

Detroit Edison

Real Estate and Rights of Way

Joint Underground Residential Distribution Right of Way Agreement

JAN 7, 1991

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 COLUMBIA CABLE OF MICHIGAN

, a Michigan corporation of P.O. Box 998, Ann Arbor, Michigan 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 and appurtenances including the necessary above ground equipment, connections, poles and accessories required in, under, upon, over and across the property located in the Scio Township of Scio County of Washtenaw 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:

Twelve (12) foot wide easements as described on Detroit Edison Drawing AS-7035, dated December 12, 1990 and attached hereto and made a part hereof, over and across and under the following described land: (Appendix "B")

(See reverse side for Legal Description)

RECORDED

WASHTENAW COUNTY MI

JAN 15 3 07 PM '91

PEGGY H. HAINES
COUNTY CLERK/REGISTER

RECORDED RIGHT OF WAY NO.

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:

Larry R. Stalker
Larry R. Stalker

Harry C. Bates
Trustee, under the terms of the "Bates Trust"
Dated October 1, 1973

Joe Schnebelt
Joe Schnebelt

Harry C. Bates
Harry C. Bates, TRUSTEE

Prepared by: James M. Davenport
316 E. Grand River
Howell, Mi. 48843

Address: 8450 Shield Rd.
Dexter, Mi. 48130

Acknowledgement-Individual

STATE OF MICHIGAN

County of Washtenaw)SS

On this 7th day of January, 19 91, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Harry C. Bates Trustee, under the terms of the "Bates Trust", dated October 1, 1973

Larry R. Stalker
Larry R. Stalker
Notary Public, Washtenaw County, Michigan

My commission expires 5/2/94

Legal Description - Appendix "A"

The west 1/2 of the SW 1/4 and all that part of the east 1/2 of the SW 1/4 of Section 6, T2S, R5E, Scio Township, Washtenaw County, Michigan, lying west of the Mill Creek and Dexter Mill Pond; also all that part of the west 1/2 of the NW 1/4 of Section 7, T2S, R5E, Scio Township, Washtenaw County, Michigan, and all that part of the east 1/2 of the NW 1/4 of said Section 7 lying north of the highway and west of Mill Creek, excepting and reserving therefrom a parcel described as commencing in the center of the highway at the west end of the Tail Race Bridge, (so-called) on the east 1/2 of the NW 1/4 of said Section 7; running thence westerly in the center of said road, 15 rods; thence north 12 rods; thence east 15 rods to said Tail Race; thence southerly along said Tail Race to the place of beginning; also excepting and reserving therefrom land conveyed to Hugh F. Shields and Mary Emma Shields, his wife, by Quit Claim Deed dated September 30, 1926 and recorded November 19, 1926 in Liber 266 of Deeds, Page 180; also excepting and reserving therefrom about 13 acres in the NW corner of the west 1/2 of the SW 1/4 of said Section 6 conveyed by Vrelon Bates and wife to Henry Vinkel by deed dated February 8, 1854 and recorded in Liber 38, Page 160, all being a part of the SW 1/4 of Section 6 and a part of the NW 1/4 of Section 7, T2S, R5E, Township of Scio, County of Washtenaw and State of Michigan.

Also excepting and reserving therefrom the following: Commencing at the east 1/4 corner of Section 12, T2S, R4E, Lima Township, Washtenaw County, Michigan; thence along the center line of Parker Road and the east line of said section N 1°31'30" W 2015.5 feet to the centerline of Shield Road; thence along the center line of Shield Road N 89°17' E 330.0 feet for a place of beginning; thence N 1°31'30" W 264.03 feet; thence N 89°17' E 165.0 feet; thence S 1°31'30" E 264.03 feet to the centerline of Shield Road; thence along the center line of Shield Road S 89°17' W 165.0 feet to the place of beginning, being a part of the NW 1/4 of Section 7, T2S, R5E, Scio Township, Washtenaw County, Michigan.

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

Detroit
Edison

DATE: 1-25-91

TO: Corporate Real Estate Services
2310 W.C.B.

FROM: James M. Davenport *JMD*
Real Estate & Rights-of-Way
Howell Office
Ann Arbor Division

SUBJECT: Agreement/Easement/Restrictions for underground
residential distribution for BATES FARMS
PHASE 2 CONDOS
Located In: SCIO TOWNSHIP
County: WASHTENAW COUNTY

Attached is the executed agreement dated 1/7/91
for the above named project.

Easements for this project were requested by SANDRA
PREDIUM
Service Planning Department, Ann Arbor Division.

The agreement was negotiated by James M. Davenport of the
Real Estate and Rights-of-Way Department, Ann Arbor
Division.

