

JAN 30 1985

LIBER 3598 PAGE 117

Edna Hill

(A848074)
A912583

Detroit Edison

CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

Right of Way Agreement

LIBER 3725 PAGE 27

FEB 15 1984

, 19

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 Township of Clinton, 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 12 feet in width unless otherwise indicated and their route is described as follows: See attached Appendix "B"

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, employees 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:

X _____
Lepora Genco-Heede
Dominick Jack Jr.

D.M.A. DEVELOPMENT CORPORATION
 a Michigan Corporation
 X _____
Antonino Giannola, President
Michelle Biundo, Secretary

TO BE RECORDED TO INCLUDE APPENDIX B, ATTACHED

RECORDED RIGHT OF WAY NO. 35299

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

Address: 35086 Cordelia
Mt. Clemens, Michigan 48043

RECORDED IN MACOMB COUNTY
RECORDS AT: 1:03 P. M.
FEB 29 1984

Edna Hill
CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

OT KRUTER
MAHONTHUS .H .T
YEAHCO HORICE TIONTE
DAOR HJIM DE 963 418746-79 CS (D.E. U.R.D.-MBT)
44084 MADHONIM ,SHEMLO .IM

13

RECORDED IN MACOMB COUNTY
RECORDS AT: M.
JAN 30 1982
CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

1000000000
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FEB 1 2 1984

1000000000

RECORDED RIGHT OF WAY NO.

[Handwritten signature]

RETURN TO
R. R. CUNNINGHAM
DETROIT EDISON COMPANY
15600 NINETEEN MILE ROAD
MT. CLEMENS, MICHIGAN 48044

RECORDED IN MACOMB COUNTY
RECORDS AT: M.
FEB 29 1984
CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

STATE OF MICHIGAN

County of Macomb } SS

LIBER 3725 PAGE 28

On this 15th day of February, A.D. 19 84, before me, the subscriber, a notary public in and for said County, appeared Antonino Giannola and Michele Biundo to me personally known, who being by me duly sworn did say that they are the President and Secretary of DMA Development Corporation

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 Antonino Giannola and Michele Biundo

acknowledged said instrument to be the free act and deed of said corporation.

Leonora Genco-Keefe

Notary Public, Oakland County, Michigan

My commission expires: 11-9-86

LEONORA GENCO-KEEFE
Notary Public, Oakland County, Michigan
My Commission Expires November 9, 1986
ACTING IN MACOMB CTY.

RECORDED RIGHT OF WAY NO. 35299

APPENDIX "A"

"EBERLING SUBDIVISION", Land in the Township of Clinton, Macomb County, Michigan, described as: Lot 11 of Supervisors Plat No. 9, part of the East 1/2 of Section 27, Town 2 North, Range 13 East, Clinton Township, Macomb County, Michigan, according to the plat thereof as recorded in liber 18, page 46 of Plats, Macomb County Records, except a parcel described as: Commencing at the Northwest corner of Lot 18; thence S 89° 32' E 1191.93 feet along the South side line of Glenwood Road to the point of beginning; thence S 89° 32' E 160.0 feet along the south line of Glenwood Road; thence S 00° 31' W 125.0 feet; thence N 89° 32' W 160.0 feet to the East side line of Lot 12 of said Supervisors Plat No. 9; thence N 00° 31' E 125.0 feet to the point of beginning.

**Detroit
Edison**

Date: February 7, 1985

To: Records Center

From: Robert R. Cunningham, Supervisor *RRC*
Real Estate, Rights of Way and Claims

Subject: Right of Way Agreement for Underground Residential
Distribution for Eberling Subdivision, located in
part of the East 1/2 of Section 27, Town 2 North,
Range 13 East, Clinton Township, Macomb County,
Michigan.

Attached for Records is the executed Right of Way Agreement dated February 15, 1984, for the above named project. Also enclosed are other pertinent papers relative to this project.

Easement for this project was requested by Ronald Pagels of the Service Planning Department, Macomb Division. The Agreement was negotiated by Micheal 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 D.M.A. Development Corporation, the developers of Eberling Subdivision.

