

Real Estate and Rights of Way

Detroit Edison

Joint Underground Residential Distribution Right of Way Agreement

March 19, 19 91

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 CO. a corporation of 444 Michigan Avenue, Detroit, Michigan and COLUMBIA CABLE OF MICHIGAN, a Michigan corporation of PO Box 998, Ann Arbor, Mi. 48106 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 Ann Arbor, County of Washtenaw 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 12 feet in width unless otherwise indicated and the route is described as follows:

Twelve (12) foot wide easements as described on Detroit Edison Drawing AS-7059, dated 2-13-91 (Appendix "B"), which is attached hereto and made a part hereof, over and across and under the following described land:

(See attached sheet for Legal Description-Appendix "A")

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:

Handwritten signatures and printed names of witnesses: Katherine L. Hepner, Brenda Darwin, J. M. Hall, James M. Davenport.

Handwritten signatures and printed names of grantors: MASTER KEY NORTHERN, INC., J.B. Grammatico, Garland Hepner, Eiline Hepner, Sandra L. Murray.

over

RECORDED RIGHT OF WAY NO. 41790

STATE OF MICHIGAN

County of Washtenaw)SS

On this 22nd day of March, 19 91, the foregoing instrument was acknowledged before me, a notary public in and for said county, by J.B. Grammatico whose title(s) is /are President of Master Key Northern, Inc. of MASTER KEY NORTHERN INC., a Michigan corporation, on behalf of the corporation.

S. Jill Hall
Notary Public, Washtenaw County, Michigan

My commission expires 7-18-93

Acknowledgement-Individual

STATE OF MICHIGAN

County of Washtenaw)SS

On this 22 day of March, 19 91, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Garland Hepner and Eiline Hepner, husband and wife

ROBERT LEE PEEBLES
NOTARY PUBLIC -- WASHTENAW COUNTY, MICH.
MY COMMISSION EXPIRES 2-14-95

Robert Lee Peebles
Notary Public, Washtenaw County, Michigan
ROBERT LEE PEEBLES

My commission expires 2-14-95

Acknowledgement-Individual

STATE OF MICHIGAN

County of Washtenaw)SS

On this 19th day of March, 19 91, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Sandra L. Murray, formerly known as Sandra L. Britton

Sarah L. Baldwin (Balasick)
Notary Public, Washtenaw County, Michigan
SARAH L. BALDWIN-BALASICK

My commission expires 9/10/91

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

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APPENDIX "A"

Commencing at a point on the East line of Section 36, Town 2 South, Range 5 East, City of Ann Arbor, Washtenaw County, Michigan, 1326.5 feet South of the East quarter post of said section; thence West deflecting $89^{\circ} 31'$ to the right 400 feet along the South line of the North 1/2 of the East 1/2 of the Southeast 1/4 of said section; thence North parallel to the section line 100.0 feet; thence East deflecting $89^{\circ} 31'$ to the right 400 feet to the East line of Section 36; thence South 100.0 feet in the section line to the place of beginning; being a part of the South 1/2 of the North 1/2 of the East 1/2 of the Southeast 1/4 of Section 36, Town 2 South, Range 5 East, City of Ann Arbor, Washtenaw County, Michigan.

- also -

PARCEL I.

Commencing at a point in the East line of Section 36, T2S, R5E., Scio Township, Washtenaw County, Michigan, 1226.5 feet South of the East 1/4 post of said section; thence West deflecting 89 degrees 31' to the right, 400 feet; thence North parallel to the section line 100.0 feet; thence deflecting 89 degrees 31' to the right, 400 feet to the east line of Section 36; thence South 100.0 feet in the East line of Section 36 to the place of beginning, being a part of the South 1/2 of the North 1/2 of the East 1/2 of the Southeast 1/4 of Section 36 Scio Township Washtenaw County, Michigan.

- also -

PARCEL II.

Commencing at a point in the East line of Section 36, T2S, R 5 E., Scio Township, Washtenaw County, Michigan, 1126.5 feet South of the East 1/4 post of said section; thence West deflecting 89 degrees 31' to the right 400 feet; thence South parallel to the section line 200 feet; thence West deflecting 89 degrees 31' to the right 920 feet thence North parallel to the section line 300 feet; thence deflecting 89 degrees 31' to the right 1320 feet to the East line of Section 36; thence south 100 feet in the East line of Section 36 to the place of beginning, being part of the South 1/2 of the North 1/2 of the East 1/2 of the Southeast 1/4 of Section 36, Scio Township, Washtenaw County, Michigan

Except for the following parcel of land: All that part of the South 1/2 of the North 1/2 of the East 1/2 of the Southeast 1/4 of Section 36, T2S, R.5 E., Scio Township, Washtenaw County, Michigan, described as: Commencing at a point on the east line of said Section 36, a distance of 1126.5 feet south of the east 1/4 corner of said section 36; thence West deflecting 89 degrees 31' to the right 400 feet; thence South parallel to the East line of said Section 36, a distance of 200 feet; thence West deflecting 89 degrees 31' to the right, 920 feet; thence North parallel to the East line of said Section 36, a distance of 300 feet; thence deflecting 89 degrees 31' to the right, 1320 feet to the East line of said Section 36, thence south 100 feet on the East line of said Section 36 to the place of beginning, which lies Southwesterly of a line 145 feet Northeasterly of (Measured at right angles) and parallel to the survey line of Highway M-17 (Ann Arbor South Belt).

