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RIGHT OF WAY FILE #

R 42402

PROJECT #

DEPARTMENT ORDER #

CROSS REFERENCE #

PROJECT DESCRIPTION

IMPERIAL MANOR CONDO

MINIUMS PHASE I

SIDWELL TAX #

R/W TYPE

D

X

MAP

Y

N

O

RR INVOICE #

FAC TYPE

RR TOWNSHIP

RR CROSSING #

RR CODE #

OH / UG

OH

UG

GRANTOR #1 NAME

BIONDO BROTHERS MANA

GEMENT COMPANY

STREET ADDRESS #1

42500 GARFIELD

ST #1

MI

CITY/TOWN #1

MT CLEMENS

ZIP CODE #1

48044

GRANTOR NAME #2

STREET ADDRESS #2

ST #2

CITY/TOWN #2

ZIP CODE #2

EASEMENT DESCRIPTION

10

AGREEMENT DATE

011491

AGREEMENT TYPE

R

P

C

LIBER #

05036

PAGE #

081

DRAWING R/W #

PVT CL #

SECTION

7

QUARTER SECTION 3

1/4

1/2

QUARTER SECTION 2

1/4

1/2

QUARTER SECTION 1

SE X

1/4

1/2

TOWNSHIP

STERLING

COUNTY

MACOMB

RTE OF LINE

N/S E/W B

TOWNSHIP RANGE

TZNRIZE

DIVISION CODE

X

A D M O T W

SUBDIVISION NAME

DENISE ESTATES

EAST OF

CANAL RD

WEST OF

EIGHTEEN MILE RD

NORTH OF

SOUTH OF

GARFIELD RD

OUT LOT

BLOCK #1

LOT #1

BLOCK #2

LOT #2

+

+

Date: December 26, 1991

To: Record Center
2310 WCB

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 Imperial Manor Condominiums, Phase I, located
Part of the Southeast 1/4 of Section 7, T2N, R13E, Township of
Clinton, Macomb County.

Attached for Records Center is the executed Right of Way Agreement dated January 14, 1991, and other pertinent papers for the above named project.

Easement for this project was requested by Phil Howard, 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 Biondo Brothers Management Co Augustine Biondo the developers of Imperial Manor Condominiums, Phase I.

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

MJM/caw

Attachment

RECORDED RIGHTS OF WAY NO. 42402

LIBER 05264PG884

(LIBER 05036PG081)

Real Estate and Rights of Way

Detroit Edison

Joint Underground Residential Distribution Right of Way Agreement

B643983

1-14, 1991

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 Sterling Heights, 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 Hill CLERK - REGISTER OF DEEDS MACOMB COUNTY, MICHIGAN

RECORDED IN MACOMB COUNTY RECORDS AT: 1:00 P.M. FEB - 1 1991 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.

RECORDING RIGHT OF WAY NO. 42402

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: BIONDO BROTHERS MANAGEMENT COMPANY a Michigan Co-Partnership

BY Augustine Biondo AUGUSTINE BIONDO

X [Signature] SAM MONTELEONE

X [Signature] MICHAEL J. MCCABE

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Prepared by & return to Darrell White 15600 - 19 Mile Road Mt. Clemens, MI 48044

Address: 42500 Garfield Mt. Clemens, MI 48044-1753

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 Augustine Biondo

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 Augustine Biondo

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 Augustine Biondo whose title(s) is /are Vice Pres. of _____, a _____ corporation, on behalf of the corporation.

Notary Public, _____ County, Michigan

My commission expires _____

RECORDED RIGHT OF WAY NO. 42402

Acknowledgement-Partnership

STATE OF MICHIGAN

County of MACOMB)SS

On this 14th day of JANUARY, 1991, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Augustine Biondo (a) general/managing partner(s), on behalf of Biondo Brothers Management Co., Michigan Co-xx partnership.

