

Date: February 5, 1992

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 Meadowood Apartments, located in part of  
the Southwest 1/4 of Section 32, T3N, R13E, Macomb  
Township, Macomb County.

Attached for Records Center is the executed Right of Way Agreement  
dated December 4, 1991, and other pertinent papers for the above  
named project.

Easement for this project was requested by William Ronne, Service  
Planner, Macomb Division. The Agreement was negotiated by Susan A.  
Putrycus, Representative of Real Estate and Rights of Way, Macomb  
Division.

Detroit Edison Company, Consumers Power Company and Michigan Bell  
Telephone Company made this agreement with Occidental Development  
Limited, a Michigan limited partnership the developers of Meadowood  
Apartments.

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

MJM/caw

Attachment

RECORDED RIGHT OF WAY NO.

495589

To (Supervisor, RE & R/W) Mike McCabe	For RE & R/W Dept. Use ME-0-112	Date Received	DE/Bell/C.P. No.
Division Macomb	Date 9-13-90	Application No. MC-M433	

We have included the following necessary material and information:

Material:

- A. Proposed Subdivision :
  1. copy of complete final proposed plat - All pages
- or
- B. Other than proposed subdivision (condo., apts. mobile home park - other)
  1. Property description.
  2. Site plan.
  3. title information (deed, title commitment, contract with title commitment, or title search).

Note: Do not submit application for URD easements until all above material has been acquired.

Information

1. Project Name Meadowood Apartments	County Macomb
City/Township/Village Macomb Township	Section No. 32
Type of Development <input type="checkbox"/> Proposed Subdivision <input type="checkbox"/> Subdivision	<input checked="" type="checkbox"/> Apartment Complex <input type="checkbox"/> Mobile Home Park <input type="checkbox"/> Condominium <input type="checkbox"/> Other
2. Name of Owner Edward Rose & Sons (Mike Fellows)	Phone No. 352-0952
Address 23999 W. 10 Mile, P.O. Box 937, Southfield, Michigan 48037	
Owner's Representative Warren Rose	Phone No. 352-0952
Date Service is Wanted 11-11-90	

*on hold Spring*

*11/13/90 will check on papers + advise*

*2/14/91 - on hold until Spring*

*5/15/91 aft message for Bill Rowe*

*5/16/91 job still on hold. - per WMR.*

*(Warren Rose)*

- 4. Entire Project will be developed at one time .....  Yes  No
- 5. Joint easements required — Michigan Bell Telephone .....  Yes  No  
     — Consumers Power .....  Yes?  No

a. Name of Other Utilities If Not Michigan Bell Telephone or Consumers Power Comcast Cablevision	Phone Numbers 978-0270
b. Other Utility Engineer Names	
Addresses 6065 Wall Street, Sterling Heights, Michigan 48077-1860	

6. Additional Information or Comments

Note: Trenching letter <input type="checkbox"/> attached <input checked="" type="checkbox"/> will be submitted later	
Service Planner William Ronne	Signed (Service Planning Supervisor) <i>Ronald E. Ogel</i>
Phone No. 286-9432	Address 15600 Nineteen Mile Road, Mt. Clemens, Michigan 48044

RECORDED RIGHT OF WAY NO. 42584

# Contact Warren Rose (352-0952)

11/25/91 Advised W. Rose of chgo legal wanted

11/26/91 Warren Rose stated he had reached an Agreement w/ Tom Beagen & would reprepare documents. I advised we wouldn't energize proj. until I received papers. He will have them delivered to me by noon 11/27/91. Advised B. Rouse of status.

11/27/91 job still not energized.

12/3/91 - Bill will advise Lued not to energize Meadowood Apts yet.

Real Estate and Rights of Way

Detroit Edison

Joint Underground Residential Distribution Right of Way Agreement

December 4, 1991

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, 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, and accessories required to provide gas, electric and telephone communication services [excluding cable television] with the usual services, connection 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 purpose 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 six (6) feet in width unless otherwise indicated and the route is described as follows:

RECORDED IN MACOMB COUNTY RECORDS AT: 2:04 P.M.

Within the bounds of the property described in "Appendix" "A" at locations as shown on attached Appendix "B", "C", and "D", attached hereto and made a part hereof.

