

Detroit Edison

Real Estate & Rights of Way  
Joint Underground Residential Distribution  
Right of Way Agreement B233530

BEING RE RECORDED TO INCLUDE APPENDIX "B"

MAC-118

12-10, 1986

This document being re-recorded to include Harron Cable Television, a Michigan corporation of 55800 New Haven Road, New Haven, Michigan 48048

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 Village of New Haven 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 easements will be as shown on a drawing to be recorded within 90 days after construction.

RECORDED IN MACOMB COUNTY RECORDS AT: 10:30 A.M. JUL 9 1987 Edna [Signature] CLERK - REGISTER OF DEEDS MACOMB COUNTY, MICHIGAN

RECORDED IN MACOMB COUNTY RECORDS AT: 2:32 P.M. JAN - 5 1987 Edna [Signature] CLERK - REGISTER OF DEEDS MACOMB COUNTY, MICHIGAN

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 the 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, 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 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 Susan Putrycus SUSAN PUTRYCUS

x Barbara J Collins BARBARA J COLLINS

Grantors:

Briarwood, a Michigan Limited Partnership

BY: A. EAST LEWIS

BY: THOMAS HARLY

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

H. Seed

Acknowledgement-Individual

LIBER 4380 PAGE 351

STATE OF MICHIGAN

County of Macomb )SS

On this \_\_\_ day of \_\_\_\_\_, 19 86, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Gerald C. Vorbeck and Mary B. Vorbeck, husband and wife

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

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

Acknowledgement-Individual

STATE OF MICHIGAN

County of Macomb )SS

On this \_\_\_ day of \_\_\_\_\_, 19 86, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Wayne C. Rickert and Doris F. Rickert, husband and wife

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

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

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

RECORDED IN MACOMB COUNTY  
RECORDS AT: 11:22 A M.

MAR 8 1988

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

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

*Edna M. [Signature]*

CLERK - REGISTER OF DEEDS  
MACOMB COUNTY, MICHIGAN

Acknowledgement-Partnership

STATE OF MICHIGAN

County of Macomb )SS

On this 5<sup>th</sup> day of December, 19 86 the foregoing instrument was acknowledged before me, a notary public in and for said county, by A. BART LEWIS and Thomas Hardy general/managing partner(s), on behalf of Briarwood, a Michigan Limited "CO-" partnership.

*Tracy L. [Signature]*  
Tracy L. [Signature]  
Notary Public, Macomb County, Michigan

My commission expires 5-14-89

RECORDED RIGHT OF WAY NO. 38056

APPENDIX "A"

Parcel A: That part of the East half of the Southwest quarter of Section 27, Town 4 North, Range 14 East, Township of Lenox, lying west of Gratiot Avenue, except the South 14 acres. Subject to the rights of the public and of any governmental unit in any part thereof taken, used or deeded for street, road or highway purposes.

Parcel B: A parcel located in the Village of New Haven, Township of Lenox, being part of Section 27, Town 4 North, Range 14 East, described as the South 14 acres of that part of the east half of the southwest quarter of Section 27, lying west of Gratiot Avenue, excepting and reserving however to the sellers from said Parcel B a parcel of land off the south side of said 14 acre parcel, said retained land having a frontage of 300 feet on Gratiot Avenue and extending westerly to the westerly fence line of sellers property, and upon which said parcel the sellers have their homestead. Subject to the rights of the public and of any governmental unit in any part thereof taken, used or deeded for street, road or highway purposes.

RECORDED RIGHT OF WAY NO. 38056

**Detroit  
Edison**

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LENOX Twp.  
SEC. 27; SW 1/4, E 1/2 of

**Date:** March 21, 1988  
**To:** Records Center  
**From:** D. R. Sorensen, Supervising Engineer  
Division Engineering  
Macomb Division *DRS*  
**Subject:** Right of Way Agreement for Underground Residential  
Distribution for Briarwood Estates Mobile Home Park,  
Phase V, located in part of the Southwest 1/4 of  
Section 27, Town 4 North, Range 14 East, Lenox  
Township, Macomb County, Michigan

Attached for Records Center is the executed Right of Way Agreement, dated December 10, 1986, and other pertinent papers for above named project.

