

Detroit Edison

Joint Underground Residential Distribution Right of Way Agreement

89-140717

Av...
E#92 REG/DEEDS PAID 19 89
0001 JUN.05'92 11:10AM
6277 MISC 13.00

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, and UNITED CABLE TELEVISION OF OAKLAND COUNTY, LTD., 4500 Delemere Blvd., Royal Oak, MI 48068, hereinafter referred to collectively as "UTILITY", 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, poles and accessories required to provide gas, electric and communication services with the usual services, connections and accessories in, under, upon, over and across the property located in the City of Auburn Hills, County of Oakland, State of Michigan, and more particularly described on the attached Appendix "A", with the full right to the UTILITY 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 ten (10) ft. in width unless otherwise indicated and the route is described as follows:

The exact location of said easement shall be shown on a drawing to be recorded 90 days after construction.

E#92 REG/DEEDS PAID
0001 SEP.18'89 11:36AM
0487 MISC 7.00

(A)

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

1. The right of way will be graded to within four inches of final grade before the UTILITY'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 UTILITY'S above ground equipment.
2. No buildings or structures other than UTILITY'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 UTILITY.
3. No shrubs or foliage shall be planted or grown within eight feet of the front door of transformers or switching cabinet enclosures. UTILITY 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 UTILITY'S maintenance of their equipment.
4. If the lines or facilities of UTILITY are damaged by the acts of owners, their agents, employes 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.

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:

7.00

E#92 REG/DEEDS PAID
0001 JUN.05'92 11:10AM
6277 RMT FEE 2.00

O.K. RR

Prepared by: Omer V. Racine/vkc
The Detroit Edison Company
30400 Telegraph Road, Suite 277
Birmingham, MI 48010

Address: See Next Page

RECORDED RIGHT OF WAY NO. 43157

This easement is re-recorded for purposes of showing the planned "as installed" centerlines of easements granted as shown on drawing attached here.

RECEIVED
MAY 1964

100-100000



RETURN TO
J. D. McDONALD
THE DETROIT EDISON COMPANY
30400 TELEGRAPH ROAD, 277 OAKDH
BIRMINGHAM, MICHIGAN 48010

100-100000

Witnesses:

LIBER 11066 PG 66

LIBER 12662 PG 348

James L. Jonas
JAMES L. JONAS

Melvin M. Kaftan
Melvin M. Kaftan, Trustee of Melvin M. Kaftan Revocable Trust, Dated October 4, 1971

Maurice J. Maurice
MAURICE J. MAURICE

State of Michigan)
County of Oakland) SS:

Personally came before me this 28th day of AUGUST, 1989, Melvin M. Kaftan, Trustee of the above named Trust, to me known to be the person who executed the foregoing instrument, and to me known to be such Trustee and acknowledged that he executed the foregoing instrument as such Trustee, as the free act and deed of said Trust.

My Commission Expires: AUG. 24, 1992

John A. Bertin
John A. Bertin
Notary Public,
County, Michigan

JOHN A. BERTIN
Notary Public, Oakland County, Michigan
My Commission Expires August 24, 1992

Appendix "A"

A parcel of land comprising part of Lot 38, part of Lot 39, all of Lot 43 and part of Lot 44 of "Supervisor's Plat No. 8", a Subdivision of Part of the S.W. 1/4 of Section 25, T3N, R10E, Pontiac Township (now City of Auburn Hills), Oakland County, Michigan according to the plot thereof recorded in Liber 52, Plats, Page 33 Oakland County records, said parcel being more particularly described as follows:

52033

Beginning at a concrete monument at the intersection of the North line of the South 200 ft. of Lot 38 of Supervisor's Plat No. 8, and the Westerly line of Squirrel Road (66 ft. wide) and proceeding thence along said Westerly line S. 31°32'30" W. 273.49 ft. and S. 02°40'50" E., 352.61 ft., and S. 00°15'57" W., 297.92 ft. and S. 02°05'10" W., 30.63 ft. to the Southeast corner of Lot 44 of said Supervisor's Plat No. 8, thence along the Southerly line of Lot 44 S. 65°10'33" W., 875.14 ft., thence N. 02°12'08" W., 371.45 ft., thence S. 66°32'55" W. 111.27 ft., thence S. 59°55'26" W., 149.70 ft. to the Southwest corner of Lot 43, thence along the westerly line of Lot 43 and in part along the Westerly line of Lot 39, N. 01°22'00" W., 794.22 ft. and N. 01°06'34" W. 213.97 ft., thence N. 88°50'03" E., 221.89 ft., thence N. 01°06'34" W., 482.77 ft., thence N. 89°18'00" E., 400.71 ft., to a point on the East line of Lot 39, thence along said line S. 03°07'28" E., 457.36 ft. thence along the North line of the S. 200 ft. of Lot 38 S. 88°33'28" E., 554.41 ft. to the point of beginning containing 30.4555 Acres and being subject to the riparian rights of the public in the waters of the Clinton River and subject easements of records.

