

**Detroit Edison**

FIBER 06458PC1bu

C123330

13

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R-9310475-01R  
PROJECT NAME Glacier Club Condo's**

On August 15, 1994, 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:

Spring Valley Development Co., a Michigan corporation, 49636 Van Dyke, Utica, Michigan 48087

"Grantee" is:

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

Ameritech Corporation, a Michigan corporation, 555 Michigan Avenue, Detroit, Michigan 48226

Harron Cable Television, as Delaware Corporation, 55800 New Haven Road, New Haven, Michigan 48048

"Grantor's Land" is in The Township of Washington, Macomb County, Michigan County, described as:

See legal descriptions on back of this document

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

See attached sketch A-74223

- 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)

[Signature]  
J. HEZENTY, JR.  
Donna M. Shaw  
Donna M. Shaw

Grantor:(type or print name below signature)

Spring Valley Development Co.  
[Signature]  
By: DALE WELLS, PRESIDENT

Acknowledged before me in Macomb County, Michigan, on August 15, 1994 by DALE WELLS the PRESIDENT of Spring Valley Development Co., a Michigan corporation

Notary's Stamp Donna M. Durkee Macomb County 4/24/95 Notary's Signature Donna M. Durkee  
(Notary's name, county, and date commission expires)

Prepared by and Return to: Marcia Romanski, 6301 23 Mile Road, Shelby Township, Michigan 48316

94 SEP 22 PM 4: 20  
CARMELLA SABAUGH  
REGISTER OF DEEDS  
MACOMB COUNTY, MI

APPROVED AS TO FORM 8/18/94 DATE  
LEGAL DEPARTMENT [Signature]

RECORDED RIGHT OF WAY NO.

46202

11+2

PROPERTY DESCRIPTIONS

**PARCEL A** - Commencing at the East 1/4 Corner Section of Section 28; thence, North 00 degrees, 20 minutes, 43 seconds West 237.00 feet along the Centerline of Campground Road, which is the East Line of Section 28, to the Point of Beginning; thence South 89 degrees, 27 minutes, 09 seconds West, 1064.43 feet, thence North 23 degrees, 21 minutes, 09 seconds East, 823.49 feet to a point in the pond; thence following the next two courses through the pond South 73 degrees, 38 minutes, 22 seconds East, 68.71 feet; thence South 64 degrees, 05 minutes, 43 seconds East, 100.00 feet; thence South 25 degrees, 54 minutes, 17 seconds, West, 133.00 feet to a point in the Centerline of a drain; thence South 64 degrees, 05 minutes, 43 seconds East, 710.00 feet to a point on the Centerline of Campground Road which is the East Line of Section 28; thence South 00 degrees, 20 minutes, 43 seconds East, 253.00 feet along the East Line of Section 28 to the Point of Beginning. Subject to the rights of the public for highway purposes along Campground Road. Also, subject to all other easements of record, if any.

**PARCEL B** - Commencing at the East 1/4 Corner of Section 28; thence North 00 degrees, 20 minutes, 43 seconds West, 237.00 feet along the Centerline of Campground Road which is the East Line of Section 28; thence South 89 degrees, 27 minutes, 09 seconds West, 1064.43 feet to the Point of Beginning; thence continuing South 89 degrees, 27 minutes, 09 seconds West, 300.00 feet to a point of the East Line of "Carriage Hills Sub. #4", as recorded in Liber 60, Pages 5, 6 and 7 of the Macomb County Records; thence North 00 degrees, 03 minutes, 17 seconds West, 1109.31 feet along the East Line of "Carriage Hills Sub. #4; thence North 89 degrees, 37 minutes, 06 seconds East, 435.00 feet; thence South 00 degrees 22 minutes, 54 seconds East, 335.00 feet to a point in the pond; thence following the next two courses through the pond North 89 degrees, 37 minutes, 06 seconds East, 125.00 feet; thence South 73 degrees, 38 minutes, 22 seconds East, 68.00 feet; thence South 23 degrees, 21 minutes, 09 seconds West, 823.49 feet to the Point of Beginning. Subject to all easements of record, if any.

