

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO.R92005581AR  
PROJECT NAME: RIVERWOOD CONDOMINIUMS**

On October 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: Fairfax Homes, Inc.

- A Michigan Corporation, 705 West Lake Lansing Road, East Lansing, Michigan 48823

"Grantee" is:

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

"Grantor's Land" is in **Williamston Township, Ingham County, described as:**

**\*\* SEE REVERSE SIDE FOR LEGAL DESCRIPTION \*\***

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

All in accordance with proposed plat which is attached hereto and made a part hereof (Appendix "B"). The width of right of way is twelve (12') feet.

- 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.
- Access:** Grantee has the right of access to and from the Right of Way Area.
- 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.
- 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.
- 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.
- 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.
- Damages:** If Grantor, its agents, employees or contractors, damage Grantee's facilities, Grantee shall make repairs at Grantor's expense.
- 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. 444777

Witnesses: (type or print name below signature)

Rosemary Drushel  
Rosemary Drushel

Doreen E. Gay  
Doreen E. Gay

Grantor: (type or print name below signature)

Bruce A. Michael  
Fairfax Homes, Inc. Bruce A. Michael, Pres.

RECORDED

APR 2 1 14 PM '93

REGISTER OF DEEDS  
Ingham County, Michigan

~~WILLIAMSTON WEST ASSOCIATES II~~

Acknowledged before me in Ingham INGHAM COUNTY, MICH. County, Michigan, on March 5, 1993, by Bruce A. Michael its President OF Fairfax Homes, Inc., a Michigan corporation, for the corporation.

Notary's Stamp ROSEMARY DRUSHEL Notary's Signature Rosemary Drushel  
Notary Public, Clinton Co., MI  
(Notary's name, county, and date commission expires)

Prepared by and Return to: Doreen E. Gay, Detroit Edison, ~~316 E. Grand River Avenue~~, Howell, Michigan 48843/sn  
1095 LAWSON DRIVE

(OVER)

That part of the East 1/2 of the East 1/2 of Section 34, T4N-R1E, Williamston Township, Ingham County, Michigan, describe Beginning at the intersection of the East 1/2 of said Section 34, and the North right of way of Highway M-43, 574.83 feet, North 03°50'02" West from the Southeast corner of said Section 34; thence North 03°50'02" West, 2512.13 feet to a point 29 feet more or less South of the Red Cedar River; thence North 31°50'40" West, 1023.16 feet on a traverse line to a point 15 feet West more or less of the Red Cedar River; thence North 89°52'11" West, 140.00 feet on the North East-West 1/8 line of Section 34, T4N-R1E; thence South 03°12'17" East 3084.53 feet to the North right-of-way of Highway M-43; thence South 63°30' East 335.24 feet on said Right-of-way to a point of curvature; thence Southeasterly 403.57 feet on a curve to the left, having a radius of 2242.01 feet, a central angle of 10°18'48" and a chord bearing South 68°39'24" East 403.02 feet to the point of beginning. Subject to easements and restrictions of record if any. Containing 43.0 acres.

PAGE 556

Acknowledged before me in Livingston County, Michigan, on \_\_\_\_\_, 1992  
by \_\_\_\_\_ the \_\_\_\_\_  
of \_\_\_\_\_, a Michigan Corporation, for the  
corporation.

Notary's  
Stamp

Notary's  
Signature

RETURN TO:  
DETROIT EPSON CO.  
1095 LINDSAY DRIVE  
HOWELL, MI 48843  
ATTN: DONALD GAY

Detroit  
Edison

DATE: April 21, 1993

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

FROM: Doreen Gay  
Real Estate & Rights-of-Way  
Howell Office  
Ann Arbor Division

SUBJECT: Agreement/Easement/Restrictions for underground  
residential distribution for R/W # R92005581AR  
RIVERWOOD CONDOMINIUMS

Located In: WILLIAMSTON

County: INGHAM

Attached is the executed Agreement dated Oct. 13, 1992  
for the above named project.

Easements for this project were requested by \_\_\_\_\_  
GIAN CARL ALDIGHIERI  
Service Planning Department, Ann Arbor Division.

