

Detroit Edison

Right of Way Agreement

B034636

December 24, 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 Township of Shelby, 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: The exact location of said easements will be as 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:

X Flem Caudill  
Flem Caudill

Cosimo Lombardo  
Cosimo Lombardo

RECORDED IN MACOMB COUNTY RECORDS AT: 12:02 P.M.

Antoinette Lombardo  
Antoinette Lombardo, wife

X Dawn Conway  
Dawn Conway

JAN 10 1985  
CLERK - REGISTER OF DEEDS MACOMB COUNTY, MICHIGAN

Anna Lisa Lombardo  
Anna Lisa Lombardo, as trustee of the trust for the benefit of Anthony Lombardo, a single man under an agreement dated December 23, 1982, with full power and authority in the trustee to protect, Address: conserve and sell, encumber or otherwise manage and dispose of the real property conveyed herein.

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

RECORDED IN MACOMB COUNTY RECORDS AT: 10:00 A.M.

47200 Van Dyke, Utica, Michigan

JUN 20 1986  
CLERK - REGISTER OF DEEDS MACOMB COUNTY, MICHIGAN

Being Re-recorded to include Consumers Power Company

RECORDED RIGHT OF WAY NO. 35606

INDIVIDUAL

STATE OF MICHIGAN

County of Macomb ) SS

On this 24th day of December, A.D. 19 84, before me,

the undersigned, a notary public in and for said county, personally appeared Cosimo Lombardo and Antoinette Lombardo, his wife

known to me to be the person<sup>s</sup>

who executed the foregoing instrument, and acknowledged the same to be their

free act and deed.

*Allen Caudill*

Notary Public, MACOMB County, Michigan

My commission expires: 6-28-87

RECORDED RIGHT OF WA. NO. 35666

APPENDIX "A"

PARCEL A

"SHELBY FOREST MOBILE HOME PARK, STEP II", Part of the Southwest 1/4 of Section 24, Town 3 North, Range 12 East, Shelby Township, Macomb County, Michigan; more particularly described as commencing at the West 1/4 corner of said Section 24; thence S 01° 40' 00" W 158.04 feet along the West section line; thence S 88° 20' 00" E 60.00 feet; thence S 60° 14' 00" E 1431.26 feet to the point of beginning; thence N 01° 25' 30" E 571.12 feet; thence N 88° 37' 06" E 277.00 feet; thence S 01° 26' 00" W 1008.64 feet; thence S 89° 04' 00" W 258.80 feet; thence S 00° 07' 00" W 17.99 feet; thence S 89° 04' 00" W 392.79 feet; thence N 01° 34' 15" E 18.00 feet; thence N 89° 04' 00" E 374.38 feet; thence N 01° 25' 30" E 435.34 feet to the point of beginning.

Acknowledgement

LIBER 3966 PAGE 146

(LIBER 3717 PAGE 825)

INDIVIDUAL

STATE OF MICHIGAN

County of Macomb )
) SS
)

On this 24th day of December, A.D. 19 84, before me,

the undersigned, a notary public in and for said county, personally appeared Anna Lisa Lombardo, as trustee of the trust for the benefit of Anthony Lombardo, a single man under an agreement dated December 23, 1982, with full power and authority in the trustee to protect, conserve and sell, encumber or otherwise manage and dispose of the real property conveyed herein. known to me to be the person

who executed the foregoing instrument, and acknowledged the same to be their free act and deed.

