

Real Estate and Rights of Way

**Detroit Edison**

# Joint Underground Residential Distribution Right of Way Agreement

**B233529**

July 1, 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, MICHIGAN BELL TELEPHONE COMPANY, a Michigan corporation of 444 Michigan Avenue, Detroit, Michigan and Comcast Cable Television, a Michigan corporation of 6065 Wall Street, Sterling Heights, MI 48077-1860 hereinafter referred to collectively as "GRANTEE", 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 accessories required 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 GRANTEE 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 easements will be as shown on a drawing to be recorded within 90 days after construction.

RECORDED IN MACOMB COUNTY  
SEE APPENDIX "RECORDS AT: 11:21A M.

MAR 8 1988

*[Signature]*  
CLERK - REGISTER OF DEEDS  
MACOMB COUNTY, MICHIGAN

RECORDED IN  
RECORDS AT: 10:30A

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

1. The right of way will be graded to within four inches of final grade before the GRANTEE'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 GRANTEE'S above ground equipment
2. No buildings or structures other than GRANTEE'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 GRANTEE.
3. No shrubs or foliage shall be planted or grown within eight feet of the front door of transformers or switching cabinet enclosures GRANTEE 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 GRANTEE'S maintenance of their equipment.
4. If the lines or facilities of GRANTEE are damaged by the acts of owners, their agents, employes or contractors, repairs shall be made by the granting company so damaged at the cost and expense of owners. Owners are defined as those 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

Grantors

x *[Signature]*  
LOUIS J. DOHERTY

x *[Signature]*  
DOROTHY M. KRYSZAK

x *[Signature]*  
Patrick Doherty

x *[Signature]*  
Deborah Doherty, his wife

x *[Signature]*  
Samuel Argiri, Jr.

x *[Signature]*  
Sahron K. Argiri, his wife

Prepared by  
+ RETURN TO: Susan A. Putrycus  
15600 - 19 Mile Road  
Mt. Clemens, Michigan 48044

Address:  
47946 Pheasant  
New Baltimore, MI 48047

BEING RE RECORDED TO INCLUDE "APPENDIX B"

RECORDED RIGHT OF WAY NO. 32043

STATE OF MICHIGAN

County of Macomb )SS

On this 1 day of July, 1987, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Patrick Doherty and Deborah Doherty, husband and wife

DOROTHY M. KRYSZAK  
Notary Public, Macomb County, MI  
My Commission Expires April 28, 1991

Dorothy M. Kryszak  
Notary Public, Macomb County, Michigan

My commission expires: 4-28-91

Acknowledgement-Individual

STATE OF MICHIGAN

County of Macomb )SS

On this 1 day of July, 1987, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Samuel Argiri, Jr. and Sharon K. Argiri, husband and wife

DOROTHY M. KRYSZAK  
Notary Public, Macomb County, MI  
My Commission Expires April 28, 1991

Dorothy M. Kryszak  
Notary Public, Macomb County, Michigan

My commission expires 4-28-91

Acknowledgement-Corporation

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 \_\_\_\_\_  
whose title(s) is /are \_\_\_\_\_  
of \_\_\_\_\_, a \_\_\_\_\_ corporation, on behalf of the corporation.

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

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

RECORDED RIGHT OF WAY NO. 38043

Acknowledgement-Partnership

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 \_\_\_\_\_  
(a) general/managing partner(s), on behalf of \_\_\_\_\_ a partnership.

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

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

APPENIX "A"

"HICKORY WOODS APARTMENTS", Situated in the Township of Clinton, Macomb County, Michigan described as: Land located in and being a part of the Southeast 1/4 of Section 28, T2N, R13E, Township of Clinton, Macomb County, Michigan, described as part of Lot 4, Supervisor's Plat No. 6, according to the plat thereof as recorded in liber 17, page 3, of Plats, Macomb County Records, and acreage together described as commencing at the South 1/4 post of said Section 28; thence S 89°00' E 277.73 feet; thence N 00°45'55" E 60.0 feet to the point of beginning; thence continuing N 00°45'55" E 730.0 feet; thence S 89°00' E 54.87 feet; thence N 00°43'10" E 569.96 feet; thence S 87°25' E 163.46 feet; thence S 00°48'40" W 1212.44 feet; thence N 89°00' W 96.39 feet; thence S 00°48'40" W 83.0 feet; thence N 89°00' W 120.28 feet to the point of beginning. Also, land in the Township of Clinton, Macomb County, Michigan, described as follows: Commencing at a point 657.4 feet S 89°00' E of the South 1/4 post of Section 28; thence N 01°00' E 353.00 feet to the point of beginning; thence N 01°00'03" E 993.0 feet; thence N 87°25'00" W 161.5 feet; thence S 01°00'03" W 997.0 feet; thence S 89°00' E 162.6 feet to the point of beginning.

