

APPENDIX "A"

LIBER 05069PG809

(LIBER 04891PG651)

"CARINI VILLA CONDOMINIUMS", Beginning at the Northwest corner of the East 1/2 of Southwest 1/4 of Section 18, Town 1 North, Range 13 East, thence N 89°41' East 171.21 feet to a point; thence S 00°02' East 1336.4 feet to a point; thence N 89°25' West 172.0 feet to a point; thence due North 1333.7 feet to the point of beginning, except the following: Starting at the Northwest corner of the East 1/2 of Southwest 1/4 of Section 18, T1N, R13E, thence S 00°45' East 578.65 to the place of beginning; thence S 00°45' East 763.00 feet; thence N 89°11' East 172.00 feet; thence N 00°47' West 763.00 feet; thence S 89°11' West 171.54 feet to the point of beginning.

RECORDED RIGHT OF WAY NO. 41579

Erin Twp  
Sec 18

**Detroit  
Edison**

Date: April 16, 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 Carini Villa Condominiums, located  
 in part of the Southwest 1/4 of Section 18, T1N, R13E,  
 City of Roseville, Macomb County, Michigan.

Attached for Record Center is the executed Right of Way Agreement dated May 16, 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 and Right of Way, Macomb Division.

Detroit Edison Company, Comcast Cablevision and Michigan Bell Telephone Company made this agreement with Carini Land Venture, Angelo Giambanco, President, the developer of Carini Villa Condominiums.

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

MJM

Attachment

RECORDED RIGHT OF WAY NO. 41579

Real Estate and Rights of Way

Detroit Edison

Joint Underground Residential Distribution Right of Way Agreement

LIBER 05069 PG 807

B559094

516, 19 90

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 Continental Cable Television, a Michigan

corporation of 10160 West 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 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 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: 9:47A.M. APR - 3 1991

Edna M. Hill CLERK - REGISTER OF DEEDS MACOMB COUNTY, MICHIGAN

RECORDED IN MACOMB COUNTY RECORDS AT: 3:24P.M. JUN 12 1990 Edna M. Hill CLERK - REGISTER OF DEEDS MACOMB COUNTY, MICHIGAN

RECORDED RIGHT OF WAY NO. 41579

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 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:

x Christopher L. Coey CHARLIS THER COEY
x Melody Kirkwood MELODY KIRKWOOD

CARINI LAND VENTURE a Michigan Corporation
BY: Angelo Giambarco, PRES
CESARE MAZZOLA, VP
Felippo Scornbarco, VP
FELIPPO GIAMBARCO

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

Address: 36717 Eaton Mt. Clemens, MI 48043

LIBER 04891 PG 650

LIBER 05069 PG 808

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 \_\_\_\_\_

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 \_\_\_\_\_

Acknowledgement-Corporation

STATE OF MICHIGAN

County of MACOMB )SS

On this 16<sup>th</sup> day of MAY, 1990, the foregoing instrument was acknowledged before me, a notary public in and for said county, by ANGELO GIAMBANCO + FILLIP GIAMBANCO, CESARE MANZELLA whose title(s) is /are PRESIDENT + VICE PRESIDENT, VICE PRESIDENT of CARINI LAND VENTURE, a Michigan corporation, on behalf of the corporation.

Evelyn A. Burns  
Notary Public, Macoma County, Michigan

My commission expires 11-03-90

Notary Public, Macomb County, MI  
My Commission Expires Nov. 3, 1990  
Acting In Macomb

Acknowledgement-Partnership

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 \_\_\_\_\_

(a) general/managing partner(s), on behalf of \_\_\_\_\_ a partnership.

