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RIGHT OF WAY FILE #

R 4 2 4 1 4

GRANTOR NAME

STREET ADDRESS

ST

CITY/TOWN

ZIP CODE

EASEMENT DESCRIPTION

AGREEMENT DATE

0 3 0 1 8 9

AGREEMENT TYPE

R P C

LIBER #

4 6 0 8

PAGE #

9 2 1

DRAWING R/W #

PVT CL#

1 6 2

SECTION

QUARTER SECTION 3

1/4 1/2

QUARTER SECTION 2

1/4 1/2

QUARTER SECTION 1

1/4 1/2

TOWNSHIP

HARRISON

COUNTY

MACOMB

RTE OF LINE

N/S E/W B

TOWNSHIP RANGE

T 2 N R 1 4 E

DIVISION CODE

A D M O T W X

SUBDIVISION NAME

SUPERVISOR PLAT NO 4

EAST OF

WEST OF

NORTH OF

SOUTH OF

OUT LOT

BLOCK #1

LOT #1

BLOCK #2

LOT #2

+

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Date: December 18, 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 Lakeside Estate Condominiums located
in part of Private Claims 164, 277, 162, 316, 645 736,
220 and 505, Harrison Township, Macomb County, Michigan

Attached for Records Center is the executed Right of Way Agreement, dated March 1, 1989, and other pertinent papers for the above named project.

Easement for this project was requested by Richard Mroz, 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 S.K.S. Corporation, Wilhelm Kopetzki, Secretary, the developers of Lakeside Estate Condominiums.

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

MJM/caw

Attachment

RECORDED RIGHT OF WAY NO. 42914

Detroit Edison

Real Estate and Rights of Way

Joint Underground Residential Distribution Right of Way Agreement

B643984

March 1, 19 89

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 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 Harrison Township of Harrison 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: 8:30A.M. DEC - 5 1991

Edna Miller CLERK - REGISTER OF DEEDS MACOMB COUNTY, MICHIGAN

RECORDED IN MACOMB COUNTY RECORDS AT: 1:08P M. MAR 14 1989

Edna Miller 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 Joyce A. Kellar (Signature) Joyce A. Kellar

X Colleen Marie McMahon (Signature) Colleen Marie McMahon

S.K.S. CORPORATION a Michigan Corporation BY: Wilhelm Kopetzki (Signature) Wilhelm Kopetzki, Secretary - Treasurer

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

Address: 335 E. Big Beaver, Suite 211 Troy, MI 48083

Being Re-Recorded to include Appendix B

RECORDED RIGHT OF WAY NO. 42444

7.5

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-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 Macomb)SS

On this 1st day of March, 19 89, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Wilhelm Kopetzki

whose title(s) is /are Secretary-Treasurer

of S.K.S. Corporation, a Michigan corporation, on behalf of the corporation.

Colleen Marie McMahon
Colleen Marie McMahon
Notary Public, Oakland County, Michigan

My commission expires 5/20/89

RECORDED EIGHT OF MAY NO. 42414

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"

"LAKESIDE ESTATE CONDOMINIUMS", Lot 17 except the Westerly 290.0 feet thereof and the North 88 feet of Lot 16 except the Westerly 290.0 feet thereof of "Supervisor's Plat No. 4" of part of P.C.'s 164, 277, 162, 316, 645, 736, 220 and 505, Harrison Township, Macomb County, Michigan, as recorded in Liber 16 of Plats on page 17, Macomb County Records. Also, the Westerly 290.0 feet of Lot 17 and the Westerly 290.0 feet of the North 88.0 feet of Lot 16 of "Supervisor's Plat No. 4" of part of P.C.'s 164, 277, 162, 645, 736, 220 and 505, Harrison Township, Macomb County, Michigan, as recorded in Liber 16 of Plats on Page 17, Macomb County Records.

RECORDED RIGHT OF WAY NO. 42414