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

RRC/caw

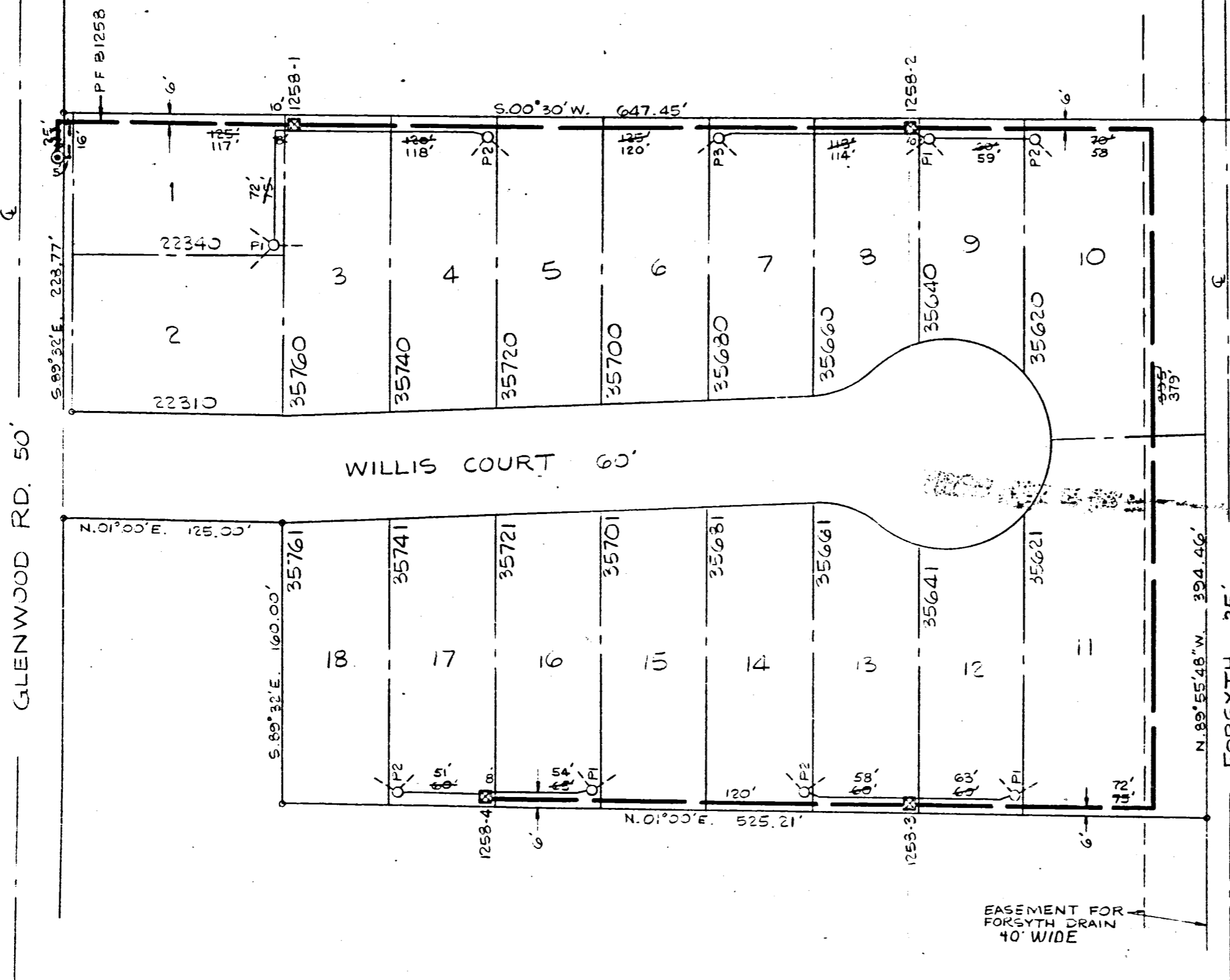
Attachment

RECORDED RIGHT OF WAY NO.

35299

NORTH ARROW

P.F. B1258
SPECS - 2022 B
X-Z - PHASE FUSE-100K
LOC: GLENWOOD, 12 P.E. GRATIOT



TRANSFORMER DATA

U.D.T. NO.	SIZE	ED. STK. NO.
1258-1	50	221-1157
-2		
-3		
-4		

TRANSFORMER SPECS 117 222
 PEDESTAL SPEC
 NO OF PEDESTALS 9
 NO OF TEMPORARY CABLE MARKERS
 TEMPORARY CABLE MARKER SPEC
 SECONDARY CONNECTION BOX SPEC

— CODE —

- ⊙ TEMPORARY SECONDARY PEDESTAL/TEMPORARY CABLE MARKER
- ⊠ JFT (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 #	QUANTITY	UNIT PRICE	TOTAL
AP2-350M & 1-40 800 V	3220	2762	8888
AP2-20 & 1-41 800 V	247	617	151

TRENCH SUMMARY

JOINT USE	LENGTH	UNIT PRICE	TOTAL
D.E. ONLY	1373'	131	1504
TEL ONLY			
GAS ONLY			
OTHERS			
TOTAL			1504'

SITE SUPT. TONY GUANNOLA PHONE NO. 792-2070

— GENERAL NOTES —

TRENCHING TO BE DONE BY D.E. CO.
 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 (SUBDS ONLY)
 D.E. SERVICE PLANNER: R. PAGELS 286-9417
 TEL CO.: NORM. WRIGHT 445-2254
 GAS CO.:
 OTHERS:
 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

Title Block

DO B4 A-74301
 WO 367B9J227
 START 9-24-84
 FINISH 9-26-84
 TECH F OBBORNE
 LAEOR UNION EXC
 SPLING DE CO
 SUPRV R JARMON
 RECORDS GIARDINI

EASEMENT FOR FORSYTH DRAIN 40' WIDE

35299

D	C	B	A	REVISION
				Shown as installed in field

NAME	DATE
G. PRUMM	2-29-84
R. PAGELS	3-26-84
W. EGGLESTON	3-27-84
R. PAGELS	3-27-84
W. H. HARRIS	3-27-84

EBERLIN SUBDIVISION
 PART OF S.E. 1/4 SECT. 27 T2N, R13E
 LOT-11 SUPERVISORS PLAT NO 9
 CLINTON TWP. MACOMB CO.

THE DETROIT EDISON COMPANY SERVICE PLANNING			
SCALE	NUMBER OF UNITS	WORK ORDER NUMBER	
1" = 40'	18	367B9J227	
LATEST REVISION	DISTRIBUTION CIRCUIT		
A	2407 HARPER		
DEPT. ORDER NUMBER			
84A-74301			
SHEET	1	OF	1

RECORDED RIGHT OF WAY NO. 35299

35299