

Real Estate and Rights of Way

Detroit Edison

Joint Underground Residential Distribution Right of Way Agreement

LIBER 04786 PG 327

B423504

May 27, 19 87

Being Rec'd - Required to include Appendix B

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 CO. a corporation of 444 Michigan Avenue, Detroit, Michigan and Harron Cable Television

a Michigan corporation of 55800 New Haven Road, New Haven, MI 48048 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 Harrison County of Macomb

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: 1:54p. M. DEC 20 1989

SEE APPENDIX "A"

RECORDED IN MACOMB COUNTY RECORDS AT: 9:31A M. JUN 9 1987

*Edna M. Hill*  
CLERK - REGISTER OF DEEDS  
MACOMB COUNTY, MICHIGAN

*Edna M. Hill*  
CLERK - REGISTER OF DEEDS  
MACOMB COUNTY, MICHIGAN

RECORDED RIGHT OF WAY NO. 40096

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, employees 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:

*Jackie Heskox*  
JACKIE HESKOX  
*George R. Mahoney*  
GEORGE R. MAHONEY

*Thomas Vertin, Jr.*  
Thomas Vertin, Jr.  
*Mary Camphous-Vertin*  
Mary Camphous-Vertin  
BY: SHOREWOOD E.R. BROWN BUILDERS  
BY: *Philip Patanis*  
PHILIP PATANIS, PRESIDENT

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

Address: 20439 Mack Avenue  
Grosse Pte. Woods, Michigan 48236

13  
X

Acknowledgement-Individual

LIBER 04786PG328

STATE OF MICHIGAN

County of WAYNE )SS

On this 27 day of MAY, 19 87, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Thomas Vertin, Jr. and Mary Camphous-Vertin, husband and wife

*Karen M. Krezenski*  
KAREN M. KREZENSKI  
Notary Public, WAYNE County, Michigan

My commission expires: SEPT. 18, 1990

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 WAYNE )SS

On this 27 day of MAY, 19 87, the foregoing instrument was acknowledged before me, a notary public in and for said county, by PHILIP PATANIS,

whose title(s) is /are PRESIDENT

of Shorewood ~~Sherwood~~ E.R. Brown Builders, Inc., a Michigan corporation, on behalf of the corporation.

*Shorewood*

*Karen M. Krezenski*  
KAREN M. KREZENSKI  
Notary Public, WAYNE County, Michigan

My commission expires SEPT. 18, 1990

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 \_\_\_\_\_

RECORDED RIGHT OF WAY NO. 40096

Parcel No. 2 of the Division of Lot 26, SUPERVISOR'S PLAT NO. 4, according to the plat thereof as recorded in liber 16, page 17 of Plats, Macomb County Records, and being more particularly described as follows: Commencing at a point North 32 degrees 38 minutes East from the Southwest corner of Lot 26, 196.75 feet, which said point lies on the Easterly line of Jefferson Avenue; thence North 32 degrees 38 minutes East 200 feet; thence South 69 degrees 30 minutes 30 seconds East to the channel bank of Lake St. Clair; thence meandering Southwesterly downstream along the channel bank to where the channel bank is intersected by a line drawn from the point of beginning South 69 degrees 30 minutes 30 seconds East, being the Northerly line of property conveyed by the Joy Realty Company to Arthur J. Saile and Bessie Saile on April 6, 1949, recorded April 13, 1949 in liber 759, page 46, Macomb County Records; thence proceeding Westerly along said line to the point of beginning.

Date: January 10, 1990  
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 Hidden Cove Condominiums, located in  
part of Private Claim 164, Town 2 North, Range 14 East,  
Harrison Township, Macomb County, Michigan

Attached for Records Center is the executed Right of Way Agreement, dated May 27, 1987, and other pertinent papers for the above named project.

Easement for this project was requested by Darrell White, 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, Harron Cable Television and Michigan Bell Telephone Company made this agreement with Shorewood E. R. Brown Builders, Philip Patanis, President, and Thomas Vertin, Jr., Mary Camphous-Vertin, his wife, the developers of Hidden Cove Condominiums.

