

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9401317-1A

On 5.18, 1994, 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:

HABITAT FOR HUMANITY OF HURON VALLEY, 1100 N. MAIN STREET, SUITE 211, ANN ARBOR, MI 48104

"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
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

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

S.E. ¼ SECTION 25, SCIO TOWNSHIP, WASHTENAW COUNTY, MICHIGAN, LOTS; 34, 35, 36, 37, 38, 39, 40 AND 41, WEST LIBERTY HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 6 OF PLATS, PAGE 16, WASHTENAW COUNTY RECORDS.

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

ALL IN ACCORDANCE WITH DETROIT EDISON DRAWING R-9401317-1A, WHICH IS ATTACHED HERE TO AND MADE A PART HEREOF. 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 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.

RECORDED RIGHT OF WAY NO. 45903

Witnesses: (type or print name below signature):

Grantor: (type or print name below signature)
HABITAT FOR HUMANITY OF HURON VALLEY

Jennifer Linn Brey
JENNIFER L. BREY
AKA JENNIFER LINN BREY
Kimberly Fairbairner
KIMBERLY FAIRBAIRNER

Robert Amick, Vice Pres
BOB AMICK, VICE PRESIDENT
AKA ROBERT AMICK

Acknowledged before me in WASHTENAW County, Michigan, on May 18, 1994, 1994 by BOB AMICK, VICE PRESIDENT, HABITAT FOR HUMANITY OF HURON VALLEY

Notary's Stamp MARGARET E. COOPER Notary's Signature Margaret E. Cooper
Notary Public, Washtenaw County, MI
My Commission Expires Feb. 12, 1997
(Notary's name, county and date commission expires)

APPROVED AS TO FORM DATE
LEGAL DEPARTMENT

APPROVED AS TO FORM 5/23/94 DATE
LEGAL DEPARTMENT [Signature]

To (Supervisor, RE & R/W) DICK LONGWISH	For RE & R/W Dept. Use	Date Received	DE/Bell/C.P. No.
Division A.A.	Date 4-22-94	Application No. R-9401317-1A	

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 **9401317**

REPORT OF REAL ESTATE AND RIGHTS

PERMITS TO:

APARTMENT R/W SECURED AS SHOWN IN THIS SKETCH

K.A. VOIGHT

5-19-94

RECORD CENTER	<u>1</u>
R/W FILES	<u>0</u>
M/D	<u>0</u>
ORIGINATOR	<u>1</u>
TOTAL	<u>1</u>

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

Information

1. Project Name RUSSELL STREET PROJECT	County WASHTENAW
City/Township/Village ANN ARBOR	Section No.

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
HABITAT FOR HUMANITY OF HURON VALLEY

Address
1100 N. MAIN STE 211 ANN ARBOR MI, 48103

Owner's Representative
BOB AMICK - VICE PRES.

Phone No.
973-2424

Date Service is Wanted

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

5. Joint easements required — Michigan Bell Telephone Yes No
 — Consumers Power **COLUMBIA CATV** 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 _____

RECORDED RIGHT OF WAY NO.