Michael J. McCabe
Notary Public, _____ County, Michigan

My commission expires _____

MICHAEL J. McCABE
Notary Public, Macomb County, MI
My Commission Expires Mar. 9, 1992
DE 963-4181 9-86 CS

APPENDIX "A"

(LIBER 05036PG083)

LIBER 05264PG886

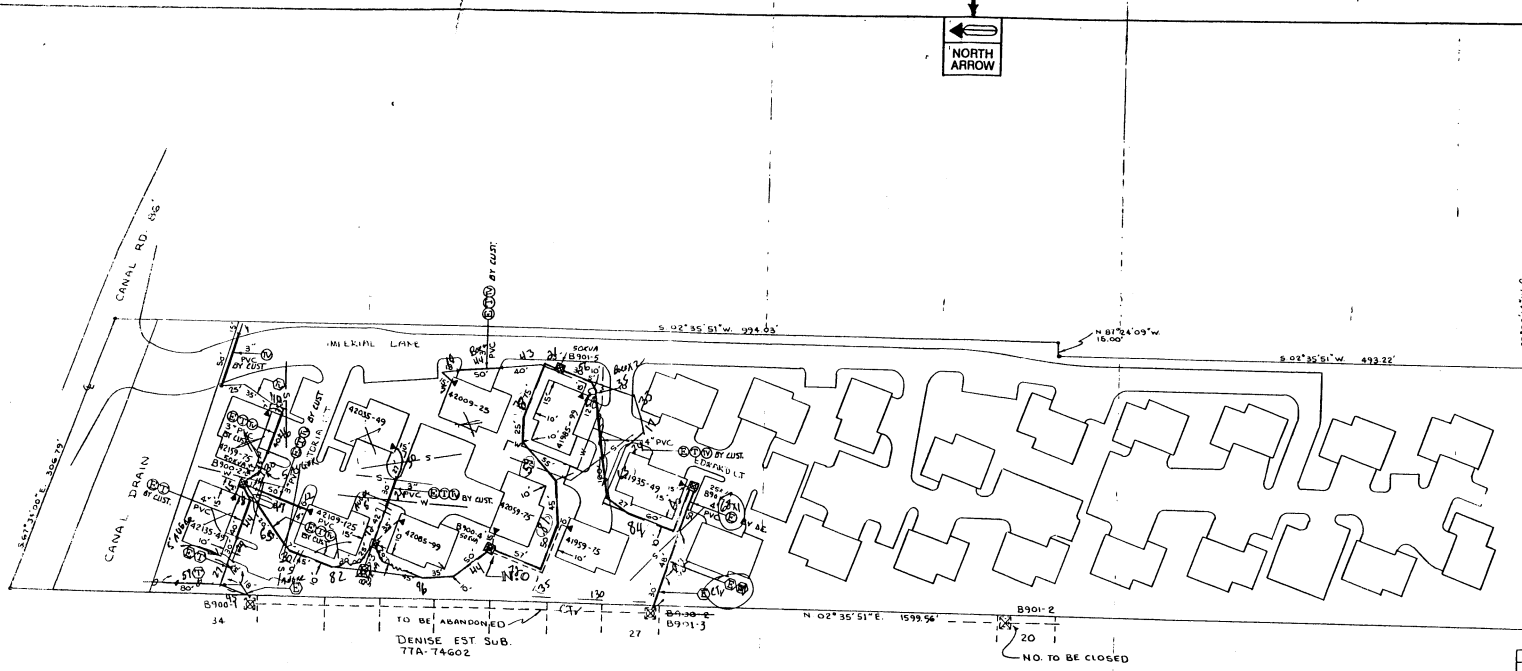
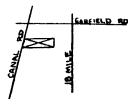
"IMPERIAL MANOR CONDOMINIUMS, PHASE 1", Land in the Township of Clinton, Macomb County, Michigan described as follows: Part of the Southeast 1/4 of Section 7, T2N, R13E, being more particularly described as: Commencing at the Southeast corner of Section 7; thence N 02°35'00" East 1327.11 feet along the East line of Section 7; thence N 89°06'14" West 758.68 feet (N 89°05'00" West record) to the point of beginning; thence continuing N 89°06'14" West 272.97 feet (N 89°05'00" West 273.71 feet record) to the Southeast corner of Denise Estates Subdivision, according to the plat thereof as recorded in liber 72, page 4 of Plats, Macomb County Records; thence N 02°39'35" East (N 02°35'51" East record) 1599.56 feet along the East line of Denise Estates Subdivision to the centerline of Canal Road (86.00 feet wide); thence S 67°30'45" East 304.27 feet (S 67°34'00" East 306.79 feet record) along the centerline of Canal Road; thence S 02°35'51" West 994.03 feet; thence N 87°24'09" West 15.00 feet; thence S 02°35'51" West 493.91 feet (493.22 feet record) to the point of beginning.

