

58

DATE March 14 - 1936

Permission is hereby granted to THE DETROIT EDISON COMPANY to construct, operate and maintain its lines for electric light and power, including the necessary poles, fixtures, guys and guy-stubs, wires and equipment upon over and across the property in the Township of Danmark county of Ingham State of Michigan, further described as follows: N. 1/2 of sec. 10, T. 4. N. 1/4. Sec 4

The route of said lines shall be as follows:

MISC. RIGHT OF WAY FILE NO. 48998

Witness: Lewis Marshall

William F Raw
Maggie Raw

14/2

Detroit Edison

Real Estate and Rights of Way

Joint Underground Residential Distribution Right of Way Agreement

JUNE 13, 1991

LIBER 1482 PAGE 0198

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 MILITARY CABLEVISION CO. OF LIVINGSTON/WASHTENAW, a Michigan corporation of P.O. Box 660, Hamburg, Mi. 48139, 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 Township of Hamburg, County of Livingston, 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 12 feet in width unless otherwise indicated and the route is described as follows:

All in accordance with Proposed Plat which is attached hereto and made a part hereof. (Appendix "B")...

RECORDED JUN 18 1 41 PM '91 NANCY HAVILAND REGISTER OF DEEDS LIVINGSTON COUNTY, MI 48242

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:

LISA S. CALABRO
JOE CALABRO

Marshall R. Smith
Betsy R. Smith, husband and wife

Prepared by: James M. Davenport
346 E. Grand River
Howell, Mi. 48843

Address: 4670 E. M-36
Pinckney, Mi. 48169

RECORDED RIGHT OF WAY NO. 41898

Acknowledgement-Individual

STATE OF MICHIGAN

County of LIVINGSTON ss

On this 13th day of June, 19 91, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Marshall R. Smith and Betsy R. Smith, husband and wife

LISA SUZANNE CALABRO
NOTARY PUBLIC-LIVINGSTON COUNTY, MICH
MY COMMISSION EXPIRES 10-23-91

Lisa Suzanne Calabro
Notary Public, LIVINGSTON county, Michigan

My commission expires ✓

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APPENDIX "A"

LEGAL DESCRIPTION

PART OF THE S.E. 1/4 OF SECTION 30 AND PART OF THE N.E. 1/4 OF SECTION 31, T.1N.,R.5E., HAMBURG TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, DESCRIBED AS COMMENCING AT THE CENTER OF SAID SECTION 31; THENCE S89°17'51"E ALONG THE EAST AND WEST 1/4 LINE OF SAID SECTION 31, 1321.37 FT. TO THE WEST LINE OF "TAMARINA PARK SUBDIVISION", AS RECORDED IN LIBER 12 OF PLATS, PAGES 37, 38 AND 39, LIVINGSTON COUNTY RECORDS; THENCE N00°00'04"E ALONG SAID LINE 1349.89 FT. TO THE N.W. CORNER OF SAID SUBDIVISION AND POINT OF BEGINNING; THENCE CONTINUING N00°00'04"E 256.01 FT.; THENCE S89°00'00"E 170.00 FT.; THENCE N47°57'50"E 188.78 FT.; THENCE N30°47'30"W 33.09 FT.; THENCE ALONG A CURVE TO THE RIGHT, RADIUS OF 263.00 FT., THROUGH A CENTRAL ANGLE OF 97°04'00", CHORD BEARING N17°44'30"E 394.15 FT., AN ARC DISTANCE OF 445.56 FT.; THENCE N19°00'00"W 284.00 FT.; THENCE S58°30'00"W 239.50 FT.; THENCE S45°00'00"W 165.00 FT.; THENCE N00°13'21"W 1825.57 FT. TO THE S.W. CORNER OF "CRYSTAL BEACH SUBDIVISION", AS RECORDED IN LIBER 2 OF PLATS, PAGE 48, LIVINGSTON COUNTY RECORDS; THENCE S89°23'25"E (N89°53'E RECORDED) ALONG THE SOUTH LINE OF SAID SUBDIVISION, 860.00 FT. TO INTERMEDIATE TRAVERSE POINT "A", THENCE CONTINUING S89°23'25"E ALONG SAID LINE, 110 FT. ± TO THE SHORELINE OF BULLHEAD LAKE; THENCE SOUTHERLY ALONG THE SHORELINE OF SAID LAKE, 1988 FT. ±; THENCE S00°05'16"W 40 FT. ± TO INTERMEDIATE TRAVERSE POINT "B" BEING LOCATED S32°30'00"E 505.00 FT. AND S21°46'14"W 259.17 FT. AND S13°00'00"E 200.00 FT. AND S41°00'00"W 158.00 FT. AND S11°00'00"W 290.00 FT. AND S14°00'00"E 255.00 FT. AND S43°30'00"E 260.00 FT. AND S77°30'00"E 175.00 FT. FROM INTERMEDIATE TRAVERSE POINT "A", ALONG AN INTERMEDIATE TRAVERSE LINE; THENCE S00°05'16"W 870.00 FT. TO THE N.E. CORNER OF "TAMARINA PARK SUBDIVISION", AND CENTERLINE OF SHEHAN ROAD; THENCE S89°15'34"W ALONG THE NORTH LINE OF SAID SUBDIVISION AND CENTERLINE OF SHEHAN ROAD, 1324.39 FT. TO THE POINT OF BEGINNING, CONTAINING 66.053 ACRES, SUBJECT TO THE RIGHTS OF THE PUBLIC IN SHEHAN ROAD, SUBJECT ALSO TO ANY OTHER EASEMENTS OF RECORD.

