

**Detroit Edison**

Real Estate and Rights of Way

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

LIBER 2370 PAGE 072

Page 194

✓ DECEMBER 6, 1989

For good and valuable consideration of system betterment, the undersigned hereby grant and convey to MICHIGAN BELL TELEPHONE COMPANY, A Michigan Corporation of 444 Michigan, Detroit, Mi. and THE DETROIT EDISON COMPANY, a Michigan corporation of 2000 Second Avenue, Detroit, Michigan, MICHIGAN CONSOLIDATED GAS COMPANY, A Michigan Corporation of One Woodward Avenue, Detroit, MI and COLUMBIA CABLE OF MICHIGAN, a Michigan Co-Partnership of P. O. Box 998, Ann Arbor, MI 48106, 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, piping, venting, gas facilities and appurtenances including the necessary above ground equipment, connections, poles and accessories required to provide gas, electric and communication services with the usual services, connections and accessories in, under, upon, over and across the property located in the Township of Webster, County of Washtenaw, 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 12 feet in width unless otherwise indicated and the route is described as follows:

All in accordance with Proposed Plat which is attached hereto and made a part hereof. (Appendix "B"),

RECORDED  
WASHTENAW COUNTY MI  
DEC 11 11 02 AM '89  
ROBERT H. HARRISON  
COUNTY CLERK/REGISTER

RECORDED RIGHT OF WAY NO. 40177

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 utility 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:

Dolores R. Mandean  
DOLORIS R. MANDEAN

Phyllis Goldfarb  
PHYLLIS GOLDFARB

GLEN DEVON LIMITED PARTNERSHIP -  
a Michigan Limited Partnership

JOSEPH GOLDFARB General Partner

Prepared by: James M. Davenport  
316 E. Grand River  
Howell, Mi. 48843  
Address: 5000 Town Center - Suite 1101  
Southfield, Mi. 48075

STATE OF MICHIGAN

County of OAKLAND 155

On this 6<sup>th</sup> day of DECEMBER, 1989, the foregoing instrument was acknowledged before me, a notary public in and for said county, by JOSEPH GOLDFARB

(a) general/managing partner(s), on behalf of Glen Devon LIMITED PARTNERSHIP a partnership.

Carole Jean Janus  
Notary Public, Oakland County, Michigan

My commission expires 4-11-90

CAROLE JEAN JANUS  
Notary Public, Oakland County, MI  
My Commission Expires April 11, 1990

APPENDIX "A"

BEGINNING at the East 1/4 corner of Section 34, T1S, R5E, Webster Township, Washtenaw County, Michigan; thence S01°22'20"E 1051.68 feet along the East line of said Section and the West line of Lots 401 through 407 inclusive and the West line of Lot 412 of "LOCH ALPINE" a subdivision as recorded in Liber 8 of Plats, Pages 26, 27 and 28, Washtenaw County Records; thence S82°49'35"W 977.97 feet; thence S01°21'05"E 50.26 feet; thence S82°49'35"W 379.95 feet along the North line of Lots 418 and 419 of said "LOCH ALPINE"; thence N01°08'00"W 157.24 feet; thence N58°58'30"E 583.52 feet; thence N31°01'30"W 317.76 feet; thence N58°58'30"E 65.90 feet along the centerline of Joy Road; thence S31°01'30"E 210.00 feet; thence N58°58'30"E 400.00 feet; thence N31°01'30"W 210.00 feet; thence N58°58'30"E 570.18 feet along the centerline of Joy Road; thence N86°02'40"E 100.14 feet to the Point of Beginning. Being a part of the Southeast 1/4 of Section 34, T1S, R5E, Webster Township, Washtenaw County, Michigan and containing 19.29 acres of land, more or less. Being subject to the rights of the public over the that portion of Joy Road as occupied. Also being subject to easements and restrictions of record, if any.

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

cluster Twp  
Sec. 34

**Detroit  
Edison**

Date: 12-26-89

To: Record Center  
130 General Offices

From: JAMES DAVENPORT  
Real Estate and Rights of Way Department  
Ann Arbor Division

Subject: Agreement-Easement-Restrictions for underground  
residential distribution for GLEN DEVON CONDOS  
located in WEBSTER TOWNSHIP  
WASHTENAW COUNTY

Attached for Records Center is the executed agreement dated  
DEC 6, 1989 for the above named project. Also enclosed  
are other pertinent papers relative to this project  
Easements for this project were requested by RICHARD JOHNSON

Service Planning Department, ANN ARBOR OFFICE  
Ann Arbor Division.

