

Detroit Edison

**Real Estate and Rights of Way
Joint Underground
Right of Way Agreement**

11/7, 1988

For good and valuable considerations 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

CONSUMERS POWER COMPANY, a Michigan corporation of 212 West Michigan Avenue, Jackson, Michigan

and COLUMBIA CABLE OF MICHIGAN, a Michigan corporation of 2505 S. Industrial Hwy., Ann Arbor, Michigan

hereinafter referred to collectively as "GRANTEE", the right to construct, reconstruct, modify, add to operate and maintain underground line facilities consisting of poles, conduits, wires, cables, manholes, transformers and accessories required to provide electric and communication services in, under, upon and across property located in

the Township of Ann Arbor county of Washtenaw State of Michigan, further described as follows:

The East 12 feet of the following described land which fronts on Westerly line of Warren Court: BEGINNING at the Northwest corner of Section 9, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan; thence along the North line of said Section and the centerline of Warren Road (variable width) N 86°25'40" E 457.00 feet; thence along the Westerly line of Warren Court (66' wide) S 03°34'20" E 80.00 feet; thence 773.47 feet along the arc of a circular curve left having a central angle of 35°36'31", a radius of 1233.00 feet, and a chord which bears S 21°32'36" E 760.85 feet; thence continuing along the Westerly line of a cul-de-sac

SEE REVERSE SIDE FOR CONTINUATION OF LEGAL DESCRIPTION

as shown on the attached drawing which is made a part hereof

The right of way is 12 feet in width.

The rights hereby granted include the right of access to and from the right of way and the right to trim, cut down or otherwise control trees, brush or roots of any kind either within the right of way or on property adjoining the right of way which in the opinion of the GRANTEE interferes with the construction or operation of the lines facilities. It is expressly understood and agreed that the GRANTEE shall, at no time, trim or cut down any trees unless, in the GRANTEE'S opinion, it is absolutely necessary to do so. The GRANTEE shall restore premises to its original condition or as near as can be in the event of damages caused by its employes, contractors, vehicles and equipment entering premises for the purposes set forth herein.

No buildings or structures are to be placed within said right of way herein granted without the written consent of the GRANTEE.

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:

Mark McHadden
MARK McHADDEN
Curtis G. Noles
CURTIS G. NOLES

Jerry L. Helmer
JERRY L. HELMER
Ruthann Helmer
RUTHANN HELMER, His Wife

Prepared by:
Curtis G. Noles
2000 Second Avenue
Detroit, MI 48226

Address:
7171 Michigan Avenue
Saline, MI

--OVER--

A 56579 P 64 09-09-200-002

RECORDED RIGHT OF WAY NO. 39795

Detroit Edison

Re: Estate and Rights of Way
Joint Underground
Right of Way Agreement

11/7, 1988

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as shown on the attached drawing which is made a part hereof.

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Witnesses:

Grantors:

Mark McHadden
Curtis G. Noles

Jerry L. Helmer
Ruthann Helmer, His Wife

Prepared by:

Curtis G. Noles
2000 Second Avenue
Detroit, MI 48226

Address:

7171 Michigan Avenue
Saline, MI

--OVER--

A 56579 P.D. 09-09-200-002

RECORDED RIGHT OF WAY NO.

39795

Acknowledgement-Individual

STATE OF MICHIGAN
County of WASHTENAW)SS

On this 7th day of NOVEMBER, 19 88, the foregoing instrument was acknowledged before me, a notary public in and for said county, by JERRY L. HELMER and RUTHANN HELMER, His Wife

[Signature]
Notary Public, Washtenaw County, Michigan
ACTING IN WASHTENAW

CURTIS G. NOLES
Notary Public, Washtenaw County, MI
My Commission Expires Oct. 1, 1990

My commission expires _____

CONTINUATION OF LEGAL DESCRIPTION

to Warren Court 79.73 feet along the arc of a circular curve right having a central angle of 60°54'39", a radius of 75.00 feet, and a chord which bears S 09°03'40" E 76.03 feet; thence continuing along the Westerly line of said cul-de-sac 93.96 feet along the arc of a circular curve left having a central angle of 71°47'00", a radius of 75.00 feet, and a chord which bears S 14°30'05" E 87.94 feet; thence S 39°36'32" E 246.08 feet; thence N 69°37'13" W 502.40 feet; thence N 09°58'59" W 16.76 feet; thence S 81°47'51" W 100.00 feet to a point on the Easterly Right-of-Way line of U.S. 23 Expressway; thence along the Easterly Right of Way line of said Expressway N 08°12'19" W 839.03 feet; thence along the South line of Warren Road, N 89°07'53" E 77.42 feet; thence along the West line of said Section N 01°22'58" W 100.07 feet to the Point of Beginning. Containing 14.28 acres of land more or less and being a part of the Northwest ¼ of Section 9, T2S, R6E. Ann Arbor Township, Washtenaw County, Michigan. Subject to an easement granted to the Michigan State Highway Department, as recorded in Liber 759, Pages 132 and 133, Washtenaw County Records. Subject to other easements or restrictions of record, if any.

