

Real Estate & Rights of Way

Detroit Edison

Joint Underground Residential Distribution Right of Way Agreement

B233528

March 30, 1987

For good and valuable consideration of system betterment, the undersigned hereby grant and convey to THE DETROIT EDISON COMPANY, a Michigan corporation, of 2000 Second Avenue, Detroit, Michigan and the MICHIGAN BELL TELEPHONE COMPANY, a Michigan corporation, of 444 Michigan Avenue, Detroit, Michigan, hereinafter referred to collectively as "UTILITY", the right to erect, lay, maintain, reconstruct, add to and replace underground facilities consisting of wires, cables, conduits, fixtures and appurtenances including the necessary above ground equipment, connections, poles and required to provide communication and electric services in, under, upon, over and across the property located in the Township of Clinton County of Macomb State of Michigan, and more particularly described on the attached Appendix "A"; with the full right to the UTILITIES of ingress and egress upon said property for the purposes of this grant, and the further right to trim, cut down or otherwise control brush and trees within the right of way herein described.

Said right of way shall be ten (10) feet in width unless otherwise indicated and the route is described as follows:

The exact location of said easement will be as shown on a drawing to be recorded within 90 days after construction.

"STILL MEADOW CONDOMINIUMS-PHASE 2" Lots 8, 9 and 10 of Supervisor's Plat No. 7, being a part of Fractional Sections 25 and 26 and Private Claims 164, 173 and 152, T2N, R13E, as recorded in Liber 18 of Plats, Page 49, Macomb County Records.

In order to provide for the proper maintenance and protection of UTILITY, the undersigned covenant and agree that:

1. The right of way will be graded to within four inches of final grade before the UTILITY'S lines are installed and this ground elevation must be maintained after installation of utilities to avoid the pooling of water in, on or around UTILITY'S above ground equipment.
2. No buildings or structures other than UTILITY'S equipment are to be placed within the right of way herein granted. No excavation is to be permitted within said right of way without approval of UTILITY.
3. No shrubs or foliage shall be planted or grown within eight feet of the front door of transformers or switching cabinet enclosures. UTILITY 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 right of way causing an interference with UTILITY'S maintenance of their equipment.
4. If the lines or facilities of UTILITY 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 the persons owning the property at the time the damage occurred.

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

IN WITNESS WHEREOF, the undersigned have hereunto set their hand(s) on the date of this agreement.

Witnesses:

X Edward Knopf  
Edward Knopf

X Pamella S. Falconello  
Pamella S. Falconello

Grantors:

Russell-Knopf Development Co., Inc.  
Edward J. Russell and Sons,  
a Michigan ~~corporation~~ partnership Corporation

BY: Robert Knopf  
ROBERT KNOPF PRESIDENT

BY: Edward J. Russell III  
EDWARD J. RUSSELL III

Prepared by: Susan Putrycus  
Return to: 15600 - 19 Mile Road  
Mt. Clemens, Michigan 48044

Address:  
880 Sunnydale SUMMINGDALE DR  
Grosse Pointe Woods, Michigan 48236

BEING RE-RECORDED TO INCLUDE 'APPENDIX A'

RECORDED WITH NO. 38643

Acknowledgement-Individual

(LIBER 4175 PAGE 233)

STATE OF MICHIGAN

County of \_\_\_\_\_ )SS

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, the foregoing instrument was acknowledged before me, a notary public in and for said county, by \_\_\_\_\_

Notary Public, \_\_\_\_\_ County, Michigan

My commission expires \_\_\_\_\_

Acknowledgement-Individual

STATE OF MICHIGAN

County of \_\_\_\_\_ )SS

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, the foregoing instrument was acknowledged before me, a notary public in and for said county, by \_\_\_\_\_

Notary Public, \_\_\_\_\_ County, Michigan

My commission expires \_\_\_\_\_

RECORDED IN MACOMB COUNTY  
RECORDS AT: 11:20 AM

MAR 8 1988

Acknowledgement-Corporation

STATE OF MICHIGAN

County of Macomb )SS

On this 7th day of April, 1987, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Robert Knopf and Edward J. Russell III

whose title(s) is/are President and Secretary-Treasurer

of Russell-Knopf Development, Inc., a Michigan corporation, on behalf of the corporation

