

Detroit Edison

Real Estate and Rights of Way

Joint Underground Residential Distribution Right of Way Agreement

LIBER 05082 PG 671

B473990

5-1

, 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 Harron Cable Television, a Delaware

corporation of 55800 New Haven Road, New Haven, MI 48048 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 Township of Washington, 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: 1:25 P. M.

APR 19 1991

*Edna Hill*  
CLERK - REGISTER OF DEEDS  
MACOMB COUNTY, MICHIGAN

RECORDED IN MACOMB COUNTY RECORDS AT: 3:23 P. M.

JUN 12 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 *Theresa M. Schulte*  
Theresa M. Schulte

X *Linda D. Wagner*  
Linda D. Wagner

X *Heleen Buss*  
Heleen Buss, Attorney In Fact for Earl F. Buss, AKA Earl Buss, her husband

X *Ronald J. Palmieri*  
Ronald J. Palmieri

X *Gail F. Palmieri*  
Gail Palmieri, wife

X *Nancy Caruso*  
Nancy Caruso, wife

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

62324 Van Dyke, Washington, MI 48094

Being Re-Rambled to include Appendix B

RECORDED RIGHT OF WAY NO. 41708

LIBER 04891 PG 647

Acknowledgement-Individual

STATE OF MICHIGAN

County of MaLomb )SS

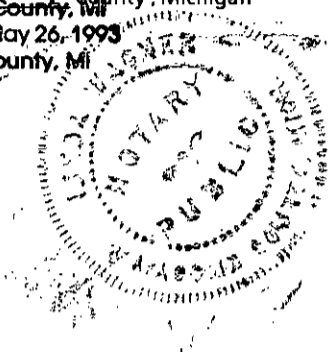
LIBER 05082 PG 673

On this 23 day of April, 19 90, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Peter P. Caruso and Nancy Caruso, wife

Linda D. Wagner

LINDA D. WAGNER  
Notary Public, Lapeer County, Mi County, Michigan  
My Commission Expires May 26, 1993  
Acting in Macomb County, Mi

My commission expires 5-26-93



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 \_\_\_\_\_

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 \_\_\_\_\_ )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. 41708

**Acknowledgement-Individual**

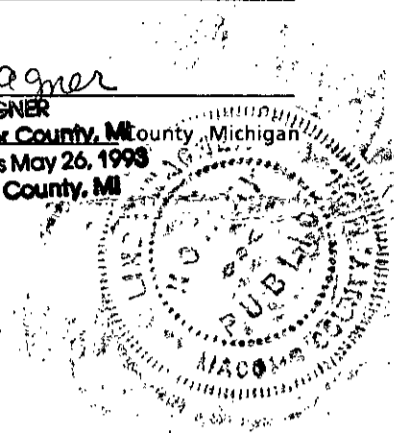
STATE OF MICHIGAN

County of Lapeer )SS  
acting in Macomb

On this 1st day of May, 19 90, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Helen Buss, Attorney in Fact for Earl F. Buss, AKA Earl Buss, her husband

My commission expires 5-26-93

Linda D. Wagner  
LINDA D. WAGNER  
Notary Public, Lapeer County, MI county, Michigan  
My Commission Expires May 26, 1993  
Acting in Macomb County, MI



**Acknowledgement-Individual**

STATE OF MICHIGAN

County of Lapeer )SS

On this 1st day of May, 19 90, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Ronald J. Palmieri and Gail Palmieri, wife

My commission expires 5-26-1993

Linda D. Wagner  
LINDA D. WAGNER  
Notary Public, Lapeer County, MI county, Michigan  
My Commission Expires May 26, 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.

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

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

**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. 41708

APPENDIX "A"

LIBER 04891 PG 648

LIBER 05082 PG 674

"HARVEST RIDGE", Land in the Township of Washington, Macomb County, Michigan, described as: T4N, R12E, Section 10, East 1/2 of West 1/2 of Northeast 1/4 of Section 10, Township of Washington, Macomb County, Michigan.

RECORDED RIGHT OF WAY NO. 41708

Date: 5-1-91  
To: Records Center 5  
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 Harvest Ridge located in part of the  
East 1/2 of the West 1/2 of the Northeast 1/4 of  
Section 10, Town 4 North, Range 12 East, Washington  
Township, Macomb County, Michigan

Attached for Records Center is the executed Right of Way Agreement, dated May 1, 1990, and other pertinent papers for the above named project.

