

Real Estate and Rights of Way

Detroit Edison

Joint Underground Residential Distribution Right of Way Agreement

B410817

March 15, 1989

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 St., 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 Macomb, 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 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: 2:55 P.M.

NOV - 6 1989

Edna Miller

CLERK - REGISTER OF DEEDS MACOMB COUNTY, MICHIGAN

RECORDED IN MACOMB COUNTY RECORDS AT: 2:30 P.M.

MAR 29 1989

Edna Miller

CLERK - REGISTER OF DEEDS MACOMB COUNTY, MICHIGAN

RECORDED RIGHT OF WAY NO. 39758

Being Re-Recorded to include Appendix B

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 Laurine E. Renkert

X Mary Lafata

JOMOL CONSTRUCTION COMPANY a Michigan Corporation

BY: John M. Olson, President

Prepared by & return to: Michael J. McCabe 15600 - 19 Mile Road Mt. Clemens, MI 48044

Address: 26210 Harper Ave. St. Clair Shores, MI 48081

Acknowledgement-Individual

STATE OF MICHIGAN

LIBER 04758 PG 890

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 \_\_\_\_\_

Acknowledgement-Corporation

STATE OF MICHIGAN

County of Macomb )SS

On this 15th day of March, 1989, the foregoing instrument was acknowledged before me, a notary public in and for said county, by John M. Olson

whose title(s) is/are President

of John M. Olson Co., a Michigan corporation, on behalf of the corporation

Laurine E. Renkert  
Laurine E. Renkert  
Notary Public, Macomb County, Michigan

My commission expires July 8, 1989

RECORDED RIGHT OF WAY NO. 39758

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 \_\_\_\_\_

"THE MEADOWS AT LAKESIDE", Land in the Township of Macomb, Macomb County, Michigan described as follows: Commencing at the South 1/4 post of Section 31, T3N, R12E; thence N 00°03'30" West 1321.38 feet along the centerline of Tilch Road to the point of beginning; thence continuing N 00°03'30" West 532.55 feet along said centerline; thence N 89°56'30" East 476.19 feet; thence N 17°12' West 720.69 feet along the centerline of Lewis Drain; thence N 89°34'40" East 66.22 feet; thence N 00°03'30" West 100.00 feet; thence N 89°34'40" East 993.50 feet; thence S 00° 21' East 1329.91 feet; thence N 89°58'30" West 1330.25 feet to the point of beginning.

RECORDED RIGHT OF WAY NO. 39758

Date: November 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 The Meadows at Lakeside, located in  
part of the South 1/4 of Section 31, Town 3 North,  
Range 12 East, Macomb Township, Macomb County, Michigan

Attached for Records Center is the executed Right of Way Agreement, dated March 15, 1989, and other pertinent papers for the above named project.

Easement for this project was requested by Robert J. Burcar, 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, Comcast Cable Television and Michigan Bell Telephone Company made this agreement with Jomol Construction Company, John M. Olson, President, the developers of The Meadows at Lakeside.