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

**Detroit
Edison**

DATE: 8-19-91

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 LAKE SHORE
PROPOSED SUB.
Located In: HAMBURG TOWNSHIP
County: LIVINGSTON

Attached is the executed agreement dated 6/13/91
for the above named project.

Easements for this project were requested by JOHN
BURGESS
Service Planning Department, Ann Arbor Division.

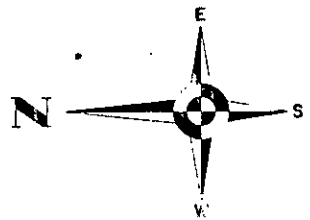
The agreement was negotiated by James M. Davenport of the
Real Estate and Rights-of-Way Department, Ann Arbor
Division.

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

Additional Information: _____

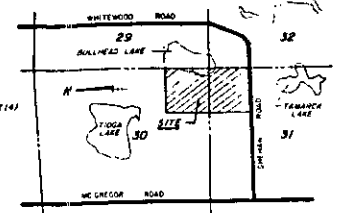
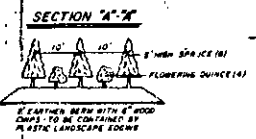
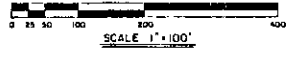
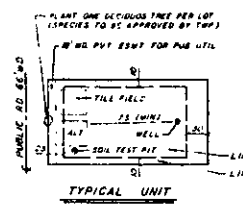
JMD:pg:wp
Attachment(s)

