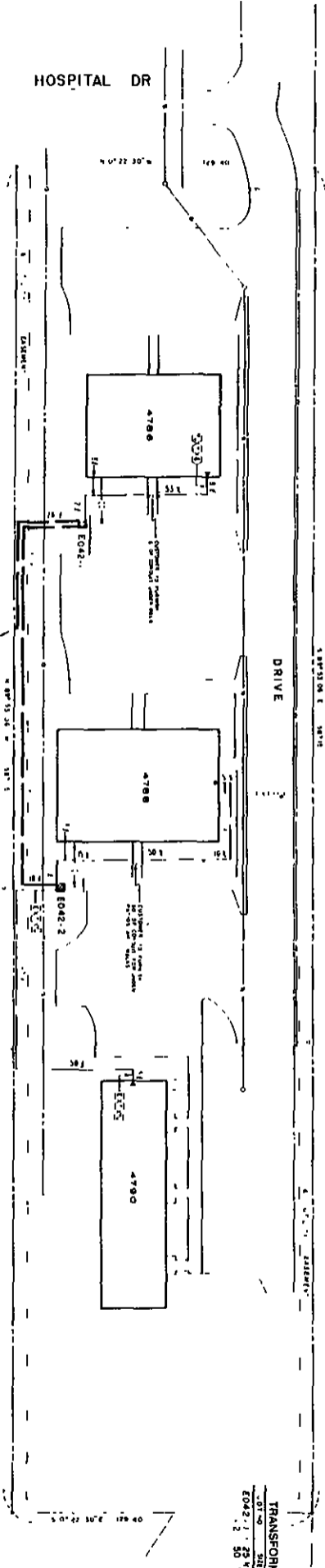
Deponent further states that on behalf of The Detroit Edison Company the underground easement locations, as in said grant provided, are established by a drawing dated November 3, 1981 and attached hereto, as required in said grant. Public Act 53 of 1974 requires anyone prior to any power excavating to telephone Miss Dig on 1-800-482-7171 for exact location of underground equipment.

Further Deponent sayeth not.

Donald E. Fisher (S)  
Donald E. Fisher, Supervisor  
Real Estate, Rights of Way & Claims

Subscribed and sworn to before me this 25<sup>th</sup> day of JANUARY, A.D. 19 82  
John N. Waterloo  
John N. Waterloo  
Notary Public, Macomb County, Michigan

My commission expires: January 5, 1986  
PREPARED BY: JOHN N. WATERLOO  
600 Grand River Ave.-P.O. Box 588  
Port Huron, Michigan 48060  
RETURN TO: Donald E. Fisher  
THE DETROIT EDISON COMPANY  
600 Grand River Ave.-P.O. Box 588  
Port Huron, Michigan 48060



TRANSFORMER DATA

LOT NO	518	1319
SIZE	23	50
E042-1	23	50

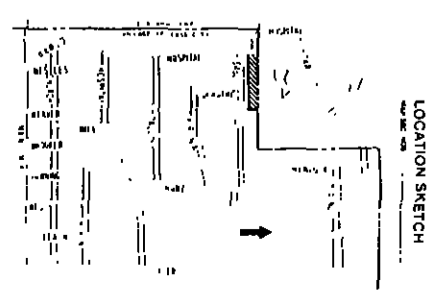
LOT 48 OF NORTHWOOD VILLAGE 8 ESTATE NO. 1  
 SEC 28, T48N, R11E  
 L. OF P. 48752

**NOTICE**  
 CONTRACTOR TO VERIFY ALL UTILITIES AND RECORD DRAWINGS BEFORE COMMENCING WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR PROTECTING ALL UTILITIES AND RECORD DRAWINGS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR PROTECTING ALL UTILITIES AND RECORD DRAWINGS.