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

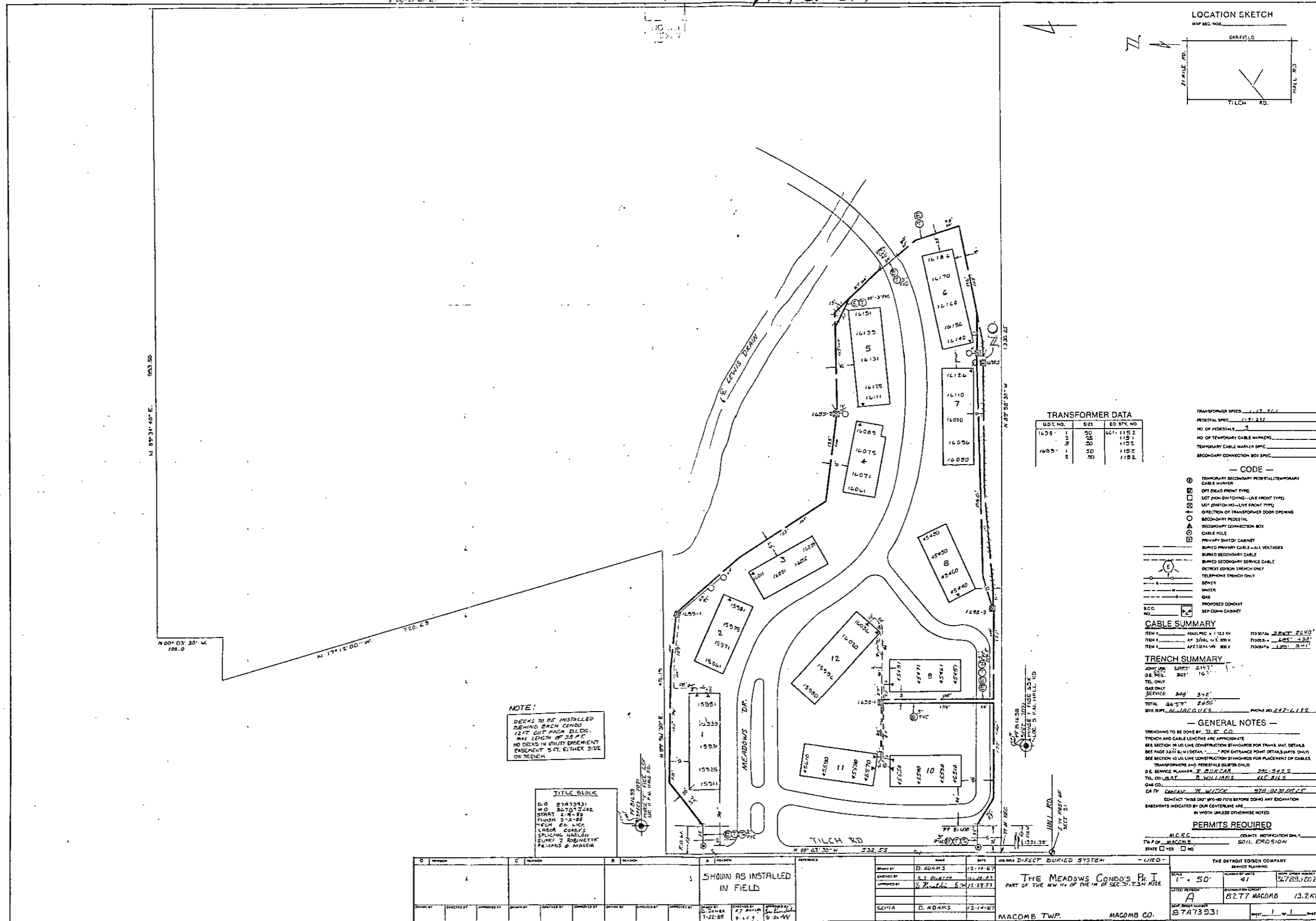
MJM/caw

Attachment

RECORDED RIGHT OF WAY NO.

*39758*

APPENDIX B



**TRANSFORMER DATA**

U.D.T. NO.	SIZE	ED. STK. NO.
1608	50	667-1152
1609	50	1151
1610	50	1152

- CODE —**
- ⊙ TEMPORARY SECONDARY PEDESTAL/TEMPORARY CABLE MARKER
  - OPT. DEAD FRONT TYPE
  - LOT SWITCHING—LINE FRONT TYPE
  - LOT SWITCHING—LINE 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. COIN. CABINET

**CABLE SUMMARY**

ITEM	QUANTITY	REMARKS
1	1	48ALPEC 1 132 KV
2	1	AP 36AL 14 2 800 V
3	1	AP 120AL 14 2 800 V

**TRENCH SUMMARY**

ITEM	LENGTH	REMARKS
1	245'	16"
2	245'	16"
3	245'	16"
4	245'	16"
5	245'	16"
6	245'	16"
7	245'	16"
8	245'	16"
9	245'	16"
10	245'	16"
11	245'	16"
12	245'	16"
13	245'	16"
14	245'	16"
15	245'	16"
16	245'	16"
17	245'	16"
18	245'	16"
19	245'	16"
20	245'	16"
21	245'	16"
22	245'	16"
23	245'	16"
24	245'	16"
25	245'	16"
26	245'	16"
27	245'	16"
28	245'	16"
29	245'	16"
30	245'	16"
31	245'	16"
32	245'	16"
33	245'	16"
34	245'	16"
35	245'	16"
36	245'	16"
37	245'	16"
38	245'	16"
39	245'	16"
40	245'	16"
41	245'	16"
42	245'	16"
43	245'	16"
44	245'	16"
45	245'	16"
46	245'	16"
47	245'	16"
48	245'	16"
49	245'	16"
50	245'	16"

- GENERAL NOTES —**
- TRENCHING TO BE DONE BY J.E.C.O.
  - TRENCH AND CABLE LENGTHS ARE APPROXIMATE.
  - SEE SECTION 14 FOR CONSTRUCTION STANDARDS FOR TRANS. MAT. DETAILS.
  - SEE PAGE 33-31 FOR DETAILS OF DETROIT EDISON POINT DETAILS (APTS ONLY).
  - SEE SECTION 12 FOR CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES.
  - TRANSFORMERS AND PEDESTALS (APTS ONLY).
  - D.E. SERVICE PLANNER: P. WILKINSON, 282-2222
  - TEL. CO. PLANT: M. WILLIAMS, 462-8160
  - GAS CO. CONTACT: M. WILKINSON, 282-0430/282-2222
  - CA TV CONTACT: M. WILKINSON, 282-0430/282-2222
  - CONTACT THESE OFFICES 48 HOURS BEFORE DOING ANY EXCAVATION.
  - EASEMENTS INDICATED BY OUR CENTERLINE ARE IN WIDTH UNLESS OTHERWISE NOTED.

**PERMITS REQUIRED**

AC.E.C. COUNTY NOTIFICATION ONLY

TWP OF MACOMB SOIL EROSION

STATE  YES  NO

**NOTE:**  
DECKS TO BE INSTALLED BEHIND EACH CONDO. 12 FT. OUT FROM BLDG. MAX. LENGTH OF 30 FT. NO DECKS IN UTILITY EASEMENT. EASEMENT 5 FT. EITHER SIDE OF TRENCH.

**TITLE BLOCK**  
D.O. 87473931  
M.O. 307072422  
START 1-4-88  
FINISH 3-3-88  
TECH. E.S. WOOD  
L.S. COBURN  
S.P. ROBINETTE  
RECORDS & MASSIVE

NO.	REVISION	DATE	BY	FOR
1	SHOWN AS INSTALLED IN FIELD	12-14-87	D. ADAMS	
2		11-22-87	S. R. WILKINSON	
3		11-23-87	S. R. WILKINSON	

DRAWN BY: D. ADAMS 12-14-87  
 CHECKED BY: S. R. WILKINSON 11-22-87  
 APPROVED BY: S. R. WILKINSON 11-23-87  
 SEPTA: D. ADAMS 12-14-87

**THE MEADOWS CONDOS PART I**  
 PART OF THE NW 1/4 OF THE 1/4 OF SEC. 31, T. 33 N. R. 2 E.  
 MACOMB TWP. MACOMB CO.

SCALE: 1" = 50'  
 SHEET NO. 41  
 TOTAL SHEETS 47  
 DATE: 12-14-87  
 PROJECT: 87473931

RECORDED RIGHT OF WAY NO. 39758