



Real Estate and Rights of Way

# Joint Underground Residential Distribution Right of Way Agreement

JANUARY 5th, 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, MICHIGAN BELL TELEPHONE COMPANY, a Michigan corporation of 444 Michigan Avenue, Detroit, Michigan and \_\_\_\_\_

Harron Cable TV, a Michigan corporation of 2780 Beach, Port Huron, MI 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 \_\_\_\_\_

City of Marysville, 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#

\*\*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.  
If any changes in location it will be recorded at a later date.

MARION JARGENT  
CLERK - REGISTER  
ST. CLAIR COUNTY  
RECEIVED FOR RECORD  
DEC 20 1990  
Liberty 1245 pg. 12 8:27 AM  
Marion Jargent  
DEPUTY

RECORDED RIGHT OF WAY NO. 41424 9.00

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:

Gail L. Huffman  
GAIL L. HUFFMAN  
Walter R. Braun  
WALTER R. BRAUN

Francis J. Connor  
FRANCIS J. O'CONNOR  
Madeline E. O'Connor  
MADELINE E. O'CONNOR  
Patricia C. Cooley  
PATRICIA C. COOLEY  
Ronald W. Cooley  
RONALD W. COOLEY

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

Address: 2801 Gratiot  
Marysville, MI 48040

Log 1

To (Supervisor, RE & R/W) <b>RICHARD COLLINS</b>	For RE & R/W Dept. Use	Date Received <b>12-4-99</b>	DE/Bell/C.P. No.
Division <b>THUMB</b>	Date <b>12-11-89</b>	Application No. <b>A-79604</b>	

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 <b>Hemlock Forest</b>	County <b>ST. CLAIR</b>
City/Township/Village <b>MARYSVILLE</b>	Section No.
Type of Development <input checked="" type="checkbox"/> Proposed Subdivision <input type="checkbox"/> Apartment Complex <input checked="" type="checkbox"/> Condominium <input type="checkbox"/> Subdivision <input type="checkbox"/> Mobile Home Park <input type="checkbox"/> Other	
2. Name of Owner <b>RONALD &amp; PATRICIA COOLEY</b>	Phone No. <b>H-364-8763 W-364-8700</b>
Address <b>2801 GRATIOT</b>	
Owner's Representative	Phone No.
Date Service is Wanted	

RECORDED RIGHT OF WAY NO. 11424

- 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 T.V.**

b. Other Utility Engineer Names      Phone Numbers  
**RUSS MITCHELL**      **987-7846**

Addresses  
**2780 BEACH RD. - PT. HURON**

6. Additional Information or Comments

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Note: Trenching letter  attached     will be submitted later

Service Planner <b>BRIAN INGER</b>	Signed (Service Planning Supervisor)
Phone No. <b>6715</b>	Address

Pont Huron Twp  
SEC. 30

**Detroit  
Edison**

**THUMB DIVISION - Rights of Way**

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

Attached for Records Center is the executed Agreement dated January 5, 1990 for the above named project. Also, enclosed are other pertinent papers relative to this project.

Easement for this project was requested by Brian Immel of Service Planning, Thumb Division.

The Agreement was negotiated by Richard F. Collins of this Department.

The Detroit Edison Company, Michigan Bell Telephone Co. & Harron Cable TV made this agreement with Francis & Madeline O'Connor & Ronald & Patricia Cooley (Joint Tenants in Common).

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

RFC:lq:13  
Attachments

RECORDED RIGHT OF WAY NO. 41424

Hemlock Forest  
City of Marysville, St. Clair County

Lot 38, except East 150 feet of South ½, and Lot 40, excluding the East 200 feet, Assessor's Small Farm Plat No. 1, according to the plat thereof as recorded in Liber 51, page 3, St. Clair County Records. Section 30, T6N, R17E.

**Acknowledgement-Individual**

STATE OF MICHIGAN

County of ST. CLAIR 155

On this 5th day of JANUARY, 1990, the foregoing instrument was acknowledged before me, a notary public in and for said county, by FRANCIS O'CONNOR, MADELINE E. O'CONNOR, RONALD W. COOLEY & PATRICIA C. COOLEY