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

MJM/caw

Attachment

RECORDED RIGHT OF WAY NO. 40096

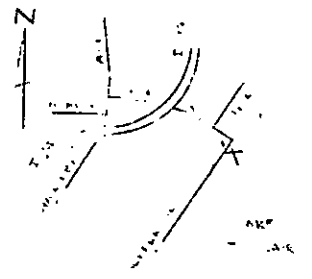
# APPENDIX B

LIBER 04786PG330

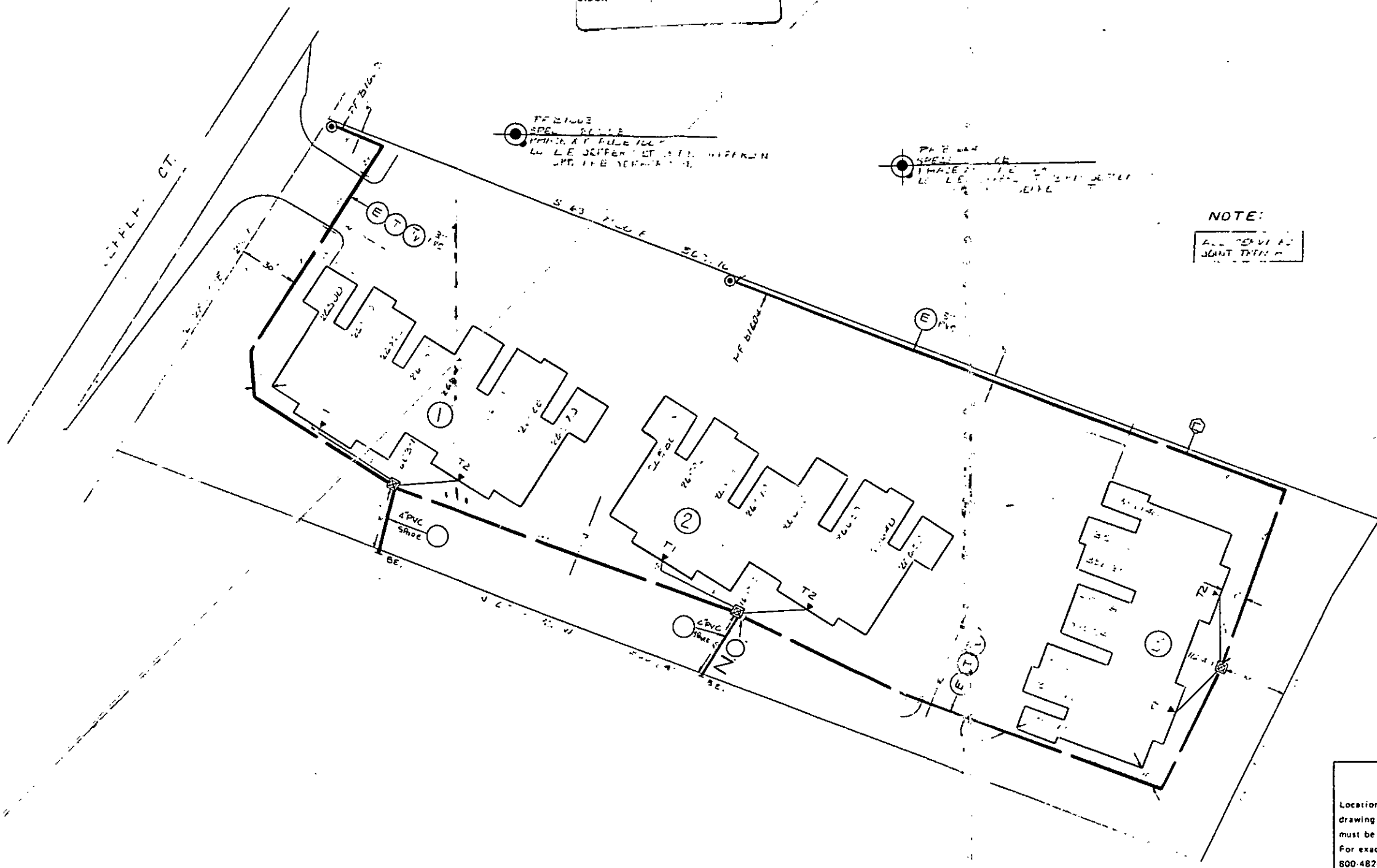
NORTH  
ARROW

LIBER 04786PG331

LOCATION SKETCH  
MAP SEC. NOS.



RECORDED RIGHT OF WAY NO. 40096



**NOTE:**  
ALL TRANSFORMER JOINT TRENCH

**TRANSFORMER DATA**

U.D.T. NO.	SIZE	ED. STK. NO.
70211	50	101112
70212	50	101113
70213	50	101114

TRANSFORMER SPECS. 111  
 PEDESTAL AMOUNT \_\_\_\_\_ SPEC. \_\_\_\_\_  
 TEMPORARY CABLE MARKERS AMOUNT \_\_\_\_\_ SPEC. \_\_\_\_\_  
 SECONDARY CONNECTION BOX AMOUNT \_\_\_\_\_ SPEC. \_\_\_\_\_

- CODE —**
- ⊙ TEMPORARY SECONDARY PEDESTAL/TEMPORARY CABLE MARKER
  - ⊠ DFT (DEAD FRONT TYPE)
  - ⊡ UDT (NON-SWITCHING—LIVE FRONT TYPE)
  - ⊣ UDT (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

**NOTE:-**  
METER SHALL BE LOCATED IN SHADED AREA CLOSEST TO D E CD SOURCE.

**CABLE SUMMARY**

ITEM #	DESCRIPTION	ESTIMATED
AP2 350M & 140 000 V	713306 #	12
AP2 20 & 141 000 V	713057 #	2
AP2 20 & 141 000 V	7130514 #	1

**TRENCH SUMMARY**

JOINT USE \_\_\_\_\_  
 DE ONLY \_\_\_\_\_  