Easement for this project was requested by Michael Demchak, 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, Harron Cable Television and Michigan Bell Telephone Company made this agreement with Helen Buss, Attorney in Fact for Earl F. Buss, AKA Earl Buss, Her husband, Ronald J. Palmieri and Gail Palmieri, wife, and Peter P. Caruso and Nancy Caruso, his wife, the developers of Harvest Ridge.

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

MJM/caw

Attachment

RECORDED  
RIGHTS OF WAY NO. 41708.

RECORDED RIGHT OF WAY NO. 41708

LIBER 05082PG675

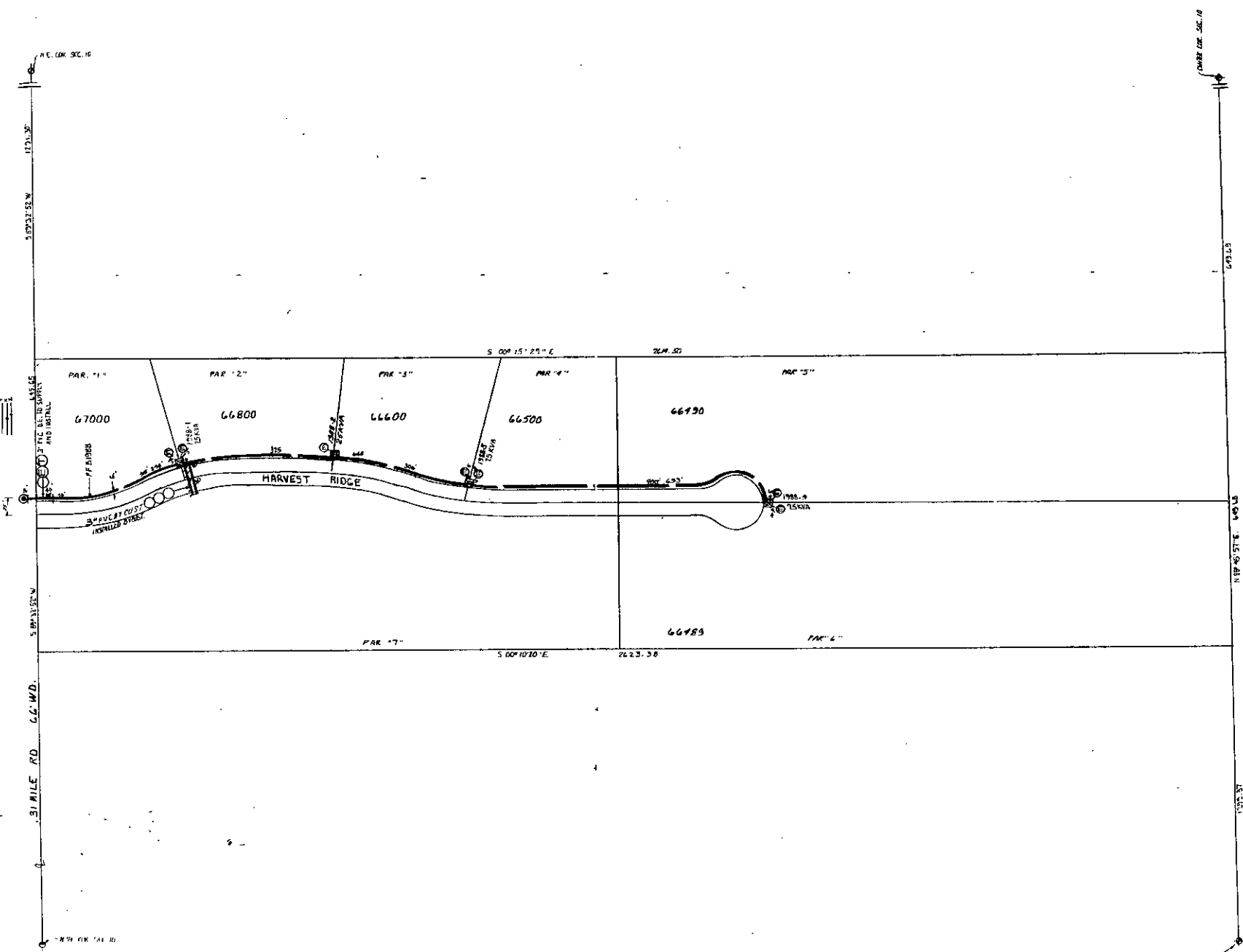
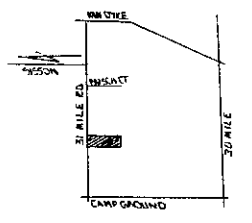
RECORDED RIGHT OF WAY NO. 41708