RECORDED RIGHT OF WAY NO. 42402

APPENDIX B



LOCATION SKETCH
MAP SEC. NO. 7



TRANSFORMER DATA

UDT NO.	SIZE	ED STK. NO.
B900-2	50	661-1152
3	50	-
4	50	-
B901-4	25	661-1151
5	50	661-1152

TRANSFORMER SPEC. 1-17-261
FEDESTAL SPEC.
NO. OF FEDESTAL
NO. OF TEMPORARY CABLE MANHOLES
TEMPORARY CABLE MANHOLE SPEC.
SECONDARY CONNECTION BOX SPEC.

- CODE —**
- ⊙ TEMPORARY SECONDARY FEDESTAL/TEMPORARY CABLE MANHOLE
 - ⊙ OFF HEAD FRONT TYPE
 - ⊙ LOT NON-SWITCHING—LINE FRONT TYPE
 - ⊙ LOT SWITCHING—LINE FRONT TYPE
 - ⊙ DIRECTION OF TRANSFORMER DOOR OPENING
 - ⊙ SECONDARY FEDESTAL
 - ⊙ SECONDARY CONNECTION BOX
 - ⊙ PRIMARY SWITCH CABINET
 - ⊙ BURIED PRIMARY CABLE—ALL VOLTAGES
 - ⊙ BURIED SECONDARY CABLE
 - ⊙ BURIED SECONDARY SERVICE CABLE
 - ⊙ DETROIT EDISON TRENCH ONLY
 - ⊙ TELEPHONE TRENCH ONLY
 - ⊙ WATER
 - ⊙ GAS
 - ⊙ PROPOSED CONDUIT
 - ⊙ SEP CONN. CABINET

CABLE SUMMARY

BY	REQ.	ISSUE	ITEM	LENGTH
12/14/00	1000	1000	1000	1000
12/14/00	1000	1000	1000	1000

CABLE SUMMARY
ITEM # 1000 REQ. 1000 ISS. 1000
ITEM # 1000 REQ. 1000 ISS. 1000
ITEM # 1000 REQ. 1000 ISS. 1000

TRENCH SUMMARY
JOINT USE 1000 (ENC. SERVICES)
DE. ONLY 40' 10"
TEL. ONLY 80' 10"
GAS ONLY 30' 10"
OTHER 10' 10"
TOTAL 1000' 10"
SITE SUFF. SALES 1000' 10"
PHONE NO. 243-4202

TITLE BLOCK
D.D. 1000
R.O. 1000
SHEET 1 OF 1
DATE 12/14/00
LABOR 1000
MATERIAL 1000
SUPPLY 1000
PREPARED BY 1000

GENERAL NOTES

- TRENCHING TO BE DONE BY D.E. CO.
- TRENCH AND CABLE LENGTHS ARE APPROXIMATE.
- SEE SECTION 1610 FOR CONSTRUCTION STANDARDS FOR TRENCH AND DETAILS.
- SEE PAGE 3011 (SJM) DETAIL " " FOR ENTRANCE POINT DETAILS (MPLS) ONLY.
- SEE SECTION 1610 FOR CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLE.
- TRANSFORMER AND FEDESTAL LOCATIONS FOR PLACEMENT OF CABLE.
- DE SERVICE PLANNER P. HOWARD 786-1417
- TEL. CO. L. D. KELLY 466-1000
- GAS CO.
- OTHER CABLE H. POST 378-0870

CONTACT THESE AGENCIES BEFORE DOING ANY EXCAVATION.
EASEMENTS INDICATED BY OUR CENTERLINE ARE
IN WIDTH UNLESS OTHERWISE NOTED.

PERMITS REQUIRED

PERMIT	REQ.	DATE	CASH
DEPT. 1000	X	12/14/00	X
CITY 1000	X	12/14/00	X
COUNTY 1000	X	12/14/00	X
STATE 1000	X	12/14/00	X

DESIGNED BY	CHECKED BY	DATE	PROJECT NO.	JOB NO.	SYSTEM	URD	THE DETROIT EDISON COMPANY
12/14/00	12/14/00	12/14/00	1000	1000	1000	1000	1000
<p>IMPERIAL MANOR CONDO'S PH 1 Part of the S.E. 1/4 of Sec. 7 T2N, R13E.</p>							<p>SCALE 1" = 50' SHEET 1 OF 1 DATE 12/14/00 PROJECT NO. 1000 JOB NO. 1000</p>

12/14/00 ON 17A NO. 1000