[Signature]
Notary Public, MACOMB County, Michigan

My commission expires: 6-24-87

RECORDED RIGHT OF WAY NO. 35606

APPENDIX "A"

PARCEL B

"SHELBY FOREST MOBILE HOME PARK, STEP II", Part of the West 1/2 of Section 24, Town 3 North, Range 12 East, Shelby Township, Macomb County, Michigan, more particularly described as beginning at the West 1/4 corner of Section 24; thence N 01° 24' 59" E 663.68 feet along the Westerly Section line; thence N 88° 26' 56" E 1319.33 feet; thence S 01° 22' 31" W 329.56 feet; thence N 88° 38' 02" E 1319.36 feet to a point on the North and South 1/4 line; thence S 01° 20' 04" W 331.61 feet along the North and South 1/4 line to the center post of Section 24; thence S 01° 22' 54" W 337.10 feet along the North and South 1/4 line; thence S 88° 36' 52" W 1318.86 feet; thence S 01° 25' 30" W 571.23 feet; thence N 60° 14' 00" W 1431.26 feet; thence N 88° 20' 00" W 60.00 feet to a point on the Westerly section line; thence N 01° 40' 00" E 158.04 feet along the Westerly section line to the point of beginning.

Affidavit

RECORDED IN MACOMB COUNTY RECORDS AT: 10:42 A.M.

A947857

JUL 16 1985

Edna M. Hill

CLERK - REGISTER OF DEEDS MACOMB COUNTY, MICHIGAN

LIBER 3792 PAGE 714

STATE OF MICHIGAN

County of Macomb ) SS

Robert R. Cunningham, Supervisor, Real Estate, Rights of Way and Claims of The Detroit Edison Company Detroit, Michigan, being duly sworn deposes and says:

THAT Cosimo Lombardo, Antoinette Lombardo and Anna Lisa Lombardo granted an easement to The Detroit Edison Company and the Michigan Bell Telephone Company dated the 24th day of December, 1984. Said easement was recorded in the office of the Register of Deed of Macomb County, Michigan on the 10th day of January, 1985 in Liber 3717 Page 823, and being more particularly described as: Township of Shelby, County of Macomb, State of Michigan. PARCEL A

"SHELBY FOREST MOBILE HOME PARK, STEP II", Part of the Southwest 1/4 of Section 24, Town 3 North, Range 12 East, Shelby Township, Macomb County, Michigan, more particularly described as commencing at the West 1/4 corner of said Section 24; thence S 01°40'00" W 158.04 feet along the West section line; thence S 88°20'00" E 60.00 feet; thence S 60°14'00" E 1431.26 feet to the point of beginning; thence N 01°25'30" E 571.12 feet; thence N 88°37'06" E 277.00 feet; thence S 01°26'00" W 1008.64 feet; thence S 89°04'00" W 258.80 feet; thence S 00°07'00" W 17.99 feet; thence S 89°04'00" W 392.79 feet; thence N 01°34'15" E 18.00 feet; thence N 89°04'00" E 374.38 feet; thence N 01°25'30" E 435.34 feet to the point of beginning. PARCEL B

"SHELBY FOREST MOBILE HOME PARK, STEP II," Part of the West 1/2 of Section 24, Town 3 North, Range 12 East, Shelby Township, Macomb County, Michigan, more particularly described as beginning at the West 1/4 corner of Section 24; thence N 01°24'59" E 663.68 feet along the Westerly section line; thence N 88°26'56" E 1319.33 feet; thence S 01°22'31" W 329.56 feet; thence N 88°38'02" E 1319.36 feet to a point on the North and South 1/4 line; thence S 01°20'04" W 331.61 feet along the North and South 1/4 line to the center post of Section 24; thence S 01°22'54" W 337.10 feet along the North and South 1/4 line; thence S 88°36'52" W 1318.86 feet; thence S 01°25'30" W 571.23 feet; thence N 60°14'00" W 1431.26 feet; thence N 88°20'00" W 60.00 feet to a point on the Westerly section line; thence N 01°40'00" E 158.04 feet along the Westerly section line to the point of beginning.

RECORDED RIGHT OF WAY NO. 357006

Deponent further states that on behalf of The Detroit Edison Company and the Michigan Bell Telephone Company the underground easement locations, as in said grant provided, are established by a drawing dated June 28, 1985 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.

