

**Detroit Edison**

Real Estate and Rights of Way

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

October 29, 1990

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 and Huron Cable TV a Michigan corporation of 2780 Beach, Port Huron, Michigan 48060 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 Port Huron, County of St. Clair, 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. 7234A000 12/20/90DEED# 7.00 \*\*0001\*\*

Said right of way shall be ten feet in width unless otherwise indicated and the route is described as follows:

The exact location of underground equipment must be determined by the UTILITY COMPANIES.  
For exact location, telephone MISS DIG at 1-800-482-7171. The exact location of underground equipment indicates the centerline of said Right of Way.

MARKIN JAROSKI  
CLERK - REGISTER  
ST. CLAIR COUNTY  
RECEIVED FOR RECORD  
DEC 20 1990  
lib 1245... 498... 499... 20 pm  
*[Signature]*  
DEPUTY

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.

RECORDED RIGHT OF WAY NO. 41260

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 *[Signature]*  
Richard F. Collins

*[Signature]*  
Anthony N. Cavis

x *[Signature]*  
Linda L. Quaine

*[Signature]*  
Angie K. Cavis, his wife

Return to -  
Prepared by: Linda Quaine  
600 Grand River Ave.  
Port Huron, MI 48060

Address: 5614 Lapeer Road  
Port Huron, MI 48060

Part Huron  
Sec. 31

Detroit  
Edison

THUMB DIVISION - Rights of Way

Date: January 14, 1991  
To: Records Center  
From: Richard F. Collins *RFC*  
Senior Representative  
Subject: **Amberwood Village**

Attached for Records Center is the executed Agreement dated October 29, 1990 for the above named project. Also, enclosed are other pertinent papers relative to this project.

Easement for this project was requested by Dave Meredith of Service Planning, Thumb Division.

The Agreement was negotiated by Richard Collins of this Department.

The Detroit Edison Company & Harron Cable TV made this agreement with Anthony and Angie Cavis (husband & wife).

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

RFC:lq:13  
Attachments

RECORDED RIGHT OF WAY NO. 41260

AMBERWOOD VILLAGE  
LEGAL DESCRIPTION OF PROPERTY

Land in the Township of Port Huron, County of St. Clair, State of Michigan, being part of the southeast quarter of Section 31, T6N-R17E, described as: Commencing at the east quarter corner of Section 31; thence N 89°39'54"W 568.38 feet; thence S 00°22'00"W 303.94 feet to the centerline of Atkins Road and the Point of Beginning of this description; thence S 00°22'00"W 1,023.45 feet; thence N 89°14'27"W 308.23 feet; thence N 00°45'33"E 160.00 feet; thence N 18°27'12"W 69.89 feet; thence N 00°45'33"E 150.00 feet; thence N 89°14'27"W 45.00 feet; thence N 00°45'33"E 255.00 feet; thence S 89°14'27"E 45.00 feet; thence N 00°45'33"E 150.00 feet; thence S 89°14'27"E 80.00 feet; thence N 28°30'58"W 75.66 feet; thence N 00°45'33"E 141.24 feet to the south line of Lot 11 "Supervisor's Ward Black River Plat"; thence S 89°22'00"E 181.53 feet along said lot line to the southeast lot corner; thence N 00°35'30"E 119.32 feet to the centerline of Atkins Road; thence S 45°36'30"E 117.22 feet along said centerline; thence S 75°45'00"E 15.62 feet to the Point of Beginning. Containing 7.53 acres.

Acknowledgement-Individual

STATE OF MICHIGAN

County of St. Clair 1885

On this 29<sup>th</sup> day of October, 1990, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Anthony N. Cavis and Angie A. Cavis, his wife

Earl Eberhard  
Notary Public, St. Clair County, Michigan

My commission expires 2-2-94

RECORDED RIGHT OF WAY NO. 41260

# Detroit Edison

# Application for U.R.D. Easements

DE 963-5145 9-73CS (RR 11)

To (Supervisor, RE & R/W) R. COLLINS	For RE & R/W Dept. Use	Date Received	DE/Bell/C.P. No.
Division THUMB	Date	Application No.	

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.

**Information**

1. Project Name AMBERWOOD VILLAGE	County ST. CLAIR
City/Township/Village PT. HURON TWP.	Section No. 31
Type of Development <input checked="" type="checkbox"/> Proposed Subdivision <input type="checkbox"/> Subdivision	<input type="checkbox"/> Apartment Complex <input type="checkbox"/> Mobile Home Park <input type="checkbox"/> Condominium <input type="checkbox"/> Other
2. Name of Owner ANTHONY N. DAVIS	Phone No. 982-8353
Address 5614 LAPEER RD.	984-1635
Owner's Representative	Phone No.
Date Service is Wanted	

4. Entire Project will be developed at one time .....  Yes  No
5. Joint easements required — Michigan Bell Telephone .....  Yes  No  
— Consumers Power .....  Yes  No

a. Name of Other Utilities If Not Michigan Bell Telephone or Consumers Power HARRON CABLE TV	
b. Other Utility Engineer Names RUSS MITCHELL	Phone Numbers 307-7844
Addresses 2780 BEACH RD PT. HURON	

6. Additional Information or Comments 10' FRONT LOT ESM'T REQUESTED ON PRELIM. PLAT 2-14-88 - NOT PLATTED YET
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Note: Trenching letter  attached  will be submitted later

Service Planner DAVE MEREDITH	Signed (Service Planning Supervisor)
Phone No.	Address

RECORDED RIGHT OF WAY NO. 41860