

LIBER 04606PG831

B433359

Detroit Edison

Real Estate and Rights of Way

Joint Underground Residential Distribution Right of Way Agreement

LIBER 05093PG386

B569603

January 11, 1990

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 Comcast Cable Television a Delaware

corporation of 6065 Wall Street, Sterling Heights, MI 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 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 Warren, 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: 2:23 P.M.

MAY - 3 1991

Edna Hill

CLERK - REGISTER OF DEEDS MACOMB COUNTY, MICHIGAN

RECORDED IN MACOMB COUNTY RECORDS AT: 12:47 P.M.

JAN 29 1990

Edna Hill

CLERK - REGISTER OF DEEDS MACOMB COUNTY, MICHIGAN

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 Lynn Vandierdonck Lynn Vandierdonck

X John Latella John Latella

X Agostino Montalto Agostino Montalto

X Deborah Montalto DEBORAH Montalto, his wife

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

Address: 30551 Edison Roseville, MI 48066

Being Re-Recorded to include Appendix B

RECORDED RIGHT OF WAY NO 41706

LIBER 04806PG832
LIBER 05093PG387

Acknowledgement-Individual

STATE OF MICHIGAN

County of Macomb)SS

On this 11 day of January, 1990, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Agostino Montalto

My commission expires 3-8-93

John Latella
Notary Public, _____ County, Michigan
JOHN LATELLA
Notary Public, Oakland County, MI
My Commission Expires Mar. 8, 1993
Acting in Macomb County, MI

Acknowledgement-Individual

STATE OF MICHIGAN

County of Macomb)SS

On this 11 day of January, 1990, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Deborah Montalto, wife

My commission expires 3-8-93

John Latella
Notary Public, _____ County, Michigan
JOHN LATELLA
Notary Public, Oakland County, MI
My Commission Expires Mar. 8, 1993
Acting in Macomb County, MI

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.

My commission expires _____

Notary Public, _____ County, Michigan

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.

My commission expires _____

Notary Public, _____ County, Michigan

RECORDED RIGHT OF WAY NO. 41706

LIBER 04806PG833

APPENDIX "A"

LIBER 05093PG388

"FRAZHO LANE CONDOMINIUMS", A parcel of land located in and being a part of the Southeast 1/4 of Section 24, T1N, R12E, described as: Commencing at the Southeast corner of Section 24; thence S 86°41' West 1327.6 feet; thence N 00°18' West 1332.33 feet to the point of beginning; thence N 00°18' West 1332.35 feet; thence Westerly 137.32 feet; thence S 00°18'30" East 1331.17 feet; thence N 86°12'30" East 137.90 feet to the point of beginning; except the Southerly 443.0 feet.

RECORDED RIGHT OF WAY NO. 41706

Warren Twp.

Date: May 16, 1991
To: Records Center
From: Michael J. McCabe *MJM*
Sr. Real Estate and Rights of Way Representative
Macomb Division
Subject: Right of Way Agreement for Underground Residential
Distribution for Frazho Lane Condominiums located in
part of the Southeast 1/4 of Section 24, Town 1 North,
Range 12 East, City of Warren, Macomb County, Michigan

Attached for Records Center is the executed Right of Way Agreement, dated January 11, 1990, and other pertinent papers for the above named project.

Easement for this project was requested by Michael Childs, 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 and Michigan Bell Telephone Company made this agreement with Agostino Montalto and Deborah Montalto, his wife, the developers of Frazho Lane Condominiums.