**PARCEL D** - Beginning at the East 1/4 Corner of Section 28; thence, South 00 degrees, 35 minutes, 22 seconds East, 175.35 feet along the East Line of Section 28 which is the Centerline of Campground Road; thence, South 89 degrees, 27 minutes, 09 seconds West, 285.00 feet; thence South 31 degrees, 31 minutes, 18 seconds, West, 529.84 feet; thence South 89 degrees, 27 minutes, 09 seconds West, 1379.88 feet; thence North 00 degrees, 58 minutes, 28 seconds West, 620.00 feet to a point of the East-West 1/4 line of Section 28; thence North 89 degrees 01 minutes, 32 seconds East, 585.07 feet along the East-West 1/4 Line of Section 28 which is the South Line of "Carriage Hills Subdivision #4, as recorded in Liber 60, Pages 5, 6 and 7 of the Macomb County Records; thence North 00 degrees, 03 minutes, 17 seconds West, 237.01 feet along the East Line of "Carriage Hills Subdivision #4; thence to a point on the East-West 1/4 Line of Section 28; thence North 89 degrees 27 minutes, 09 seconds East, 1079.43; thence South 00 degrees, 20 minutes, 43 seconds East, 237.00 feet to a point on the East-West 1/4 Line of Section 28; thence North 89 degrees, 27 minutes, 09 seconds East, 285.00 feet along the East-West 1/4 Line of Section 28 to the Point of Beginning and containing 29.387 acres, being 59969 Campground Rd., Wahington, Michigan. Subject to the rights of the public for highway purposes along Campground Road and to all other easements of record.

To (Supervisor, RE & R/W) <u>SUE PUTRYCUS</u>	For RE & R/W Dept. Use	Date Received <u>2/28/94</u>	DE/Bus/C.P. No.
Division <u>MAC</u>	Date <u>2-28-94</u>	Application No. <u>R-9310475-01</u>	

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). ✓

8/15/94 spoke @ Dale Wells - he will get R/W signed + ret'd - Advised Perm.

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

**Information**

1. Project Name <u>GLACIER CLUB CONDO'S. PH I</u>	County <u>MACOMB</u>
City/Township/Village <u>WASHINGTON</u>	Section No. <u>28</u>
Type of Development <input type="checkbox"/> Proposed Subdivision <input type="checkbox"/> Subdivision <input type="checkbox"/> Apartment Complex <input type="checkbox"/> Mobile Home Park <input checked="" type="checkbox"/> Condominium <input type="checkbox"/> Other	2. Name of Owner <u>DALE WELLS Spring Valley Dev. Co.</u>
Address <u>59969 CAMP GROUND WASH. MI. 48094</u>	Phone No. <u>781-2288</u>
Owner's Representative <u>Dale Wells</u>	Phone No.
Date Service is Wanted	

RECORDED RIGHT OF WAY NO.

1/6/94

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  
HARRON CATV RICK JEROME Phone Numbers 749-1116

6. Additional Information or Comments

Note: Trenching letter  attached  will be submitted later

Service Planner  
R. J. BURCAR Signed (Service Planning Supervisor)  
[Signature]

Phone No. Address

$$\begin{array}{r} \textcircled{1} \textcircled{1} \\ 300 \\ 124.42 \\ \underline{655} \\ 1064.43 \end{array}$$

$$\begin{array}{r} 324.42 \\ 655.00 \\ \hline 979.42 \end{array}$$

$$2143.85$$

$$- 655$$

$$\hline 1478.85$$

65

$$\textcircled{1079.43}$$

$$\begin{array}{r} 300 \\ 124 \\ \underline{655} \\ 1079 \end{array}$$

$$\begin{array}{r} 1064 \\ 124 \\ \underline{300} \\ 1488 \\ \underline{300} \\ 1788 \end{array}$$


**Detroit  
Edison**

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Date: October 3, 1994

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 Glacier Club Condo's  
Phase I, being part of the Northeast and Southeast 1/4 of  
Section 3, Township of Washington, Macomb County, Michigan

Attached for Records Center is the executed Right of Way Agreement dated July 11, 1994, and other pertinent papers for the above named project.

Easement for this project was requested by Robert Burcar, Service Planner, Shelby Service Center, Macomb Division. The Agreement was negotiated by Marcia Romanski, Representative of Real Estate and Rights of Way, Macomb Division.

Detroit Edison Company, Michigan Bell Telephone Company, and Harron Cable Television made this Agreement with Dale Wells, President of Spring Valley Development, a Michigan corporation.

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

SP/ms

Attachments

RECORDED RIGHT OF WAY NO.

