

Real Estate and Rights of Way

**Detroit Edison**

**Joint Underground Residential Distribution Right of Way Agreement**

July 27, 1990

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, MI 48077, 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 Macomb, 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: 2:28 P.M.

AUG 23 1991

*Edna [Signature]*  
CLERK - REGISTER OF DEEDS  
MACOMB COUNTY, MICHIGAN

RECORDED IN MACOMB COUNTY RECORDS AT: 2:11 P.M.  
AUG - 7 1990

*Edna [Signature]*  
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, employees 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:

X *Kayne D. Wisniewski*  
Kayne D. Wisniewski

X *Tara J. Parzuchowski*  
Tara J. Parzuchowski

Grantors:

FLOWERS OF COUNTRY MEADOWS, INC.  
a Michigan Corporation

BY: *[Signature]*  
Ronald Parzuchowski, President

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

Address: 31153 Plymouth Road  
Livonia, MI 48150

Being Re-Recorded to include Appendix B

RECORDED COPY OF EAY NO. 42052

15

## APPENDIX "A"

"COUNTRY MEADOWS CONDOMINIUMS, PHASE 2", All that part of the Northwest 1/4 of Section 32, T3N, R13E, Macomb Township, Macomb County, Michigan, described as: Beginning at a point on the North line of said Section 32, distant due East 898.54 feet from the Northwest corner of said Section 32; thence continuing due East 440.00 feet along the North line of said Section 32; thence S 00°10'53" West 1336.71 feet; thence N 89°49'05" West 1338.33 feet; thence N 00°10'22 " East 570.00 feet; thence S 89°49'05" East 748.42 feet; thence N 00°10'53" East 314.83 feet; thence due East 150.00 feet; thence N 00°10'53" East 450.00 feet to the point of beginning.

LIBER 04930PG417

Acknowledgement-Individual

STATE OF MICHIGAN

County of \_\_\_\_\_ )SS

LIBER 05181PG839

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 Wayne )SS

On this 27<sup>th</sup> day of July, 1990, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Ronald Parzuchowski whose title(s) is /are President of FLOWERS OF COUNTRY MEADOWS, INC., a Michigan corporation, on behalf of the corporation.