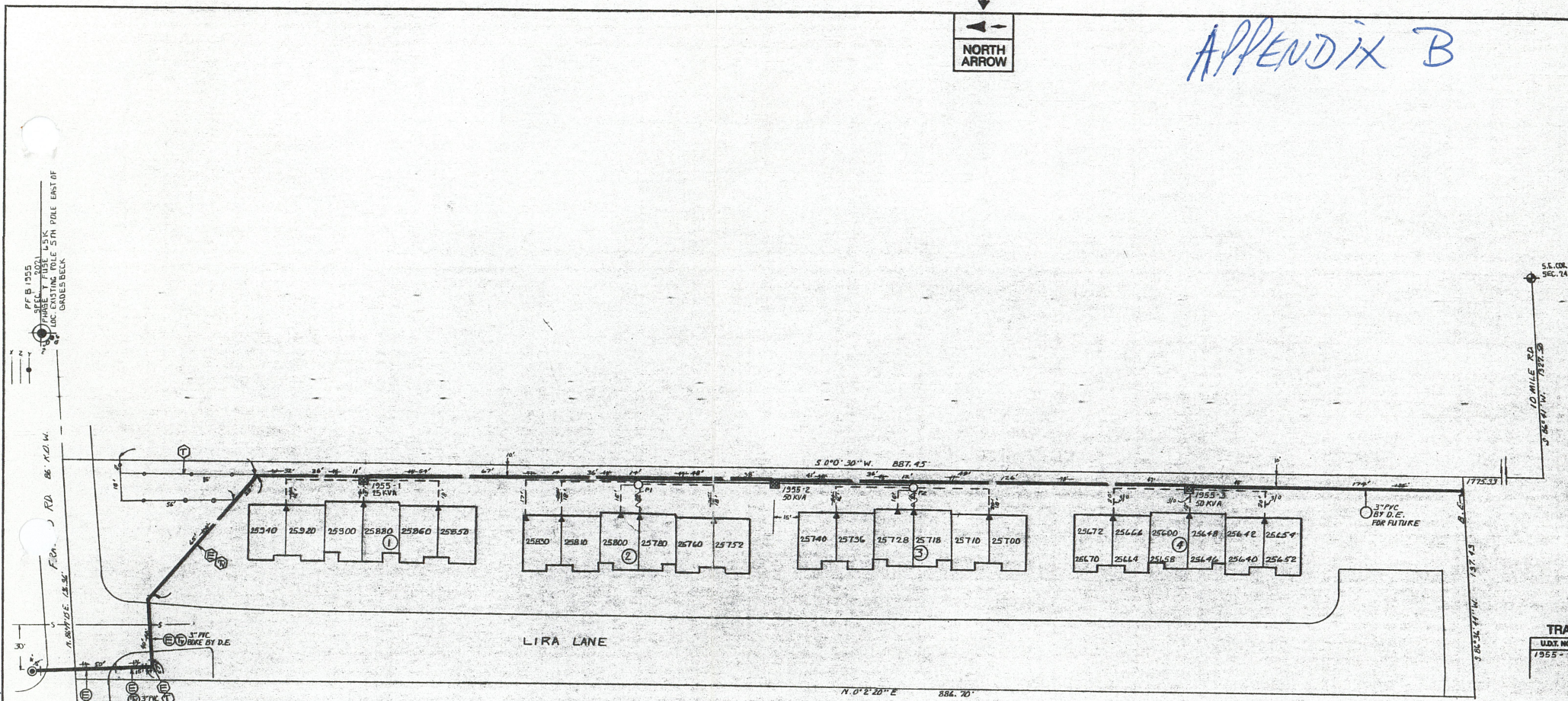
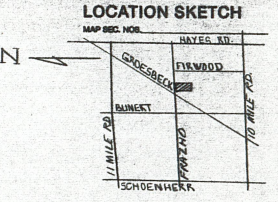
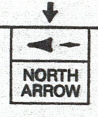
Please make the attached papers a part of recorded Rights of Way file.

MJM/caw

Attachment

RECORDED RIGHT OF WAY NO. 41706

APPENDIX B



U.D.T. NO.	SIZE	ED. STK. NO.
1955-1	25	L61-1151
2	50	1152
3	50	1152

TRANSFORMER SPEC.	1-17-761
FEDERAL SPEC.	1-9-231
N.O. OF FEEDS/LOAD	2
N.O. OF TEMPORARY CABLE MARKERS	
N.O. OF TEMPORARY CABLE MARKERS	
TEMPORARY CABLE MARKER SPEC.	
SECONDARY CONNECTION SET/SPAC.	