Pamella S. Falconello  
Pamella S. Falconello  
Notary Public, Macomb County, Michigan

My commission expires 10/23/89

RECORDED IN MACOMB COUNTY  
RECORDS AT: 12:45 PM

APR 21 1987

Acknowledgement-Partnership

STATE OF MICHIGAN

County of \_\_\_\_\_ )SS

On this \_\_\_\_\_ day of \_\_\_\_\_, 1987, the foregoing instrument was acknowledged before me, a notary public in and for said county, by \_\_\_\_\_

(a) general/managing partner(s), on behalf of Edward J. Russell and sons, a Michigan partnership.

Notary Public, \_\_\_\_\_ County, Michigan

My commission expires \_\_\_\_\_

Edna M. Hill  
CLERK - REGISTER OF DEEDS  
MACOMB COUNTY, MICHIGAN

RECORDED RIGHT OF WAY NO. 30042

Detroit  
Edison

11.4. Temp  
10. 11.2 + 173  
5E3 2-26

Date: March 28, 1988

To: Records Center

From: D. R. Sorensen, Supervising Engineer  
Division Engineering  
Macomb Division

Subject: Right of Way Agreement for Underground Residential  
Distribution for Still Meadow Condominiums, Phase II,  
located in part of Fractional Sections 25 and 26, and  
Private Claims 164, 173 and 152, Town 2 North, Range 13  
East, Clinton Township, Macomb County, Michigan

Attached for Records Center is the executed Right of Way  
Agreement, dated March 30, 1987, and other pertinent papers for  
the above named project.

Easement for this project was requested by Jerald Pollard,  
Service Planner, Macomb Division. The Agreement was negotiated  
by Susan Putrycus, Representative of Real Estate, Rights of Way  
and Claims, Macomb Division.

Detroit Edison Company and Michigan Bell Telephone Company made  
this agreement with Russell-Knopf Development Co., Inc., Robert  
Knopf, President, the developer of Still Meadow Condominiums,  
Phase II.