Kayne D. Wisniewski  
Notary Public, Wayne County, Michigan

My commission expires 8-24-93

KAYNE D. WISNIEWSKI  
NOTARY PUBLIC STATE OF MICHIGAN  
WAYNE COUNTY  
MY COMMISSION EXP. AUG. 24, 1993

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 \_\_\_\_\_

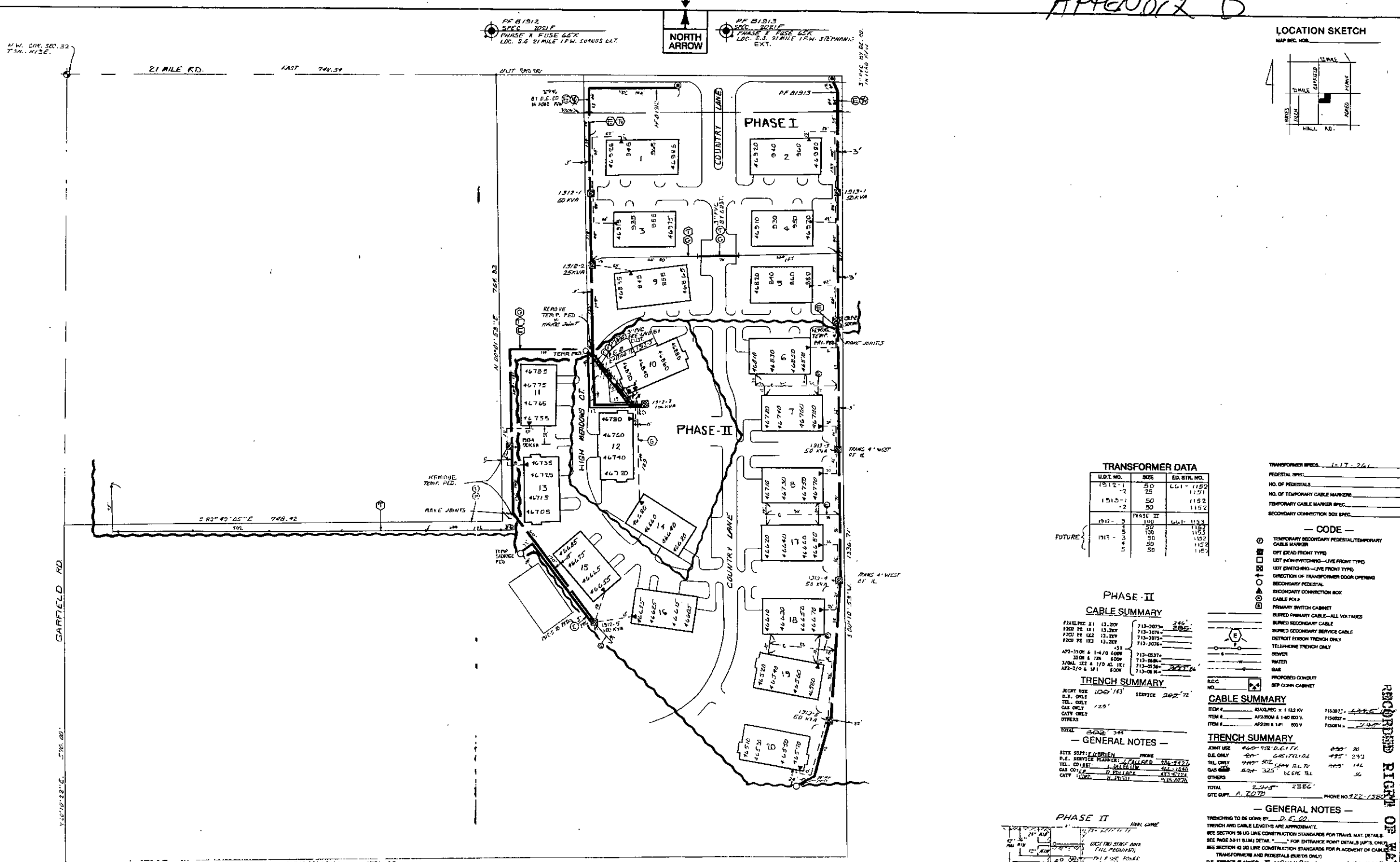
(a) general/managing partner(s), on behalf of \_\_\_\_\_ a partnership.

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

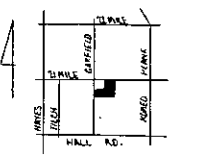
My commission expires \_\_\_\_\_

RECORDED RIGHT OF WAY NO. 42052

APPENDIX B



LOCATION SKETCH



TRANSFORMER DATA

U.D. NO.	SIZE	ED. STL. NO.
1512-1	50	661-1151
1513-1	50	1152
1513-2	50	1152
1512-2	100	661-1153
1513-3	50	1153
1513-4	50	1152
1513-5	50	1152

TRANSFORMER SPEC. 1-17-761  
 PEDESTAL SPEC.  
 NO. OF PEDESTALS  
 NO. OF TEMPORARY CABLE MARKERS  
 TEMPORARY CABLE MARKER SPEC.  
 SECONDARY CONNECTION BOX SPEC.

CODE

- TEMPORARY SECONDARY PEDESTAL/TEMPORARY CABLE MARKER
- DIT (DEAD FRONT TYPE)
- LOT NON-SWITCHING - LIVE FRONT TYPE
- LOT 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 SERVICE CABLE
- DETECT EMISSION TRENCH ONLY
- TELEPHONE TRENCH ONLY
- SEWER
- WATER
- GAS
- PROPOSED CONDUIT
- SEP. CONC. CABINET

PHASE II CABLE SUMMARY

PHASE II	13.225	713-3073	346
PHASE II	13.225	713-3074	282
PHASE II	13.225	713-3075	282
PHASE II	13.225	713-3076	282
AP2-330H & 1-470 600V	713-0377	51	
330H & 170 600V	713-0888	1	
3/4" AL. ITC & 1/2" AL. ITC	713-0888	3277	
AP2-270 & 181 600V	713-0888	3277	

TRENCH SUMMARY

JOINT USE	100' 143'	SERVICE	202' 72'
D.E. ONLY			
TEL. ONLY			
GAS ONLY			
OTHERS			
TOTAL	302' 344'		