Said survey line of Highway M-17 (Ann Arbor South Belt) is described as: Beginning at a point which is West along the North line of Section 36, T2S, R5E, Scio Township, Washtenaw County, Michigan, 1268.46 feet from the Northeast corner of said Section 36, thence South 2 degrees 51' 15" West, 1522.33 feet to the point of curve of a 1 degree 30' curve to the left, thence Southerly along the arc of said 1 degree 30' curve, 3155.00 feet to the point of tangent of said curve; thence south 44 degrees 23' 15" East, 600 feet to the point of ending.

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

Scio Type.

Detroit
Edison

DATE: MAY 6, 1991

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 COUNTRY
VILLAGE CONDO
Located In: CITY OF ANN ARBOR
County: WASHTENAW

Attached is the executed agreement dated 3/19-91
for the above named project.

Easements for this project were requested by GENE
SPURLOCK
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. 41700

Serving Customers

We're all a part of it!

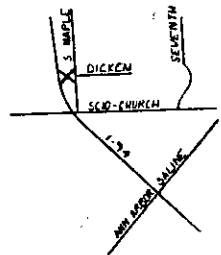
LIBER 2487 PAGE 091
page 4 of 7

RECORDED
WASHTENAW COUNTY MI
APR 24 9 04 AM '91
PEGGY M. HAINES
COUNTY CLERK/REGISTER

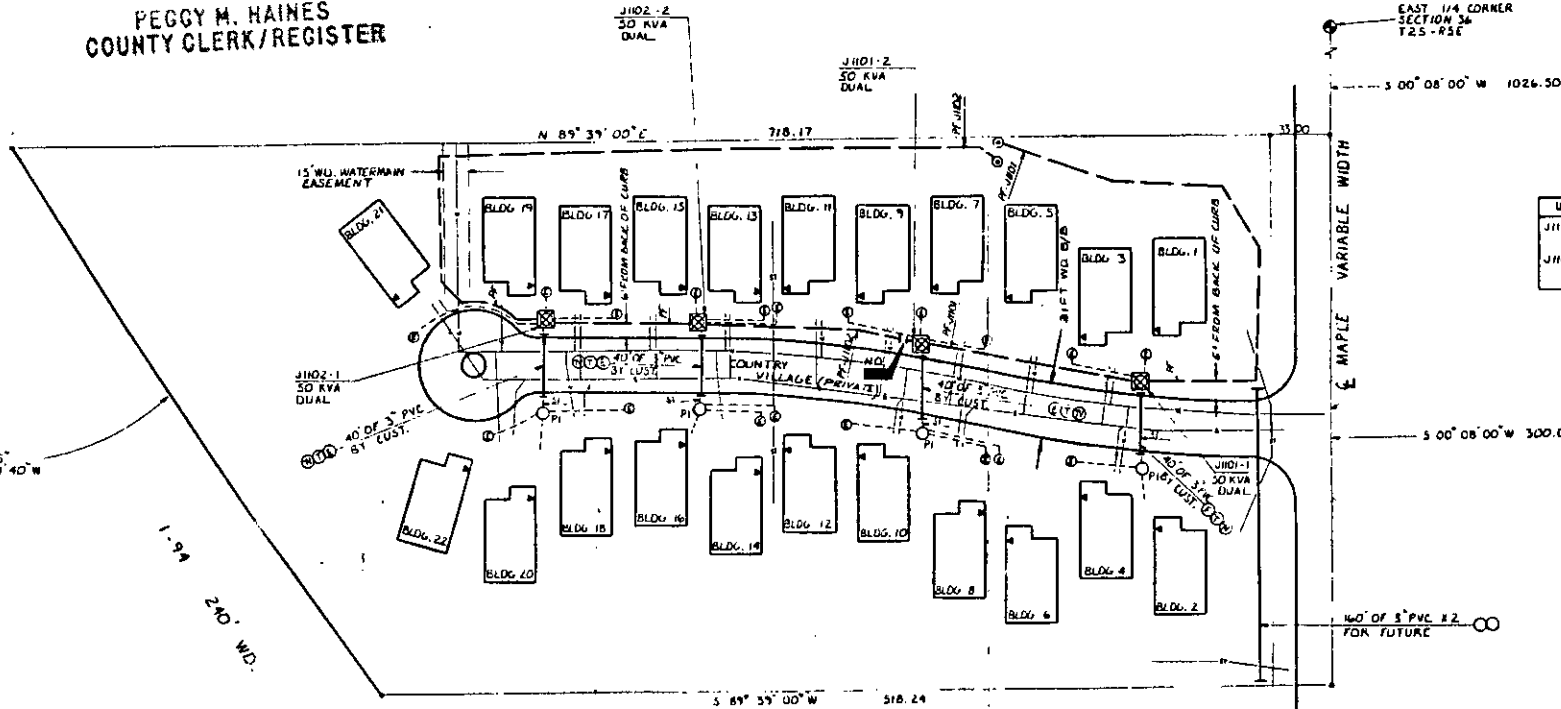


RECORDED RIGHT OF WAY NO. 41700

LOCATION SKETCH
MAP REC. NO. 1-188-276



RADIUS = 3674.84
ARC = 359.25
DELTA = 05° 36' 05"
CH. BRG. = N 33° 41' 40" W
359.11



TRANSFORMER DATA

U.D.T. NO.	SIZE	ED. BTK. NO.
J101-1	50 KVA	661-1157
J101-2		
J102-1		
J102-2		

TRANSFORMER SPEC. 1-56-111 1-17-263
PEDESTAL AMOUNT 4 SPEC 1-9-231
TEMPORARY CABLE MARKERS AMOUNT 19 SPEC 1-9-233
SECONDARY CONNECTION BOX AMOUNT SPEC

CODE

- ⊙ TEMPORARY SECONDARY PEDESTAL/TEMPORARY CABLE MARKER
- ⊙ DFT DEAD FRONT TYPE
- ⊙ LST NON-SWITCHING-LIVE FRONT TYPE
- ⊙ LST 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

CABLE SUMMARY