RECORDED RIGHT OF WAY NO. 11898



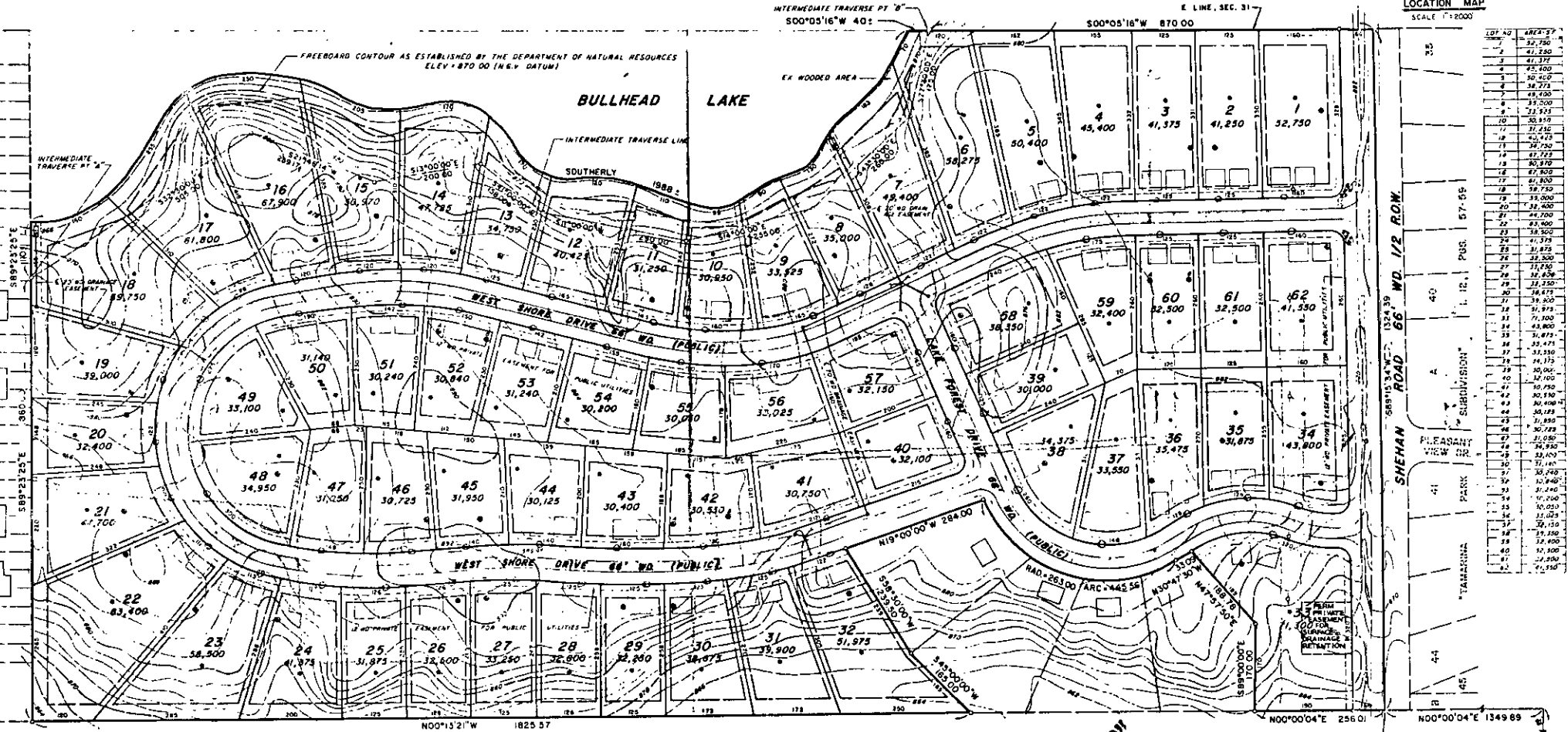
PROPOSED "LAKE SHORE"

A SINGLE FAMILY DETACHED CONDOMINIUM OF PART OF THE S.E. 1/4 OF SECTION 30 AND PART OF THE N.E. 1/4 OF SECTION 31, T.1N.,R.5E., HAMBURG TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN



SOIL EXPLOSION LOG

LOT 1	2' YELLOW SAND
LOT 2	3' RED SAND
LOT 3	3' FINE GRAVEL
LOT 4	3' RED SAND
LOT 5	3' FINE GRAVEL
LOT 6	3' RED SAND
LOT 7	3' FINE GRAVEL
LOT 8	3' RED SAND
LOT 9	3' FINE GRAVEL
LOT 10	3' RED SAND
LOT 11	3' FINE GRAVEL
LOT 12	3' RED SAND
LOT 13	3' FINE GRAVEL
LOT 14	3' RED SAND
LOT 15	3' FINE GRAVEL
LOT 16	3' RED SAND
LOT 17	3' FINE GRAVEL
LOT 18	3' RED SAND
LOT 19	3' FINE GRAVEL
LOT 20	3' RED SAND
LOT 21	3' FINE GRAVEL
LOT 22	3' RED SAND
LOT 23	3' FINE GRAVEL
LOT 24	3' RED SAND
LOT 25	3' FINE GRAVEL
LOT 26	3' RED SAND
LOT 27	3' FINE GRAVEL
LOT 28	3' RED SAND
LOT 29	3' FINE GRAVEL
LOT 30	3' RED SAND
LOT 31	3' FINE GRAVEL
LOT 32	3' RED SAND
LOT 33	3' FINE GRAVEL
LOT 34	3' RED SAND
LOT 35	3' FINE GRAVEL
LOT 36	3' RED SAND
LOT 37	3' FINE GRAVEL
LOT 38	3' RED SAND
LOT 39	3' FINE GRAVEL
LOT 40	3' RED SAND
LOT 41	3' FINE GRAVEL
LOT 42	3' RED SAND
LOT 43	3' FINE GRAVEL
LOT 44	3' RED SAND
LOT 45	3' FINE GRAVEL
LOT 46	3' RED SAND
LOT 47	3' FINE GRAVEL
LOT 48	3' RED SAND
LOT 49	3' FINE GRAVEL
LOT 50	3' RED SAND
LOT 51	3' FINE GRAVEL
LOT 52	3' RED SAND
LOT 53	3' FINE GRAVEL
LOT 54	3' RED SAND
LOT 55	3' FINE GRAVEL
LOT 56	3' RED SAND
LOT 57	3' FINE GRAVEL
LOT 58	3' RED SAND
LOT 59	3' FINE GRAVEL
LOT 60	3' RED SAND
LOT 61	3' FINE GRAVEL
LOT 62	3' RED SAND
LOT 63	3' FINE GRAVEL
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LOT 87	3' FINE GRAVEL
LOT 88	3' RED SAND
LOT 89	3' FINE GRAVEL
LOT 90	3' RED SAND
LOT 91	3' FINE GRAVEL
LOT 92	3' RED SAND
LOT 93	3' FINE GRAVEL
LOT 94	3' RED SAND
LOT 95	3' FINE GRAVEL
LOT 96	3' RED SAND
LOT 97	3' FINE GRAVEL
LOT 98	3' RED SAND
LOT 99	3' FINE GRAVEL
LOT 100	3' RED SAND



LOT NO.	AREA SQ. FT.
1	32,750
2	41,250
3	41,250
4	41,250
5	30,400
6	30,400
7	30,400
8	30,400
9	30,400
10	30,400
11	30,400
12	30,400
13	30,400
14	30,400
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86	30,400
87	30,400
88	30,400
89	30,400
90	30,400
91	30,400
92	30,400
93	30,400
94	30,400
95	30,400
96	30,400
97	30,400
98	30,400
99	30,400
100	30,400

Whenever Private Ownership appears on this drawing, the consent shall apply to the approval of the recorded Right of Way Agreement.