Witness:

X Michael J. McCabe
Michael J. McCabe
X Carol A. Wuschack
Carol A. Wuschack

Robert R. Cunningham, Supervisor
Real Estate, Rights of Way and Claims
Macomb Division (L.S.)

STATE OF MICHIGAN

SS

COUNTY OF MACOMB

The foregoing instrument was acknowledged before me this 15th day of July, 1985, by Robert R. Cunningham, Supervisor, Real Estate, Rights of Way and Claims

Prepared By: RET

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

Michael J. McCabe
Notary Public, Macomb County, MI
My Commission Expires:

MICHAEL J. McCABE
Notary Public, Macomb County, MI
My Commission Expires Mar. 14, 1988

RECORDED IN MACOMB COUNTY  
RECORDS AT 10:44 A.M.  
JUL 18 1982  
CLERK - REGISTER OF DEEDS  
MACOMB COUNTY, MICHIGAN

4-3785-1714

RECORDED HIGHLY CL. MAY MO. ....

MICHAEL J. McCABE  
Notary Public, Macomb County, MI  
My Commission Expires Mar. 14, 1988

Date: July 24, 1985  
To: Records Center  
From: Robert R. Cunningham, Supervisor *RRC*  
Real Estate, Rights of Way and Claims  
Macomb Division  
Subject: Right of Way Agreement for Underground Residential  
Distribution for Shelby Forest Mobile Home Park,  
Step II located in part of the Southwest 1/4 of  
Section 24, and also part of the West 1/2 of  
Section 24, Town 3 North, Range 12 East, Shelby  
Township, Macomb County, Michigan

Attached for Records Center are the executed Right of Way Agreement, dated December 24, 1984, and Affidavit for above named project. Also enclosed are other pertinent papers relative to this project.

Easement for this project was requested by Phil Howard of the Service 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 Cosimo Lombardo, Antoinette Lombardo, his wife and Anna Lisa Lombardo, the Developers of Shelby Forest Mobile Home Park, Step II.