46202



Macomb Division  
Shelby Service Center  
5301 - 23 Mile Road  
Shelby Twp., MI 48316  
(313) 228-4104  
(313) 228-4286 (FAX)

October 3, 1994

Mr. Dale Wells  
Spring Valley Development Co.  
59969 Campground  
Washington, Michigan 48094

Re: Glacier Club Condo's Phase II  
Township of Washington, Macomb County, Michigan

Dear Mr. Wells:

Enclosed is a fully executed copy of your Underground Distribution Easement Agreement. 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,

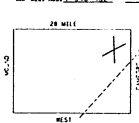
Susan A. Putrycus  
Real Estate and Rights of Way  
Shelby Service Center

SP/ms  
Enclosure

RECORDED RIGHT OF WAY NO. 46202

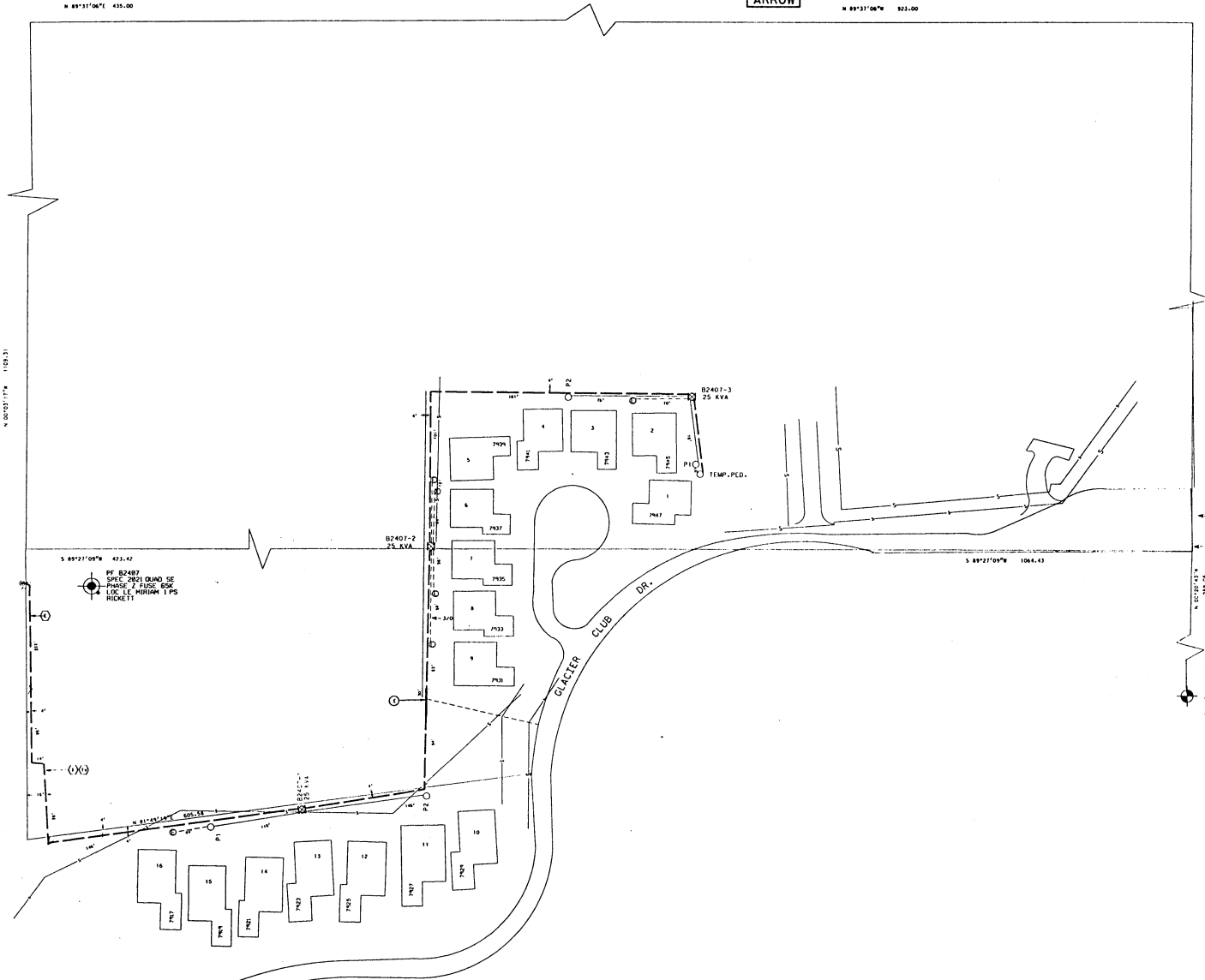


**LOCATION SKETCH**



**TRANSFORMER DATA**

U.S.I. NO.	SIZE	ED. STIC. NO.
B2407-1	25	661-1151
B2407-2	25	661-1151
B2407-3	25	661-1151



TRANSFORMER SPEC. I-17-261  
 PEDESTAL SPEC. I-9-233  
 NO. OF PEDESTALS:  
 NO. OF TEMPORARY CABLE MARKERS:  
 TEMPORARY CABLE MARKER SPEC. I-9-235  
 SECONDARY CONNECTION BOX SPEC.

