

Detroit Edison

Joint Underground Residential Distribution Right of Way Agreement

LIBER 05053PG753

B551504

July 30, 1990

For good and valuable consideration of system betterment, the undersigned hereby grant and convey to CONSUMERS POWER COMPANY, a Michigan corporation of 212 West Michigan Avenue, Jackson, Michigan, 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 Continental Cablevision, Inc. a Michigan corporation of 10160 W. 9 Mile Road, Oak Park, MI 48237

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, piping, venting, gas facilities and appurtenances including the necessary above ground equipment, connections, poles and accessories required to provide gas, electric and communication services with the usual services, connections and accessories in, under, upon, over and across the property located in the City of Roseville, County of Macomb, 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 10 feet in width unless otherwise indicated and the route is described as follows:

The exact location of said easements will be as shown on a drawing to be recorded within 90 days after construction.

RECORDED IN MACOMB COUNTY RECORDS AT: 1:17p MAR - 7 1991

Signature of Clerk - Register of Deeds Macomb County, Michigan

RECORDED IN MACOMB COUNTY RECORDS AT: 2:50p AUG 15 1990 Edna Miller CLERK - REGISTER OF DEEDS MACOMB COUNTY, MICHIGAN

RECORDS DEPT OF WAY NO. 41578

Being Re-Recorded to include Appendix B

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 utility 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:

X Robert Brenner ROBERT BRENNER

X Debra Dworkin Perfuch DEBRA DWORKIN PERFUCH

DWORKIN INVESTMENT COMPANY A Michigan Partnership

BY: IRVING DWORKIN PARTNER

X William A. Roman WILLIAM A. ROMAN, single man

Address: 8390 Bordman Road, Almont, MI 48003

Prepared by: & return to: Michael J. McCabe 15600 - 19 Mile Road Mt. Clemens, MI 48044

(LIBER 04936PG234)

Acknowledgement-Individual

STATE OF MICHIGAN

County of Macomb)SS

LIBER 05053PG754

On this 30th day of July, 1990, the foregoing instrument was acknowledged before me, a notary public in and for said county, by William A. Roman, a single man

Debra Duonier Partsch
DEBRA DUONIER PARTSCH
Notary Public, Oakland County, Michigan

My commission expires 2/17/93

Acknowledgement-Individual

STATE OF MICHIGAN

County of _____)SS

On this _____ day of _____, 19____, the foregoing instrument was acknowledged before me, a notary public in and for said county, by _____

Notary Public, _____ County, Michigan

My commission expires _____

RECORDED RIGHT
MAY NO. 411578

Acknowledgement-Corporation

STATE OF MICHIGAN

County of _____)SS

On this _____ day of _____, 19____, the foregoing instrument was acknowledged before me, a notary public in and for said county, by _____

whose title(s) is /are _____ of _____, a _____ corporation, on behalf of the corporation

Notary Public, _____ County, Michigan

My commission expires _____

Acknowledgement-Partnership

STATE OF MICHIGAN

County of Macomb)SS

On this 30th day of July, 1990, the foregoing instrument was acknowledged before me, a notary public in and for said county, by IRVING DWORKIN

(a) general/managing partner(s), on behalf of DWORKIN INVESTMENT COMPANY, a Michigan partnership

Debra Duonier Partsch
DEBRA DUONIER PARTSCH
Notary Public, Oakland County, Michigan

My commission expires 2/17/93

*Frio Trip
Sun 4*

**Detroit
Edison**

Date: April 1, 1991
To: Record Center
From: Michael J. Mc Cabe *MJM*
Sr. Real Estate & Right of Way Rep
Macomb Division
Subject: Right of Way Agreement for Underground Residential
Distribution for Harmon Estate Condominiums, located
in part of the West 1/2 of Section 4, T1N, R13E, City
of Roseville, Macomb County, Michigan.

Attached for Record Center is the executed Right of Way
Agreement dated July 30, 1990 for the above named project.

Easement for this project was requested by Ralph Schneider,
Service Planning, Macomb Division. The Agreement was
negotiated by Michael J. Mc Cabe, Representative, Real
Estate & Rights of Way, Macomb Division.

Detroit Edison Company, Consumers Power Company, Continental
Cablevision and Michigan Bell Telephone Company made this agree-
ment with Dworkin Investment Company, Irving Dworkin, Partner,
the developer of Harmon Estate Condominiums.

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

MJF

Attachment

RECORDS SECTION OF BAY NO. 415-718

Serving Customers

We're all a part of it!

