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RIGHT OF WAY FILE #

R 9 1 7 0 4

GRANTOR NAME

[Empty grid for Grantor Name]

[Empty grid for Grantor Name]

STREET ADDRESS

[Empty grid for Street Address]

[Empty grid for Street Address]

ST

[Empty grid for Street Type]

CITY/TOWN

[Empty grid for City/Town]

ZIP CODE

[Empty grid for Zip Code]

EASEMENT DESCRIPTION

[Empty grid for Easement Description]

AGREEMENT DATE

[Empty grid for Agreement Date]

AGREEMENT TYPE

[Empty grid for Agreement Type]

R P C

LIBER #

[Empty grid for Liber #]

PAGE #

[Empty grid for Page #]

DRAWING R/W #

[Empty grid for Drawing R/W #]

PVT CL#

[Empty grid for PVT CL#]

SECTION

[Empty grid for Section]

QUARTER SECTION 3

[Empty grid for Quarter Section 3]

1/4

1/2

QUARTER SECTION 2

[Empty grid for Quarter Section 2]

1/4

1/2

QUARTER SECTION 1

[Empty grid for Quarter Section 1]

1/4

1/2

TOWNSHIP

[Empty grid for Township]

COUNTY

[Empty grid for County]

RTE OF LINE

[Empty grid for Route of Line]

N/S E/W B

TOWNSHIP RANGE

[Empty grid for Township Range]

DIVISION CODE

[Empty grid for Division Code]

A D M O T W

SUBDIVISION NAME

RIDGECROFT

OUT LOT

[Empty grid for Out Lot]

EAST OF

[Empty grid for East of]

BLOCK #1

[Empty grid for Block #1]

WEST OF

[Empty grid for West of]

LOT #1

[Empty grid for Lot #1]

NORTH OF

[Empty grid for North of]

BLOCK #2

[Empty grid for Block #2]

SOUTH OF

[Empty grid for South of]

LOT #2

[Empty grid for Lot #2]

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LIBER 04758 PC 902

B569610

Detroit Edison

Joint Underground Residential Distribution Right of Way Agreement

B410820

LIBER 05093 PC 427

October 18, 19 89

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 Comcast Cable Television, a Delaware corporation of 6065 Wall Street, Sterling Heights, Michigan 48078, 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 Sterling Heights, 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 shown on a drawing to be recorded within 90 days of construction.

RECORDED IN MACOMB COUNTY RECORDS AT: 2:31 P M.

MAY - 3 1991

Edna Miller, CLERK - REGISTER OF DEEDS MACOMB COUNTY, MICHIGAN

RECORDED IN MACOMB COUNTY RECORDS AT: 2:58 P M. NOV - 6 1989 Edna Miller, CLERK - REGISTER OF DEEDS MACOMB COUNTY, MICHIGAN

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: Thomas W. Ballew

Lillian M. Gula

Grantors: L. GULA COMPANY, a Michigan Co-Partnership

BY: Lillian M. Gula General Partner

Edward Gula General Partner

15-

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

Address: 50 Willison Grosse Pointe Shores, MI 48236

Acknowledgement-Individual

LIBER **04758PG903**
LIBER **05093PG428**

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 _____)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 18th day of October, 1989, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Lillian A. Gula and Edward Gula

(a) general/managing partner(s), on behalf of L. Gula Company, a Michigan Co- a partnership.

LILLIAN M. GULA
NOTARY PUBLIC STATE OF MICHIGAN
MACOMB COUNTY
MY COMMISSION EXP. AUG. 29, 1993


Notary Public, Macomb County, Michigan

My commission expires _____

RECORDED BY _____
OF WAY NO. 41704

LIBER 05093PG429

LIBER 04758PG904

APPENDIX "A"

"GULASON ESTATES CONDOMINIUMS, PHASE I", Part of the Northeast 1/4 of Section 11, T1N, R12E, City of Sterling Heights, Macomb County, Michigan, being more particularly described as follows: Beginning at a point which is S 01°29' 10" West 967.00 feet along the East line of Section 11, which is also the centerline of Schoenherr Road, from the Northeast corner of Section 11, T2N, R12E, thence continuing S 01°29'10" West along the East line of Section 11, 330.3 feet; thence N 88°09'06" West 1336.37 feet along the North line of "Fairview Subdivision", (Liber 82, Pages 27 through 32 inclusive, Macomb County Records) and its extension; thence N 01°19'15" East 1292.50 feet along the East line of "Ridgcroft South Subdivision", (Liber 61, Pages 29, 30 and 31, Macomb County Records); thence S 88°21'30" East 644.0 feet along the North line of Section 11, which is also the centerline of 19 Mile Road; thence S 01°29'10" West 967.0 feet; thence S 88°21'30" East 696.0 feet to the point of beginning.

RECORDED RIGHT OF WAY NO.

41704

Sterling Twp.

**Detroit
Edison**

Date: May 15, 1991

To: Records Center

From: Michael J. McCabe *Michael McCabe*
Sr. Real Estate and Rights of Way Representative
Macomb Division

Subject: Right of Way Agreement for Underground Residential
Distribution for Gulason Estates Condominiums, Phase 1
located in part of the Northeast 1/4 of Section 11,
Town 1 North, Range 12 East, City of Sterling Heights,
Macomb County, Michigan

Attached for Records Center is the executed Right of Way
Agreement, dated October 18, 1989, and other pertinent papers for
the above named project.

Easement for this project was requested by Larry Simms, Service
Planner, Macomb Division. The Agreement was negotiated by
Michael J. McCabe, Representative of Real Estate and Rights of
Way, Macomb Division.

Detroit Edison Company, Comcast Cable Television, Consumers Power
Company and Michigan Bell Telephone Company made this agreement
with Edward Gula and Lillian Gula, General Partners, the
developers of Gulason Estates Condominiums, Phase 1.

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

MJM/caw

Attachment

RECORDED RIGHT OF WAY NO. 41704

Serving Customers

We're all a part of it!