RECORDED
WASHTENAW COUNTY MI
DEC 11 11 34 AM '89
ROBERT M. HARRISON
COUNTY CLERK/REGISTRAR

RECORDED
WASHTENAW COUNTY MI
DEC 11 11 34 AM '89
ROBERT M. HARRISON
COUNTY CLERK/REGISTRAR

not will call

DEED 7.00
8333 0333003 8354 11:24AM 12/11/89

LEGAL DEPARTMENT
APPROVED AS TO FORM
DATE 11/11/88

RETURN TO:
RICHARD LONGWISH
THE DETROIT EDISON COMPANY
425 S. MAIN STREET, ROOM 332
ANN ARBOR, MI 48104

103

To (Superior, RE & R/W) R. LONGWIST	For RE & R/W Dept. Use	Date Received	DE/Bell/C.P. No.
Division ANN ARBOR	Date 10-18-88	Application No. AS-6579	

We have included the following necessary material and information:

Material:

- A. Proposed Subdivision
 1. copy of complete final proposed plat - All pages
 or
 B. Other than proposed subdivision (condo., apts. mobile home park — other)
 1. Property description.
 2. Site plan.
 3. title information (deed, title commitment, contract with title commitment, or title search).

Note: Do not submit application for URD easements until all above material has been acquired.

REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH	PERMITS TO:
BY CURTIS NOLES	RECORD CENTER 2
DATE 11/7/88	R-W FILES 2
DATE WANTED	MBT 2
DISTRICT FIELDMAN Richard Longest	ORIGINATOR 2
	TOTAL 2

Information

1. Project Name TERRY HELMER PARCELS	County WASHTENAW	RECORDED RIGHT OF WAY NO. 39794 & 39795
City/Township/Village ANN ARBOR TWP.	Section No. 9	
Type of Development <input type="checkbox"/> Proposed Subdivision <input type="checkbox"/> Subdivision <input type="checkbox"/> Apartment Complex <input type="checkbox"/> Mobile Home Park <input checked="" type="checkbox"/> Other	Phone No. 994-6309 429-5838	
2. Name of Owner TERRY HELMER	Address 7171 E. MICHIGAN, SALINE, MI. 48170	
Owner's Representative	Phone No.	
Date Service is Wanted		
4. Entire Project will be developed at one time	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
5. Joint easements required — Michigan Bell Telephone — Consumers Power	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
a. Name of Other Utilities If Not Michigan Bell Telephone or Consumers Power COLUMBIA (TELEVISION)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
b. Other Utility Engineer Names J. HOWEN	Phone Numbers 973-0977	
Addresses P.O. Box - 998, ANN ARBOR, MI. 48106		
6. Additional Information or Comments		

