

**Detroit Edison**

Real Estate and Rights of Way

**Joint Underground Residential Distribution Right of Way Agreement**

**B326062**

10-25, 1988

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 Cablevision of Clinton, a Michigan

corporation of 6065 Wall, Sterling Heights, MI 48078 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,  
RECORDS AT: 2:23 p. M.  
JAN 24 1989

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

RECORDED IN MACOMB COUNTY  
RECORDS AT: 12:00 p. M.  
NOV 14 1988  
*[Signature]*  
CLERK - REGISTER OF DEEDS  
MACOMB COUNTY, MICHIGAN

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 Catherine Galecki  
CATHERINE GALECKI

X Antoinette Garrisi  
ANTOINETTE GARRISI

\_\_\_\_\_  
\_\_\_\_\_  
VENTRA INVESTMENT COMPANY  
a Michigan Co-Partnership  
BY: Lorenzo Garrisi  
X Lorenzo Garrisi, General Partner  
\_\_\_\_\_  
16199 Cudborough, Mt. Clemens, MI 48044

Prepared by: & return to:  
Susan Putrycus  
15600 - 19 Mile Road  
Mt. Clemens, MI 48044

*Being Re-Recorded to include Appendix B*

RECORDED RIGHT OF WAY NO. 39067

13

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 \_\_\_\_\_

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 RIGHT OF WAY NO. 39069

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 \_\_\_\_\_

Acknowledgement-Partnership

STATE OF MICHIGAN

County of Macomb )SS

On this 25th day of October, 1988, the foregoing instrument was acknowledged before me, a notary public in and for said county, by LORENZO GARRISI

(a) general ~~managing~~ partner(s), on behalf of VENTRA INVESTMENT COMPANY, a MI co- partnership.

Susan Anne Putnyus

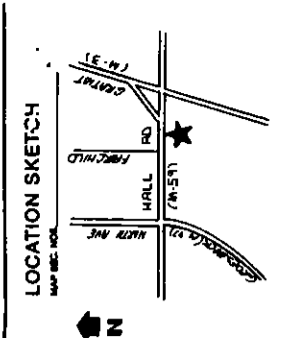
SUSAN ANNE PUTNYUS, Notary Public, Macomb County, MI My Commission Expires Sept. 28, 1991

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

APPENDIX "A"

"CAMBRIDGE COMMONS CONDOMINIUMS", The East 1/2 of a parcel of land in Section 1, T2N, R13E, Clinton Township, Macomb County, Michigan and more fully described as: Beginning at a point on the Southerly sideline of Hall Road, which is due West 1853.00 feet and S 00°31' E 60.00 feet from the Northeast corner of Section 1, T2N, R13E; thence S 00°31' E 391.45 feet to a point; thence S 89°23' W 552.20 feet to a point; thence N 00°31' W 397.40 feet to the southerly sideline of Hall Road; thence due E 552.20 feet along the southerly sideline of Hall Road to the place of beginning.

