

To (Supervisor, RE & R/W) RICHARD LONGWISH	For RE & R/W Dept. Use	Date Received	DE/Bell/C.P. No
Division ANN ARBOR	Date 3-17-92	Application No. AS - 7290	

We have included the following necessary material and information:

TRACKING # 92022165310

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.

REPORT OF REAL ESTATE AND RIGHTS WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH BY <u>Richard Longwish</u> DATE <u>5-26-92</u> WANTED DISTRICT FIELD/MAN <u>Richard Longwish</u>	PERMITS TO: RECORD <u>1</u> CF 401 <u>1</u> R/W DEES <u>1</u> M/T <u>1</u> O/S <u>1</u> TOTAL <u>1</u>
---	--

Information

1. Project Name **FOX FIRE SUB-DIVISION PHASE 1-C** County **WASHTENAW**
 City/Township/Village **ANN ARBOR** Section No.

Type of Development
 Proposed Subdivision Apartment Complex Condominium
 Subdivision Mobile Home Park Other

2. Name of Owner **GUENTHER, BLDG. CO.** Phone No. **971-3323**

Address **2864 CARPENTER - ANN ARBOR MI**

Owner's Representative **BOB GUENTHER** Phone No. **971-3323**

Date Service is Wanted **JUNE 1, 1992**

4. Entire Project will be developed at one time Yes No

5. Joint easements required — Michigan Bell Telephone **- NO - SUBDIVISION** Yes No
 — ~~Consumers Power~~ **MICHIGAN CONSOLIDATED GAS** Yes No

a. Name of Other Utilities if Not Michigan Bell Telephone or Consumers Power
COLUMBIA CABLE OF MICHIGAN

b. Other Utility Engineer Names **JIM BOWEN** Phone Numbers **973-0977**

Addresses **PO. BOX 998 - ANN ARBOR, MI. 48106**

6. Additional Information or Comments
REFER TO R/W AS 7142

Note: Trenching letter attached will be submitted later

Service Planner **TERRY SMART** Signed (Service Planning Supervisor) **MAR 17 1992**

Phone No **185-4058** Address **NA. SERV. PLAN. BAILEY**

RECORDED RIGHT OF WAY NO. 42845

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. AS-7290
PROJECT NAME: FOXFIRE SUBDIVISION PHASE 1-C**

On April 13, 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:

GUENTHER BUILDING CO., INC., a Michigan corporation, 2864 Carpenter Road, Ann Arbor, Michigan 48108-1192

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
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
Michigan Consolidated Gas Company, a Michigan corporation, 500 Griswold, Detroit, Michigan 48226

"Grantor's Land" is in Ann Arbor Township, Washtenaw County, described as:

***** See Reverse Side for Appendix "A" Legal Description *****

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

All in accordance with proposed Foxfire Subdivision Phase 1-C, which is attached hereto and made a part hereof. Appendix "B". 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. 42895

Witnesses: (type or print name below signature)

Frances A. Corona
Frances A. Corona

Mary Lutz
Mary Lutz

Grantor: (type or print name below signature)

GUENTHER BUILDING CO., INC.,
A MICHIGAN CORPORATION
Robert F. Guenther
ROBERT F. GUENTHER, PRESIDENT

Acknowledged before me in Washtenaw County, Michigan, on April 13, 1992 by Robert F. Guenther, President, Guenther Building Co., Inc., a Michigan corporation, for the corporation.

Notary's Stamp FRANCES A. CORONA
Notary Public, Washtenaw County, Mi
My Commission Expires Dec. 5, 1994
(Notary's name, county, and date commission expires)

Notary's Signature Frances A. Corona

APPENDIX "A"

Part of the Southwest ¼ of Section 10, T2S, R6E, commencing at the South ¼ corner of Section 10; thence N 01°29'40" W 370.0 feet for the Point of Beginning; thence continuing N 01°29'40" W 1899.59 feet; thence Westerly 24.96 feet along the Southerly line U.S. 23 and arc of circular curve concave South, radius 7442.44 feet, central angle 00°11'32" chord S 81°06'01" W 24.96 feet; thence S 81°00'15" W 1590.10 feet; thence S 562.32 feet; thence Easterly 265.35 feet along arc circular curve concave North, radius 3980.0 feet, central angle 03°49'12" chord N 81°24'54" W 265.30 feet; thence Southerly 415.68 feet along arc of circular curve concave West, radius 2950 feet, central angle 08°04'25" chord S 05°15'34" E 415.34 feet; thence Southerly 191.20 feet, along the arc of circular curve concave West, radius 2950 feet, central angle 12°53'16" chord South 05°13'16" E 190.79 feet; thence Southerly 440.55 feet along arc of circular curve East, radius 1150 feet, central angle 21°56'58" chord South 00°41'25" W 437.86 feet; thence N 86°55'43" E 35.09 feet; thence S 01°36'08" E 528.0 feet; thence N 86°55'43" E 100 feet; thence N 01°36'08" W 370.0 feet; thence N 86°55'43" E 300 feet; thence S 01°36'08" E 370.0 feet; thence N 86°55'43" E 727.09 feet; thence N 01°29'40" W 286.99 feet; thence N 34°27'15" E 63.01 feet; thence N 86°55'43" E 140 feet to the Point of Beginning.