JAN 15 1992

In order to provide for the proper maintenance and protection of GRANTEE, the undersigned covenant and agree that:

Edna Hill Clerk - Register of Deeds Macomb County, Michigan

- 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. Pavement, sidewalks, curbs, sanitary sewer, storm sewer, water main, T.V. cable, and sprinkler lines shall not be considered to be structures. Grantor agrees to contact utility location service, "Miss Dig", prior to excavation within said right of way.
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 causing an interference with Grantee's maintenance of their equipment. GRANTEE hereby agrees to restore, in a good workmanlike manner, all property disturbed while repairing, maintaining, or improving said facilities.
4. If the lines or facilities of GRANTEE are damaged by the acts or 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.
5. Easement shall revert back to grantor if it is abandoned for any reason or if property is put to another use.

RECORDED RIGHT OF WAY NO. 42589

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:

Michael Myers (signature)

Warren Rose (signature)

OCCIDENTAL DEVELOPMENT, LTD. a Michigan Limited Partnership BY: Sheldon Rose, General Partner

BY:

Prepared by: & return to: Susan Putrycus 15600 - 19 Mile Road Mt. Clemens, MI 48044

Address: 23999 W. 10 Mile Road PO Box 937 Southfield, MI 48034

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-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 \_\_\_\_\_

Acknowledgement-Partnership

STATE OF MICHIGAN

County of Oakland )SS

On this 4<sup>th</sup> day of December, 1991, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Sheldon Rose

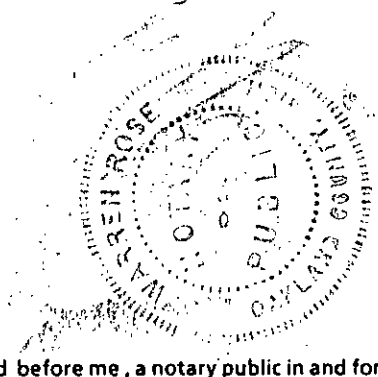
(a) general/managering-partner(s), on behalf of OCCIDENTAL DEVELOPMENT LTD., a Michigan Limited partnership.

WARREN ROSE  
Notary Public, Oakland County, MI  
My Commission Expires Feb. 21, 1994

*Warren Rose*  
Warren Rose  
Notary Public, \_\_\_\_\_ Oakland \_\_\_\_\_ County, Michigan

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

APPROVED AS TO FORM 12-99 DATE  
LEGAL DEPARTMENT Bea



RECORDED RIGHT OF WAY NO. 42589

## APPENDIX "A"

"MEADOWOOD APARTMENTS", Part of the Southwest 1/4 of Section 32, T3N, R13E, Macomb Township, Macomb County, Michigan, being described as: Commencing at the Southwest corner of Section 32, T3N, R13E, Macomb Township, Macomb County, Michigan; thence S 89°48'05" East 654.66 feet along the South line of said Section 32 to a point on the easterly right of way of relocated Garfield Road (as recorded in Liber 2547, Page 813, M.C.R.); thence along the said easterly right of way of relocated Garfield Road N 00°12'00" East 46.98 feet; thence continuing along said easterly right of way on a curve to the left having a radius of 1960.00 feet, central angle of 05°12'40", arc length 178.26 feet, chord bearing and distance N 02°24'20" West 178.20 feet; thence departing said easterly right of way, S 89°48'05" East 216.75 feet to the point of beginning; thence N 18°09'30" West 194.91 feet; thence N 89°48'05" West 181.17 feet to a point on said easterly right of way of relocated Garfield Road; thence along the said easterly right of way of relocated Garfield Road a curve to the left having a radius of 1960.00 feet, central angle of 10°57'36", arc length 374.93 feet, chord bearing and distance N 15°57'12" West 374.35 feet; thence continuing along said easterly right of way N 21°26'00" West 612.18 feet; thence N 21°26'00" West 321.86 feet; thence along a curve to the right having a radius of 1840.00 feet, central angle of 11°53'35", arc length 381.93 feet, chord bearing and distance N 15°33'29" West 381.25 feet; thence N 89°56'04" East, 1254.29 feet to a point on the Westerly boundary of Camelot Villa Mobile Home Park, said boundary also being the North-South 1/8 line of said Section 32; thence along the North-South 1/8 line of said Section 32 S 00°11'18" East 1785.57 feet; thence N 89°48'05" West 471.78 feet to the point of beginning.

