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RIGHT OF WAY FILE #

R35172

GRANTOR NAME

[Empty grid for Grantor Name]

[Empty grid for Grantor Name]

STREET ADDRESS

[Empty grid for Street Address]

[Empty grid for Street Address]

ST

[Empty grid for Street Type]

CITY/TOWN

[Empty grid for City/Town]

ZIP CODE

[Empty grid for Zip Code]

EASEMENT DESCRIPTION

[Empty grid for Easement Description]

AGREEMENT DATE

[Empty grid for Agreement Date]

AGREEMENT TYPE

[Empty grid for Agreement Type with R, P, C options]

LIBER #

[Empty grid for Liber #]

PAGE #

[Empty grid for Page #]

DRAWING R/W #

[Empty grid for Drawing R/W #]

PVT CL#

[Empty grid for PVT CL#]

SECTION

[Empty grid for Section]

QUARTER SECTION 3

[Empty grid for Quarter Section 3 with 1/4, 1/2 options]

QUARTER SECTION 2

[Empty grid for Quarter Section 2 with 1/4, 1/2 options]

QUARTER SECTION 1

[Empty grid for Quarter Section 1 with 1/4, 1/2 options]

TOWNSHIP

[Empty grid for Township]

COUNTY

[Empty grid for County]

RTE OF LINE

[Empty grid for Route of Line]

N/S E/W B

TOWNSHIP RANGE

7 [Empty grid for Township Range]

DIVISION CODE

[Empty grid for Division Code with A, D, M, O, T, W options]

SUBDIVISION NAME

FRESARD CIRCLE APTS

EAST OF

[Empty grid for East of]

WEST OF

[Empty grid for West of]

NORTH OF

[Empty grid for North of]

SOUTH OF

[Empty grid for South of]

OUT LOT

[Empty grid for Out Lot]

BLOCK #1

[Empty grid for Block #1]

LOT #1

[Empty grid for Lot #1]

BLOCK #2

[Empty grid for Block #2]

LOT #2

[Empty grid for Lot #2]

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+

Detroit Edison

LIBER 3695 PAGE 5

Right of Way Agreement

A896861

Oct 30, 19 84

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 St Clair Shores, Macomb 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 10 feet in width unless otherwise indicated and their route is described as follows: Underground lines are to be located in accordance with attached drawing which is made a part hereof and underground easements are ten feet in width unless otherwise noted on said drawing

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:

Witness signatures: Patricia A. Stachurski, Thomas, Michael M. Cabe

Grantor signatures: Dominic F. Marini, Sandra C. Marini, wife

Prepared By: Michael J. Mc Cabe
15600 - 19 Mile Road
Mt. Clemens, Michigan 48044

Address: 20624 Roscommon
Harper Woods, Michigan 48236

RECORDED IN MACOMB COUNTY
RECORDS AT: 9:10 A. M.
NOV - 7 1984

13

Edmund...
DEPT. REGISTER OF DEEDS

RECORDED RIGHT OF WAY NO. 35172

INDIVIDUAL

STATE OF MICHIGAN

County of WAYNE ) SS

On this 30 day of October, A.D. 19 84, before me, the undersigned, a notary public in and for said county, personally appeared Dominic F. Marini and Sandra C. Marini, his wife.

known to me to be the person who executed the foregoing instrument, and acknowledged the same to be free act and deed.

Joan L. Shomock Notary Public, Wayne County, Michigan

JOAN L. SHOMOCK Notary Public, Macomb County, MI My Commission Expires Jan. 20, 1987 Acting in Wayne County

My commission expires:

"APPENDIX A"

FRESARD CIRCLE APARTMENTS Lots 75, 76, 77 and 78 and 1/2 of vacated Fresard Street to the North and adjacent thereto of Lakewood Gardens Sub, being part of Fractional Section 27, Town 1 North, Range 13 East, as recorded in Liber 6, Page 18 of the Macomb County Records.

RECORDED RIGHT OF WAY NO. 35172

ERIS TWP  
SEC. 27, NW 1/4 F

**Detroit  
Edison**  
MACOMB DIVISION

Date: November 27, 1984  
To: Records Center  
From: Robert R. Cunningham *RRC*  
Supervisor - Real Estate, Rights of Way and Claims  
Subject: Right of Way Agreement for Underground Residential  
Distribution for Fresard Circle Apartments, located  
in Part of Fractional Section 27, Town 1 North, Range  
13 East, City of St. Clair Shores, Macomb County  
Michigan.

Attached for Records Center is the executed Right of Way Agreement dated October 30, 1984, for the above named project. Also enclosed are other pertinent papers relative to this project.

