

Detroit Edison

Joint Underground Residential Distribution Right of Way Agreement

B423503

LIBER 04786 PG 323

September 1, 19 87

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 48077-1860 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 City of Warren, 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.

"WEST POINTE VILLA CONDOMINIUMS", Part of the Easterly 1/2 of the Southeasterly 1/4 of Section 14, T1N, R12E, more particularly described as: commencing at the East 1/4 post of Section 14; thence S 00°30' W 748.21 feet to the point of beginning; thence S 00°30' W 187.17 feet; thence S 89°37'35" W 277.0 feet; thence N 00°31'20" E 187.17 feet; thence N 89°37'35" E 276.94 feet to the point of beginning.

RECORDED IN MACOMB COUNTY RECORDS AT: 1:53p. M. DEC 20 1989

RECORDED IN MACOMB COUNTY RECORDS AT: 2:10P M. SEP 25 1987 Edna [Signature]

In order to provide for the proper maintenance and protection of GRANTEE the undersigned hereby agree that:

- 1. The right of way will be graded to within four inches above 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: RECORDED IN MACOMB COUNTY RECORDS AT: SEP 25 1987

Grantors:

X Sam Vagnetti [Signature]

Benny Addelia [Signature]

X Marie Allmacher [Signature]

Margaret Addelia [Signature] MARGARET ADDELIA, his wife
Sam Caradonna [Signature] DOROTHY CARADONNA, his wife

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

Address: 11403 Common Road Warren, MI 48093

Being Re-Recorded to include Appendix A

RECORDED RIGHT OF WAY NO. 40173

Acknowledgement-Individual

STATE OF MICHIGAN

County of Macomb)SS

On this 1st day of Sept, 19 87, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Benny Addelia and Sam Caradonna and Dorothy Caradonna, his wife

Marie Allmacher
Notary Public, Macomb County, Michigan

MARIE ALLMACHER
Notary Public, Macomb County, Michigan
My commission expires My Commission Expires APRIL 22, 1991

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 _____)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 _____)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. 40173

Warren Twp
Sec. 14

Detroit
Edison

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 West Pointe Villa Condominiums,
located in part of the Easterly 1/2 of the
Southeasterly 1/4 of Section 14, Town 1 North, Range 12
East, City of Warren, Macomb County, Michigan

Attached for Records Center is the executed Right of Way Agreement, dated September 1, 1987, and other pertinent papers for the above named project.

Easement for this project was requested by William Hertz, 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 Benny Addelia, Sam Caradonna and Dorothy Caradonna, his wife, the developers of West Pointe Villa Condominiums.

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

MJM/caw

Attachment

RECORDED RIGHT OF WAY NO. 40173

Serving Customers

We're all a part of it!