LIBER 05053PG753

APPENDIX "A"

(LIBER 04936PG235)

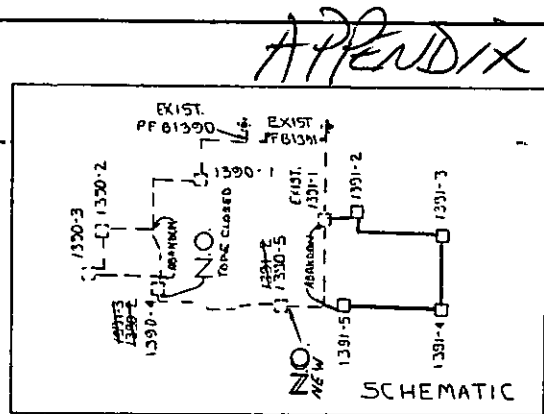
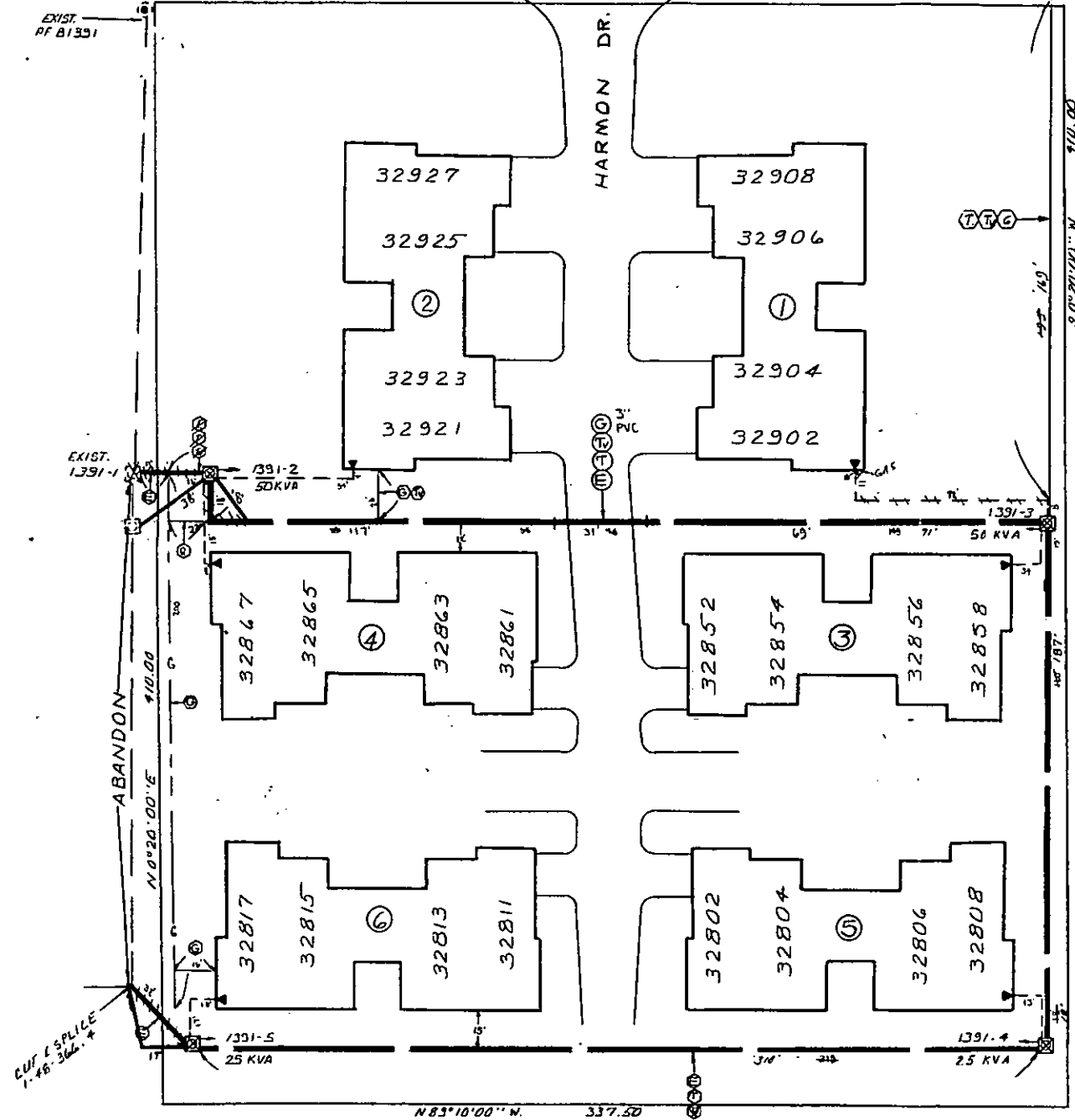
"HARMON ESTATES CONDOMINIUMS", The West 150 feet of Lot 3 and Lot 4 of Harmon Farms Subdivision, being part of the West 1/2 of Section 4, T1N, R13E, as recorded in Liber 3 of plats, Page 161 of plats, Macomb County Records.

