

**Detroit Edison**

Real Estate and Rights of Way

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

LIBER 05264PG897

7-21 B643986 88  
19

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 Michigan corporation of 55800 New Haven Rd., 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 Chesterfield, 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: 8:30 A.M.  
DEC - 5 1991

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

RECORDED IN MACOMB COUNTY  
RECORDS AT: 12:23 P.M.  
AUG 16 1988

*Edna M. 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 *Michael J. McCabe*  
MICHAEL J. McCABE

X *Susan A. Putrycus*  
SUSAN A. PUTRYCUS

*John Socks*  
John Socks  
*Margueritte Socks*  
Margueritte Socks, wife

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

Address:  
18200 Nardy  
Mt. Clemens, MI 48043

Being Re-recorded to include Appendix B

RECORDED RIGHT OF WAY NO. 423919

13

Acknowledgement-Individual

STATE OF MICHIGAN

County of MACOMB )SS

On this 21<sup>ST</sup> day of JULY, 19 88, the foregoing instrument was acknowledged before me, a notary public in and for said county, by JOHN SOCKS AND MARZUERIETTE SOCKS, His WIFE

Michael J. McCabe  
Notary Public, \_\_\_\_\_ County, Michigan

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

MICHAEL J. McCABE  
Notary Public, Macomb County, MI  
My Commission Expires Mar. 9, 1992

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 \_\_\_\_\_

RECORDED RIGHT OF WAY NO. 42399

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 \_\_\_\_\_

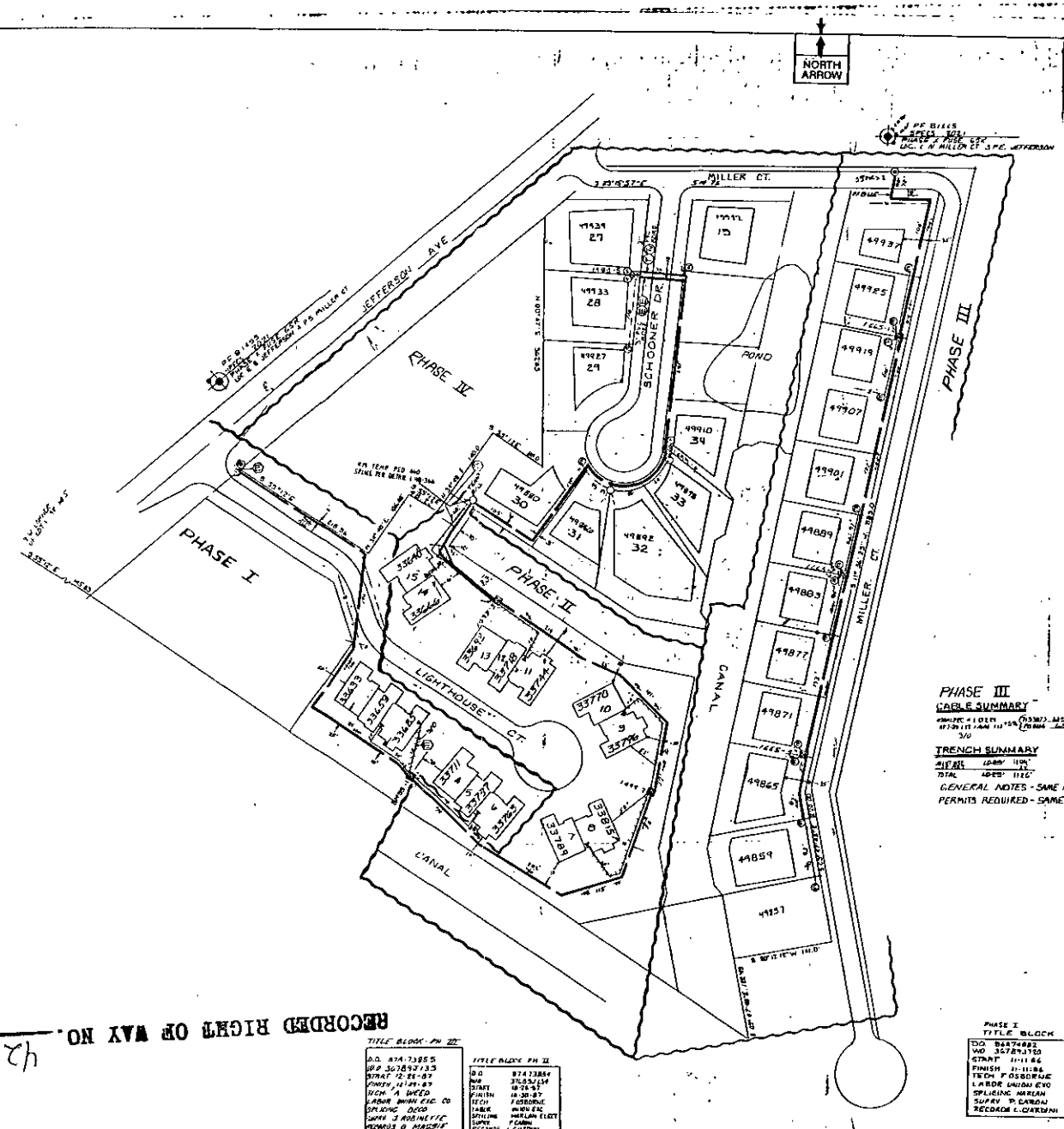
APPENDIX "A"