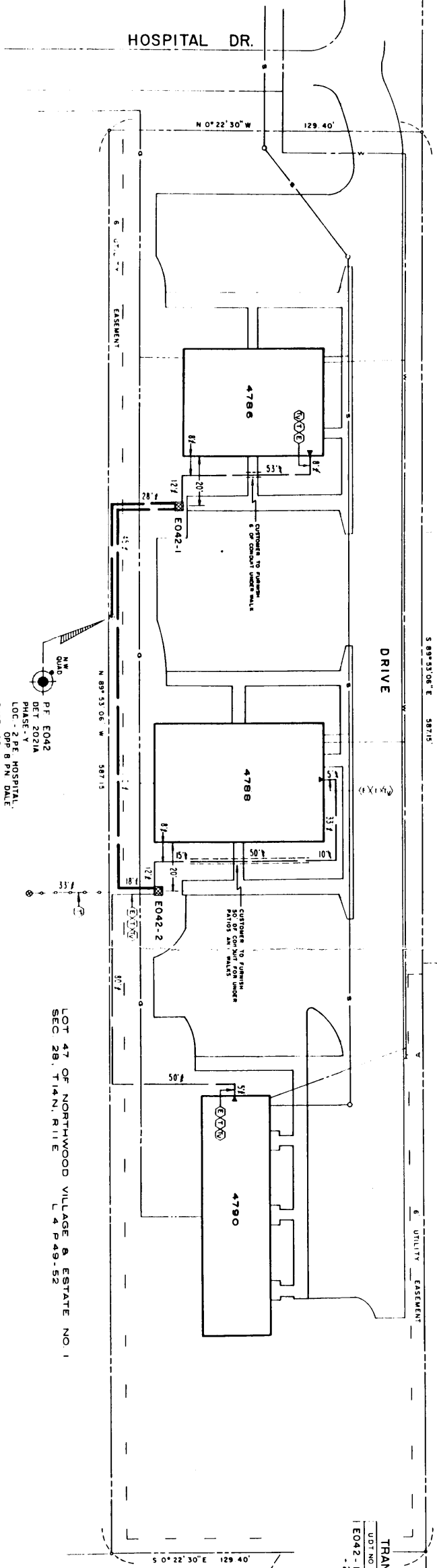
**GENERAL NOTES**  
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE ALARM AND SIGNAL CODE (NFPA 72).  
 2. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL ELECTRICAL INSPECTOR.  
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR PROTECTING ALL UTILITIES AND RECORD DRAWINGS.  
 4. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR PROTECTING ALL UTILITIES AND RECORD DRAWINGS.

**CABLE SUMMARY**  
 TYPE: 120  
 SIZE: 120  
 LENGTH: 420  
 TOTAL: 420

**TRENCH SUMMARY**  
 TYPE: 120  
 SIZE: 120  
 LENGTH: 420  
 TOTAL: 420



AS INSTALLED  
 NORTHWOOD HEIGHTS APT COMPLEX  
 VILLAGE OF CASS CITY, ELSLAND, MO, USGOLD CO. A-89613  
 11' 20" 22 367854  
 311 CASS CITY 13:150



LOT 45  
LOT 48

RECORDED RIGHT OF WAY  
P34295

N.W. QUAD  
P.F. EO42  
DET 2021A  
PHASE - Y  
LOC - 2 P.E. HOSPITAL,  
OPP B P.N. DALE  
FUSE - 25K

LOT 47 OF NORTHWOOD VILLAGE & ESTATE NO. 1  
SEC. 29, T14N., R1E L 4 P. 49-52

TRANSFORMER DATA  
LOT NO. 47  
SIZE 25 KVA  
ED STR. NO. 1  
EO42-1 25 KVA  
2 50

TRANSFORMER SPEC.  
NO. OF REESTALS  
NO. OF TEMPORARY CABLE MARKERS  
TEMPORARY CABLE MARKER SPEC.  
SECONDARY CONNECTION BOX SPEC.