45903

Note: Trenching letter attached will be submitted later

Service Planner
GENE SPURLOCK

Signed (Service Planning Supervisor) _____

Phone No. **761-4060** Address **RM. 328 AAHQ**

RECORDED RIGHT OF WAY NO. 45903
JUN 7 2 27 PM '94

REC'D BY HAINES
COUNTY CLERK/REGISTER

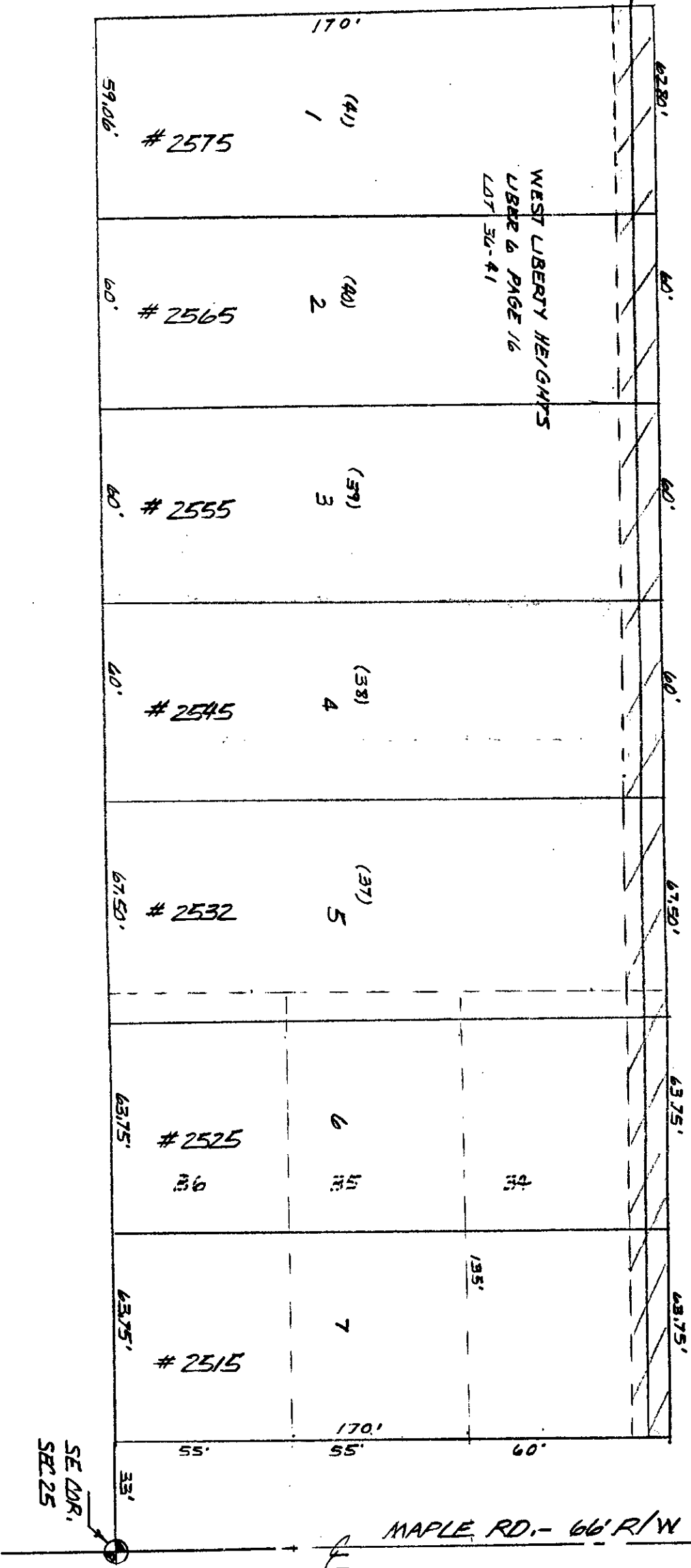
SCALE
1" = 40'

CITY OF ANN ARBOR

RUSSELL ST. - 50' R/W

MAPLE RD. - 66' R/W

CENTERLINE OF 12 FOOT WIDE EASEMENT
NOTE: The easement centerline may vary if field construction problems arise. Therefore, for the as-installed easement centerline call 1-800-482-7171 (Miss Dig).



4-22-94
DRAWING NO. R-9401317-1A
DRAWN BY A.E. SPURLOCK
R/W FOR LOTS 1-7

As Noted
C. J. [Signature]

SSRF 2.00
B333 0333003 4894 2:23PM 6/07/94

DEED 11.00
B333 0333003 4894 2:22PM 6/07/94

RECORDED
COUNTY CLERK/REGISTER

JUN 7 2 27 PM '94

RECORDED
WASHINGTON COUNTY, MI

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1000 2000 3000