JAMES M. DAVENPORT  
ANN ARBOR

The agreement was negotiated by \_\_\_\_\_  
of the Real Estate and Rights of Way Department  
Ann Arbor Division.

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

(Additional Information) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attachment

RECORDED RIGHT OF WAY NO. 40177

DROPOSED

# GLEN DEVON CONDOMINIUMS

PART OF THE SE. 1/4 OF SECTION 34, T1S, R5E,  
WEBSTER TOWNSHIP, WASHTENAW COUNTY, MICHIGAN

LIBER 2370 PAGE 075

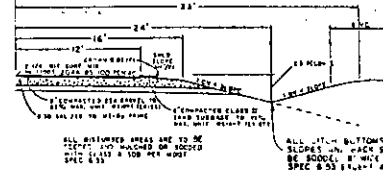
Page 4 of 4

### SITE DATA

Item	Quantity	Unit
Site Area	11.13	Ac.
Site Area	234,000	Sq. Ft.
Site Area	11.13	Ac.
Site Area	234,000	Sq. Ft.
Site Area	11.13	Ac.
Site Area	234,000	Sq. Ft.
Site Area	11.13	Ac.
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### APPROVAL SCHEDULE

PROCEDURE	AGENCY	APPROVAL DATE
I. Preliminary Site Plan (Preliminary Approval)	A. Webster Township Planning Commission	1-16-89
II. Final Site Plan (Final Approval)	A. Washtenaw County Drain Commissioner	6-14-89
	B. Washtenaw County Road Commission	6-20-89
	C. Department of Natural Resources	6-8-89
	D. Public Utilities	4-18-89
	E. Washtenaw County Health Department	3-27-89
F. Webster Township Planning Commission		



### CENTERLINE CURVE DATA

STATION	DELTA	RADIUS	ARC	CHORD	BEARING
1	66° 02' 55"	250.00	265.54	751.05	S84° 02' 00" E
2	33° 35' 50"	250.00	134.87	172.94	S55° 50' 40" W
3	64° 11' 55"	250.00	257.99	N40° 49' 40" E	
4	24° 36' 10"	250.00	119.05	417.71	N16° 11' 55" W

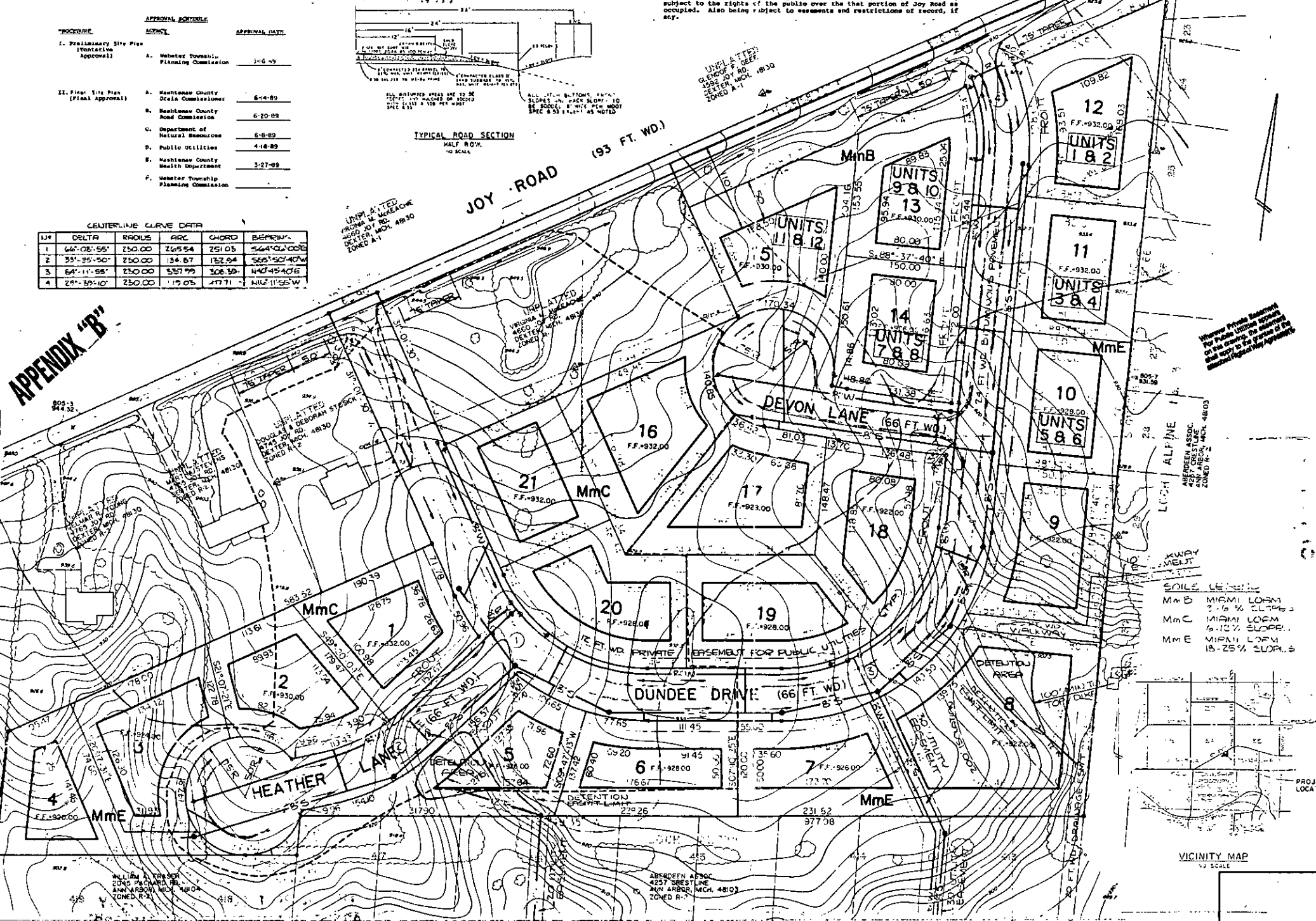
NOTE: RAISE ALL PLAN ELEVATIONS 0.5' FOR CONSTRUCTION.