LIBER 05264 PG 899

"LIGHTHOUSE COVE CONDOMINIUMS, PHASE IV", Land in the Township of Chesterfield, Macomb County, Michigan, described as follows: A parcel of land located in and being a part of Lot 1, Supervisor's Plat No. 5, part of the E 1/2 of Fractional Section 23, T3N, R14E, Chesterfield Township, Macomb County, Michigan, according to the plat thereof recorded in Liber 16, Page 27, of plats, Macomb County Records, and being more particularly described as follows: Commencing at a point 145.83 feet, S 55°12' E and 220.72 feet N 50°21'30" E from the SE corner of said Lot 1; and thence extending N 50°21'30" E 62.28 feet along the easterly line of Jefferson Avenue (120 feet wide); thence S 55°12' E 218.96 feet; thence N 34°48' E 106.48 feet; thence S 55°12' E 48.22 feet; thence N 34°48' E 140.00 feet; thence S 55°12' E 88.00 feet; thence N 00°47' E 362.63 feet; thence N 50°21'30" E 56.37 feet along the easterly line of Jefferson Avenue (120 feet wide); thence the following courses and distances along the southerly and westerly line of Miller Court (40 feet wide) S 89°15'57" E 514.26 feet, S 11°56'23" W 889.0 feet and S 09°47'48" E 220.00 feet; thence S 80°12'12" W 141.00 feet; thence S 09°47'48" E 122.49 feet; thence N 55°12' W 805.60 feet; thence N 34°48' E 156.76 feet; thence N 18°16'38" W 93.00 feet; thence N 55° 12' W 215.62 feet to the point of beginning.

RECORDED RIGHT OF WAY NO. 42399

# APPENDIX B



LIBER 05264 PG 900

**PHASE IV NO. 4618722X DO 82**  
**CABLE SUMMARY**  
 424100' 11 13 24' 271-102  
 1204 1 1/4" 1.0000' 1.54' 111-0517  
 11 7 1/4 1/4" 1.0000' 1.54' 111-0517

**TRENCH SUMMARY**  
 100' 100' 100' 100' 100'  
 100' 100' 100' 100' 100'  
 TOTAL 1000'

**GENERAL NOTES**  
 TRENCHING DONE BY S.C. CO.  
 D.P. PLANT - B. WILKINS  
 S.T. - B. SCHULY  
 C.T.V. - JAMES E. KELLEY

**PERMITS REQUIRED**  
 NONE AS PHASE IV

**PHASE III**  
**CABLE SUMMARY**  
 4720' 11 1/4" 1.0000' 1.54' 111-0517  
 4720' 11 1/4" 1.0000' 1.54' 111-0517  
 3/10

**TRENCH SUMMARY**  
 4720' 11 1/4" 1.0000' 1.54' 111-0517  
 4720' 11 1/4" 1.0000' 1.54' 111-0517  
 TOTAL 4720' 11 1/4" 1.0000' 1.54' 111-0517