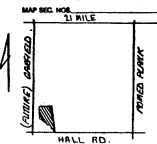
W.R.  
12-3-91

RECORDED RIGHT OF WAY NO.

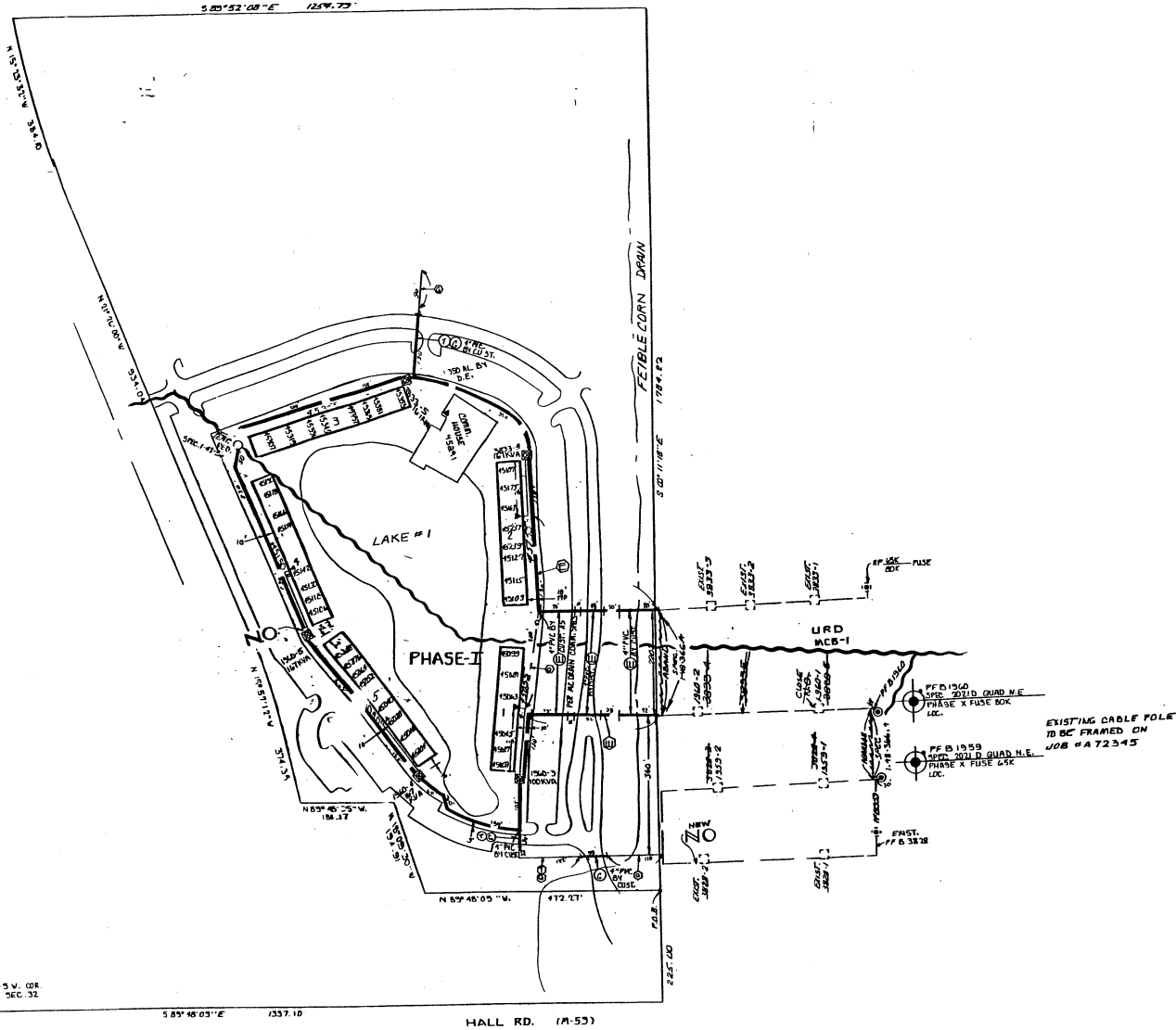
42589



LOCATION SKETCH



5 80° 52' 08" E 1289.73'



LIBER 5300 PAGE 729

**TRANSFORMER DATA**

BLDG. NO.	SIZE	ED. BTK. NO.
1960-3	100	1153
1960-4	147	1154
1960-5	147	1154

TRANSFORMER SPEC. 1-17-24  
 FEDESTAL SPEC.  
 NO. OF FEDESTALS  
 NO. OF TEMPORARY CABLE MARKERS  
 TEMPORARY CABLE MARKER SPEC.  
 SECONDARY CONNECTION BOX SPEC.

