


**Detroit  
Edison**

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Date: December 21, 1992

To: Record Center  
2310 WCB

From: Susan Putrycus   
Real Estate and Rights of Way Representative  
Shelby Service Center - Macomb Division

Subject: Right of Way Agreement for Underground  
Residential Distribution for Summit Place  
Condominiums, located in the Southeast 1/4 of  
Section 23, T1N, R12E, City of Warren, Macomb  
County, Michigan.

Attached for Records Center is the executed Right of Way Agreement dated September 18, 1992, and other pertinent papers for the above named project.

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

Detroit Edison Company, Michigan Bell Telephone Company, Consumers Power Company and Comcast Cablevision made this agreement with Julius L. Vermeulen and Shirley M. Vermeulen, husband and wife, and Thomas F. Ryniewicz and Ted A. Hautala, Vice President and Secretary of Alpine Builders, Inc., a Michigan corporation, the developers of Summit Place Condominiums.

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

SP/ms

Attachments

RECORDED RIGHT OF WAY NO. 43884

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B781858

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R-9204383-01**

**PROJECT NAME SUMMIT PLACE CONDOMINIUMS**

On Sept 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:**

Julius L. Vermeulen and Shirley M. Vermeulen, husband and wife, 20651 Pine Meadow, Mt. Clemens, Michigan

Alpine Builders, Inc., a Michigan corporation, of 8300 - 30 Mile Road, Romeo, Michigan 48065

**"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, 1955 W. Parnall Road, Jackson, Michigan 49201

Comcast Cablevision, a Delaware corporation, 6055 Wall Street, Sterling Heights, Michigan 48077

**"Grantor's Land" is in the City of Warren, Macomb County, described as:**

Land being located in the Southeast 1/4 of Section 23, T1N, R12E, commencing at the center post of said Section 23; thence East 1312.50 feet to the point of beginning; thence East 80.00 feet; thence South 0°26' East 330.00 feet; thence East 86.0 feet; thence South 0°26' East 454.23 feet; thence West 166.0 feet; thence North 0°26' West 787.23 feet to the point of beginning, EXCEPT the North 43.0 feet for road; ALSO EXCEPT land described as commencing at the center post of Section 23, commencing at the center post of said Section 23; thence East 1312.50 feet to the point of beginning; thence East 80.00 feet; thence South 0°26' East 197.27 feet; thence South 89°34' West 80.0 feet; thence North 0°26' West 197.87 feet to the point of beginning; EXCEPT the North 43 feet as deeded for road; TOGETHER WITH and subject to an easement for ingress and egress described as follows: Commencing at a point on the East-West 1/4 line of said Section 23 (centerline of Frazho Road, 86 feet wide), 1352.50 feet East of the center post of said Section 23; thence South 00°26'00" East 63.0 feet; thence South 25°55'00" East 37.19 feet; thence South 0°26'00" East 101.00 feet; thence North 89°34'00" East 24.00 feet; thence North 00°26'00" West 197.27 feet; thence due West 40.0 feet along the East-West 1/4 line to the point of beginning. TOGETHER WITH an easement described as the West 12 feet of the parcel of land further described as commencing at the center post of Section 23, thence East 80.0 feet; thence South 0°26' East 197.27 feet; thence South 89°34' West 80.0 feet; thence North 0°26' West 197.87 feet to the point of beginning, except the North 43 feet deeded for road.

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

A ten (10) foot easement wherein 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.

RECORDED AT THE CLERK'S OFFICE OF MACOMB COUNTY, MICHIGAN  
438855

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.

**Witnesses:**(type or print name below signature)

**Grantor:**(type or print name below signature)

*Richard Ryniewicz*  
RICHARD RYNIEWICZ

*Julius L. Vermeulen*  
JULIUS L. VERMEULEN

*Richard J. Jopell*  
RICHARD J. JOPELL

RECORDED IN MACOMB COUNTY  
RECORDS AT: 1:16 P.

*Shirley M. Vermeulen*  
SHIRLEY M. VERMEULEN, WIFE

*Michael J. McCabe*  
MICHAEL J. MCCABE

OCT 16 1992

*Thomas F. Ryniewicz*  
THOMAS F. RYNIEWICZ, V.P.

*Susan A. Putrycus*  
SUSAN A. PUTRYCUS

*Ted A. Hautala*  
TED A. HAUTALA, SEC.

Acknowledged before me in \_\_\_\_\_ County, Michigan, on September 18, 1992 by Julius L. Vermeulen and Shirley M. Vermeulen, husband and wife.

Notary's Stamp  
THADINE S. RYNIEWICZ  
Notary Public, Macomb County, MI  
My Commission Expires June 30, 1996

Notary's Signature  
*Thadine S. Ryniewicz*

Acknowledged before me in Macomb County, Michigan, on September 18, 1992 by *Thomas Ryniewicz* the Vice President + Secretary of Alpine Builders, Inc., a Michigan corporation, for the corporation.

Notary's Stamp  
THADINE S. RYNIEWICZ  
Notary Public, Macomb County, MI  
My Commission Expires June 30, 1996

Notary's Signature  
*Thadine S. Ryniewicz*

49889

**Detroit  
Edison**

Macomb Division  
15600 Nineteen Mile Road  
Clinton Township, Michigan 48044  
(313) 228-4000

December 21, 1992

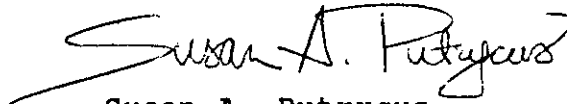
Mr. Ted Hautala  
c/o Alpine Builders Inc.  
8300 30 Mile Road  
Romeo, MI 48065

Re: Summit Place Condominiums  
City of Warren, Macomb County, Michigan

Dear Mr. Hautala:

Enclosed is a fully executed copy of your Underground Distribution Easement. For exact location of underground equipment telephone Miss Dig at 1-800-482-7171. The exact location of underground equipment indicates the centerline of said right of way.

Sincerely,



Susan A. Putrycus  
Real Estate and Rights of Way Rep.  
Shelby Service Center

RECORDED RIGHT OF WAY NO. 43889

To (Supervisor, RE & RW)	For RE & RW Dept. Use	Date Received	DE/Resr.C.P. No.
M. McCabe			A-73930
Division	Date	Application No.	
MAC	6-9-92	R-9204383-01	

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.

6/9/92 returned title work to Bill for correct title work. + a drawing.  
rec'd 6/9/92

7/6/92 - rec'd title work to Bill - need Land Contract. Seeer's dad.

**Information**

1. Project Name	County
Summit Place Condo	MAC
City/Township/Village	Section No.
Warren	23
Type of Development	
<input type="checkbox"/> Proposed Subdivision	<input type="checkbox"/> Apartment Complex
<input type="checkbox"/> Subdivision	<input checked="" type="checkbox"/> Condominium
	<input type="checkbox"/> Mobile Home Park
	<input type="checkbox"/> Other
2. Name of Owner	Phone No.
ALPINE Builders INC.	752-7521.
Address	
8300 30 mile Romeo MI 48065	
Owner's Representative	Phone No.
TED HAUTALA	752-7521
Date Service is Wanted	
July	

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	
b. Other Utility Engineer Names	Phone Numbers
T. FRANK	978-3532
Addresses	
6055 Wall St StG Hgts 48077	

6. Additional Information or Comments

This was originally called R. Michael Condo on First Phase

Note: Trenching letter  attached  will be submitted later

Service Planner	Signed (Service Planning Supervisor)
W. Ronne	
Phone No.	Address
X-84119	

RECORDED LIGHT OF MAY NO. 42389