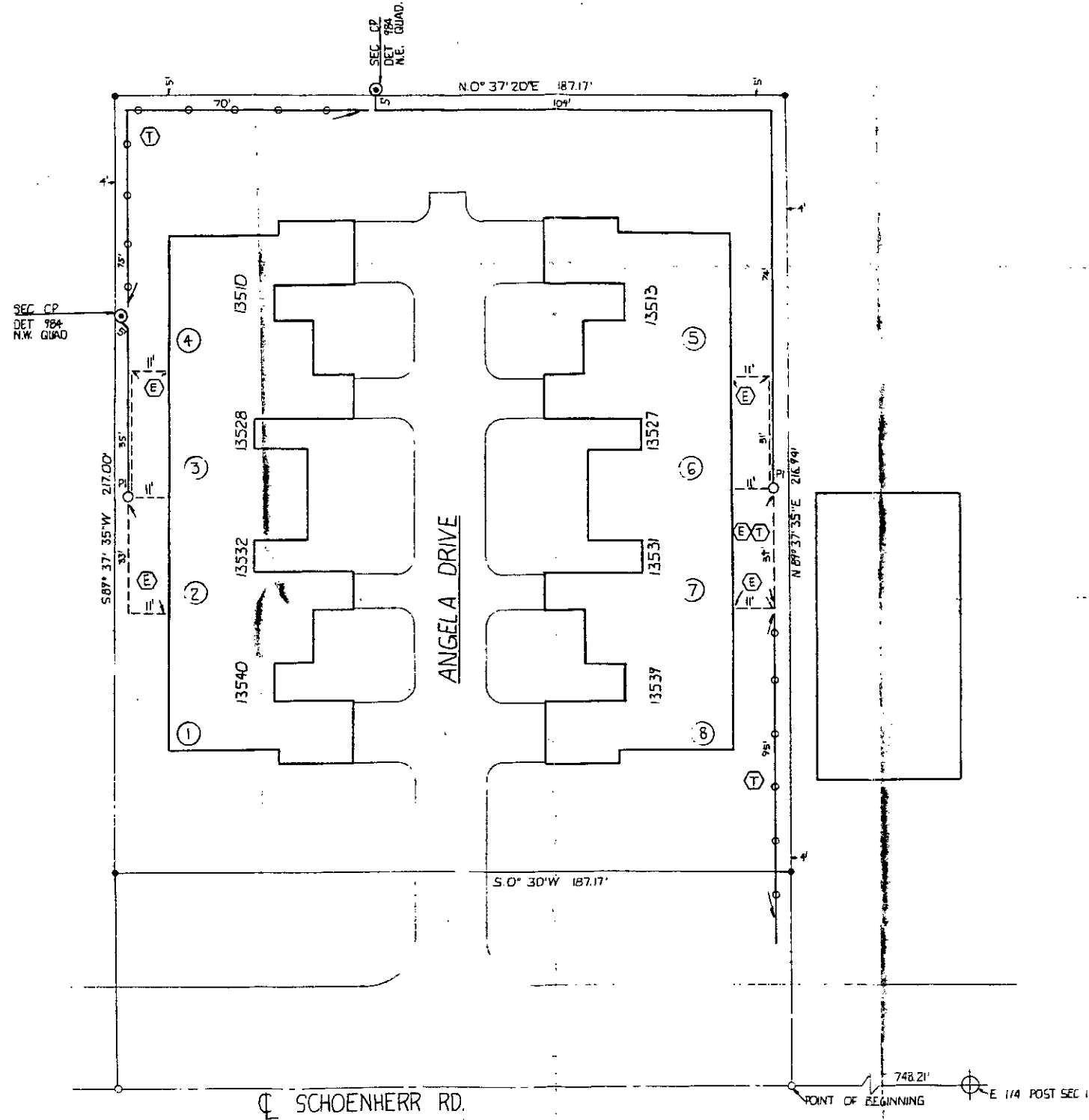
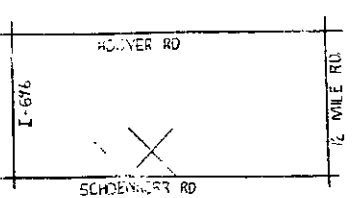
APPENDIX A

LIBER 04786PG325



LIBER 04786PG326

LOCATION SKETCH



TRANSFORMER DATA

U.D.T. NO.	SIZE	ED. STK. NO.

TRANSFORMER SPECS.
 PEDESTAL AMOUNT 2 SPEC 1-4-231
 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.CO. SOURCE.

CABLE SUMMARY

ITEM #	DESCRIPTION	ESTIMATE
	#24X1PEC x 1 132 KV	713-3062 =
	AP2 350M & 1-4 600 V	713-0537 = 741
	AP2 210 & 1-4 600 V +5%	713-0614 = 265

TRENCH SUMMARY

JOINT USE	270'
DE ONLY	77'
TEL ONLY	240'
GAS ONLY	
OTHERS T+E	34'
TOTAL	635'

SAM CARADONNA 573-4414
 BENNY ADDELLA PHONE NO. 756-2646

GENERAL NOTES

TRENCHING TO BE DONE BY D.E.CO.
 TRENCH AND CABLE LENGTHS ARE APPROXIMATE
 SEE SECTION 56 UG LINE CONSTRUCTION STANDARDS FOR TRANS. MAT DETAILS
 SEE PAGE 32 (11 S.I.M.) DETAIL "D" FOR ENTRANCE POINT DETAILS (APTS ONLY)
 SEE SECTION 43 UG LINE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES, TRANSFORMERS AND PEDESTALS (SUBDS ONLY)
 DE SERVICE PLANNER BILL HERTZ 246-7936
 TEL CO JESSE MCKINNEY 445-3257
 GAS CO _____
 OTHERS CATV HENRY POSTL 978-0270 x25

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.

EASEMENTS INDICATED BY OUR CENTERLINE ARE IN WIDTH UNLESS OTHERWISE NOTED

PERMITS REQUIRED

COUNTY NOTIFICATION TO _____
 CITY OF WARREN Soil Erosion
 STATE YES NO

START DATE _____

D	REVISION	C	REVISION	B	REVISION	A	REVISION	REFERENCE

NAME	DATE	JOB TITLE
D. HUFFMAN	7-14-87	
W. HERTZ	7-17-87	
M. R. Childs	7-22-87	
P. J. Miller	7-22-87	

THE DETROIT EDISON COMPANY		
SERVICE PLANNING		
SCALE	NUMBER OF UNITS	WORK ORDER NUMBER
1" = 20'-0"	8	36789UD69
LATEST REVISION	DIS. DISTRIBUTION CIRCUIT	13.2KV
	8083 OTIS	
DEPT. ORDER NUMBER	SHEET 1 OF 1 SHEETS	
87A-73780		

RECORDED INDEX OF TAX NO. 40173