— CODE —  
TRANSFORMER SECONDARY PEGS/AL/TRANSFORMER CABLE MARKER  
DPT DEAD FRONT TYPE  
LPT NON-SWITCHING—LIVE FRONT TYPE  
LPT SWITCHING—LIVE FRONT TYPE  
DIRECTION OF TRANSFORMER DOOR OPENING  
SECONDARY REESTAL  
SECONDARY CONNECTION BOX  
CABLE POLE  
REGULAR SWITCH CABINET  
BARRIED REGULAR CABLE—ALL VOLTAGES  
BARRIED SECONDARY SERVICE CABLE  
DETROIT ERISSON TRENCH ONLY  
TELEPHONE TRENCH ONLY  
WATER  
GAS  
PROPOSED CONDUIT  
SEP DOWN CABLE

CABLE SUMMARY

SEC	NO.	QUANTITY	11250'	400'
1254	4	400' BARRIED 11250'		425'
1254	4	400' BARRIED 11250'		425'
1254	4	400' BARRIED 11250'		425'

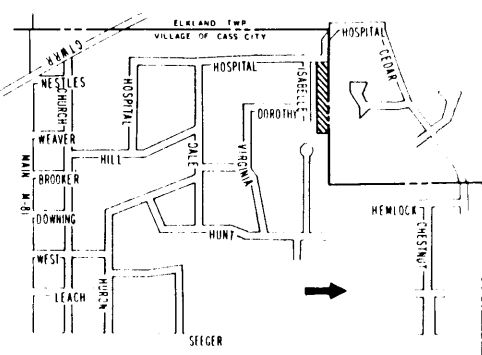
TRENCH SUMMARY

JOINT USE	534'
D.E. ONLY	
GAS ONLY	
OTHERS	
TOTAL	5677'

SITE SUPERVISOR: JIM ZEHNDER  
PHONE NO: 517-652-8990

— GENERAL NOTES —  
TRENCHING TO BE DONE BY D.E.C.O.  
TRENCH AND CABLE TRENCHES ARE APPROXIMATE  
SEE SECTION 38.10.1.1 FOR CONSTRUCTION STANDARDS FOR TRENCHING AND DETAILS  
SEE PAGE 37.11.1.1 FOR DETAILS FOR ENHANCED POINT DETAILS AND ONLY  
SEE SECTION 4.10.1 FOR CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES  
TRANSFORMERS AND REESTALS 508.05 ONLY  
O.E. SERVICE MARKERS CONWIE FIBERANZ 517-673-3181  
TE. CO. GTC-SHEILA MASON 517-653-9786  
GAS CO. CATY-MARK HENERS 517-777-8650  
CONTRACTOR MUST DIG AND REPORT BEFORE DOING ANY EXCAVATION  
EASEMENTS INDICATED BY OWN CENTRAL LINE ARE IN WORDS UNLESS OTHERWISE NOTED  
PERMITS REQUIRED  
CITY OF \_\_\_\_\_ COUNTY NOTIFICATION ONLY

NOTICE  
LOCATIONS OF UNDERGROUND FACILITIES ON THIS DRAWING ARE NOT GUARANTEED. LOCATION OF ELECTRICAL AND/OR STEAM UNDERGROUND FACILITIES SHOULD BE DETERMINED BY THE CONTRACTOR FOR THE LOCATION OF UNDERGROUND LINES. TELEPHONE LINES DUG 48 HOURS BEFORE DOING ANY POWER EXCAVATING AS REQUIRED BY PUBLIC ACT 53 OF 1974. THE TOLL FREE TELEPHONE NUMBER IS 1-800-482-7171



C	MASON	CHECKED BY: JAMONIGLO
B	MASON	CHECKED BY: JAMONIGLO
A	MASON	CHECKED BY: JAMONIGLO
	AS INSTALLED	CHECKED BY: JAMONIGLO
	R.E.R.	CHECKED BY: JAMONIGLO
	R.E.R.	CHECKED BY: JAMONIGLO