— CODE —

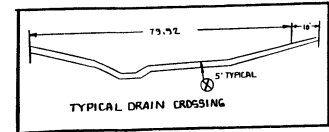
- ⊙ TEMPORARY SECONDARY FEDESTAL/TEMPORARY CABLE MARKER
- ⊙ DPT (BACK FRONT TYPE)
- ⊙ LET (SWITCHING—LIVE FRONT TYPE)
- ⊙ LCT (SWITCHING—LIVE FRONT TYPE)
- ⊙ DIRECTION OF TRANSFORMER DOOR OPENING
- ⊙ SECONDARY FEDESTAL
- ⊙ SECONDARY CONNECTION BOX
- ⊙ CABLE POLE
- ⊙ PRIMARY SWITCH CABINET
- ⊙ BURIED PRIMARY CABLE—ALL VOLTAGES
- ⊙ BURIED SECONDARY CABLE
- ⊙ BURIED SECONDARY SERVICE CABLE
- ⊙ DETROIT EDMON TRENCH ONLY
- ⊙ TELEPHONE TRENCH ONLY
- ⊙ SEWER
- ⊙ WATER
- ⊙ GAS
- ⊙ PROPOSED CONDUIT
- ⊙ SEP COIN CABINET

**CABLE SUMMARY**

ITEM #	QUANTITY	1153	1154
ITEM #	AP3 20 & 140 800 V.	713070	
ITEM #	AP3 20 & 141 800 V.	713070	
ITEM #	720 AL	713081	
ITEM #		713100	

**TRENCH SUMMARY**

JOINT LINE	24.3	21.6	174
D.E. ONLY	24.3	20	
TBL ONLY			
GAS ONLY	165		
OTHERS			
TOTAL	184.5		



— GENERAL NOTES —

TRENCHING TO BE DONE BY D.E.  
 TRENCH AND CABLE LAYOUTS ARE APPROXIMATE.  
 SEE SECTION 38 US LINE CONSTRUCTION STANDARDS FOR TRENCH MAT DETAILS.  
 SEE PAGE 3-11 (SJM) DETAIL " " FOR ENTRANCE POINT DETAILS (APTS. ONLY).  
 SEE SECTION 43 US LINE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES.  
 TRANSFORMERS AND FEDESTALS (SJM) ONLY.  
 D.E. SERVICE PLANNER M. PRINCE 286-3432  
 TEL. CO. MI L. DELLERMAN 464-8762  
 GAS CO. GR D. FOLLOWS 1-531-3724  
 OTHERS:  
 CONTACT "MIBS DIV" (800-487-7171) BEFORE DOING ANY EXCAVATION.  
 EMBARKMENTS INDICATED BY OUR CENTERLINE ARE  
 IN WIDTH UNLESS OTHERWISE NOTED.

**NOTE!**  
 SECONDARY IS ONE SET OF #150AL  
 TO EACH BUILDING EXCEPT COMMUNITY  
 BUILD.

PERMITS REQUIRED

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

TRENCHES REGISTERED	REQ.	INT.	CLTY.	GAZ.
SWEL. EXHOSUR.	X	X	X	X
COUNTY ROAD	X	X	X	X
COUNTY DRAIN	X	X	X	X
CITY	X	X	X	X

D	REVISION	C	REVISION	B	REVISION	A	REVISION	REFERENCE
								D MCB 1
								REVISED TO SHOW PHASE I

DESIGNED BY	DATE	JOB TITLE	DIRECT	BURIED SYSTEM	— URD —
DESIGNED BY: D. ADAMS	10-18-30				
CHECKED BY: L. Adams	11-12-30				
APPROVED BY: D. Adams	12-22-30				
SEAL BY: D. ADAMS	12-12-30				

**MEADOWOOD APTS PH I**  
 PART OF THE S.W. 1/4 OF SEC. 32, T3N X 13E.  
 MACOMB TWP. MACOMB CO.

S.W. COR SEC. 32

5 89° 48' 03" E 1337.10'

HALL RD. (A-53)

58586 ON AVE SO EXISTE RECORDS