LIBER 05082PG676

APPENDIX B



LOCATION SKETCH



**TRANSFORMER DATA**

BLDG. NO.	SIZE	ED. BTK. NO.
1786-1	25	667-1152
4-2	25	1156
4	25	1154
	25	1158

TRANSFORMER SPEC. 1-17-74-3  
 FEDERAL SPEC.  
 NO. OF FEEDERS  
 NO. OF TEMPORARY CABLE MANHOLES  
 NO. OF TEMPORARY CABLE MANHOLES  
 TEMPORARY CABLE MANHOLES SPEC.  
 SECONDARY CONNECTION BOX SPEC.

- CODE —**
- ⊕ TEMPORARY SECONDARY FEDERAL TEMPORARY CABLE MANHOLE
  - DRY (BAND FRONT TYPE)
  - WET (BAND FRONT TYPE)
  - WET (SWITCHING—LINE FRONT TYPE)
  - DIRECTION OF TRANSFORMER DOOR OPENING
  - SECONDARY FEDERAL
  - SECONDARY CONNECTION BOX
  - CABLE POLE
  - PRIMARY SWITCH CABINET
  - BURIED PRIMARY CABLE—ALL VOLTAGES
  - BURIED SECONDARY CABLE
  - BURIED SECONDARY SERVICE CABLE
  - DETROIT SECTION TRENCH ONLY
  - TELEPHONE TRENCH ONLY
  - SEWER
  - WATER
  - GAS
  - PROPOSED CONDUIT
  - SEP COOH CABINET

**CABLE SUMMARY**

ITEM 1 800 LL 1 x 6 132 KV 710206 = 1877 1705  
 ITEM 2 APPROX 1 140 800 V. 710207 = 222 45  
 ITEM 3 APPROX 1 141 800 V. 710204 = 222 45

**TRENCH SUMMARY**

JOINT LINE 1244 1721 5000 10'  
 DE. 48" 40' 5"  
 TEL. ONLY  
 GAS ONLY  
 OTHER  
 TOTAL 1244 1721  
 SITE SUPPLY 1. CARLUSO

**— GENERAL NOTES —**

TRENCHING TO BE DONE BY D.E.  
 TRENCH AND CABLE LENGTHS ARE APPROXIMATE.  
 SEE SECTION 40 (S) LINE CONSTRUCTION STANDARDS FOR TRENCH MAX. DETAILS.  
 SEE SECTION 40 (S) (S) LINE CONSTRUCTION STANDARDS FOR ENTRANCE POINT DETAILS (PARTS ONE).  
 SEE SECTION 40 (S) LINE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES.  
 TRANSFORMERS AND FEEDERS (BUT NOT ONLY).  
 D.E. SERVICE PLANNER: D. B. MURPHY, 226-1832  
 TEL. CO. JENKINS: D. W. WELLS, 266-1017  
 ONE CALL  
 CALL: JENKINS, N. W. WELLS, 266-1017  
 CONTACT "MMS DIO" (800) 471-7170 BEFORE DOING ANY EXCAVATION  
 STATEMENTS INDICATED BY OUR CENTERLINE ARE  
 IN WIDTH UNLESS OTHERWISE NOTED.

PERMITS REQUIRED

CITY OF \_\_\_\_\_ COUNTY, NOTIFICATION ONLY  
STATE  YES  NO

**TITLE BLOCK**

D.S. 208 7826  
 W.D. 36703 236  
 Start 2/18/20  
 Finish 2/18/20  
 Tech. LARRY L. RYLE  
 Supt. D.E.  
 Insp. D. B. MURPHY  
 Recorder: T. CARLUSO

DESIGNATED	REQ.	INT.	CITY	STATE
SOIL PROTECTION	X	X	X	X
CRUISE ROAD	X	X	X	X
CRUISE ROAD	X	X	X	X
CRUISE ROAD	X	X	X	X

D	C	B	A	REFERENCE	DATE	BY	DATE	BY	DATE	BY
				1100 W3H-43	2/18/20	D. B. MURPHY	2/18/20	D. B. MURPHY	2/18/20	D. B. MURPHY
				SHOWN AS INSTALLED IN FIELD						

**HARVEST RIDGE**

1" = 100'

307 ROAD

307 ROAD

307 ROAD

307 ROAD