Easement for this project was requested by Richard Piper, Service Planner, Macomb Division. The Agreement was negotiated by Michael J. McCabe, Representative of Real Estate, Rights of Way and Claims, Macomb Division.

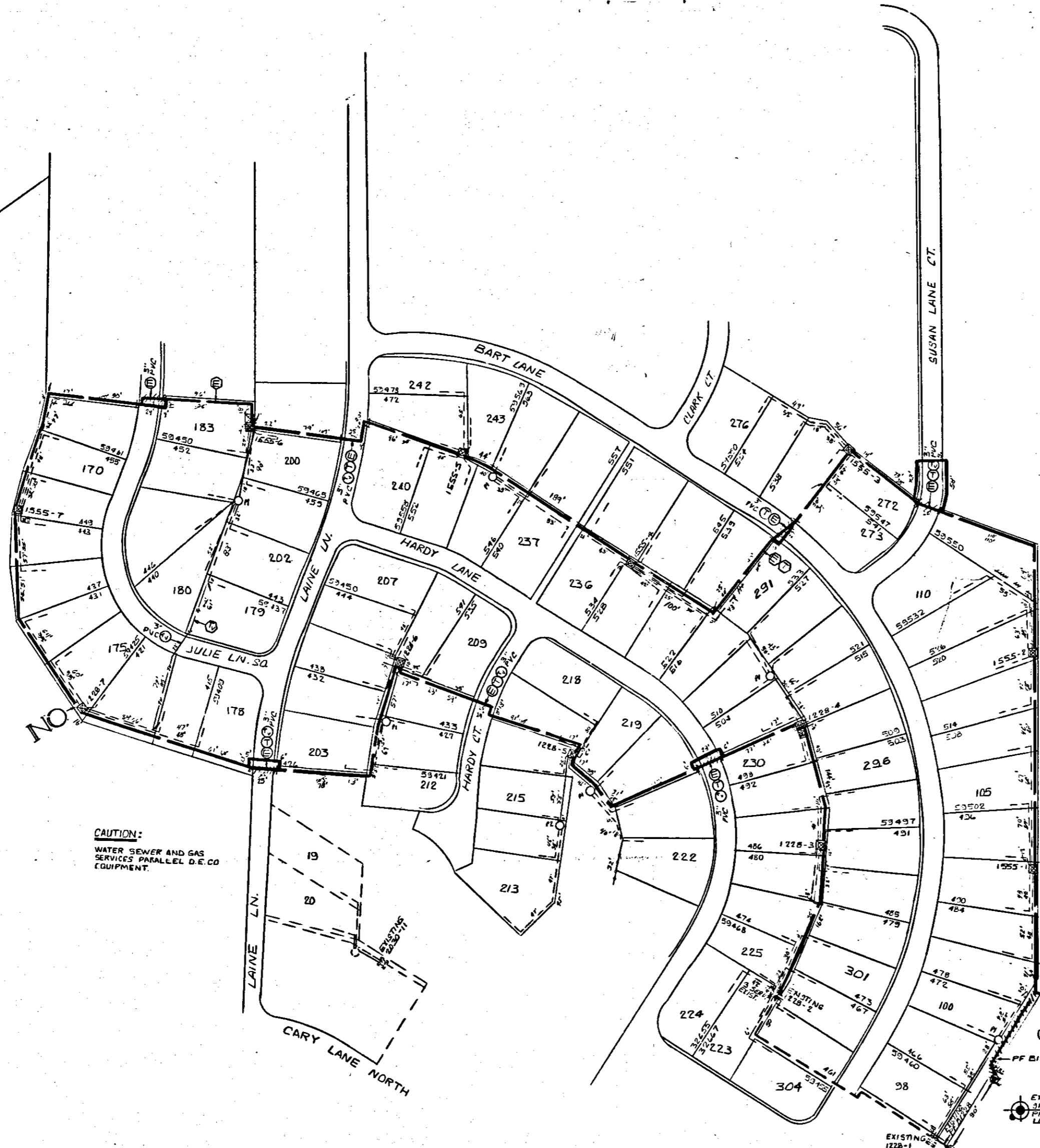
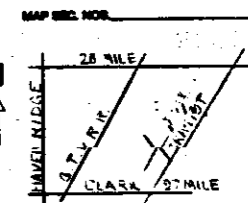
Detroit Edison Company, Harron Cable Television and Michigan Bell Telephone Company made this agreement with A. Bart Lewis and Thomas Hardy, Partners, Briarwood, the developers of Briarwood Mobile Home Park, Phase V.