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

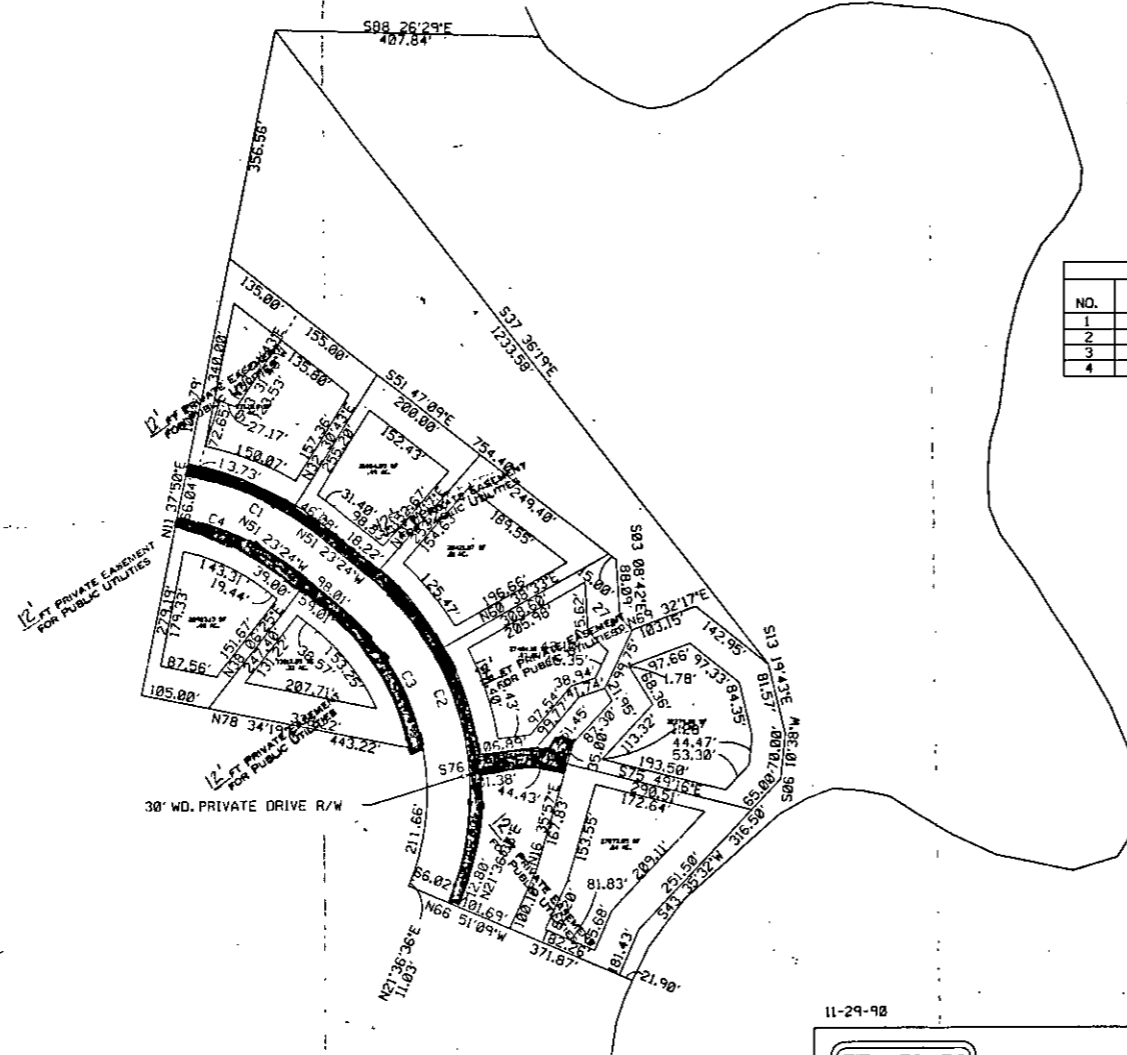
Additional Information: _____

JMD:pg:wp

Attachment(s)

RECORDED RIGHT OF WAY NO. 44276

BATES FARMS PHASE 2



CURVE TABLE					
NO.	RADIUS	DELTA	ARC LENGTH	CHORD	
				BEARING	LENGTH
1	433.00'	28 50'17"	217.94'	S65 48'32"E	215.64'
2	433.00'	73 00'00"	551.68'	S14 53'24"E	515.12'
3	367.00'	73 00'00"	467.59'	S14 53'24"E	435.60'
4	367.00'	29 10'21"	186.86'	N65 58'34"W	184.85'

LINE TABLE		
UNIT NO.	DISTANCE	BEARING
17	27.17	N70 13'04"W
17	72.65	N18 47'20"E
20	106.89	N82 53'00"E
20	99.77	N39 52'00"E
20	41.74	N71 23'47"E
20	27.48	S44 43'18"E
20	106.89	S82 53'00"W
20,21	99.75	N25 35'58"E
21	21.95	S31 12'16"E
21	87.30	S42 41'17"W
21	142.92	S51 00'09"E
22	100.10'	N24 53'25"E
22	181.43	S23 42'43"W

LIB# 2465 PAGE 784
Box 383

AS-7035
DEC 12, 1990

11-29-98

LSC LAND SURVEYING CONSULTANTS
 SURVEYORS - ENGINEERS
 P.O. BOX 65, 3225 CENTRAL ST.
 DEXTER, MICHIGAN
 (313) 761-5577

PRELIMINARY

APPENDIX "B"

RECORDED RIGHT OF WAY NO. 41290

As directed

JMO

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

RECORDED
WASHTENAW COUNTY MI
JUN 15 3 07 PM '91
PEGGY M. HAINES
COUNTY CLERK/REGISTER

SSRF 2.00
B333 0333003 9149 3:02PM 1/15/91

NUMB 306 11.00
DEED
B333 0333003 9149 3:02PM 1/15/91

09 2
09 11