GENERAL NOTES

SITE SUPPLY ORIENT. PHONE  
 P.E. SERVICE PLANNER: TALLEY 376-7472  
 TEL. CO. EXT. 4-1000  
 GAS CODE: 4-1000  
 CITY: 11000, H. 11000, 915-0220

CABLE SUMMARY

ITEM # 10400000 X 1122 KV 7130073-4466  
 ITEM # AP230M & 140 800 V. 7130075-282  
 ITEM # AP230 & 141 800 V. 7130076-282

TRENCH SUMMARY

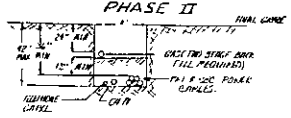
JOINT USE 100' 143' SERVICE 202' 72'  
 D.E. ONLY  
 TEL. ONLY  
 GAS ONLY  
 OTHERS  
 TOTAL 302' 344' 2556'  
 SITE SUPPLY ORIENT. PHONE NO. 922-1320

GENERAL NOTES

TRENCHING TO BE DONE BY D.E. CO.  
 TRENCH AND CABLE LENGTHS ARE APPROXIMATE.  
 SEE SECTION 56 US LINE CONSTRUCTION STANDARDS FOR TRENCH MAT. DETAILS.  
 SEE SECTION 58 US LINE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLE.  
 SEE SECTION 48 US LINE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLE.  
 TRANSFORMERS AND PEDESTALS EXCEPT WHERE SHOWN OTHERWISE.  
 D.E. SERVICE PLANNER: TALLEY 376-7472  
 TEL. CO. EXT. 4-1000  
 GAS CODE: 4-1000  
 CITY: 11000, H. 11000, 915-0220  
 CONTACT THESE DIV. BEFORE ANY EXCAVATION  
 EASEMENTS INDICATED BY OUR CENTERLINE ARE  
 IN WIDTH UNLESS OTHERWISE NOTED.

PERMITS REQUIRED

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



PERMITS REQUIRED	REQD.	SECT.	CITY	COUNTY
SOIL EXCAVATION	X	X	X	X
COUNTY ROAD	X	X	X	X
COUNTY DRAIN	X	X	X	X
CITY	X	X	X	X

DATE	BY	REVISION
10-12-14	J. J. J.	REVISION TO PHASE II (Bldg's 10-12-14)
10-12-14	J. J. J.	REVISED TO SHOW PHASE II

NO.	REVISION	DATE	BY	APP. BY	DATE	BY	APP. BY
1	SHOWN AS INSULATED IN FIELD PHASE II	10-12-14	J. J. J.	J. J. J.	10-12-14	J. J. J.	J. J. J.
2	REVISION TO PHASE II (Bldg's 10-12-14)	10-12-14	J. J. J.	J. J. J.	10-12-14	J. J. J.	J. J. J.
3	REVISED TO SHOW PHASE II	10-12-14	J. J. J.	J. J. J.	10-12-14	J. J. J.	J. J. J.

**COUNTRY MEADOWS CONDO**  
 PART OF THE N.W. 1/4 OF SEC 32 T31N R 2E  
 MACOMB TWP. MACOMB CO. MI 48061

SCALE: 1" = 60'  
 SHEET NO. 21 OF 21  
 DATE: 10-12-14  
 DRAWN BY: J. J. J.  
 CHECKED BY: J. J. J.  
 APPROVED BY: J. J. J.

Date: September 9, 1991

To: Record Center

From: Michael J. McCabe *MJM*  
Sr. Real Estate and Right of Way Rep  
Macomb Division

Subject: Right of Way Agreement for Underground Residential  
Distribution for Country Meadows Condominiums, Phase 2,  
Located in the Northwest 1/4 of Section 32, T3N, R13E,  
Macomb Township, Macomb County, Michigan.

Attached for Record Center is the executed Right of Way  
Agreement dated July 27, 1990 for the above named project.

Easement for this project was requested by Jerry Pollard,  
Service Planning, Macomb Division. The Agreement was  
negotiated by Michael J. McCabe, Representative, Real  
Estate and Right of Way, Macomb Division.

Detroit Edison Company, Comcast Cablevision, Consumers Power Company  
and Michigan Bell Telephone Company made this agreement with Flowers  
of Country Meadows, Inc, Ronald Parzuchowski, President, the developer  
of Country Meadows Condominiums, Phase 2.

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

MJM

Attachment

RECORDED RIGHT OF WAY NO. 42052