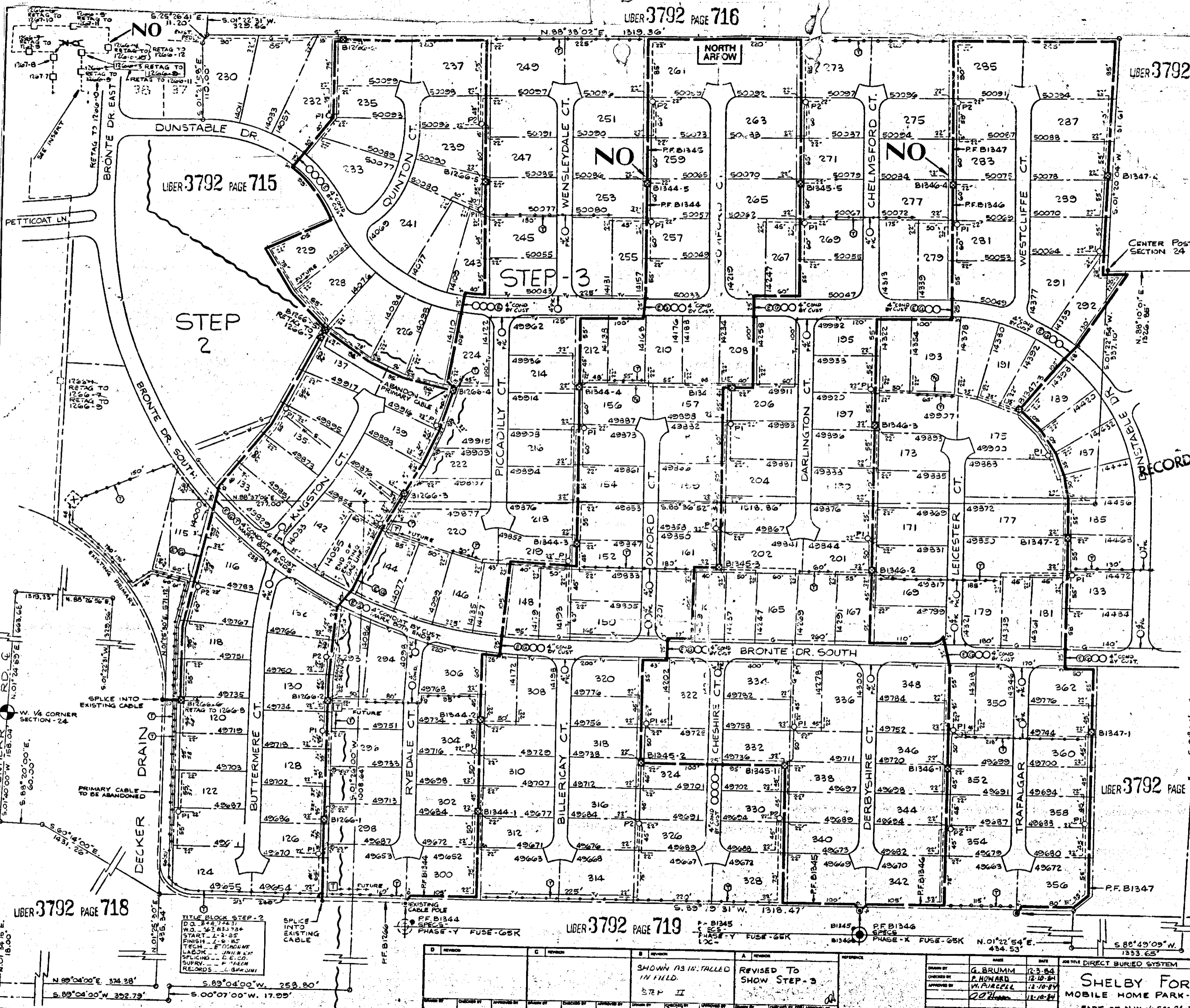
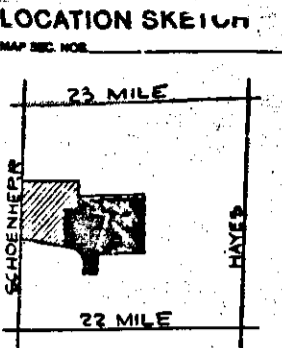
Please make the attached papers a part of recorded Rights of Way file.

RRC/caw

Attachment

RECORDED RIGHT OF WAY NO.

35606



TRANSFORMER DATA

U.D.T. NO.	SIZE	ED. ST. NO.
1266-1	50	661-1151
1344-1	50	661-1151
1345-1	50	661-1152
1346-1	50	661-1152
1347-1	50	661-1151

RECORDED RIGHT OF WAY  
35606

TRANSFORMER SPEC: 1-17-261  
 PEDESTAL SPEC: B STEP 2 20 STEP 3  
 NO. OF PEDESTALS: 10  
 NO. OF TEMPORARY CABLE MARKERS: 10  
 TEMPORARY CABLE MARKER SPEC:  
 SECONDARY CONNECTION BOX SPEC:

- CODE —
- ⊙ TEMPORARY SECONDARY PEDESTAL/TEMPORARY CABLE MARKER
  - ⊙ DTI DEAD FRONT TYPE
  - ⊙ LUT NON-SWITCHING-LIVE FRONT TYPE
  - ⊙ LUT 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 SECTION TRENCH ONLY
  - ⊙ TELEPHONE TRENCH ONLY
  - ⊙ SEWER
  - ⊙ WATER
  - ⊙ GAS
  - ⊙ PROPOSED CONDUIT
  - ⊙ SEP DOWN CABINET

CABLE SUMMARY

ITEM #	QUANTITY	UNIT	STEP 2	STEP 3
1	1	11.25 KV	713382	713382
2	1	APD 300M & 1-140 600 V	713382	713382
3	1	APD 300 & 1-141 600 V	713382	713382

TRENCH SUMMARY

ITEM #	QUANTITY	UNIT	STEP 2	STEP 3
1	1	11.25 KV	713382	713382
2	1	APD 300M & 1-140 600 V	713382	713382
3	1	APD 300 & 1-141 600 V	713382	713382

— GENERAL NOTES —

TRENCHING TO BE DONE BY: D.E.G.O.

