

Genoa Twp
Sec. 9

Detroit
Edison

DATE: MAY 15, 1992

TO: Corporate Real Estate Services
2310 W.C.B.

FROM: James M. Davenport *JMD*
Real Estate & Rights-of-Way
Howell Office
Ann Arbor Division

SUBJECT: Agreement/Easement/Restrictions for underground
residential distribution for R/W # HS-4543
GENOA PLACE APTS
Located In: GENOA TWP
County: LIVINGSTON

Attached is the executed Agreement dated 3/18/92
for the above named project.

Easements for this project were requested by JOHN
BURGESS
Service Planning Department, Ann Arbor Division.

The Agreement was negotiated by James M. Davenport of the
Real Estate and Rights-of-Way Department, Ann Arbor
Division.

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

Additional Information: _____

/JMD
Attachment(s)

RECORDED RIGHT OF WAY NO. 42813

UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. HS-4543
PROJECT NAME: GENOA PLACE APARTMENTS

On 03/18, 1992, for the consideration of system betterment, Grantor grants to Grantee a permanent underground/distribution easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

"Grantor" is: Genoa Place Apts. Ltd. Pct
MANAGEMENT RESOURCES DEVELOPMENT INC., 321 Woodland Pass, Suite 100, East Lansing, Michigan 48823

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
Michigan Bell Telephone Company, a Michigan corporation, 444 Michigan Avenue, Detroit, Michigan 48226
Consumers Power Company, a Michigan corporation, 212 West Michigan Avenue, Jackson, Michigan 49201
Columbia Associates, Limited Partnership/DBA/Columbia Cable of Michigan, a Michigan Limited Partnership, 2505 South Industrial Hwy., P.O. Box 998, Ann Arbor, Michigan 48106

"Grantor's Land" is in Genoa Township, Livingston County, described as:

** SEE REVERSE SIDE FOR APPENDIX "A" **

The "Right of Way Area" is a part of Grantor's Land and is described as:

The exact location of underground equipment must be determined by the UTILITY COMPANIES. For exact location, telephone MISS DIG at 1-800-482-7171. The exact location of underground equipment indicates the centerline of said Right of Way. The width of Right of Way is twelve (12) feet.

- 1. Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain utility line facilities consisting of poles, guys, anchors, wires, manholes, conduits, pipes, cables, transformers and accessories.
- 2. Access:** Grantee has the right of access to and from the Right of Way Area.
- 3. Buildings or other Permanent Structures:** No buildings or other permanent structures shall be placed in the Right of Way Area without Grantee's prior written consent.
- 4. Excavation:** As required by Public Act 53 of 1974, MISS DIG must be called on 1-800-482-7171 before anyone excavates in the Right of Way Area.
- 5. Trees, Bushes, Branches, Roots, Structures and Fences:** Grantee may trim, cut down, remove or otherwise control any trees, bushes, branches and roots in the Right of Way Area (or that could grow into the Right of Way Area) and remove structures and fences in the Right of Way Area that Grantee believes could interfere with the safe and reliable construction, operation and maintenance of Grantee's facilities. No trees, plant life, structures and fences shall be planted, grown or installed within 8 feet of the front door and within 2 feet of the other sides of transformers and switching cabinet enclosures. Grantee shall not be responsible to Grantor for damages to or removal of trees, plant life, structures and fences placed in front of transformer doors.
- 6. Ground Elevation:** Grantor must grade the Right of Way Area to within four inches of final grade before Grantee installs its facilities. Grantor must maintain this ground elevation after Grantee installs its facilities.
- 7. Damages:** If Grantor, its agents, employees or contractors, damage Grantee's facilities, Grantee shall make repairs at Grantor's expense.
- 8. Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors, lessees, licensees and assigns.

RECORDED RIGHT OF WAY NO. 42813

RECORDED

Witnesses: (type or print name below signature)

Grantor: (type or print name below signature)

Vincent D. Renz
VINCENT D. RENZ
James M. Davenport
JAMES M. DAVENPORT

APR 1 2 34 PM '92
NANCY HAVILAND
REGISTER OF DEEDS
LIVINGSTON COUNTY, MI
48843

Thomas W. Breakley
THOMAS W. BREAKLEY, PARTNER

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APPENDIX "A"

PHASE 1 DESCRIPTION; Part of the West 1/2 of the Northwest 1/4 of Section 9, T2N-R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: commencing at the Northwest corner of said Section 9; thence along the West line of said Section 9 and the centerline of Latson Road (66 foot wide Right of Way), South 02°33'37" East, 652.36 feet to the point of beginning of the parcel to be described; thence North 87°20'53" East, 223.06 feet to a found iron pipe; thence North 02°34'05" West, 623.58 feet; thence South 64°56'20" East, 833.40 feet; thence South 25°03'40" West 296.15 feet; thence South 69°33'29" West 130.39 feet; thence along a line previously surveyed by Boss Engineering Company, Job No. 10063 and recorded in Liber 891 of Deeds on pages 206 and 207 of the Livingston County Records, South 87°20'53" West, 700.00 feet; thence along the West line of said Section 9 and the centerline of Latson Road, North 02°33'37" West, 66.00 feet to the point of beginning containing 8.14 acres, more or less.

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Acknowledged before me in INGHAM County, Michigan, on MARCH 18, 1992 by THOMAS W. BEAKEY its MANAGING GEN. PTA. for MANAGEMENT RESOURCES DEVELOPMENT INC., A MICHIGAN CORPORATION, FOR THE CORPORATION. GENOA PLACE APTS LIMITED PARTNERSHIP

Notary's Stamp VINCENT D. RENZ Notary Public, Ingham County, MI My Commission Expires Nov. 14, 1995 Notary's Signature [Signature]

My Commission Expires: ✓

RECORDED

MAR 15 4 25 PM '92