The Agreement was negotiated by Doreen Gay 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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DG

Attachment(s)

Serving Customers

RECORDED RIGHT OF WAY NO. 44477

RECORDED RIGHT OF WAY NO. 44477

A = 331.75'  
R = 2242.01'  
Δ = 08°28'41"  
Chd = 331.45'  
Brg N70°31'37"W

A = 397.81'  
R = 2242.01'  
Δ = 10°09'58"  
Chd = 397.29'  
Brg N69°40'58"W

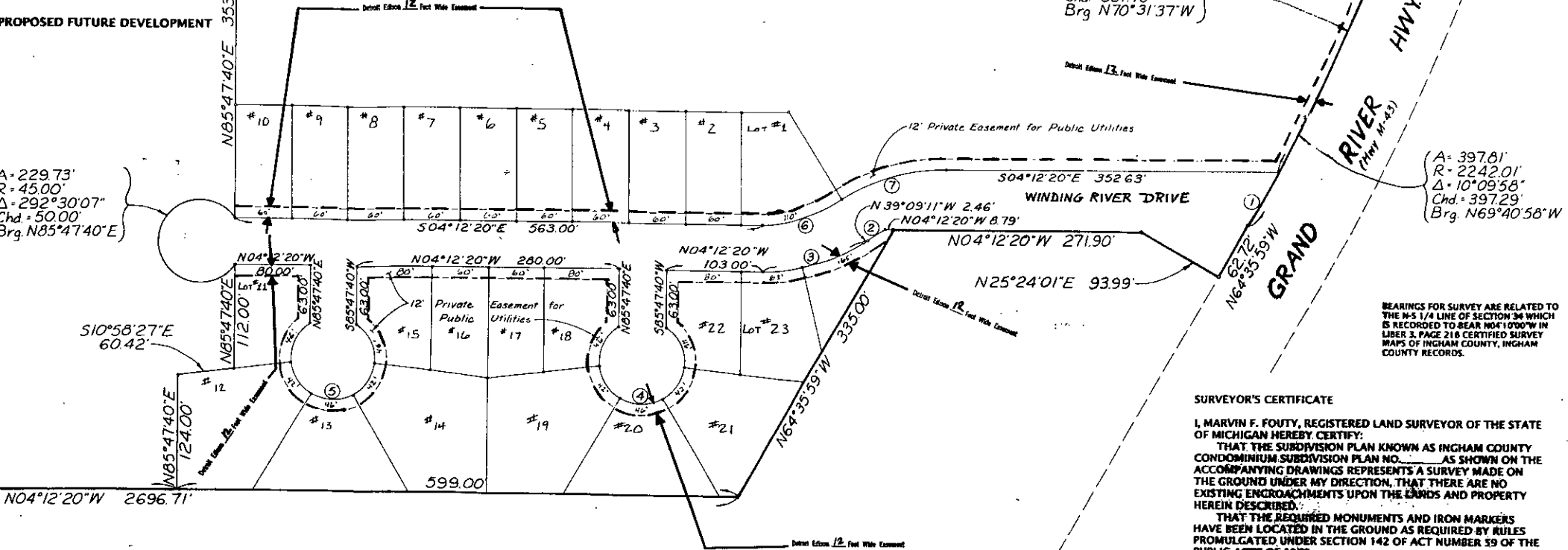
PROPOSED FUTURE DEVELOPMENT

A = 229.73'  
R = 45.00'  
Δ = 292°30'07"  
Chd = 50.00'  
Brg N85°47'40"E

S10°58'27"E 60.42'

N04°12'20"W 2696.71'

LIBER 2046 PAGE 557



CURVE DATA

NO.	ARC	RADIUS	DELTA	CHORD	CHORD BEARING
1	66.06'	2242.01'	1°41'17"	66.06'	N65°26'38"W
2	24.66'	149.00'	9°28'55"	24.63'	N35°44'34"W
3	116.19'	199.00'	33°27'16"	114.55'	N20°55'59"W
4	229.73'	45.00'	292°30'07"	50.00'	N04°12'20"W
5	229.73'	45.00'	292°30'07"	50.00'	N04°12'20"W
6	87.00'	149.00'	33°27'16"	85.77'	S20°55'59"E
7	126.00'	199.00'	36°16'41"	123.91'	S22°20'46"E

Wherever Private Easements For Public Utilities Appear on this Drawing, the Rules and Regulations of the Michigan Department of Transportation Apply.

"APPENDIX B"

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.