Easement for this project was requested by Frank Goettl of the Service Planning Department, Macomb Division. The Agreement was negotiated by Michael J. McCabe, Representative of Real Estate, Rights of Way and Claims, Macomb Division.

Detroit Edison Company and Michigan Bell Telephone Company made this agreement with Dominic F. Marini and Sandra C. Marini, the developers of Fresard Circle Apartments.

Please make the attached papers a part of recorded Rights of Way file.

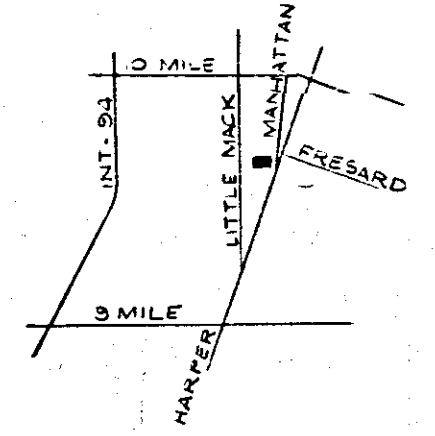
RRC/caw

Attachment

RECORDED RIGHT OF WAY NO. 35172



RECORDED RIGHT OF WAY NO. 35172 LOCATION SKETCH



**TRANSFORMER DATA**

U.D.T. NO.	SIZE	ED. STK. NO.
376-1	50	661-1157

TRANSFORMER SPECS 1-17-263  
 PEDESTAL SPEC.  
 NO. OF PEDESTALS  
 NO. OF TEMPORARY CABLE MARKERS  
 TEMPORARY CABLE MARKER SPEC.  
 SECONDARY CONNECTION BOX SPEC.

**— CODE —**

- ⊕ TEMPORARY SECONDARY PEDESTAL/TEMPORARY CABLE MARKER
- ⊞ DFT (DEAD FRONT TYPE)
- ⊞ UDT (NON-SWITCHING—LIVE FRONT TYPE)
- ⊞ UDT (SWITCHING—LIVE FRONT TYPE)
- ⊞ DIRECTION OF TRANSFORMER DOOR OPENING
- ⊞ SECONDARY PEDESTAL
- ⊞ SECONDARY CONNECTION BOX
- ⊞ 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
- ⊞ SEP CONN CABINET

**CABLE SUMMARY**

ITEM #	DESCRIPTION	QUANTITY	UNIT
1	2#2X1/2" PEC x 1132 KV	320'	208'
2	AP2-350M & 1-40 800 V.	270'	229'
3	AP2-20 & 1-41 800 V.		

**TRENCH SUMMARY**

DE / MBT / CATV	JOINT USE	231'	MAIN	SERV
D.E. ONLY	CATV		52	52
TEL. ONLY	DE - MBT			B
GAS ONLY	DE ONLY			53
OTHERS	CATV			6
TOTAL				175