TRENCH AND CABLE LENGTHS ARE APPROXIMATE.

SEE SECTION 88 US LINE CONSTRUCTION STANDARDS FOR TRANS. MAT. DETAILS.

SEE PAGE 3-11 BLDG. DETAILS FOR ENTRANCE POINT DETAILS (APTS. ONLY).

SEE SECTION 43 US LINE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES, TRANSFORMERS AND PEDESTALS (BUTTS ONLY).

D.E. SERVICE PLANNER: P. HOWARD 286-5422

TEL. CO.: D. KLIMEK 463-8160

GAS CO.: B. VERNAGU 858-2222 EXT. 317

OTHER: CATV: HENRY POSTAL 573-8857

CONTACT 1-888-DIG-7171 BEFORE DOING ANY EXCAVATION.

DIMENSIONS INDICATED BY OUR CENTERLINE ARE IN WIDTH UNLESS OTHERWISE NOTED.

PERMITS REQUIRED

SOIL CLASSIFICATION COUNTY NOTIFICATION ONLY

CITY OF SHELBY TWP. STATE OF MI. NO.

THE DETROIT EDISON COMPANY SERVICE PLANNING

NO. OF LOTS: 29-STEP-2 (109) 384

NO. OF LOTS: 29-STEP-3 (109) 384

DISTRICT: A

8648 MALTA 13.2 KV.

MACOMB CO. 85A-74491 STEP-2

85A-74491 STEP-3

NO.	REVISION	DATE	BY
1	SHOWN AS INSTALLED IN FIELD	12-3-84	G. BRUMM
2	REVISED TO SHOW STEP-3	12-10-84	P. HOWARD
3		12-10-84	M. PIERCE
4		12-10-84	J. HARRIS

DESIGNED BY: G. BRUMM 12-3-84

CHECKED BY: P. HOWARD 12-10-84

APPROVED BY: M. PIERCE 12-10-84

DATE: 12-10-84

SYSTEM: DIRECT BURIED SYSTEM - URD -

SHELBY FOREST MOBILE HOME PARK-STEP 2 & 3

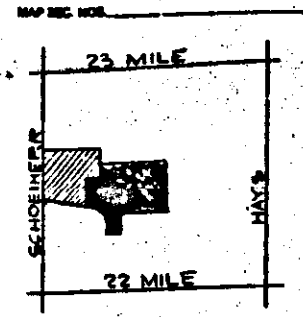
PART OF N.W. 1/4 SEC. 24-T3N R12E

SHELBY TWP.

RECORDED RIGHT OF WAY NO. 35606

35606





LIBER 3792 PAGE 715

STEP 2

STEP - 3

LIBER 3792 PAGE 719

LIBER 3792 PAGE 720

TRANSFORMER DATA

U.D.T. NO	SIZE	ED. STK. NO.
1266-1	25	661-1151
1266-2	25	661-1152
1344-1	50	661-1151
1344-2	50	661-1152
1345-1	50	661-1152
1346-1	50	661-1151
1347-1	25	661-1151
1347-2	25	661-1151

TRANSFORMER SPEC. 1-17-261  
 PEDESTAL SPEC.  
 NO. OF PEDESTALS 8 STEP 2 26 STEP 3  
 NO. OF TEMPORARY CABLE MARKERS 10  
 TEMPORARY CABLE MARKER SPEC.  
 SECONDARY CONNECTION BOX SPEC.