RECORDED IN BOOK OF MAP NO. 41678

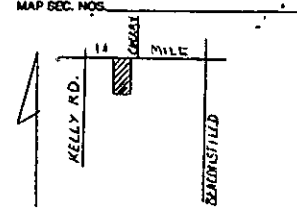
LIBER 05053PC756

NORTH
ARROW

14 MILE



LOCATION SKETCH



LIBER 05053PC757

TRANSFORMER DATA

U.D.T. NO.	SIZE	ED. STK. NO.
1391-2	50	661-1152
4	50	1152
5	25	1151
	5	1151

TRANSFORMER SPECS. 1-17-261
 PEDESTAL AMOUNT _____ SPEC. _____
 TEMPORARY CABLE MARKERS AMOUNT _____ SPEC. _____
 SECONDARY CONNECTION BOX AMOUNT _____ SPEC. _____

— CODE —

- ⊙ TEMPORARY SECONDARY PEDESTAL/TEMPORARY CABLE MARKER
- ⊞ DFT (DEAD FRONT TYPE)
- ⊞ UDT (NON-SWITCHING—LIVE FRONT TYPE)
- ⊞ UDT (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.C.O. SOURCE.

INSTALLED

ITEM #	DESCRIPTION	QUANTITY	ESTIMATED COST
713-3074	22 CU x 1 1/2 KV	1	1800-220
713-0537	AP2-350M & 1-40 800 V.	1	1800-220
713-0514	AP2-20 & 1-41 800 V.	1	1800-220
713-0531		1	1800-220

TRENCH SUMMARY

JOINT USE	TEL TV GAS	174'	5LRV. 26'
D.E. ONLY	45-20' DE TEL GAS	187'	26'
TEL. T.V.	DE TEL	318'	
GAS ONLY	DE TEL	17'	
DE TEL TV		353-18'	
TOTAL		1205'	26'

SITE SUPT. R. DWORCKIN PHONE NO. 798-3687

NOTICE
 Locations of underground facilities on this drawing are only approximate. 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.C.O.
 TRENCH AND CABLE LENGTHS ARE APPROXIMATE.
 SEE SECTION 56 UG LINE CONSTRUCTION STANDARDS FOR TRANS. MAT. DETAILS.
 SEE PAGE 32-11 S.J.M. DETAIL " " FOR ENTRANCE POINT DETAILS (APTS. ONLY).
 SEE SECTION 43 UG LINE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES, TRANSFORMERS AND PEDESTALS (SUBS ONLY).
 D.E. SERVICE PLANNER: R. SCHNEIDER 206-3443
 TEL. CO. M&T J. HELEGDA 466-1053
 GAS CO. L.P. D. POLLOCK 433-5731
 CATV. DNT. R. NELSON 451-4052

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

NO PERMITS REQUIRED

CITY OF _____ COUNTY NOTIFICATION TO _____ STATE YES NO

START DATE _____

TITLE BLOCK
 D.O. 90A74954
 W.O. 36789J067
 Start 10-23-90
 Finish 10-25-90
 Tech. _____
 Labor UNION EXC
 Splicing D.E.
 Suprv. M. J. BROWN
 Records P. GARDN

D	REVISION	C	REVISION	B	REVISION	A	REVISION
						SHOWN AS INSTALLED IN FIELD.	
DRAWN BY	CHECKED BY	APPROVED BY	DRAWN BY	CHECKED BY	APPROVED BY	DRAWN BY	CHECKED BY
						D. ADAMS	R. SCHNEIDER
						2-7-91	2-15-91

NAME	DATE
D. ADAMS	7-24-90
R. SCHNEIDER	8-10-90
J. B. BROWN	8-10-90
D. ADAMS	7-23-90

REFERENCE: URD-ERN-64
 JOB TITLE: DIRECT BURIED SYSTEM - URD -
HARMON ESTATES CONDO'S
 THE WEST 1/2 OF LOT 3 AND THE EAST 1/2 OF LOT 4
 HARMON FARMS TIN. R 13E.
 CITY OF ROSVILLE COUNTY OF MACOMB

THE DETROIT EDISON COMPANY SERVICE PLANNING		
SCALE 1" = 30'	NUMBER OF UNITS 24	WORK ORDER NUMBER 36789J067
LATEST REVISION A	DISTRIBUTION CIRCUIT B533 MEDINA	13.2KV.
DEPT. ORDER NUMBER 90A74954	SHEET _____ OF _____ SHEETS	