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

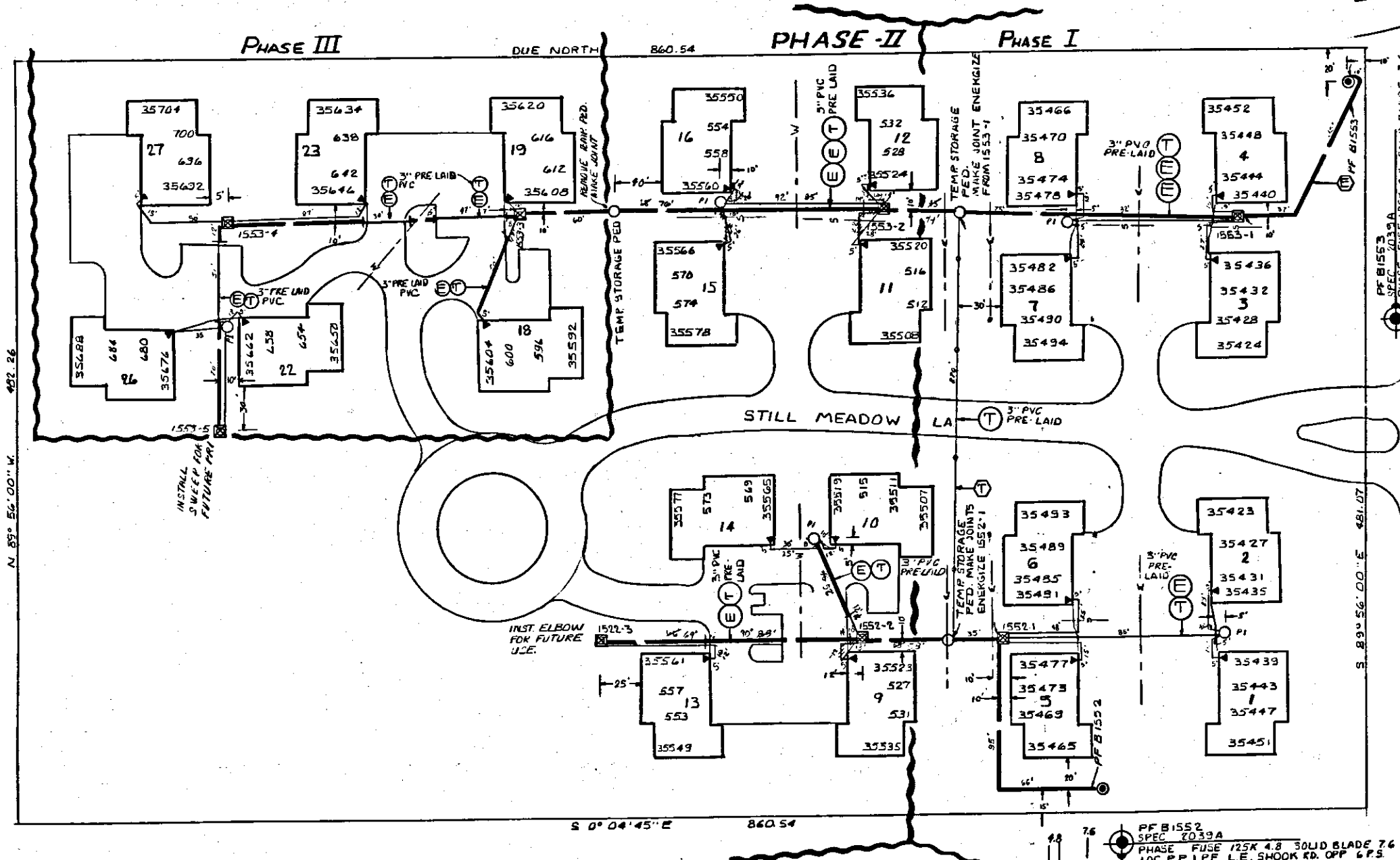
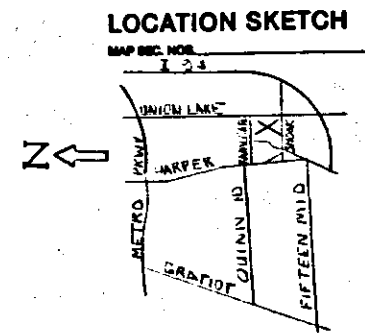
DRS/caw

Attachment

RECORDED RIGHT OF WAY NO. 38242



11 APPENDIX A



**PHASE III**

**CABLE SUMMARY** D.O. 87A73836 W.O. 367831170

#2 ALPFC # 113.2KV	713-3073	420'
#2 250M # 1-16 200V	713-0537	35'
#2 2-3/8 # 10AL	713-0536	420'

**TRENCH SUMMARY**

JOINT USE 300' SER. 214' M.J.S.T.

TOTAL 596'

NO. OF PED 1 NO. OF TRANS. 3

**TRANSFORMER DATA**

PHASE	U.D.T. NO.	SIZE	ED. STK. NO.
PHASE I	1552-1	100	661-1153
	1553-1	100	1153
PHASE II	1552-2	50	1152
	1553-2	50	1152
	1553-3	50	1152
PHASE III	4	50	1152
	5	100	1153

- TRANSFORMER SPEC.** 1-17-241
- PEDESTAL AMOUNT 2 SPEC 1-13-231
- TEMPORARY CABLE MARKERS AMOUNT SPEC
- SECONDARY CONNECTION BOX AMOUNT SPEC
- CODE**
- ⊕ TEMPORARY SECONDARY PEDESTAL/TEMPORARY CABLE MARKER
  - ⊖ OFF DEAD FRONT TYPE
  - ⊙ ON (NON-SWITCHING—LIVE FRONT TYPE)
  - ⊙ ON (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
- NOTE:** METER SHALL BE LOCATED IN SHADED AREA CLOSEST TO D.E.CO. SOURCE.
- DWELLING**