RECORDED RIGHT OF WAY 13566

CODE

- TEMPORARY SECONDARY PEDESTAL/TEMPORARY CABLE MARKER
- OPT DEAD FRONT TYPE
- LEFT SIDE SWITCHING - LIVE FRONT TYPE
- RIGHT SIDE SWITCHING - LIVE FRONT TYPE
- DIRECTION OF TRANSFORMER DOOR OPENING
- SECONDARY PEDESTAL
- SECONDARY CONNECTION BOX
- CABLE POLE
- PRIMARY SWITCH CABINET
- BURNED PRIMARY CABLE - ALL VOLTAGES
- BURNED SECONDARY CABLE
- BURNED SECONDARY SERVICE CABLE
- DETROIT EMBLEM TRENCH ONLY
- TELEPHONE TRENCH ONLY
- SEWER
- WATER
- GAS
- PROPOSED CONDUIT
- SEP DOWN CABINET

CABLE SUMMARY

STEP 2 STEP 3  
 A.M.R. # 1121 RV (73388 2725 1615) 1000'  
 F.M.R. # 140 88 V. 54 (73487 2725 77) 2500'  
 F.M.R. # 141 88 V. 54 (73488 2725 16000)

TRENCH SUMMARY

JOINT USE - 2725 867 JOINT USE - 145524  
 TEL ONLY - 2725 867 TEL ONLY - 1825 9  
 TEL ONLY - 78 64 TEL ONLY - 1825 9  
 TEL ONLY - 442 TEL ONLY - 1825 9  
 GAS ONLY - 250 TEL ONLY - 1825 9  
 T.V. & GAS - 250 TEL ONLY - 1825 9

GENERAL NOTES

TRENCHES TO BE DONE BY P.E.C.O.  
 TRENCH AND CABLE LENGTHS ARE APPROXIMATE.  
 SEE SECTION 48 US LINE CONSTRUCTION STANDARDS FOR TRIMS AND DETAILS.  
 SEE PAGE 341 (PLAN) DETAIL - 1 - FOR STRICHES FROM DETAILS (APTS. ONLY).  
 SEE SECTION 48 US LINE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES.  
 TRANSFORMERS AND PEDESTALS (SETS) ONLY.  
 D.E. SERVICE PLANNER P. HOWARD 286-5422  
 TEL. CO. D. KLIMEK 493-8160  
 GAS CO. B. VERNAGUS 658-2222 EXT. 317  
 OTHERS: CATV HENRY POSTAL 573-6857  
 CONTACT "488 DIS" (888-488-4888) BEFORE DOING ANY EXCAVATION.  
 EMBLEMMENTS INDICATED BY OUR CENTRAL LINE ARE BY MONTH UNLESS OTHERWISE NOTED.

PERMITS REQUIRED

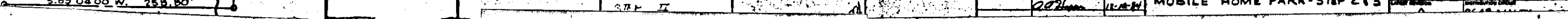
SOIL 29-320M COUNTY NOTIFICATION ONLY  
 CITY OF SHELBY TWP.  
 STATE 106 110

SHOWN AS IN TALLED IN FIELD.  
 REVISED TO SHOW STEP - 3

DESIGNED BY G. BRUMM 12-3-84  
 CHECKED BY P. HOWARD 12-10-84  
 APPROVED BY W. PURCELL 12-10-84  
 DATE 11-1-84

288 F.M. DIRECT BURIED SYSTEM - UNL -  
 THE DETROIT EMBLEM COMPANY  
 SERVICE PLANNING  
 2301 EAST 14TH AVE  
 DETROIT, MI 48207  
 313-833-1100  
 1" = 50'

TITLE BLOCK STEP-2  
 NO. 3792-717  
 START 1-3-85  
 FINISH 1-2-85  
 TECH. - E. DUNLAP  
 LABOR - J. H. LEE  
 CHECKING - C. C. CO.  
 SUPPLY - P. H. BACH  
 RECORDS - G. J. JANI



35606