

Real Estate and Rights of Way

Detroit Edison

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

RECORDED FEBRUARY 5 1991

November 15, 1988

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 CLEAR CABLEVISION, INC., a Michigan

corporation of P.O. Box 236, Saline, Michigan 48176 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 Village of Dexter, County of Washtenaw

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.

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

Easements to be as shown on a Drawing to be recorded after construction.

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

WASHTENAW COUNTY MI

FEB 5 10 31 AM '91

PEGGY M. HAINES
COUNTY CLERK/REGISTER
re-recorded

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:

Grantors:

Janice E. Cowart
JANICE E. COWART

Edward F. Palmer
EDWARD F. PALMER

Amy Jamohovitz
AMY JAMOHOVITZ

Donna E. Palmer
DONNA E. PALMER, Husband & Wife

Prepared by: James M. Davenport
425 S. Main
Ann Arbor, MI 48104

Address: P. O. Box 187
Dexter, MI 48130

82-08-05-245-099

--OVER--

RECORDED RIGHT OF WAY NO. 41434

RECORDED

WASHTENAW COUNTY MI

Nov 18 10 08 AM '88

ROBERT M. HARRISON
COUNTY CLERK/REGISTER

Acknowledgement-Individual

STATE OF MICHIGAN

County of Washtenaw)SS

On this 15 day of November, 1988, the foregoing instrument was acknowledged before me, a notary public in and for said county, by EDWARD F. PALMER and DONNA E. PALMER, Husband & Wife

Keith P. Stoker
Keith P. Stoker
Notary Public, Washtenaw County, Michigan

My commission expires July 27, 1992

A P P E N D I X " A "

A parcel of land located in the Northwest 1/4 of Section 5, T2S, R5E, Village of Dexter, Washtenaw County, Michigan, described as: Beginning at the Southeasterly corner of Block 30 of the original Plat of the Village of Dexter, a subdivision as recorded in Liber 27 of Deeds, Pages 532 & 533, Washtenaw County Register of Deeds, thence S 63°33'40" W 98.29 feet along the Southerly line of said Block 30 and the Northerly line of Hudson Street (99' wide); thence N 25°54'45" W 197.65 feet along the Westerly line of Lot 5 of said Block 30; thence N 63°40'55" E 98.10 feet along the Northerly line of said Lot 5; thence N 25°58'00" W 12.50 feet along the Westerly line of vacated First Street (99' wide) to a point on the centerline of the alley in said Block 30; thence N 63°40'55" E 206.05 feet along the Northeasterly extension of the centerline of said alley; thence Southeasterly along the Southerly right-of-way line of the Conrail Railroad in the following 4 (four) courses: S 38°54'47" E 303.00 feet; S 43°41'22" E 177.45 feet; S 42°37'25" E 132.17 feet; S 41°18'53" E 112.86 feet; thence S 63°40'50" W 342.40 feet; thence N 26°27'40" W 130.70 feet along the centerline of said vacated First Street; thence S 63°38'30" W 234.45 feet along the Southerly line of Lot 4 of Block 31 of the Plat of the Addition to the village of Dexter by the Dexter Estates, a subdivision as recorded in Liber 55 of Deeds, Pages 476 and 477, Washtenaw County Register of Deeds and its extension Northeasterly; thence N 26°20'35" W 261.08 feet along the Easterly line of the alley in said Block 31; thence N 63°33'40" E 184.41 feet along the Northerly line of said Block 31 and the South line of said Hudson Street; thence N 26°12'54" W 99.00 feet along the Westerly line of said First Street to the POINT OF BEGINNING, being a part of the Northwest 1/4 of Section 5, T2S, R5E, Village of Dexter, Washtenaw County, Michigan, and Lot 5 of Block 30 of the Original Plat of the Village of Dexter, a subdivision as recorded in Liber 27 of Deeds, Pages 532 and 533 Washtenaw County Register of Deeds, and Lots 1, 2, 3 and 4 of Block 31 of the Plat of the Addition to the Village of Dexter by the Dexter Estates, a subdivision as recorded in Liber 55 of Deeds, Pages 476 and 477, Washtenaw County Register of Deeds, containing 6.15 acres of land, more or less.

Handwritten initials/signature

Handwritten initials/signature

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

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

NOV 18 10 08 AM '88
WASHTENAW COUNTY MI
RECORDED

DEED 7141 10:06AM 11/18/88
8333 033303

Scio Twp
Sec. 5

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 COTTONWOOD
CONDOS
Located In: VILLAGE OF DEXTER
County: WASHTENAW

Attached is the executed agreement dated 11-15-88
for the above named project.

Easements for this project were requested by RICHARD
JOHANSON
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. 41434

Serving Customers

We're all a part of it.

1100
200

RECORDED
WASHTENAW COUNTY MI
FEB 5 10 31 AM '91
PEGGY M. HAINES
COUNTY CLERK/REGISTER

After Post X

3/1
Do not record



DEED 11.00
8333 0333003 0208 10:23AM 2/05/91

SSRF 2.00
8333 0333003 0208 10:23AM 2/05/91

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