Sidwell No. 14-25-326-007

4

RECORDED RIGHT OF WAY NO. 43157

RETURN TO
J. D. McDONALD
THE DETROIT EDISON COMPANY
30400 TELEGRAPH ROAD, 277 OAKDH
BIRMINGHAM, MICHIGAN 48010

To (Supervisor, Hi & H/W) <u>Jim McDonald</u>	For Rec. & H/W Dept. Use:	Date Received <u>8.9.89</u>	Drinking P. No. <u>OB 89-18T.</u>
Division	Date: <u>8/04/89</u>	Application No.	

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 <u>Westbury Village Condo's Phase I</u>	County <u>Oakland</u>
City/Township/Village <u>Auburn Hills</u>	Section No. <u>25</u>

Type of Development

- Proposed Subdivision
 Apartment Complex
 Condominium
 Subdivision
 Mobile Home Park
 Other

2. Name of Owner <u>Melvin M. Kaftan</u>	Phone No. <u>352-3800</u>
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Address
21600 W. Elmer Mile Rd

Owner's Representative <u>Ralph Bauman</u>	Phone No. <u>352-3800</u>
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Date Service is Wanted
9/15/89

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

5. Joint easements required — Michigan Bell Telephone Jim O'Berry 456-0822 Yes No
 — Consumers Power Bill Vernagus 433-5730 Yes No

a. Name of Other Utilities If Not Michigan Bell Telephone or Consumers Power
United Cable Television of Oakland Co.

b. Other Utility Engineer Names <u>Jim Kramer</u>	Phone Numbers <u>549-1236</u>
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Addresses
4500 Delaware
Royal Oak, MI 48073

6. Additional Information or Comments
CATV J.U. Memo # 0481

Note: Trenching letter attached will be submitted later

Service Planner <u>Patti Hennessy</u>	Signed (Service Planning Supervisor) <u>[Signature]</u>
Phone No.	Address

RECORDED RIGHT OF WAY NO. 43157

MEMORANDUM ORDER

FOR GENERAL USE

DE FORM MS 77 12-53

TO Re rds Center

DATE 7-22-92 TIME _____

Please set up R/W file for: Westbury VILLAGE Townhouses

Being a part of SW 1/4 of Section 25 City of Ann Arbor

Oakland County, Michigan

COPIES TO: _____

SIGNED

Omer V. Racine
Omer V. Racine

277 Oakland Division Headquarters

REPORT

Pontiac Twp
SW 1/4 Section 25

DATE RETURNED _____

TIME _____

SIGNED _____

RECORDED RIGHT OF WAY NO.

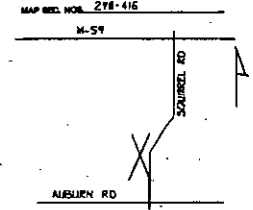
43157

LIBER 12662 PG 349



LIBER 12662 PG 350

LOCATION SKETCH



PHASE	TRANSFORMER NO.	SIZE	ED STK. NO.
PHASE I	H3732-1	100 KVA	661-1153
	-2		
	-3		
PHASE II	H3737-1	50 KVA	661-1152
	-2		
	-3		
PHASE III	H3732-4	100 KVA	H3732-6
	H3732-4	RETNG	H3732-5
	H3732-3	100 KVA	
PHASE IV	H2248-7	100 KVA	H2248-8
	H2248-7	RET TAG	H2248-9
	H2248-8	~	H2248-10
	H2248-9	~	H2248-11
	H2248-10	~	H2248-12
	H2248-11	~	H2248-13
	H2248-12	~	H2248-14

EASEMENT LOCATIONS

Locals at local street line showing depth of easement. All easements at least 10' wide, one side and one side of street.

- Buried Primary Cable
- Buried Secondary Cable
- Buried Secondary Service Cable
- Telephone Trench Only
- Gas
- Proposed Conduit

TRANSFORMER SPEC. 1-17-261
 PEDESTAL SPEC. PHASE I PHASE II PHASE III PHASE IV
 NO. OF PEDESTALS 7 9 3 1 9
 NO. OF TEMPORARY CABLE MARKERS
 TEMPORARY CABLE MARKER SPEC.
 SECONDARY CONNECTION BOX SPEC.