- CODE —**
- ⊙ TEMPORARY SECONDARY PEDESTAL/TEMPORARY CABLE MARKER
  - ⊙ DET (HEAD FRONT TYPE)
  - ⊙ DET HIGH-DRAWING - LIVE (FRONT TYPE)
  - ⊙ DET (SWITCHING - LIVE (FRONT TYPE)
  - ⊙ DIRECTION OF TRANSFORMER DOOR OPENING
  - SECONDARY PEDESTAL
  - △ SECONDARY CONNECTION BOX
  - ⊙ CABLE POLE
  - ⊙ PERMITS SWITCH CABINET
  - BURIED PRIMARY CABLE - ALL VOLTAGES
  - BURIED SECONDARY CABLE
  - BURIED SECONDARY SERVICE CABLE
  - DETROIT Edison TRENCH ONLY
  - TELEPHONE TRENCH ONLY
  - G.W.
  - R.W.
  - G.A.
  - CABLE TV
  - PROPOSED CONDUIT
  - SEP CONN CABINET

**CABLE SUMMARY**

ITEM # 22AL	113-9018-1250
ITEM # 22OM	113-0937-610
ITEM # 22D	113-0414-140
ITEM # 100	113-0414-150

**TRENCH SUMMARY**

JOINT USE 1310	DE TV	197
D.I. ONLY 129		
TEL. ONLY		
GAS ONLY		
CAV. ONLY		
OTHERS:		
TOTAL	1636	
SITE SUMP-22 WELLS		PHONE NO. 281-2288

NOTES  
 ALL CONDUIT IS 4" BY CUSTOMER UNLESS OTHERWISE NOTED.

**— GENERAL NOTES —**

TRENCHING TO BE DONE BY D.E. & GUST.  
 TRENCH AND CABLE LENGTHS ARE APPROXIMATE.  
 SEE SECTION 56 OF THE CONSTRUCTION STANDARDS FOR TRIMS, MATS, DETAILS.  
 SEE PAGE 3-2-11 S.I.W. DETAILS " " FOR ENTRANCE CONSTRUCTION DETAILS LAMPS, DETAILS.  
 SEE SECTION 43 OF THE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES, TRANSFORMERS AND PEDESTALS (FOR GAS ONLY).  
 D.E. SERVICE PLANNER: R. BUISSEAU 288-4228  
 TEL. CO. JAMES S. HUNGATE 468-1047  
 GAS CO.:  
 CITY/TOWNSHIP: JOHN R. VERQUE 749-1116  
 STATE:  
 CONTACT "METS DIST" (800-462-7171) BEFORE DOING ANY EXCAVATION.  
 EASEMENTS INDICATED BY OUR CENTERLINE ARE IN ACCORDANCE WITH THE NOTES.

PERMITS REQUIRED	DECO	MET	CATV	GAS CO
SOIL EROSION	X	X	X	
COUNTY ROAD				
COUNTY DRAIN				
CITY/TOWNSHIP	X	X	X	
STATE				

RECORDED RIGHT OF WAY NO. 1/6008

D	C	B	A	PERMISSION	DATE	NO. TYPED/DIRECT	BURIED SYSTEM	LRD	THE DETROIT Edison COMPANY
					1/28/94				SERVICE PLANNING
DESIGNED BY	D. ADAMS				1/28/94				
CHECKED BY	R. BUISSEAU				1/28/94				
APPROVED BY	G. JOISSON				1/28/94				
SEPIA BY	D. ADAMS				1/28/94				

**GLACIER CLUB CONDO'S**  
 LAND IN THE EAST 1/2 OF SECTION 28, T.4N., R.12E.  
 SCALE: 1"=50'  
 PROJECT NO.: 367B39J167  
 CITY/TOWNSHIP: 8403 DISCO  
 SERVICE: 13.2KV  
 WASHINGTON TWP. MACOMB CO. 94A74223