- ① TEMPORARY SECONDARY/PRESTAL/TEMPORARY CABLE MARKER
- ② UPT/OEND FRONT TYPE
- ③ UPT/IGN SWITCHING-LIVE FRONT TYPE
- ④ UPT/ SWITCHING-LIVE FRONT TYPE
- ⑤ OPERATOR OF TRANSFORMER DOOR OPENING
- ⑥ SECONDARY FEEDS
- ⑦ SECONDARY CONNECTION BOX
- ⑧ CABLE POLE
- ⑨ PRIMARY SWITCH CABINET
- ⑩ BURIED PRIMARY CABLE-ALL VOLTAGES
- ⑪ BURIED SECONDARY CABLE
- ⑫ BURIED SECONDARY SERVICE CABLE
- ⑬ DETROIT EDISON TRENCH ONLY
- ⑭ TELEPHONE TRENCH ONLY
- ⑮ SEWER
- ⑯ WATER
- ⑰ GAS
- ⑱ PROPOSED CONDUIT
- ⑳ GSP CONN CABINET

ITEM #	DESCRIPTION	QUANTITY	UNIT
1	BURIED 3" PVC 1" 1/2 I.D.	718000	FT
2	7" 3/4" DEPT. 1" 1/2 I.D.	718000	FT
3	APPROX 1/2" 1" 1/2 I.D.	718000	FT
4	3"	718000	FT

ITEM #	DESCRIPTION	QUANTITY	UNIT
1	JOINT USE 2" 1/2" 1" 1/2 I.D.	84	JOINT
2	DEPT. 10"	17	DE-TEL
3	DEPT. 17"	17	DE ONLY
4	OTHERS DEPTV 3"		
TOTAL		1846 383'	167'

GENERAL NOTES

TRENCHING TO BE DONE BY D.E. CO.

TRENCH AND CABLE LENGTHS ARE APPROXIMATE

SEE SECTION 58 US LINE CONSTRUCTION STANDARDS FOR TRANS. MAT. DETAILS

SEE PAGE 3811 51-11 DETAIL FOR ENTRANCE POINT DETAILS (APTS. ONLY)

SEE SECTION 48 US LINE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES

TRANSFORMERS AND FEEDS (BUNDLES ONLY)

D.E. SERVICE PLANNER: A. HINDS, JR. 885-3433

TEL. CO. 881-3841 3. DODD/381 462-1050

GAS CO. 478-0270

CITY: CUMCAST, H. DOSTK 978-0270

CONTACT "MIB DIB" (800-451-7171) BEFORE DOING ANY EXCAVATION

BARRIERS INDICATED BY OUR CENTERLINE ARE IN WIDTH UNLESS OTHERWISE NOTED

PERMITS REQUIRED

CITY OF _____ COUNTY NOTIFICATION ONLY _____

STATE YES NO

TITLE BLOCK

D.O. 200-1797

W.O. 3-7-83

Start 2-12-80

Finish 3-12-80

Prob. DR. 10512

Laber UNION ENG

Splicing F. CARON

Recorder F. CARON

D	REVISION	C	REVISION	B	REVISION	A	REVISION	REFERENCE	
							SHOWN AS INSTALLED		
DRAWN BY	D. ADAMS	CHECKED BY	L.E.	APPROVED BY	D. ADAMS	DATE	1-4-90	JOB TITLE	DRILL BURRED SYSTEM
DRAWN BY	D. ADAMS	CHECKED BY	L.E.	APPROVED BY	D. ADAMS	DATE	1-4-90		

NOTE: ALL SERVICES ARE 24 UNLESS OTHERWISE NOTED.

	REQD.	MT.	CITY	GAO.
SEWER	X	X	X	X
GAS	X	X	X	X
COURT DRAIN	X	X	X	X
STREET	X	X	X	X

THE DETROIT EDISON COMPANY

SERVICE PLANNING

SCALE: 1" = 30'

DATE: 3/7/83

PROJECT: PRAZHO LANE CONDO

ADDRESS: PART OF THE S.E. 1/4 OF SECTION 24 T11N, R12E

DATE: 3/7/83

PROJECT NO: 132FV