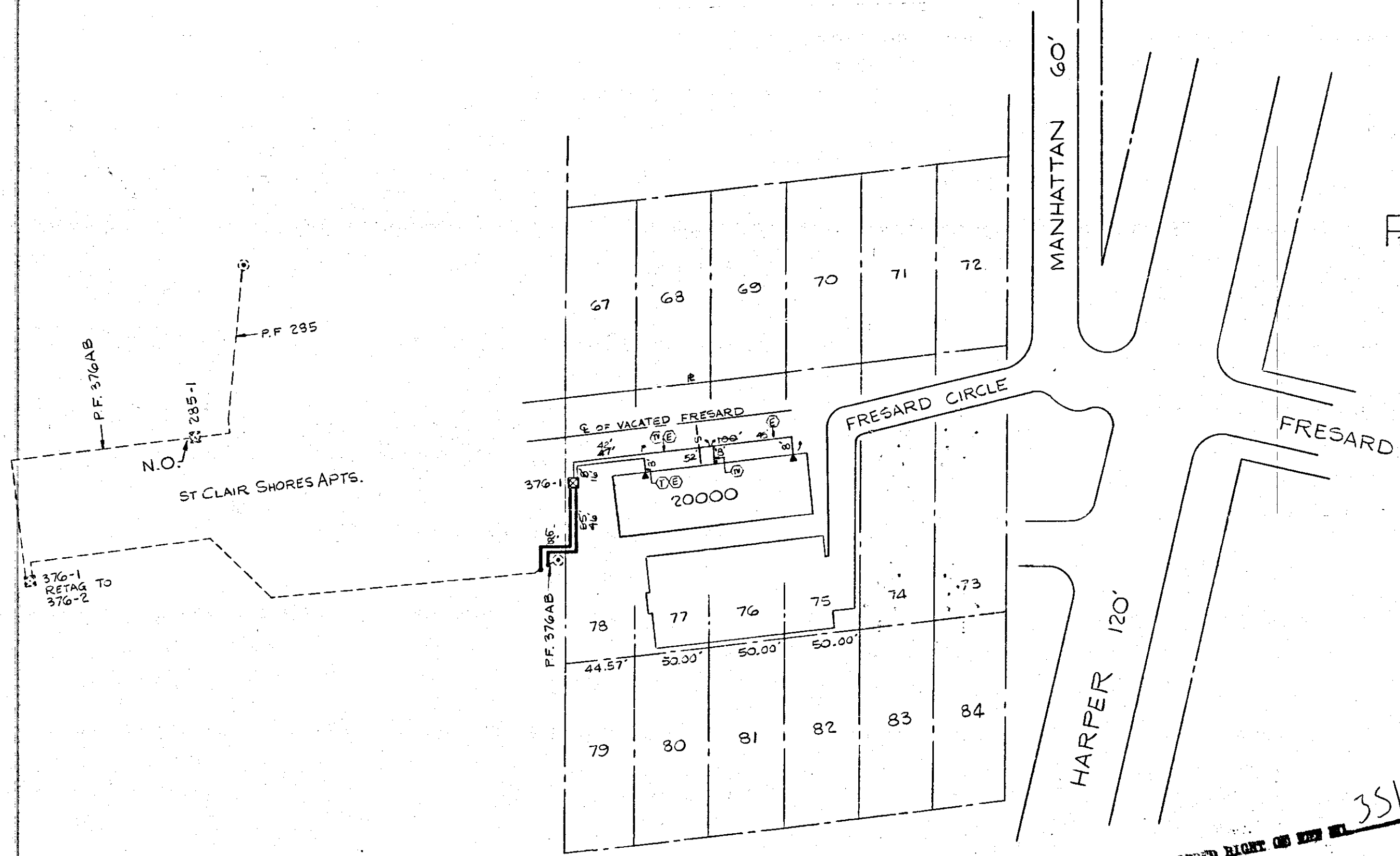
**— GENERAL NOTES —**

TRENCHING TO BE DONE BY DECO  
 TRENCH AND CABLE LENGTHS ARE APPROXIMATE  
 SEE SECTION 56 UG LINE CONSTRUCTION STANDARDS FOR TRANS. MAT. DETAILS.  
 SEE PAGE 32-11 (S.I.M.) DETAIL " " FOR ENTRANCE POINT DETAILS (APTS. ONLY)  
 SEE SECTION 43 UG LINE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES, TRANSFORMERS AND PEDESTALS (SUBS ONLY)  
 D.E. SERVICE PLANNER: FRANK GOETTL 286-9402  
 TEL. CO.: LARRY FLUCINSKI 445-3258  
 GAS CO.: CATV REP. - VIC POPP 771-5534  
 CONTACT "MISS DIG" (800-482-7171) BEFORE DOING ANY EXCAVATION.  
 EASEMENTS INDICATED BY OUR CENTERLINE ARE IN WIDTH UNLESS OTHERWISE NOTED.

**PERMITS REQUIRED**

CITY OF \_\_\_\_\_ COUNTY, NOTIFICATION ONLY  
 STATE  YES  NO

D.O. 84A-74312  
 W.O. 567 89J234  
 START 4-5-84  
 FINISH 4-5-84  
 TECH F OSBORNE  
 LABOR UNIK ENL CO  
 SUPRV 2 KLIMZAL  
 RECORDS L. GIARDINI



EXISTING CABLE POLE  
 LOC - L.W. MANHATTAN, 4 P.S. TROMBLY

RECORDED RIGHT OF WAY NO. 35172

D	C	B	A	REFERENCE	NAME	DATE	JOB TITLE	THE DETROIT EDISON COMPANY
			SHOWN AS INSTALLED IN FIELD		G. BRUMM	3-16-84	DIRECT BURIED SYSTEM - URD -	SERVICE PLANNING
					A. J. [Signature]	3-19-84		NUMBER OF UNITS 12 WORK ORDER NUMBER 36789J234
					R. [Signature]	3-19-84		LATEST REVISION A 8711 SAVOY 4.8 KV
					A. [Signature]	3-20-84		DISTRIBUTION CIRCUIT 8711 SAVOY 150-DN
					A. [Signature]	3-20-84		DEPT ORDER NUMBER 84A-74312 SHEET 1 OF 1 SHEETS

**FRESARD CIRCLE APTS**

PART OF N.W. 1/4 SEC. 27 T.1N. R.13E.  
 LOTS 75, 76, 77, 78 OF LAKEWOOD GARDEN SUB.

CITY OF ST. CLAIR SHORES MACOMB CO

35172

~~SECRET~~