LEGAL DESCRIPTION

PART OF THE S.E. 1/4 OF SECTION 30 AND PART OF THE N.E. 1/4 OF SECTION 31, T.1N., R.5E., HAMBURG TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, DESCRIBED AS COMMENCING AT THE CENTER OF SAID SECTION 31, THENCE S89°15'30"E ALONG THE EAST AND WEST 1/4 CORNER OF SAID SECTION 31, 1381.37 FT. TO THE WEST LINE OF "TAMARACK PARK SUBDIVISION", AS RECORDED IN BOOK 20 OF PLATS, PAGES 37, 38 AND 39, LIVINGSTON COUNTY RECORDS, THENCE N00°00'04"E ALONG SAID LINE 1349.89 FT. TO THE N.W. CORNER OF SAID SUBDIVISION AND POINT OF BEGINNING, THENCE CONTAINING N00°00'04"E 258.00 FT., THENCE S89°00'00"E 170.00 FT., THENCE S00°00'00"E 188.78 FT., THENCE S00°00'00"E 33.00 FT., THENCE ALONG A CURVE TO THE RIGHT, RADIUS OF 263.00 FT., THROUGH A CENTRAL ANGLE OF 97°04'00", CHORD BEARING N17°44'30"E 394.15 FT., AN ARC DISTANCE OF 445.38 FT., THENCE S19°00'00"W 284.00 FT., THENCE S24°00'00"W 219.30 FT., THENCE S45°00'00"W 163.00 FT., THENCE N00°00'04"E 481.50 FT. TO THE S.W. CORNER OF "SHERMAN BEACH SUBDIVISION", AS RECORDED IN BOOK 8 OF PLATS, PAGE 48, LIVINGSTON COUNTY RECORDS, THENCE S89°23'25"E (TABULAR RECORD) IN LINE 8 OF PLATS, PAGE 48, LIVINGSTON COUNTY RECORDS, THENCE S89°23'25"E (TABULAR RECORD) CONTINUING S89°23'25"E ALONG SAID LINE, 110.00 FT. TO THE INTERMEDIATE TRAVERSE POINT "A", THENCE S00°00'04"E 258.00 FT. TO THE S.W. CORNER OF "SHERMAN BEACH SUBDIVISION", AS RECORDED IN BOOK 8 OF PLATS, PAGE 48, LIVINGSTON COUNTY RECORDS, THENCE S00°00'04"E 258.00 FT. TO INTERMEDIATE TRAVERSE POINT "B", BEING LOCATED S52°00'00"E 105.00 FT. AND S17°45'18"W 258.12 FT. AND S19°00'00"W 200.00 FT. AND S41°00'00"W 118.00 FT. AND S14°00'00"W 85.00 FT. AND S14°00'00"E 258.00 FT. AND S43°00'00"E 85.00 FT. AND S15°00'00"E 110.00 FT. FROM INTERMEDIATE TRAVERSE POINT "A", ALONG AN INTERMEDIATE TRAVERSE LINE, THENCE S00°00'04"E 258.00 FT. TO THE N.E. CORNER OF "TAMARACK PARK SUBDIVISION", AND CENTERLINE OF SHERMAN ROAD, THENCE S89°15'30"E ALONG THE NORTH LINE CONTAINING 68.00 ACRES, SUBJECT TO THE RIGHTS OF THE PUBLIC IN SHERMAN ROAD, SUBJECT ALSO TO ANY OTHER EASEMENTS OF RECORD.

GENERAL NOTES

- ALL ELEVATIONS ARE BASED UPON U.S.S. DATUM
- EXISTING AND PROPOSED ZONING OF SUBJECT SITE IS R-4
- PROPOSED "LAKE SHORE" SITE CONDOMINIUM TO CONTAIN 62 UNITS NUMBERED 1 THRU 62
- ALL UNITS TO CONTAIN 30,000 SQ. FT. MINIMUM, 43 FT. MINIMUM FRONTAGE, 25 FT. FRONT SETBACK, 30' REAR SETBACK, AND 4' 0" SIDE SETBACK
- ALL PROPOSED SITES TO BE SERVED WITH INDIVIDUAL SEPTIC SYSTEMS AND INDIVIDUAL WATER WELLS
- ALL DRAINAGE FACILITIES TO BE MAINTAINED BY MEANS OF A COUNTY DRAINAGE DISTRICT CONSISTING OF ALL LOTS OF PROPOSED "LAKE SHORE"
- WETLANDS LIE BELOW THE FREE BOARD ELEVATION AS ESTABLISHED BY THE B.N.R.
- BRICK LEAVE ELEVATIONS AND LOT GRADING PLAN TO BE INCORPORATED WITHIN THE CONSTRUCTION PLANS FOR PROPOSED "LAKE SHORE"
- PROPOSED ROAD ARE TO BE CONSTRUCTED TO COUNTY STANDARDS AND DEDICATED TO THE PUBLIC
- ALL ROAD TRAILS ARE TO BE AS DIRECTED BY THE L.C.R.C.
- NO SIGNAGES OR MARKS PROPOSED
- MAIL TO BE DELIVERED TO EACH LOT



PROPRIETOR MARSHALL SMITH
4670 E. M-36
PINCKNEY, MI. 48169
PHONE (313) 231-2609

FINNEY & ASSOCIATES, INC.
REGISTERED CIVIL ENGINEERS & LAND SURVEYORS
P.O. BOX 111 WALKER LAKE MICHIGAN 48864
DATE: 4-30-90 DRAWN BY: SCF CHECKED BY: DCF
SITE PLAN - "LAKE SHORE"
MARSHALL SMITH 90-6364

LIBER 1482 PAGE 0200

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