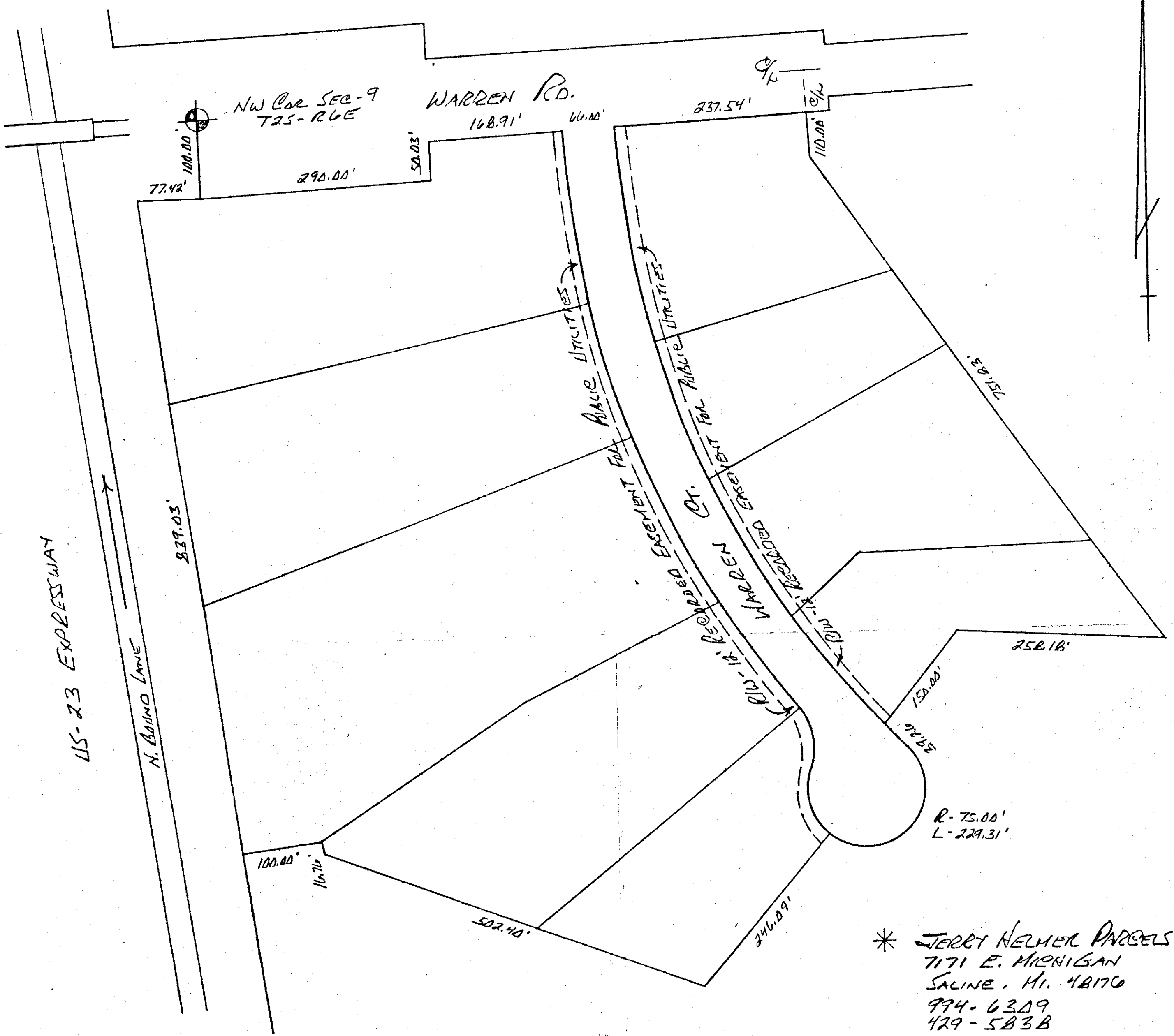
Note: Trenching letter attached will be submitted later

Service Planner HOWARD COLE	Signed (Service Planning Supervisor) OCT 20 1988
Phone No. 761-4138	Address ANN ARBOR DR. HQ.
	D. C. BAILEY

RECORDED RIGHT OF WAY

R 39795

N



* JERRY HELMER PROCELS
 7171 E. MICHIGAN
 SALINE, MI. 48170
 994-6309
 429-5838

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH	PERMITS TO:
BY _____	RECORD _____
DATE _____	CENTER _____
DATE WANTED <u>11-15-88</u>	R/W FILES _____
DISTRICT _____	MBT _____
FIELDMAN _____	ORIGINATOR _____
	TOTAL _____

LEGEND		THE DETROIT EDISON COMPANY - SERVICE PLANNING DEPARTMENT	
○	FOREIGN POLE	CITY OR TWP.	COUNTY
○	EXIST. D.E. CO. POLE	ANN ARBOR TWP. WASHTENAW	MI
○	PROPOSED POLE	QTR. & TWP. SECT. NO.	DEPT. ORDER NO.
○	EXIST. ANCHOR	2-16A-300	25 6E YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
○	PROPOSED ANCHOR	PROJECT NAME	R/W NO.
○	TREE	TEL. ENG'R. & DIST.	AS-6579
—	120/240 V LINE	CIRCUIT	PROJ. OR PAR. NO.
—	4800 V LINE	DC-815B PHOENIX (13.2KV)	O.F.W. S.O. D.P.E. NO.
—	13,200 V LINE	REASON	BUDGET ITEM NO.
—	40,000 V LINE	UT SECURE-9 PROCELS - JERRY HELMER	AMJDB-HDT
		PLANNER	DIST.
		H. J. COLE	10-18-88
		SCALE	1" = 100'

RECORDED RIGHT OF WAY NO. 39794 & 39795

R39795