RECORDED RIGHT OF WAY NO. 3804/3

Detroit  
Edison

*File for 1/2  
2/21, 1988 f*

Date: March 21, 1988  
To: Records Center  
From: D. R. Sorensen, Supervising Engineer  
Division Engineering *DRS*  
Macomb Division  
Subject: Right of Way Agreement for Underground Residential  
Distribution for Hickory Woods Apartments, located in  
part of the Southeast 1/4 of Section 28, Town 2 North,  
Range 13 East, Clinton Township, Macomb County,  
Michigan

Attached for Records Center is the executed Right of Way Agreement, dated July 1, 1987, and other pertinent papers for above named project.

Easement for this project was requested by Richard Mroz, 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, Comcast Cable Television and Michigan Bell Telephone Company made this agreement with Patrick Doherty and Deborah Doherty, his wife, Samuel Argiri, Jr. and Sharon K. Argiri, his wife, the developers of Hickory Woods Apartments.

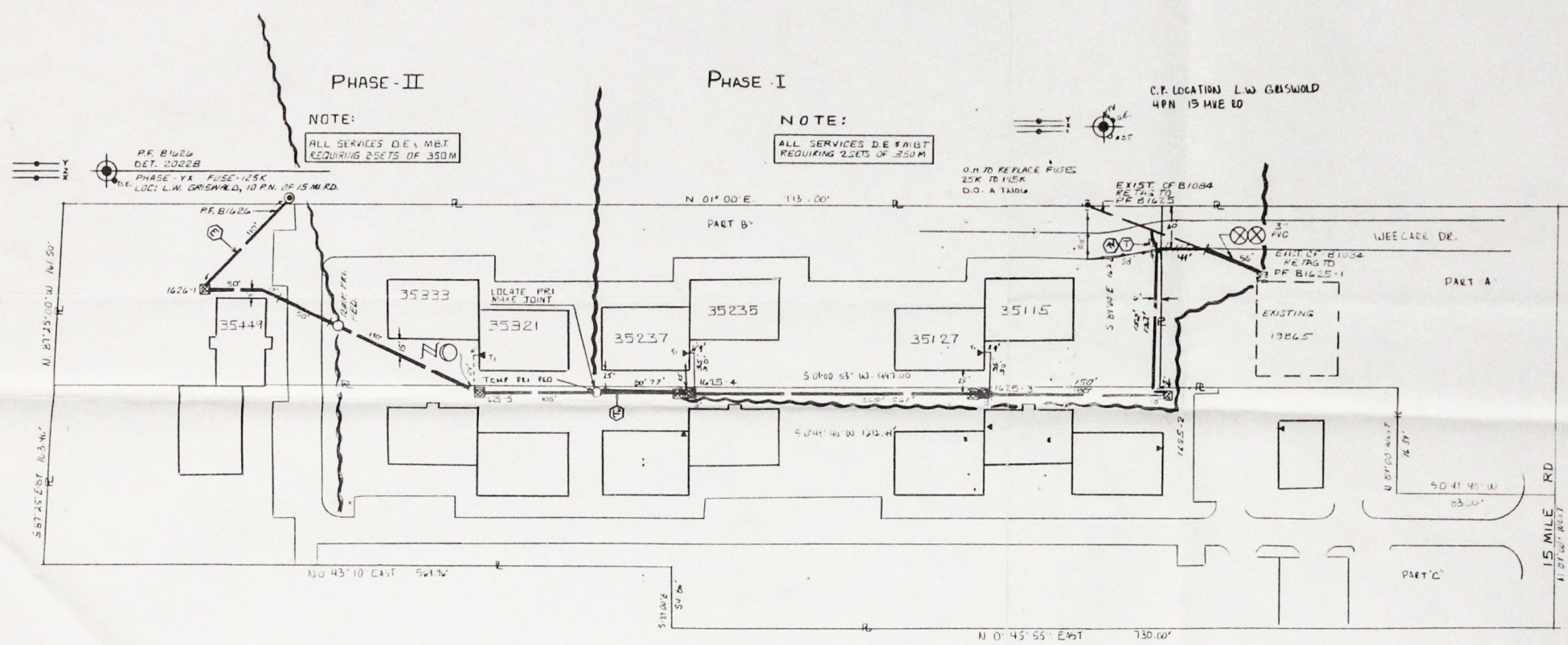
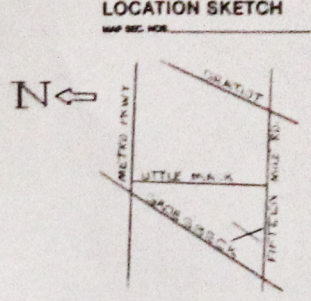
Please make the attached papers a part of recorded Rights of Way file.