RETURN TO:
RICHARD LONGWISH
THE DETROIT EDISON COMPANY
425 S. MAIN STREET, ROOM 332
ANN ARBOR, MI 48104

RECORDED

WASHTENAW COUNTY MI

MAY 6 1 17 PM '92

PL. ...
COUNTY CLERK/REGISTER

12 FT PRIVATE EASEMENT FOR PUBLIC UTILITIES

12 FT PRIVATE EASEMENT FOR PUBLIC UTILITIES

RECORDED RIGHT OF WAY NO. 42895

12 FT PRIVATE EASEMENT FOR PUBLIC UTILITIES

TAX CODE 09-10-300-008
R/W NUMBER AS-7290
MARCH 17, 1992
FUTURE JOINT USE MEMOS
A- 115-2 TO MICHIGAN BELL
A- 116-2 TO MICH. CON. GAS
A- 117-2 TO COLUMBIA CATV

S. 1/4 COR.
SEC. 10 T2S R 6E
ANN ARBOR TWP.

904.09'
DHU-VARREN ROAD (66 FT. R.O.W.)

APPENDIX "B"

PROPOSED

FOXFIRE SUBDIVISION
PHASE I-C

ONLESAAD DRIVE

SHARROCK CT.

FAIRHAVEN CT.

FAIRMEADOW CT.

DEER CREEK COURT

HICORY POINT DR.

FOXWAY COURT

WALLARD COURT

FOXWAY

WHITETAIL RUN

FEATHERSTONE CT.

PINEBLUFF CT.

EAGLE COURT

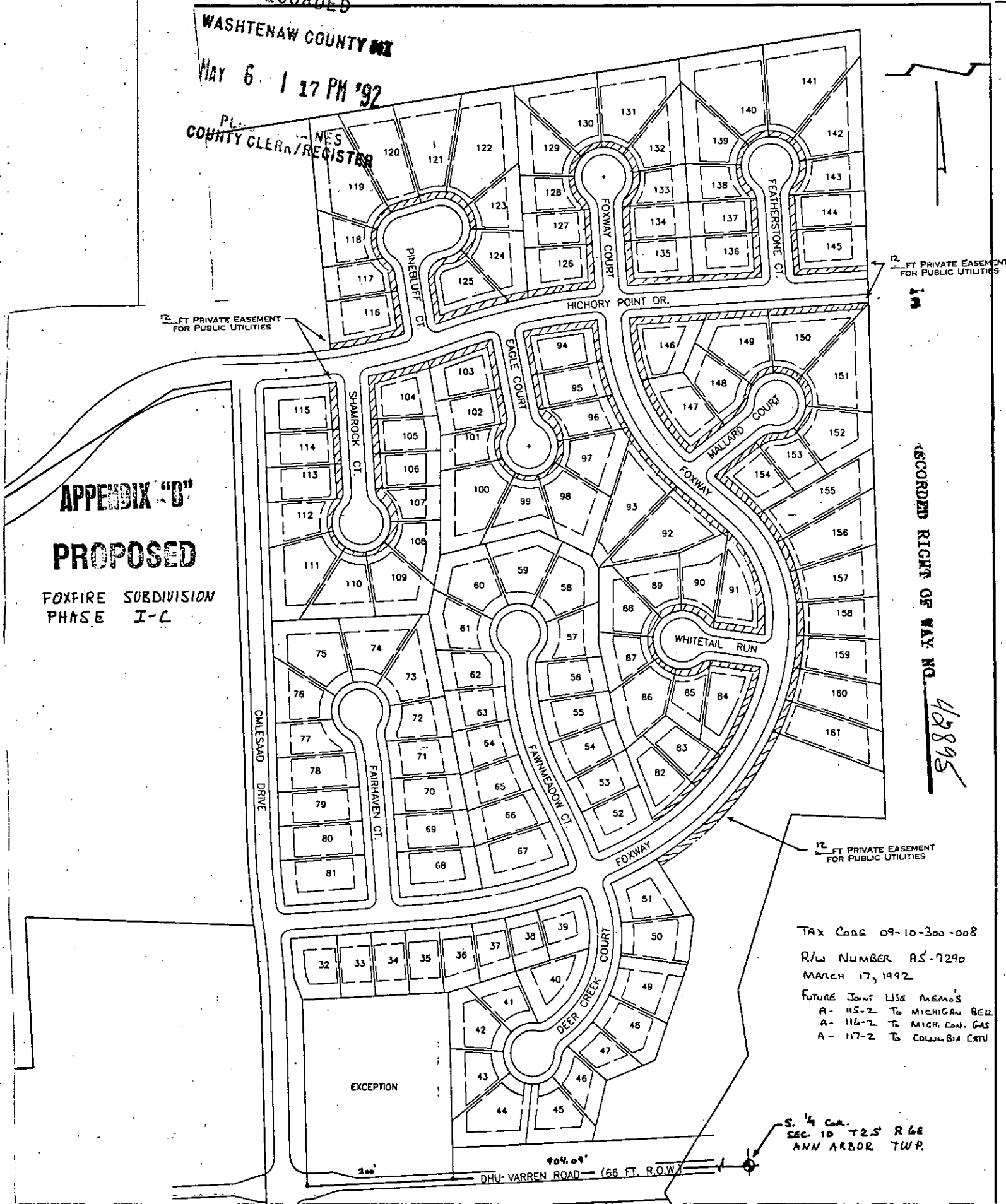
FOXWAY

FOXWAY

FOXWAY

EXCEPTION

100'



02
11/11

1001

Handwritten signature
FD Divided

NUMB 309
MISC
B333 0333003 4616 1:14PM 5/06/92 11.00

SSRF
B333 0333003 4616 1:14PM 5/06/92 2.00

RECORDED

WASHTENAW COUNTY MI

MAY 6 1 17 PM '92

F. J. JAMES
COUNTY CLERK/REGISTER

RETURN TO:
RICHARD LONGWISH
THE DETROIT EDISON COMPANY
425 S. MAIN STREET, ROOM 332
ANN ARBOR, MI 48104