

Real Estate and Rights of Way

**Detroit Edison**

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

RECORDED RIGHT OF WAY NO. 41310

December 28, 1989

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 HARRON CABLE TV, a Michigan

corporation of 2780 Beach Road, Port Huron, MI 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 Clay, 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% 9.00  
**\*\*0001\*\***

Said right of way shall be 10 feet in width unless otherwise indicated and the route is described as follows:

As shown on attached drawing, which is only preliminary and approximate.

The exact location of said easement will be shown on a drawing to be recorded at a later date.

MARION JARGENT  
CLERK - REGISTER  
ST. CLAIR COUNTY  
RECEIVED FOR RECORD

DEC 20 1990

Lib 7245... 521... 523...  
Marion Jargent  
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, employes 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:

Elmer W. Roiland, Jr.

X Nancy Strassburg  
Nancy Strassburg

J.M.R. Corp.  
E. Wm. Roiland, Jr. V.P.  
ELMER W. ROIAND JR.

X Thomas M. Clemons  
Thomas M. Clemons

Return to -

Prepared by: Richard F. Collins  
600 Grand River Ave.  
Port Huron, MI 48060

Address: 9180 Stone Rd., Algonac, MI 48001

Clay Twp  
Sec. 2

Detroit  
Edison

THUMB DIVISION - Rights of Way

Date: January 14, 1991

To: Records Center

From: Richard F. Collins  
Senior Representative *RFC*

Subject: **Park Place Condo's**

Attached for Records Center is the executed Agreement dated December 28, 1989 for the above named project. Also, enclosed are other pertinent papers relative to this project.

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

The Agreement was negotiated by Richard Collins of this Department.

The Detroit Edison Company, Michigan Bell Telephone Co. & Harron Cable TV made this agreement with Elmer W. Roland Jr., Vice President (J. M. R. Corp. ).

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

RFC:lq:13

Attachments

RECORDED RIGHT OF WAY NO. 41310

Serving Customers

*We're all a part of it!*

Lots 810, 811, and 812, SUPERVISOR'S ROY T. GILBERTS PLAT No. 11, according to the plat thereof as recorded in Liber 49 of Plats, Page 20, St. Clair County Register of Deeds Office. Section 2, T2N, R16E.

Acknowledgement-Individual Corporate

STATE OF MICHIGAN

County of St. Clair )SS

On this 28th day of December, 19 89, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Elmer W. Roland, Jr., Vice President, J.M.R. Corporation, a Michigan Corporation.

Nancy Strassburg  
Nancy Strassburg  
Notary Public, St. Clair County, Michigan

My commission expires 6/26/91

RECORDED RIGHT OF WAY NO 41310

To (Synopser, RE & R/W) <i>RICHARD COLLINS</i>	For RE & R/W Dept. Use	Date Received	DE/Bell C.P. No.
Division <i>THUMB</i>	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 <i>PARK PLACE CONDOS</i>	County <i>ST CLAIR</i>
City/Township/Village <i>CLAY TWP</i>	Section No.
Type of Development <input type="checkbox"/> Proposed Subdivision <input type="checkbox"/> Subdivision <input type="checkbox"/> Apartment Complex <input type="checkbox"/> Mobile Home Park <input checked="" type="checkbox"/> Condominium <input type="checkbox"/> Other	Phone No.
2. Name of Owner <i>ELMER W. ROLAND, JR</i>	Phone No.
Address <i>9180 STONE ALGONAC MI 48001</i>	
Owner's Representative	Phone No.
Date Service is Wanted	

RECORDED RIGHT OF WAY NO.

41300

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  
*BOB STRAUSS* Phone Numbers *749-9561*

Addresses

6. Additional Information or Comments

Note: Trenching letter  attached  will be submitted later

Service Planner *DAVE GILW* Signed (Service Planning Supervisor) *Don Miller*

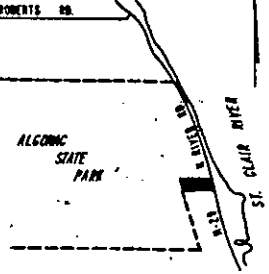
Phone No *6714* Address



RECORDED RIGHT OF WAY NO. 41310

LOCATION SKETCH

MAP SHEET NO.



P.F. C364  
DET.-2022  
PHASE-XZ  
FUSE-

TRANSFORMER DATA

U.D.T. NO.	SIZE	ED. STK. NO.
C364-1	50 KVA	661-1157

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

CODE

- ⊕ TEMPORARY SECONDARY PEDESTAL/TEMPORARY CABLE MARKER
- ⊖ DPT (DEAD FRONT TYPE)
- ⊕ LOT (NON-SWITCHING—LIVE FRONT TYPE)
- ⊖ LOT (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. COIN. CABINET

NOTE:-  
METER SHALL BE LOCATED IN SHADDED AREA CLOSEST TO D.E.CO. SOURCE.



INSTALLED	CABLE SUMMARY	ESTIMATED
ITEM #	2 CU 112	713-5075 - 5623 31F
ITEM #	AP230M & 1-40 800 V.	713-0537
ITEM #	AP230 & 1-41 800 V.	7130814

TRENCH SUMMARY

JOINT USE	46'-0"	43'
D.E. ONLY		
TBL. ONLY	70'	7'
-GAS-DRY-		1'
-SEWER-		2'
TOTAL	330'	45'
SITE SUPT. JACK Mec EWAN PHONE NO. 794-2220		

GENERAL NOTES

TRENCHING TO BE DONE BY: D.E. CO.  
 TRENCH AND CABLE LENGTHS ARE APPROXIMATE.  
 SEE SECTION 58 UO LINE CONSTRUCTION STANDARDS FOR TRAIL MAT. DETAILS.  
 SEE PAGE 3-11 (S1 M) DETAIL " " FOR ENTRANCE POINT DETAILS (APPL. ONLY).  
 SEE SECTION 43 UO LINE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES.  
 TRANSFORMERS AND PEDESTALS (BURIED ONLY)  
 D.E. SERVICE PLANNER: D. GIZAR 984-6714  
 TBL. CO: BURY DUNFORD 984-7016  
 GAS CO: \_\_\_\_\_  
 CATV OTHER: BOB STRAUSS 749-9561

EASEMENTS INDICATED BY OUR CENTERLINE ARE IN WIDTH UNLESS OTHERWISE NOTED.

PERMITS REQUIRED

START DATE: 12-13-89 COUNTY: \_\_\_\_\_ NOTIFICATION TO: \_\_\_\_\_ CITY OF: \_\_\_\_\_ STATE:  YES  NO

LIDER 1245 PAGE 523

D	C	B	A	REFERENCE
REVISION	REVISION	REVISION	REVISION	
			AS INSTALLED IN THE FIELD.	
DRAWN BY	CHECKED BY	APPROVED BY	DRAWN BY	CHECKED BY
			K.J.H.	7-9-90

NAME	DATE	JOB TITLE	THE DETROIT EDISON COMPANY SERVICE PLANNING
R. REYNOLDS	10-26-89		SCALE: 1" = 30'
W.D.	10-27-89		NUMBER OF UNITS: 2
A. Williams	10-27-89		PHONE COUNCIL NUMBER: 367 810 J474
			LATEST REVISION: _____
			DISTRIBUTION GROUP: 8778 RIVERSIDE 4.8 KV
			DEPT. CHIEF'S OFFICE: _____

PARK PLACE CONDO  
 9200 N. RIVER RD.  
 SUPV. ROY T. GILBERT'S FLAT  
 L 49 P 19 - 20  
 TWP OF CLAY COUNTY OF ST. CLAIR A-79617