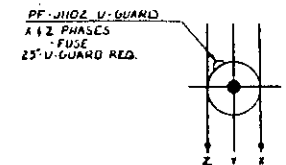
INSTALL	ESTIMATE
AP2 300 & 140 800 V	2730'
AP230 & 181 800 V	220'
	860'

TRENCH SUMMARY

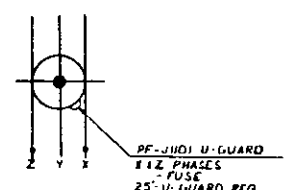
JOINT USE DC - MBT & CATV	1040'
D.E. ONLY	
TEL. ONLY	
GAS ONLY	
OTHERS	
TOTAL	1040'
WTE SUPT. JOE GRAMMATICO	PHONE NO. 663-0630

AS-9059
2-13-91

CABLE POLE DETAIL
PAGE 1-20-22



CABLE POLE DETAIL
PAGE 1-20-22



APPENDIX "B"

- NOTE
- CONDUIT FOR ROAD LIGHTS SUPPLIED & INSTALLED BY CUSTOMER.
 - TWELVE FT. EASEMENT FROM BACK OF CURB PRIMARY TRENCH 6" FROM BACK OF CURB

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 OCCO
TRENCH AND CABLE LENGTHS ARE APPROXIMATE
SEE SECTION 36 UD LINE CONSTRUCTION STANDARDS FOR TRANS. MAT DETAILS
SEE PAGE 28 11 514 (DETAIL) FOR ENTRANCE POINT DETAILS (APTS. ONLY)
SEE SECTION 43 UD LINE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES
TRANSFORMERS AND PEDESTALS (BURIED ONLY)
D.E. SERVICE PLANNER GENE SPIRLOCK 761-4060
TEL. CO. MBT & TONY WHITE 936-3330
GAS CO. JIM BOWEN 973-0977
OTHERS CATV

PRELIMINARY COPY PERMITS REQUIRED
NOTIFICATION TO CITY OF ANN ARBOR

START DATE APRIL 1, 1991
OAS - ANN - ANN - U.C. TRACKING # 90333151814 ATTACHMENT A AGREEMENT # D191J094

D REVISION			C REVISION			B REVISION			A REVISION			REFERENCE	DRAWN BY	NAME	DATE	JOB TITLE	THE DETROIT EDISON COMPANY				
													R W ESTES	2-11-91	COUNTRY VILLAGE CONDOS PART OF THE SE 1/4 SECTION 36 T2S-R5E CITY OF ANN ARBOR	SCALE 1" = 40'	NUMBER OF SHEETS 22	DRAWING NUMBER 1952 HEMLOCK	WORK ORDER NUMBER 367821611	DEPT. ONLY NUMBER A-39532	SHEET 1 of 1 SHEETS

13.00
2.00

RF

2

DEED 13.00
8333 0333003 4492 8:52AM 4/24/91

SSRF 2.00
8333 0333003 4492 8:52AM 4/24/91

RECORDED
WASHTENAW COUNTY MI
APR 24 9 04 AM '91
PEGGY H. HAINES
COUNTY CLERK/REGISTER

RETURN TO:
RICHARD LONGWISH
THE DETROIT EDISON COMPANY
425 S. MAIN STREET, ROOM 338
ANN ARBOR, MI 48104