**GENERAL NOTES - SAME AS PH II**  
**PERMITS REQUIRED - SAME AS PH II**

**PHASE II**  
**CABLE SUMMARY**  
 4720' 11 1/4" 1.0000' 1.54' 111-0517  
 4720' 11 1/4" 1.0000' 1.54' 111-0517  
 3/10

**TRENCH SUMMARY**  
 4720' 11 1/4" 1.0000' 1.54' 111-0517  
 4720' 11 1/4" 1.0000' 1.54' 111-0517  
 TOTAL 4720' 11 1/4" 1.0000' 1.54' 111-0517

**GENERAL NOTES**  
 TRENCHING TO BE DONE BY S.C. CO.  
 D.P. PLANT - B. WILKINS  
 S.T. - B. SCHULY  
 C.T.V. - JAMES E. KELLEY

**PERMITS REQUIRED**  
 NOTIFICATION TO TWP OF QUATERFIELD  
 SOIL EROSION

**TRANSFORMER DATA**

PHASE	UNIT NO.	SIZE	ED. STR. NO.
PH-I	1455	2	1151
PH-II	1455	2	1151
PH-III	1455	2	1151
PH-IV	1455	2	1151

**GENERAL NOTES**  
 TRANSFORMER TO BE DONE BY S.C. CO.  
 FEDERAL AMOUNT - 1.0000' 1.54' 111-0517  
 TEMPORARY CABLE BARBERS AMOUNT - 1.0000' 1.54' 111-0517  
 SECONDARY CONNECTION BOX AMOUNT - 1.0000' 1.54' 111-0517

**CABLE SUMMARY**  
 4720' 11 1/4" 1.0000' 1.54' 111-0517  
 4720' 11 1/4" 1.0000' 1.54' 111-0517  
 TOTAL 4720' 11 1/4" 1.0000' 1.54' 111-0517

**TRENCH SUMMARY**  
 4720' 11 1/4" 1.0000' 1.54' 111-0517  
 4720' 11 1/4" 1.0000' 1.54' 111-0517  
 TOTAL 4720' 11 1/4" 1.0000' 1.54' 111-0517

RECORDED RIGHT OF WAY NO. 42399

**TITLE BLOCK PH III**

AD. 874 73855	AD. 874 73855
WP 307857133	WP 307857133
SPRAT 12-11-87	SPRAT 12-11-87
POWER 11-11-87	POWER 11-11-87
BOOK A WOOD	BOOK A WOOD
4 HOME BARRIERS CO	4 HOME BARRIERS CO
SPRING DECK	SPRING DECK
SWAN 3 ADJUTANT	SWAN 3 ADJUTANT
MONROE & WARDEN	MONROE & WARDEN

**TITLE BLOCK PH II**

AD. 874 73855	AD. 874 73855
WP 307857133	WP 307857133
SPRAT 12-11-87	SPRAT 12-11-87
POWER 11-11-87	POWER 11-11-87
BOOK A WOOD	BOOK A WOOD
4 HOME BARRIERS CO	4 HOME BARRIERS CO
SPRING DECK	SPRING DECK
SWAN 3 ADJUTANT	SWAN 3 ADJUTANT
MONROE & WARDEN	MONROE & WARDEN

**PHASE I TITLE BLOCK**

DO 8477482	DO 8477482
WP 3278175	WP 3278175
STRAT 11-11-86	STRAT 11-11-86
FINISH 11-11-86	FINISH 11-11-86
TRENCH P. 08/08/86	TRENCH P. 08/08/86
LABOR UNPAID EXO	LABOR UNPAID EXO
SPLICING AREA	SPLICING AREA
SUPPLY TO BARBERS	SUPPLY TO BARBERS
RECORD G. GARDNER	RECORD G. GARDNER

**NOTICE**  
 Locations of underground facilities on this drawing are only approximate. Exact locations must be determined by the utility companies. For exact locations telephone MISS DHD on 800-482-2171 as required by Public Act 82-1872 before doing any major excavating.