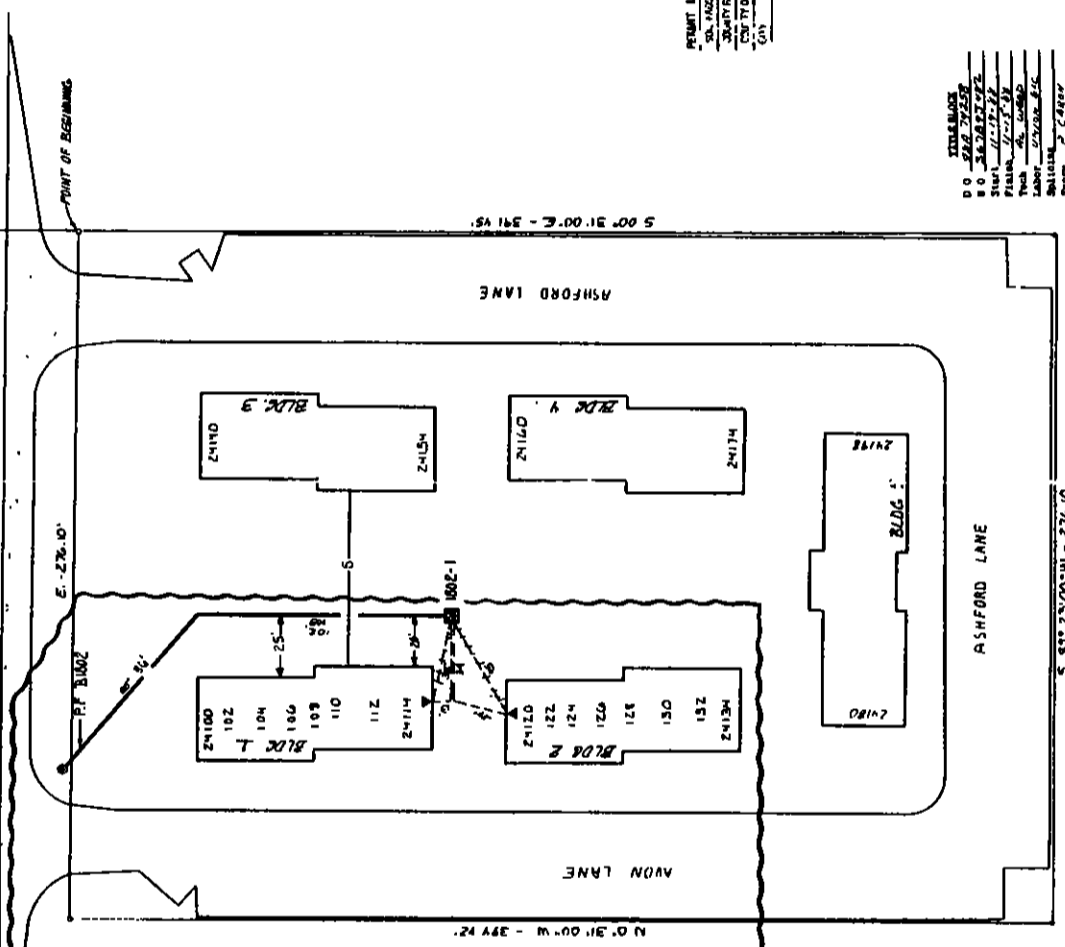
RECORDED RIGHT OF WAY NO. 39069



NEAREST CORNER SECTION 1, 2, 3 & 13 E CLINTON TOWNSHIP

HALL ROAD (M-59)

120' WD ROW



TRANSFORMER DATA

UNIT NO.	SIZE	BD STK. NO.
BDZ-1	100	G-1-115

**CODE**

- ① TEMPORARY SECONDARY PREDISTAL/TEMPORARY CABLE MARKER
- OFF DEAD FRONT TYPED
- OFF NON-SWITCHING—LIVE FRONT TYPED
- ◇ OFF SWITCHING—LIVE FRONT TYPED
- DIRECTION OF TRANSFORMER DOOR OPENING
- SECONDARY PREDISTAL
- SECONDARY CONNECTION BOX
- CABLE POLE
- PRIMARY SWITCH CABINET
- BURIED PRIMARY CABLE—ALL VOLTAGES
- BURIED SECONDARY CABLE
- BURIED SECONDARY SERVICE CABLE
- DETACHED SERVICE TRENCH ONLY
- TELEPHONE TRENCH ONLY
- WATER
- GAS
- IMPROVED CONDUIT
- IMP COUPLER CABINET

**NOTE:** METERS SHALL BE LOCATED IN UNPAVED AREA CLOSEST TO FIELD SERVICE DWELLING

**CABLE SUMMARY**

ITEM #	REQUIRE	QTY	FOOTING	FOOTING
1	100'	1	100'	100'
2	100'	1	100'	100'

**TRENCH SUMMARY**

ITEM #	REQUIRE	QTY	FOOTING	FOOTING
1	100'	1	100'	100'
2	100'	1	100'	100'

PERMIT LEGENDS

DE CO	MAT	QTY	UNITS
X	X	X	X
X	X	X	X
X	X	X	X

**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 accepting

STYLE GUIDE  
 D O 242 24258  
 S O 242 24258  
 1/2" = 30'  
 1/4" = 15'  
 1/8" = 7.5'  
 1/16" = 3.75'  
 1/32" = 1.875'  
 1/64" = 0.9375'  
 1/128" = 0.46875'  
 1/256" = 0.234375'

**GENERAL NOTES**

TRENCHES TO BE DONE BY...  
 TRENCH AND CABLE LENGTHS ARE APPROXIMATE  
 SEE SECTION 10 ON LINE CONSTRUCTION STANDARDS FOR THESE AND DETAILS  
 SEE PAGE 3-11 (31) DETAIL... FOR ENTRANCE POINT DETAILS (SPITS ONLY)  
 SEE SECTION 10 ON LINE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES  
 TRANSFORMERS AND PREDISTAL STATIONS (ONLY)  
 DE SERVICE PLUMBER...  
 DE CO...  
 CONTRACTOR...  
 SUBMITTERS INDICATED BY OUR CONTRACT ARE...  
 IN NORTH-CENTRAL OHIO

**PERMITS REQUIRED**

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

D		C		B		A		APPROVED		DATE	
DESIGNED BY	CHECKED BY	DESIGNED BY	CHECKED BY	DESIGNED BY	CHECKED BY	DESIGNED BY	CHECKED BY	APPROVED	DATE	APPROVED	DATE
								SHOWN AS INSTALLED IN FIELD	12-1-88	12-1-88	12-1-88
<p>SCALE: 1" = 30'</p> <p>CAMBRIDGE COMMONS CONDAMINIUMS PHASE-I</p> <p>PART OF THE N.E. 1/4 OF SECTION 1, TOWNSHIP 13 N., RANGE 4 E., COUNTY OF CLINTON, OHIO</p> <p>LIBER 4583 PAGE 688</p>											

Date: February 17, 1989  
To: Records Center  
From: Michael J. McCabe *MJM*  
Sr. Real Estate, Rights of Way and Claims Representative  
Macomb Division  
Subject: Right of Way Agreement for Underground Residential  
Distribution for Cambridge Commons Condominiums,  
located in part of the East 1/2 of Section 1, Town 2  
North, Range 13 East, Clinton Township, Macomb County,  
Michigan

Attached for Records Center is the executed Right of Way Agreement, dated October 25, 1988, and other pertinent papers for the above named project.

Easement for this project was requested by Jerald B. 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, Comcast Cable Television and Michigan Bell Telephone Company made this agreement with Ventra Investment Company, Lorenzo Garrisi, General Partner, the developers of Cambridge Commons Condominiums.

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

MJM/caw

Attachment

RECORDED RIGHT OF WAY NO.

39069