SURVEYOR'S CERTIFICATE

I, MARVIN F. FOUTY, REGISTERED LAND SURVEYOR OF THE STATE OF MICHIGAN HEREBY CERTIFY:  
 THAT THE SUBDIVISION PLAN KNOWN AS INGHAM COUNTY CONDOMINIUM SUBDIVISION PLAN NO. \_\_\_\_\_ AS SHOWN ON THE ACCOMPANYING DRAWINGS REPRESENTS A SURVEY MADE ON THE GROUND UNDER MY DIRECTION, THAT THERE ARE NO EXISTING ENCROACHMENTS UPON THE LANDS AND PROPERTY HEREIN DESCRIBED.  
 THAT THE REQUIRED MONUMENTS AND IRON MARKERS HAVE BEEN LOCATED IN THE GROUND AS REQUIRED BY RULES PROMULGATED UNDER SECTION 142 OF ACT NUMBER 59 OF THE PUBLIC ACTS OF 1978.  
 THAT THE ACCURACY OF THIS SURVEY IS WITHIN THE LIMITS REQUIRED BY THE RULES PROMULGATED UNDER SECTION 142 OF ACT NUMBER 59 OF THE PUBLIC ACTS OF 1978.  
 THAT THE BEARINGS AS SHOWN, ARE NOTED ON SURVEY PLAN AS REQUIRED BY THE RULES PROMULGATED UNDER SECTION 142 OF ACT NUMBER 59 OF THE PUBLIC ACTS OF 1978.

DATE 7-1-1992

*Marvin Fouty*  
 MARVIN F. FOUTY  
 REGISTERED LAND SURVEYOR  
 REGISTRATION NUMBER 18989  
 MARVIN F. FOUTY, PC  
 185 E. GRAND RIVER AVE.  
 WILLIAMSTON, MICHIGAN 48895

PROPOSED

SURVEY PLAN  
 RIVERWOOD CONDOMINIUM  
 Marvin F. Fouty, PC, 185 E. Grand River Ave., Williamston, MI 48895

AS SURVEYED June 25, 1992

Sheet 2

194

RETURN TO

DETROIT EDISON Co.  
1095 LAWSON DR.  
HOWELL, MI 48843  
ATTN: DOREEN GAY

1997-1057 pp  
Case # 94

001E#0543 0002 \*\*TTL \$13.00

001E#0543 0002 MISC \$11.00

001E#0543 0002 MSSR \$2.00



2.00  
11.00  
misc

751



# Application for U.R.D. Easements

DE 963-5145 9-73CS (RR 11)

To (Supervisor, RE & R/W) <b>RICHARD LONGWISH</b>	For RE & R/W Dept. Use	Date Received	DE/Bell/C.P. No.
Division <b>A.A.</b>	Date <b>10-3-92</b>	Application No. <b>R-9200558-1AR</b>	

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.

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPARTMENT PAY SECURED AS INDICATED ON THIS INSTRUMENT BY <b>DOREEN GAY</b> DATE <b>4/21/93</b> DATE WANTED _____ DISTRICT _____ FIELDMAN _____	PERMITS TO: RECORD CENTER <u>  /  </u> CAM FILES <u>  /  </u> MST <u>  /  </u> ORIGINATOR <u>  /  </u> TOTAL <u>  /  </u>
--	--

#9200558

**Information**

1. Project Name <b>RIVERWOOD</b>	County <b>INGHAM</b>
City/Township/Village <b>WILLIAMSTON</b>	Section No. <b>34</b>
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 <b>SITE CONDOMINIUM</b>	
2. Name of Owner <b>PMCS' GROUP INC.</b>	Phone No. <b>351-0600 (517)</b>
Address <b>705 W. LAKE LANSING RD., E. LANSING MI. 48823</b>	
Owner's Representative <b>GREG SHARPE (2) RICHARD PEACOCK</b>	Phone No. <b>(517) 351-0600</b>

Date Service is Wanted  
**10-21-92 (START DATE)**

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  
**PLEASE SECURE 12' RECORDED EASEMENT AS SHOWN ON SURVEY PLAN FOR RIVERWOOD CONDOMINIUM. NO ADDRESSES FOR INDIVIDUAL LOTS AT THIS TIME. 23 LOTS**

Note: Trenching letter  attached  will be submitted later

Service Planner  
**GIAN CARL ALDIGHIERI**

Phone No. **548 6450 (517)** Address **HOWELL SERVICE PLANNING**

Signed (Service Planning Supervisor) \_\_\_\_\_

RECORDED RIGHT OF WAY NO. 44477