 TEL ONLY \_\_\_\_\_  
 GAS ONLY \_\_\_\_\_  
 OTHERS \_\_\_\_\_

TOTAL \_\_\_\_\_  
 SITE SUPT. \_\_\_\_\_ PHONE NO. \_\_\_\_\_

**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 \_\_\_\_\_  
 TRENCH AND CABLE LENGTHS ARE APPROXIMATE  
 SEE SECTION 50 UG LINE CONSTRUCTION STANDARDS FOR TRANS. MAT DETAILS  
 SEE PAGE 32 (1) 5 (1) DETAIL \_\_\_\_\_ FOR ENTRANCE POINT DETAILS (APTS ONLY)  
 SEE SECTION 43 UG LINE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES  
 TRANSFORMERS AND PEDSTALS (SUB DS ONLY)  
 DE SERVICE PLANNER \_\_\_\_\_  
 TEL CO \_\_\_\_\_  
 GAS CO \_\_\_\_\_  
 OTHERS \_\_\_\_\_

EASEMENTS INDICATED BY OUR CENTERLINE ARE \_\_\_\_\_  
 IN WIDTH UNLESS OTHERWISE NOTED

**PERMITS REQUIRED**

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

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

D REVISION			C REVISION			B REVISION			A REVISION		

NAME	DATE	JOB TITLE
D. ADLAI	3-28-87	
W. J. ...	...	
M. ...	01-02-87	
A. ...	4-1-87	

THE DETROIT EDISON COMPANY  
 SERVICE PLANNING

SCALE: 1" = 20'  
 NUMBER OF UNITS: 74  
 LATEST REVISION: \_\_\_\_\_  
 DISTRIBUTION CIRCUIT: \_\_\_\_\_

TWP OF HARRISON COUNTY OF MICHIGAN