

Right of Way Agreement

THIS INSTRUMENT IS RE-RECORDED TO SHOW AS INSTALLED DRAWING AS STIPULATED.

March 27, 19 86

For valuable consideration, the receipt of which is hereby acknowledged, the undersigned hereby grant and convey to THE DETROIT EDISON COMPANY, a corporation organized and existing concurrently under the laws of the States of Michigan and New York, of 2000 Second Avenue, Detroit, Michigan 48226 and the General Telephone Co. of Mich. of 455 E. Ellis, P.O. Box 149, Muskegon, MI 49443 hereinafter referred to as "UTILITIES", the easement and right to erect, lay, maintain, reconstruct and replace underground facilities consisting of wires, cables, conduits, fixtures and appurtenances including the necessary above ground equipment, connections, poles and accessories which may from time to time be required in, under, upon, over and across the land located in the Township of Pittsfield, Washtenaw County, Michigan, and more particularly described on the attached Appendix "A", with the full right to the UTILITIES of ingress and egress upon said land for the purposes of this grant, and the further right to trim, cut down or otherwise control brush and trees within the easements herein described.

Said easements shall be Twelve (12) feet in width unless otherwise indicated and their route is described as follows: The exact location of said easements will be as shown on a drawing to be recorded within 180 days after construction.

In order to provide for the proper maintenance and protection of UTILITIES, the undersigned covenant and agree that:

1. The easements will be graded to within four (4) inches of final grade before the UTILITIES lines are installed and this ground elevation must be maintained after installation of utilities to avoid the pooling of water in, on or around above ground UTILITIES' equipment.
2. No buildings or structures other than UTILITIES equipment are to be placed within the easements herein granted. No excavation is to be permitted within said easement without approval of UTILITIES.
3. No shrubs of foliage shall be planted or grown within five (5) feet of the front door of transformers or switching cabinet enclosures. UTILITIES 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 easement causing an interference with UTILITIES maintenance of their equipment.
4. If the lines of facilities of UTILITIES 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 land at the time the damage occurred.

THIS GRANT is declared to be binding upon the heirs, successors, lessees, licenses and assigns of the parties hereto.

IN WITNESS WHEREOF, the undersigned have hereunto set their hand and seal on this date.

Witnesses:

Grantors:

Allan W. Grossman
Allan W. Grossman

Kathleen S. Dieterle
Kathleen S. Dieterle

Paul J. Peters
Paul J. Peters

Julie M. Peters
Julie M. Peters, husband & wife

Raymond C. Bernreuter
Raymond Charles Bernreuter
a/k/a Raymond C. Bernreuter

Janet S. Bernreuter
Janet S. Bernreuter, husband and wife

Prepared By: James M. Davenport
2000 Second Avenue
Detroit, MI 48226

Address: 203 W. Michigan
Saline, MI 48176

RECORDED

WASHTENAW COUNTY MI DE 963-4186 10-79 CS (D.E. U.R.D.)

FEB 5 10 30 AM '91

PEGGY H. HAINES
COUNTY CLERK/REGISTER
re-recorded

RECORDED RIGHT OF WAY NO. 41415

Y...
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ADINA ...

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

~~RETURN TO:
R. J. ORT
THE DETROIT EDISON COMPANY
425 S. MAIN STREET, ROOM 332
ANN ARBOR, MI 48104~~

Page 2 of 3

re-recorded

STATE OF MICHIGAN)

COUNTY OF Washtenaw)

SS

On this 27th day of March, A.D. 1986, before me, the undersigned, a notary public in and for said county, personally appeared Paul J. Peters and Julie M. Peters, husband and wife known to me to be the persons who executed the foregoing instrument, and acknowledged the same to be their free act and deed.

Kathleen S. Dieterle
Kathleen S. Dieterle
Notary Public, Washtenaw County, MI

My Commission Expires: 10-16-88

RECORDED RIGHT OF WAY NO. 41415

STATE OF MICHIGAN)

COUNTY OF Washtenaw)

SS

On this 27th day of March, A.D. 1986, before me, the undersigned, a notary public in and for said county, personally appeared Raymond Charles Bernreuter and Janet S. Bernreuter, husband and wife known to me to be the persons who executed the foregoing instrument, and acknowledged the same to be their free act and deed.

Kathleen S. Dieterle
Kathleen S. Dieterle
Notary Public, Washtenaw County, MI

My Commission Expires: 10-16-88

A P P E N D I X "A"

Land situated in the City of Saline, Washtenaw County, MI, to-wit:
Commencing at the East 1/4 corner of Section 36, T3S, R5E, City of Saline, Washtenaw County, MI; thence S 1°28'20" W 883.31 feet along an east line of said section (as monumented) for a Place of Beginning; thence continuing along said line S 1°28'20" W 670.52 feet; thence N 89°18'15" W 335 feet along the north line of Bennett's Addition to the City of Saline, as recorded in Liber 67 of Plats, pages 726 and 727, Washtenaw County Records; thence S 1°28'20" W 220.44 feet along the east line of Lot 52 of said Bennett's Addition; thence N 89°18'15" W 67 feet along the north line of Clark Street; thence N 1°28'20" E 220.44 feet along the west line of said Lot 52; thence N 89°18'15" W 269.88 feet along the north line of said Bennett's Addition; thence N 1°27'45" E 87.59 feet; thence along the southeasterly line of an existing railroad right of way in the following two courses: 564.65 feet along the arc of a 2914.79 foot radius circular curve to the left, chord bearing N 52°08'40" E 563.69 feet; thence N 46°35'40" E 332.69 feet to the Place of Beginning, being Lot 52 of said Bennett's Addition and a part of the SE 1/4 of said Section 36.

RECORDED
COUNTY CLERK/REGISTER
APR 7 11 20 AM '86
ROBERT A. HARRISON

YMAEMCO ... THE CITY OF SALINE
SEE MOOR ...
60184 IM BOHRA MNA

108-07AS

LIBRARY OF CONGRESS

Richard Longwish

Richard Longwish

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

Note + Write letter from Pittsfield to go to Baltimore City inside

~~RETURN TO:
R. J. ORT
THE DETROIT EDISON COMPANY
425 S. MAIN STREET, ROOM 332
ANN ARBOR, MI 48104~~

RECORDED
WASHINGTON COUNTY MI
APR 7 11 20 AM '86
ROBERT M. HARRISON
COUNTY CLERK/REGISTER

78-93436 40 00700 MRD

7.00

**Detroit
Edison**

DATE: 2-19-91

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 PARK PLACE CONDOS.
 Located In: PITTSFIELD TOWNSHIP
 County: WASHTENAW COUNTY

Attached is the executed agreement dated 3/27/86 for the above named project.

Easements for this project were requested by H. COLE
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. _____

41415

1100
200

RECORDED

WASHTENAW COUNTY MI

FEB 5 10 30 AM '91

PEGGY M. HAINES
COUNTY CLERK/REGISTER

for District
711
NOTE
Dist
Dist
X

DEED
B333 0333003 0208 10:22AM 2/05/91
11.00

SSRF
B333 0333003 0208 10:22AM 2/05/91
2.00

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