CODE

- TEMPORARY SECONDARY FEDERAL/TEMPORARY CABLE MARKER
- DTF DEAD FRONT TYPE
- LOT SWITCHING-LIVE FRONT TYPE
- LOT SWITCHING-LIVE FRONT TYPE
- DIRECTION OF TRANSFORMER DOO
- SECONDARY PEDESTAL
- SECONDARY CONNECTION BOX
- CABLE POLE
- PRIMARY SWITCH CABINET
- BURIED PRIMARY CABLE-ALL VOLTAGES
- BURIED SECONDARY CABLE
- BURIED SECONDARY SERVICE CABLE
- DETROIT EDISON TRENCH ONLY
- TELEPHONE TRENCH ONLY
- SEWER
- WATER
- GAS
- PROPOSED CONDUIT
- SEP CONN CABINET

CABLE SUMMARY

PHASE IV	PHASE III	PHASE II	PHASE I
72' 715-3073-1823	715-3070-349	715-0537-459	715-0537-459
434' 715-0537-475		715-0537-459	715-0537-459
		715-0537-459	715-0537-459

TRENCH SUMMARY

PHASE IV	PHASE III	PHASE II	PHASE I
276' EXT-TV-93	EXT-TV-300' E.G. TMT-432'	EXT-TV-300' E.G. TMT-432'	EXT-TV-300' E.G. TMT-432'
D.E. ONLY: 538'	44' EXT-TV-300'	140'	D.E. ONLY: 157' E-T-T-1100'
TEL ONLY: 111'	645' EXT-TV-14'	715-0537-459	645' EXT-TV-14'
OTHERS: 111'	715-0537-459	715-0537-459	715-0537-459

GENERAL NOTES

TRENCHING TO BE DONE BY DECO
 TRENCH AND CABLE LENGTHS ARE APPROXIMATE.
 SEE SECTION 36.00 LINE CONSTRUCTION STANDARDS FOR TRANS. MAT. DETAILS.
 SEE PAGE 3-11 (S.M.) DETAIL " " FOR ENTRANCE POINT DET. ONLY.
 SEE SECTION 43.00 LINE CONSTRUCTION STANDARDS FOR PLAC. TABLES.
 TRANSFORMERS AND PEDESTALS (BURIED ONLY)
 DR. BOYDICE, RALPH BAUMAN, FRANK E. WALLIS - 649-1111
 TEL. CO. DARRYL BESSEMER - 546-0822
 GAS CO. BILL YERGANIS - 433-5730
 OTHERS: KATY JIM KRAMER - 549-1226
 CONTACT "BESS" (517) 800-487-7175 BEFORE DOING ANY EXCAVATION.
 EASEMENTS INDICATED BY OUR CENTERLINE ARE IN WIDTH UNLESS OTHERWISE NOTED.

PERMITS REQUIRED

CITY OF AUBURN HILLS
 COUNTY NOTIFICATION ONLY

NOTE:
 ALL ADDRESSES ARE 201 SQUIRREL THEN APARTMENT NUMBER

START DATE 9-20-89

AS	REVISION	DATE	BY	APPROVED
AS	1-15-89			
AS	1-15-89			
E	REVISION PHASE I BLDGS 11-14	06-21-89	D. HUFFMAN	
D	REVISION PHASE III BLDGS 15-18	06-10-89	R. MARTIN	
C	REVISION AS INSTALL CO	06-21-89	D. HUFFMAN	
B	REVISION AS INSTALL CO	06-21-89	D. HUFFMAN	
A	REVISION WESTBURY VILLAGE PHASE I	06-21-89	D. HUFFMAN	
REFERENCE	G.H.D.O.P.A. 400/1 URD. PON-55 CUST. 410.00-500.389.1602 834-2316 URD PON-23			
DESIGNED BY	D. HUFFMAN			
CHECKED BY	P. HENNESSY			
APPROVED BY	M. KRAMER			
DATE	9/1/89			
DATE	11/1/89			
EST. START DATE	8-26-89			
DESIGNED BY	B. ROWLEY			
CHECKED BY	P. HENNESSY			
APPROVED BY	J. DAVENPORT			
DATE	7-25-89			
DATE	7-17-89			
THE DETROIT EDISON COMPANY SERVICE PLANNING				
SCALE 1" = 50'				
NUMBER OF SHEETS 106				
WORK ORDER NUMBER 3678 41005				
LATEST REVISION "E"				
CONSTRUCTION CONTACT 8864 AUBURN				
CITY OF AUBURN HILLS OAKLAND CO. 89A-64507				

RECORDED INDEX OF WAY NO. 43157