DATE: 9-2-81  
DRAWN BY: R. REYNOLDS  
CHECKED BY: J. JAMONIGLO

THE DETROIT ERISSON COMPANY  
311 CASS CITY ISO-UP  
A-89613

3152 337

3152 338

3152 339



RECORDED RIGHT OF WAY  
R34296

**TRANSFORMER DATA**

STEP	UDT NO.	SIZE	ED BTK. NO.
STEP I	H1147-3	30KVA	
	4		
	5		
	6		
STEP II	7		
	8		
	9		
	10		

FROM H1147-3 TO H1147-5  
H1147-4 TO H1147-6  
H1147-7 TO H1147-8  
H1147-9 TO H1147-10

TRANSFORMER SPEC. 1-17-241  
FEDERAL SPEC. 1-17-241  
NO. OF FEEDERS 2  
NO. OF TEMPORARY CABLE WARRIORS  
TEMPORARY CABLE MARKER SPEC.  
SECONDARY CONNECTION BOX SPEC.

- CODE**
- TEMPORARY SECONDARY FEEDER, TEMPORARY CABLE MARKER
  - DFT ROAD FRONT TYPE
  - DFT SIDEWALKS—LIVE FRONT TYPE
  - DFT SIDEWALKS—LIVE FRONT TYPE
  - DIRECTION OF TRANSFORMER ROOM OPENING
  - SECONDARY FEEDER
  - SECONDARY CONNECTION BOX
  - CABLE HOLE
  - PRIMARY SWITCH CABINET
  - BURIED PRIMARY CABLES—ALL VOLTAGES
  - BURIED SECONDARY CABLE
  - BURIED SECONDARY SERVICE CABLE
  - DETECT EROSION TRENCH ONLY
  - TELEPHONE TRENCH ONLY
  - SEWER
  - WATER
  - GAS
  - PROPOSED CONDUIT
  - SEP COVER CABINET

**CABLE SUMMARY**

ITEM #	QUANTITY	UNIT	PRICE	TOTAL
1	100	FT	1.50	150.00
2	100	FT	2.00	200.00
3	100	FT	1.00	100.00

**TRENCH SUMMARY**

ITEM #	DEPTH	WIDTH	LENGTH	VOLUME
1	18"	12"	100'	21.60
2	18"	12"	100'	21.60
3	18"	12"	100'	21.60

**GENERAL NOTES**

TRENCHING TO BE DONE BY D.F.C.  
TRENCH AND CABLE LAYOUTS ARE APPROXIMATE.  
SEE SECTION 13.10 FOR CONSTRUCTION STANDARDS FOR TRENCH AND DETAILS.  
SEE SECTION 13.11 FOR CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES.  
TRANSFORMERS AND FEEDERS (EXCEPT ONLY)  
D.F.C. SERVICE PLANNING - 6000 W. WHITE - 445-4100  
TEL. CO. - 401 BENTLEY - 244-3544  
GAS CO. - JOHN TURNER - 427-5700 EXT. 551

**EASEMENT LOCATIONS**

Easements are located where the following symbols are shown. All easements are single width, even where more than one symbol is shown.

- Buried Primary Cable
- Buried Secondary Cable
- Buried Secondary Service Cable
- Telephone Trench Only
- G Gas
- Proposed Conduit

**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 DIA on 800-482-7171 as required by Public Act 53 of 1974 before using any power excavating.

**NOTE:**  
DEVELOPER IS RESPONSIBLE FOR ALL ON SITE SOIL EROSION & SEDIMENTATION CONTROLS.  
DUK FOR ROAD CROSSING FURNISHED BY D.E. CO. & INSTALLED BY DEVELOPER.

NO.	REVISION	DATE	BY	APP'D.
1	AS SHOWN	12-23-80	D. STORK	
2	ADDED STEP II	1-2-81	G. WATTS	
3	REVISED	4-1-81	J. TURNER	

ORDER BY: D. STORK 12-23-80  
CHECKED BY: G. WATTS 1-2-81  
APPROVED BY: J. TURNER 4-1-81

PROJECT: LIND FAR 50 A-64530

THE DEPTON ENGINEERING COMPANY  
SERVICE PLANNING

SCALE: 1" = 50'  
SHEET NO. 3 OF 3  
JOB NO. 807840365

CITY OF FARMINGTON HILLS, MICHIGAN  
COUNTY: OAKLAND