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

DRS/caw

Attachment

RECORDED RIGHT OF WAY NO. 38056



CAUTION: WATER SEWER AND GAS SERVICES PARALLEL D.E.CO. EQUIPMENT.

NOTE: CONDUIT PRE-LAID BY CUST. FURNISHED BY DE CO. STATE PERMIT REQ FOR DIRECT BURIED PRIMARY ON GRATIOT AVE.

**TRANSFORMER DATA**

UDT. NO.	SIZE	ED. STL. NO.
1228-2	25	1152
1228-3	50	1152
1555-1	25	1151
1555-2	25	1151
1555-3	25	1151
1555-4	25	1151
1555-5	25	1151
1555-6	25	1151
1555-7	25	1151

- TRANSFORMER SPEC. 1-17-241  
 PEDESTAL AMOUNT 7 SPEC. 1-3-231  
 TEMPORARY CABLE MARKERS AMOUNT 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 DOWN CABINET
  - ⊳ DWELLING

**TITLE BLOCK PHASE-5**

D.B. A-73505  
 W.B. 367893826  
 STATE 7-28-87  
 FINISH 9-8-87  
 TECH. F. 020808M  
 LAMAR UNION PAC. CO.  
 SOLLICING MANAGER  
 SUPER. R. CABLE  
 RECORDS L.G. GARDNER

**CABLE SUMMARY**

ITEM #	DESC.	ESTIMATED	ACTUAL
1	250' 1/2" 132 KV	300'	300'
2	AP330M & 140 800 V.	500'	500'
3	SERVICE 140 & 140 800 V.	500'	500'

**TRENCH SUMMARY**

ITEM #	DESC.	ESTIMATED	ACTUAL
1	3 WAY - 360'	360'	360'
2	250'	250'	250'
3	150'	150'	150'
4	120'	120'	120'
5	53'	53'	53'
TOTAL	653'	653'	653'

**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 06 US LINE CONSTRUCTION STANDARDS FOR TRANS. MAT. DETAILS.  
 SEE SECTION 20-11 (S.M.) DETAIL " " FOR ENTRANCE POINT DETAILS (APPL. ONLY).  
 SEE SECTION 43 US LINE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES, TRANSFORMERS AND PEDESTALS (SUBDS ONLY).  
 D.E. SERVICE PLANNER T. MARRIES 736-0521  
 T.E. CO. TRENCH R. MILLER 465-2185  
 MISS DIG 800-482-7171 733-0541  
 OTHER:

**PERMITS REQUIRED**

COUNTY NOTIFICATION TO \_\_\_\_\_  
 CITY OF \_\_\_\_\_  
 STATE YES  NO

REVISION	REVISION	REVISION	REVISION	REFERENCE
				SHOWN AS INSTALLED IN FIELD PHASE-5

NAME	DATE	JOB TITLE
D. ADAMS	10-23-84	DIRECT BURIED SYSTEM
K. DRYZE	6-11-87	
T. MARRIES	6-11-87	

**BRIAR WOOD ESTATES**  
 MOBIL HOME PARK PHASE-5  
 S.W. 1/4 SECTION-27  
 T. N. R. 4E

**VILLAGE OF NEW HAVEN COUNTY OF MICHIGAN**

SCALE: 1" = 50'  
 NUMBER OF SHEETS: 37  
 SHEET ORDER NO.: 847893826  
 SHEET: 2 OF 2

RECORDED RIGHT OF WAY NO. 38056