**GENERAL NOTES**  
 TRENCHING TO BE DONE BY S.C. CO.  
 FEDERAL AMOUNT - 1.0000' 1.54' 111-0517  
 TEMPORARY CABLE BARBERS AMOUNT - 1.0000' 1.54' 111-0517  
 SECONDARY CONNECTION BOX AMOUNT - 1.0000' 1.54' 111-0517

**PERMITS REQUIRED**  
 NOTIFICATION TO TWP OF QUATERFIELD  
 SOIL EROSION

REVISED TO SHOW	SHOWN AS INSTALLED	SHOWN AS INSTALLED	REVISED TO SHOW	REVISED TO SHOW	SHOWN AS INSTALLED
PHASE II	IN FIELD	IN FIELD	PHASE III	PHASE II	IN FIELD
1	1	1	1	1	1
2	2	2	2	2	2
3	3	3	3	3	3
4	4	4	4	4	4
5	5	5	5	5	5
6	6	6	6	6	6
7	7	7	7	7	7
8	8	8	8	8	8
9	9	9	9	9	9
10	10	10	10	10	10
11	11	11	11	11	11
12	12	12	12	12	12
13	13	13	13	13	13
14	14	14	14	14	14
15	15	15	15	15	15
16	16	16	16	16	16
17	17	17	17	17	17
18	18	18	18	18	18
19	19	19	19	19	19
20	20	20	20	20	20
21	21	21	21	21	21
22	22	22	22	22	22
23	23	23	23	23	23
24	24	24	24	24	24
25	25	25	25	25	25
26	26	26	26	26	26
27	27	27	27	27	27
28	28	28	28	28	28
29	29	29	29	29	29
30	30	30	30	30	30
31	31	31	31	31	31
32	32	32	32	32	32
33	33	33	33	33	33
34	34	34	34	34	34
35	35	35	35	35	35
36	36	36	36	36	36
37	37	37	37	37	37
38	38	38	38	38	38
39	39	39	39	39	39
40	40	40	40	40	40
41	41	41	41	41	41
42	42	42	42	42	42
43	43	43	43	43	43
44	44	44	44	44	44
45	45	45	45	45	45
46	46	46	46	46	46
47	47	47	47	47	47
48	48	48	48	48	48
49	49	49	49	49	49
50	50	50	50	50	50
51	51	51	51	51	51
52	52	52	52	52	52
53	53	53	53	53	53
54	54	54	54	54	54
55	55	55	55	55	55
56	56	56	56	56	56
57	57	57	57	57	57
58	58	58	58	58	58
59	59	59	59	59	59
60	60	60	60	60	60
61	61	61	61	61	61
62	62	62	62	62	62
63	63	63	63	63	63
64	64	64	64	64	64
65	65	65	65	65	65
66	66	66	66	66	66
67	67	67	67	67	67
68	68	68	68	68	68
69	69	69	69	69	69
70	70	70	70	70	70
71	71	71	71	71	71
72	72	72	72	72	72
73	73	73	73	73	73
74	74	74	74	74	74
75	75	75	75	75	75
76	76	76	76	76	76
77	77	77	77	77	77
78	78	78	78	78	78
79	79	79	79	79	79
80	80	80	80	80	80
81	81	81	81	81	81
82	82	82	82	82	82
83	83	83	83	83	83
84	84	84	84	84	84
85	85	85	85	85	85
86	86	86	86	86	86
87	87	87	87	87	87
88	88	88	88	88	88
89	89	89	89	89	89
90	90	90	90	90	90
91	91	91	91	91	91
92	92	92	92	92	92
93	93	93	93	93	93
94	94	94	94	94	94
95	95	95	95	95	95
96	96	96	96	96	96
97	97	97	97	97	97
98	98	98	98	98	98
99	99	99	99	99	99
100	100	100	100	100	100

**PERMITS REQUIRED**  
 NOTIFICATION TO TWP OF QUATERFIELD  
 SOIL EROSION

**GENERAL NOTES**  
 TRENCHING TO BE DONE BY S.C. CO.  
 FEDERAL AMOUNT - 1.0000' 1.54' 111-0517  
 TEMPORARY CABLE BARBERS AMOUNT - 1.0000' 1.54' 111-0517  
 SECONDARY CONNECTION BOX AMOUNT - 1.0000' 1.54' 111-0517

Date: December 19, 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 Lighthouse Cove Condominiums, Phase 4,  
located in part of the East 1/2 of Fractional Section  
23, Town 3 North, Range 14 East, Chesterfield Township,  
Macomb County, Michigan

Attached for Records Center is the executed Right of Way Agreement, dated July 21, 1988, and other pertinent papers for the above named project.

Easement for this project was requested by Darrell E. White, 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 John Socks and Margueriette Socks, his wife, the developers of Lighthouse Cove Condominiums, Phase 4.

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

MJM/caw

Attachment

RECORDED RIGHT OF WAY NO. 42399