*Paul L. Huffman*  
Notary Public, ST. CLAIR County, Michigan

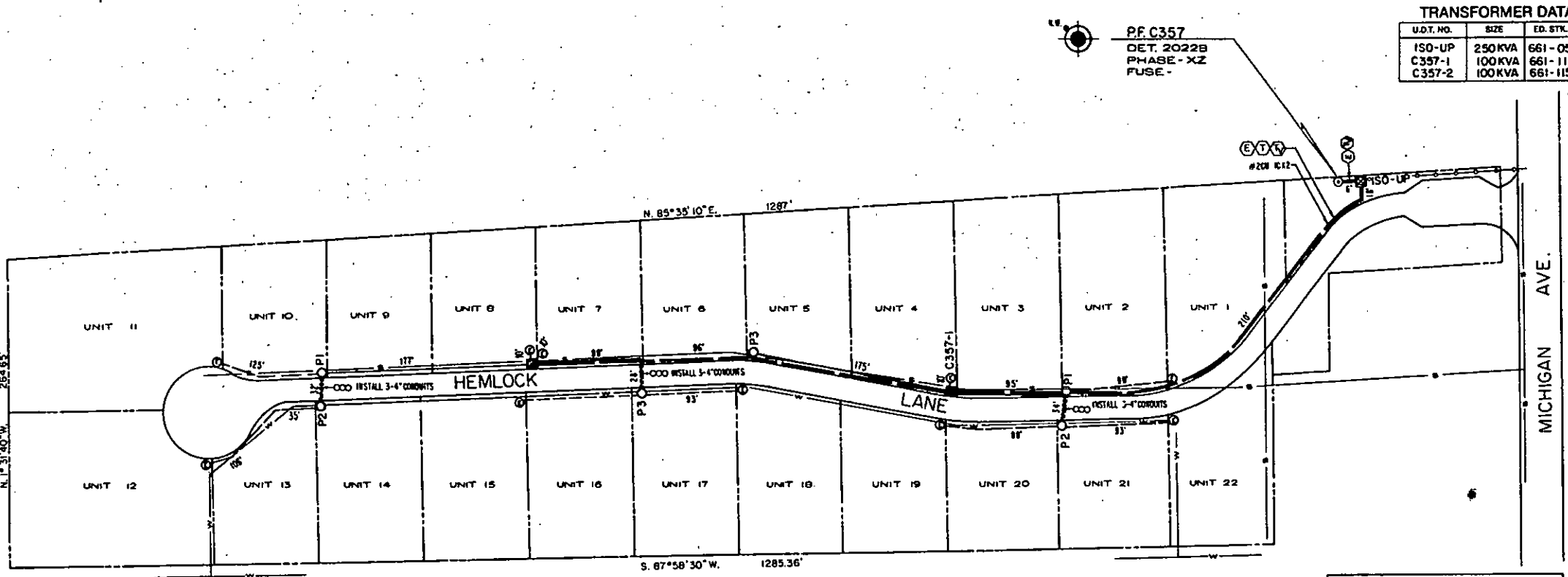
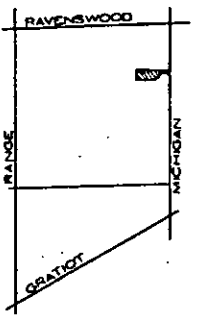
My commission expires 09/27/93

RECORDED RIGHT OF WAY NO. 44424



RECORDED RIGHT OF WAY NO. 41424

LOCATION SKETCH  
MAP REC. NO. 1-493-520



**TRANSFORMER DATA**

U.D.T. NO.	SIZE	ED. STL. NO.
ISO-UP	250 KVA	661-0599
C357-1	100 KVA	661-1153
C357-2	100 KVA	661-1153

TRANSFORMER SPEC. \_\_\_\_\_  
 PEDESTAL AMOUNT 6 SPEC. 1  
 TEMPORARY CABLE MARKERS AMOUNT 10 SPEC. \_\_\_\_\_  
 SECONDARY CONNECTION BOX AMOUNT \_\_\_\_\_ SPEC. \_\_\_\_\_

- CODE**
- ⊙ TEMPORARY SECONDARY PEDESTAL/TEMPORARY CABLE MARKER
  - ⊙ FT (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 CONN CABINET
- NOTE:**  
 METER SHALL BE LOCATED IN SHADED AREA CLOSEST TO D.E.CO. SOURCE.

**CABLE SUMMARY (5% ALLOW)**

ITEM #	DESCRIPTION	ESTIMATED
1	# 208 15.2 EY	713-387 = 821'±
2	AP2-300M & 1-40 RED V.	713-0537 = 800'±
3	# 208 15.2 EY	713-387 = 100'±
4	278 AL 500V	713-064 = 600'±

**TRENCH SUMMARY**  
 JOINT USE 1690'±  
 D.E. ONLY  
 TEL ONLY  
 GAS ONLY  
 OTHERS  
 TOTAL 1690'±  
 SITE SUPT. PATRICIA COOLEY PHONE NO. 364-8700

**NOTICE**  
 Locations of underground facilities on this drawing are only approximates. Exact locations must be determined by the UTILITY COMPANIES. For exact locations, telephone MISS DIG on 800-482-7171 as required by Public Act 53 of 1974 before doing any power excavating.

**GENERAL NOTES**  
 TRENCHING TO BE DONE BY D.E.CO.  
 TRENCH AND CABLE LENGTHS ARE APPROXIMATE.  
 SEE SECTION 58 US LINE CONSTRUCTION STANDARDS FOR TRAIL MAT. DETAILS.  
 SEE PAGE 23 (11 M) DETAIL " " FOR ENTRANCE POINT DETAILS (APTS. ONLY).  
 SEE SECTION 43 US LINE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES, TRANSFORMERS AND PEDESTALS (BURIED ONLY).  
 D.E. SERVICE PLANNER: BRIAN IMMEL 884-6715  
 TEL CO.: PAT PRITCHETT 884-7018  
 CITY CO.: RUSS MITCHELL 887-7848  
 OTHERS:

START DATE 1-18-99

D	C	B	A	REVISION
				AS INSTALLED IN THE FIELD.
DESIGNED BY	CHECKED BY	APPROVED BY	DRAWN BY	CHECKED BY
			K. J. H.	8 18 90

NAME	DATE	JOB TITLE
B. KAMIDOI	11-13-89	
B. ZAMMEL	11-13-89	
R. Williams	11-19-89	

**HEMLOCK FOREST**

CITY OF MARYSVILLE COUNTY OF ST. CLAIR A-79604

**PERMITS REQUIRED**

CITY OF \_\_\_\_\_ COUNTY \_\_\_\_\_ NOTIFICATION TO \_\_\_\_\_  
 STATE  YES  NO

**THE DETROIT EDISON COMPANY SERVICE PLANNING**

SCALE 1" = 50'	NUMBER OF UNITS 22	WORK ORDER NUMBER 36780J482
LATEST REVISION	DISTRIBUTION GROUP 8767 CYPRESS	