**PHASE II**

**CABLE SUMMARY** D.O. 87A 73654 W.O. 367831293

#2ALPFC # 113.2KV (713-3073 500' 362')

#2 250M # 1-16 200V (713-0537 242' 182')

#2 2-3/8 # 10AL (713-0536 330' 235')

**TRENCH SUMMARY**

JOINT USE 687' 777'

TOTAL 687' 777'

SITE SUP. & KNOFF PHONE NO. 881-2135

**GENERAL NOTES**

D.E. SERVICE PLANNER J. POLLARD 786-2421

TEL. CO. D. BOLLKOFF 445-3254

**INSTALLED CABLE SUMMARY**

ITEM #	DESCRIPTION	ESTIMATED
1	#2ALPFC # 113.2KV	713-3073 420'
2	#2 250M # 1-16 200V	713-0537 35'
3	#2 2-3/8 # 10AL	713-0536 420'

**TRENCH SUMMARY**

JOINT USE 731'

D.E. ONLY 142'

TEL. ONLY 270'

GAS ONLY

OTHERS

TOTAL 1143'

SITE SUP. & KNOFF PHONE NO. 881-2135

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

**GENERAL NOTES**

TRENCHING TO BE DONE BY D.E. CO.

TRENCH AND CABLE LENGTHS ARE APPROXIMATE.

SEE SECTION 58 U.S. LINE CONSTRUCTION STANDARDS FOR FRAME, MAT. DETAILS.

SEE PAGE 33-11 (S.I.M.) DETAIL " " FOR ENTRANCE POINT DETAILS (APTS. ONLY).

SEE SECTION 43 U.S. LINE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES.

TRANSFORMERS AND PEDESTALS (SU'S) ONLY.

D.E. SERVICE PLANNER J. POLLARD 286-9421

TEL. CO. D. BOLLKOFF 445-3254

GAS CO.

OTHERS

**TITLE BLOCK PHASE II**

D.O. 87A-73654  
W.O. 367831293  
START 8-25-87  
FINISH 8-29-87  
TRCH. P. OSBORNE  
LABOR UNION INC. CO.  
SPICING HARLAN  
SUNNY P. CARON  
RECORDS & GUARDIAN

REVISION	REVISION	REVISION	REVISION
D	C	B	A
SHOWN AS INSTALLED IN FIELD PHASE II	REVISED TO SHOW PHASE III	REVISED TO SHOW PHASE II	
DATE: 2-16-88	DATE: 2-18-88	DATE: 2-19-88	DATE: 10-22-87
BY: J. POLLARD	BY: J. POLLARD	BY: J. POLLARD	BY: D. ADAM
CHECKED BY: J. POLLARD	CHECKED BY: J. POLLARD	CHECKED BY: J. POLLARD	CHECKED BY: J. POLLARD
APPROVED BY: J. POLLARD	APPROVED BY: J. POLLARD	APPROVED BY: J. POLLARD	APPROVED BY: J. POLLARD

**START DATE** \_\_\_\_\_

**PERMITS REQUIRED**

MACOMB COUNTY NOTIFICATION TO SOIL EROSION

STATE  YES  NO

**THE DETROIT EDISON COMPANY**

SERVICE PLANNING UNIT 367831170

STILL MEADOW CONDOMINIUMS  
PART OF FRAC. SEC'S 25 & 26 & P.C.'S 164, 173 & 152, T. 2 N., R. 13 E.

TWP OF CLINTON COUNTY OF MACOMB

DATE: 10-1-86  
DRAWN BY: D. ADAM  
CHECKED BY: J. POLLARD  
APPROVED BY: J. POLLARD

DATE: 10-3-86  
DATE: 10-6-86

SCALE: 1" = 40'

NUMBER OF SHEETS: 32

SHEET: 32

DATE: 10-1-86

BY: J. POLLARD

DATE: 10-1-86

BY: J. POLLARD

DATE: 10-1-86

BY: J. POLLARD