Notary Public, \_\_\_\_\_ County, Michigan

My commission expires \_\_\_\_\_

RECORDED RIGHT OF WAY NO. 41579

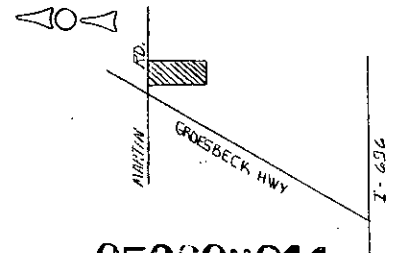


LIBER 05069PG810

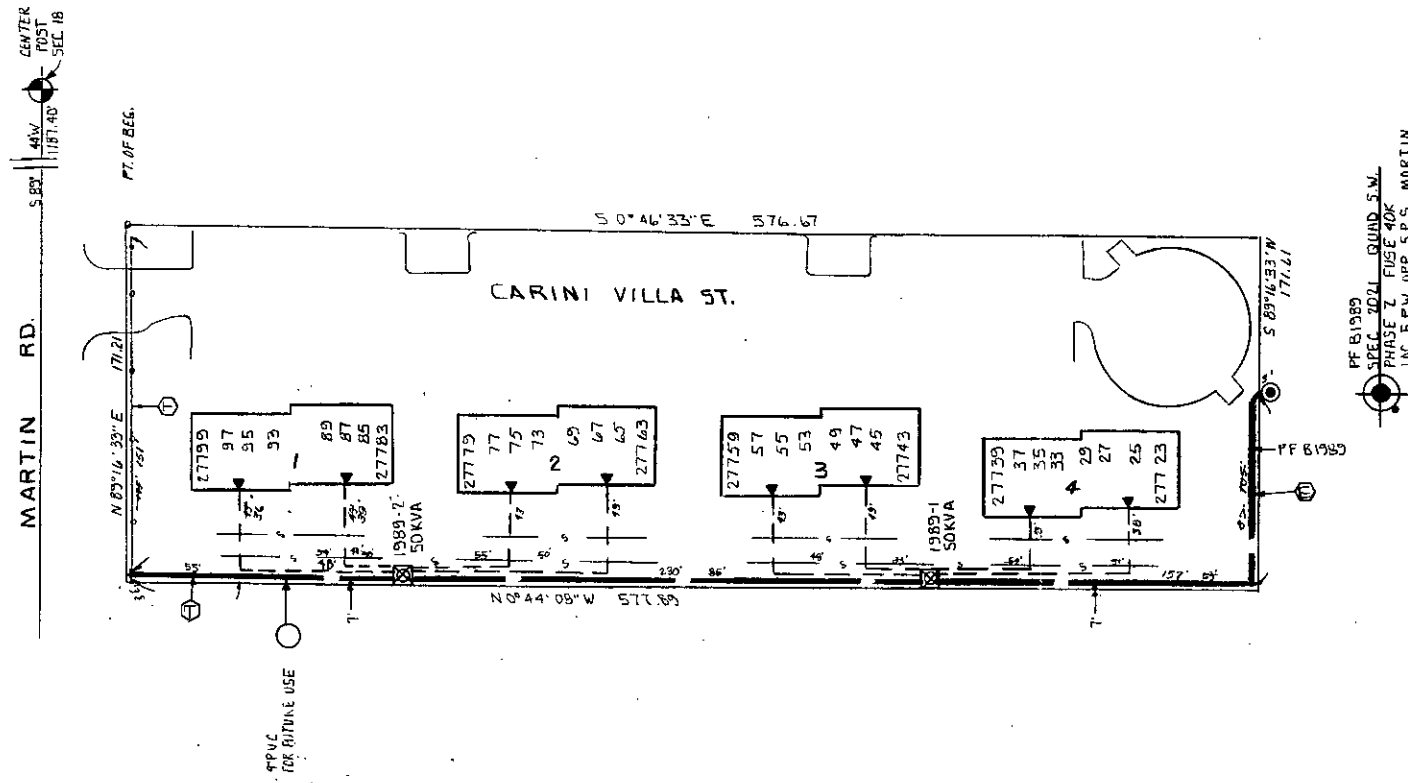


APPENDIX B

LOCATION SKETCH  
MAP SEC. NOS.



LIBER 05069PG811



TRANSFORMER DATA

U.D.T. NO.	SIZE	ED. STK. NO.
1989-1	50	661-1152
2	50	1152

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.CO. SOURCE.

CABLE SUMMARY

INSTALLED	ESTIMATED
ITEM # _____	ITEM # _____
ITEM # _____	ITEM # _____
ITEM # _____	ITEM # _____

TRENCH SUMMARY

JOINT USE	524'	518'	SERV	347'	75'
D.E. ONLY	105'				
TEL. ONLY	236'	191'			
D.E. TEL.		103'			
OTHERS					
TOTAL	1203'	762'			75'
SITE SUPT.					PHONE NO. _____

— GENERAL NOTES —

TRENCHING TO BE DONE BY D.E.CO.  
 TRENCH AND CABLE LENGTHS ARE APPROXIMATE.  
 SEE SECTION 56 UG LINE CONSTRUCTION STANDARDS FOR TRANS. MAT. DETAILS.  
 SEE PAGE 32-11 (S.I.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 626-3443  
 TEL. CO. AIBT: S. DOMAJSKI 466-1050  
 GAS CO.: \_\_\_\_\_  
 CITY: DMT R. NELSON 541-4050

EASEMENTS INDICATED BY OUR CENTERLINE ARE \_\_\_\_\_  
 IN WIDTH UNLESS OTHERWISE NOTED.  
**PERMITS REQUIRED**  
 COUNTY \_\_\_\_\_ NOTIFICATION TO \_\_\_\_\_  
 CITY OF \_\_\_\_\_ STATE  YES  NO

**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.

**TITLE BLOCK**  
 D.O. 90A74828  
 W.O. 36789J957  
 Start 8-28-90  
 Finish 8-27-90  
 Tech. \_\_\_\_\_  
 Labor UNION EXC.  
 Splicing D.E.  
 Suprv. M. BEUWEN  
 Records P. CARON

PERMITS REQUIRED	DECO.	MET.	CATV.	GASCO.
SOL. EROSION				
COUNTY ROAD				
COUNTY DRAIN				
CITY				

START DATE \_\_\_\_\_

D	C	B	A	REFERENCE	NAME	DATE	JOB TITLE	THE DETROIT EDISON COMPANY
				SHOWN AS INSTALLED IN FIELD.	D. ADAMS	3-27-90	DIRECT BURIED SYSTEM - URD	SERVICE PLANNING
					R. SCHNEIDER	3-29-90		SCALE 1" = 50'
					D. BROWN	3-29-90		NUMBER OF UNITS 32
								WORK ORDER NUMBER 36789J957
								LATEST REVISION A
								DISTRIBUTION CIRCUIT 8419 BUNERT 13.2KV
								DEPT. ORDER NUMBER 90A74828
								SHEET 1 OF 1 SHEETS

**CARINI VILLA CONDOS**  
 PART OF THE EAST 1/2 OF THE S.W. 1/4 OF SEC. 18  
 T1N. R1E.  
 CITY OF ROSELVILLE COUNTY OF MACOMB