DRS/caw

Attachment

RECORDED RIGHT OF WAY NO. 3824/3

"Appendix B"



PHASE - II  
NOTE:  
ALL SERVICES DE 4 MBT  
REQUIRING 2 SETS OF 350M

PHASE - I  
NOTE:  
ALL SERVICES DE 4 MBT  
REQUIRING 2 SETS OF 350M

C.P. LOCATION L.W. GRISWOLD  
4PN 15 MVE ED

**TRANSFORMER DATA**

U.D.T. NO.	SIZE	ED. STK. NO.
1025-1	50	661-1157
2	50	1157
3	100	1158
4	100	1158
PHASE II	100	661-1158

**PHASE II  
CABLE SUMMARY**

#2 U 1012 2173-3075 = 300'  
AP2 350M 11-10 60V 1113-0537 = 110'

**TRENCH SUMMARY**

JOINT USE 140'  
D.E. ONLY 140'  
TV ONLY 30'  
SERV. 30'  
TOTAL 340'

**TRANSFORMER SPEC** 117-263

PEDESTAL AMOUNT SPEC

TEMPORARY CABLE MARKERS AMOUNT 1 SPEC

SECONDARY CONNECTION BOX AMOUNT SPEC

- CODE**
- ⊙ TEMPORARY SECONDARY PEDESTAL/TEMPORARY CABLE MARKER
  - ⊙ DFT DEAD FRONT TYPE
  - ⊙ DFT SWITCHING-LIVE FRONT TYPE
  - ⊙ DFT 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	ESTIMATED
176	AP2 350M & 140 60V 15%	713-3075 = 300'
	AP2 30 & 141 60V	713-0537 = 110'

**TRENCH SUMMARY**

JOINT USE	140'	656'
D.E. ONLY	140'	72'
TV ONLY	30'	116'
SERV. ONLY	30'	18'
OTHERS		
TOTAL	733'	862'

SITE SUPT. P. DOHERTY PHONE NO. 773-2400

**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.C.O.

TRENCH AND CABLE LENGTHS ARE APPROXIMATE.

SEE SECTION 56 UG LINE CONSTRUCTION STANDARDS FOR TRANS. MAT. DETAILS.

SEE PAGE 3-11 S.I.M.J. DETAIL FOR ENTRANCE POINT DETAILS (APTS. ONLY).

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

D.E. SERVICE PLANNER: R. MROZ 286-3438

TEL. CO.: D. BUCKOUT 445-3254

GAS CO.: H. POSTL 478-6670

**TITLE BLOCK PHASE I**

D.O. 874-73725  
W.O. 3478-43016  
START 8-31-87  
FINISH 9-5-87  
TECH. F. OSBORNE  
LABOR UNION EAC. CO.  
SPICING HARLAN  
SUPRV. P. CARSON  
RECORDS L. GIARDINI

REVISION	DATE	DESCRIPTION
D		REVISION
C		REVISION
B		REVISION
A		REVISION

REVISION	DATE	DESCRIPTION
D		REVISION
C		REVISION
B		REVISION
A		REVISION

NAME	DATE	JOB TITLE
D. ADAMS	6-11-87	DIRECT BURIED SYSTEM
R. MROZ	6-15-87	
H. POSTL	6-17-87	
A. HARRIS	6-18-87	

DATE	BY	DESCRIPTION
6-11-87	D. ADAMS	START
6-15-87	R. MROZ	REVISION
6-17-87	H. POSTL	REVISION
6-18-87	A. HARRIS	REVISION

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

**CITY OF** CLINTON **COUNTY OF** MACOMB

**NOTIFICATION TO** SOIL EROSION

**STATE** YES  NO

**THE DETROIT EDISON COMPANY**

**SERVICE PLANNING**

NUMBER OF SHEETS: 32 PHASE I, 32 PHASE II, 32 PHASE III

LATEST REVISION: "C"

DISTRIBUTION CIRCUIT: 1949 NUNNELEY #8KV

DEPT. ORDER NUMBER: 37473725

SHEET 1 OF 1