

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9205171-4AR

On January 19, 1993, for the consideration of system betterment, Grantor grants to Grantee a permanent underground easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

"Grantor" is:

Gunther Gardens Partnership, 2864 Carpenter Road, Ann Arbor, Michigan 48108

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226

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

"See Appendix A"

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

Commencing at the S 1/4 corner of Section 25, T3S, R5E, Lodi Township, Washtenaw County, Michigan; thence S 88°36'56" W 269.26 feet along the south line of said section; thence N 25°04'43" W 192.70 feet for a PLACE OF BEGINNING, thence continuing N 25°04'43" W 300.00 feet; thence S 64°55'17" W 350.00 feet; thence N 25°04'43" W 20.00 feet along the centerline of Ann Arbor-Saline Road; thence N 64°55'17" E 600.00 feet; thence S 25°04'43" E 20.00 feet; thence S 64°55'17" W 230.00 feet; thence S 25°04'43" E 300.00 feet; thence S 64°55'17" W 20.00 feet to the PLACE OF BEGINNING, containing 0.41 acres of land, more or less.

- 1. Purpose: The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain underground 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. Restoration: If Grantee's employees, contractors, vehicles or equipment damage Grantor's Land while entering Grantor's Land for the purposes stated in this Right of Way, then Grantee shall restore Grantor's Land as nearly as can be to its original condition.
- 7. 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)

Frances A. Corona (Signature)

GUNTHER GARDENS PARTNERSHIP (Signature) Robert F. Guehther - PARTNER

Mary Lutz (Signature)

Acknowledged before me in Washtenaw County, Michigan, on January 19th, 1993, by Robert F. Guehther, President of Gunther Building Company, a Michigan corporation, a partner in Gunther Gardens/ a Partnership Michigan co-partnership.

Notary's Stamp: FRANCES A. CORONA, Notary Public, Washtenaw County, MI, My Commission Expires Dec. 5, 1994. Notary's Signature: Frances A. Corona

Prepared by and Return to: Richard Longwish, Detroit Edison, 425 S. Main, Suite 328, P.O. Box 8602, Ann Arbor, MI 48107/cao

OVER 1

RECORDED WASHTENAW COUNTY, MI

FEB 19 11 08 AM '93

REC'D 88°36'56" W COUNTY CLERK/REGISTER

DEED

0223 0223003

RECORDED RIGHT OF WAY NO. 44297

26-9-93

11/17/1

Drayton

Appendix A

PARCEL III. A. 4.75 acres parcel of land in the SW 1/4 of Section 25, T35, R5E, Lodi Township, Washtenaw County, Michigan described as COMMENCING at the S 1/4 corner of said Section 25; thence N 00°00'32" W 612.61 feet along the N & S 1/4 line of said Section 25 to the POINT OF BEGINNING; thence S 64°55'17" W 856.14 feet; thence N 25°04'40" W 66.00 feet along the centerline of Ann Arbor-Saline Road; thence N 64°55'17" E 450.00 feet; thence N 25°04'43" W 295.00 feet; thence N 64°55'17" E 575.01 feet; thence S 00°00'32" E 398.55 feet along the N & S 1/4 line of said Section 25 to the POINT OF BEGINNING.

DEED
NUMB 307
8333 0333003 9869 11:02AM 2/19/93
9.00

SSR
8333 0333003 9869 11:02AM 2/19/93
21.00
RECORDED
WASHTENAW COUNTY, MI
FEB 19 11 08 AM '93
PEGGY M. HAINES
COUNTY CLERK/REGISTER

RECORDED
WASHTENAW COUNTY, MI
FEB 19 11 08 AM '93
PEGGY M. HAINES
COUNTY CLERK/REGISTER

To (Supervisor, RE & R/W) RICHARD LONGWISH	For RE & R/W Dept. Use	Date Received	DE/Bell/C.P. No.
Division ANN ARBOR	Date 1-5-93	Application No. R-9205171-4AR	

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).

Customer Tracking Number 9205171

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH BY <u>R. Longwish</u> DATE <u>3-16-93</u> DATE WANTED _____ DISTRICT FIELDMAN <u>Richard Longwish</u>	PERMITS TO:
	RECORD CENTER <u>2/1/93</u>
	R/W FILES <u>2/1/93</u>
	MBT <u>2/1/93</u>
	ORIGINATOR <u>2/1/93</u>
TOTAL <u>2/1/93</u>	

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

Information

1. Project Name GUENTHER PARCELS III & IV	County WASHTENAW
City/Township/Village LODI TOWNSHIP	Section No. 25
Type of Development <input type="checkbox"/> Proposed Subdivision <input type="checkbox"/> Apartment Complex <input type="checkbox"/> Condominium <input type="checkbox"/> Subdivision <input type="checkbox"/> Mobile Home Park <input checked="" type="checkbox"/> Other	
2. Name of Owner GUENTHER BLDG CO	Phone No. 971-3323
Address 2864 CARPENTER STE 300 ANN ARBOR MI 48108	
Owner's Representative BOB GUENTHER	Phone No.

Date Service is Wanted
2-1-93

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

b. Other Utility Engineer Names _____ Phone Numbers _____

Addresses _____

6. Additional Information or Comments
20' EASEMENT FOR DETROIT EDISON CO.

Note: Trenching letter attached will be submitted later

Service Planner DENNIS RAY	Signed (Service/Planning Supervisor) <u>Robert C. Hall</u>
Phone No. 185-4062	Address

RECORDED RIGHT OF WAY NO. 44296 + 44297