POSTED SPEED LIMIT 15 MPH  
STOPPING SIGHT DISTANCE OF 550 FT. AVAILABLE FROM SOUTH DUNDEE DRIVE TO SECTION EAST AND WEST ALONG JOY ROAD  
NO VEHICULAR ACCESS TO JOY ROAD FROM LOT 12, 13 OR 15.

### LIFT TABLE

CONDOMINIUM UNIT #	AREA (SQ. FT.)	ELEVATION
1	25,740.78	25,740.78
2	27,027.13	27,027.13
3	26,405.73	26,405.73
4	12,002.21	12,002.21
5	25,504.82	25,504.82
6	25,504.20	25,504.20
7	12,470.25	12,470.25
8	27,925.44	27,925.44
9	25,500.00	25,500.00
10	25,500.00	25,500.00
11	25,500.00	25,500.00
12	14,927.59	14,927.59
13	25,815.00	25,815.00
14	22,221.14	22,221.14
15	12,021.60	12,021.60
16	24,241.67	24,241.67
17	20,340.21	20,340.21
18	20,340.21	20,340.21
19	20,340.21	20,340.21
20	29,126.88	29,126.88
21	25,500.00	25,500.00
TOTAL	1,758.14	1,758.14

APPENDIX "B"



### SOILS LEGEND

MmB	MIAMI LOAM 2-5% CLAY
MmC	MIAMI LOAM 6-12% SLOPE
MmE	MIAMI LOAM 18-25% SLOPE

VICINITY MAP

### LEGEND

---	EXISTING CONTOUR
---	PROPOSED CONTOUR
---	ORAINAGE AREA LIMITS
---	PROP SURFACE DRAINAGE
---	EXISTING STORM
---	PROPOSED STORM
---	EXISTING SANITARY
---	PROPOSED SANITARY
---	EXISTING ASPHALT
---	EXISTING WATER
---	PROPOSED WATER
---	EXISTING TELEPHONE
---	EXISTING ELECTRIC
---	PROPOSED ASPHALT

BENCHMARK R.R. SPIKE IN UTILITY POLE WEST OF WEBSTER CHURCH RD AND SOUTH OF JOY RD ELEV. 926.45

### REVISIONS

6-8-89	7-13-89	5/8" PER CEK
6-12-89	7-27-89	5/8" PER CEK
6-13-89	8-3-89	5/8" PER CEK
6-24-89	8-18-89	5/8" PER CEK
10-10-89	11-22-89	5/8" PER WFL
10-19-89	11-22-89	5/8" PER WFL

SCALE 1" = 60 FEET

PREPARED BY CHARLES E. RIPPE PE, MICH NO. 18454  
APPROVED BY



CIVIL ENGINEERS - IN MICHIGAN

CLIENT GLEN DEVON LIMITED PARTNERSHIP  
Proposed GLEN'S DEVON CONDOMINIUMS

SECTION	34	TOWNSHIP	WEBSTER	COUNTY	MICHIGAN
DATE	11-11-89	SCALE	1" = 60'		
DRAWN BY	WFL	CHECKED BY	WFL		
DATE	11-11-89	SCALE	1" = 60'		

68 ✓ Return

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