

Detroit  
Edison

DATE: 11-27-90

TO: Records Center  
~~130 General Offices~~ 2310 WCB

FROM: James M. Davenport *JMD*  
Real Estate & Rights-of-Way  
Howell Office  
Ann Arbor Division

SUBJECT: Agreement/Easement/Restrictions for underground  
residential distribution for OAK MEADOWS  
CONDO  
Located In: PITTSFIELD TOWNSHIP  
County: WASHTENAW

Attached for Records Center is the executed agreement dated  
AUG 6, 1990 for the above named project.

Easements for this project were requested by TERRY  
SMART  
Service Planning Department, Ann Arbor Division.

The agreement was negotiated by James M. Davenport 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: NO DRAWING

JMD:pg:wp

Attachment(s)

RECORDED RIGHT OF WAY NO

40968

Serving Customers

*We're all a part of it!*

Page 1 of 2

Real Estate and Rights of Way

Detroit Edison

Joint Underground Residential Distribution Right of Way Agreement

AUGUST 6, 1990

For good and valuable consideration of system betterment, the undersigned hereby grant and convey to MICHIGAN BELL TELEPHONE COMPANY, A Michigan Corporation of 444 Michigan, Detroit, MI, and THE DETROIT EDISON COMPANY, a Michigan corporation of 2000 Second Avenue, Detroit, Michigan, MICHIGAN CONSOLIDATED GAS COMPANY, A Michigan Corporation of One Woodward Avenue, Detroit, MI and COLUMBIA CABLE OF MICHIGAN Michigan Co-Partnership, hereinafter referred to collectively as "GRANTEE", the right to erect, lay, maintain, reconstruct, add to and replace underground facilities consisting of wires, cables, conduits, fixtures, piping, venting, gas facilities and appurtenances including the necessary above ground equipment, connections, poles and accessories required to provide gas, electric and communication services with the usual services, connections and accessories in, under, upon, over and across the property located in the Township of Pittsfield, County of Washtenaw, State of Michigan, and more particularly described on the attached Appendix "A", with the full right to the GRANTEE of ingress and egress upon said property for the purposes of this grant, and the further right to trim, cut down or otherwise control brush and trees within the right of way herein described.

Said right of way shall be Ten feet in width unless otherwise indicated and the route is described as follows:

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 WASHTEENAW COUNTY MI OCT 26 10 04 AM '90 REGGY M. JAMES COUNTY CLERK/REGISTRAR

In order to provide for the proper maintenance and protection of GRANTEE, the undersigned covenant and agree that:

- 1. The right of way will be graded to within four inches of final grade before the GRANTEE'S lines are installed and this ground elevation must be maintained after installation of utilities to avoid the pooling of water in, on or around GRANTEE'S above ground equipment.
2. No buildings or structures other than GRANTEE'S equipment are to be placed within the right of way herein granted. No excavation is to be permitted within said right of way without approval of GRANTEE.
3. No shrubs or foliage shall be planted or grown within eight feet of the front door of transformers or switching cabinet enclosures. GRANTEE shall not be responsible to owners for damages to or removal of trees or plant life planted in front of said door or within the right of way causing an interference with GRANTEE'S maintenance of their equipment.
4. If the lines or facilities of GRANTEE are damaged by the acts of owners, their agents, employees or contractors, repairs shall be made by the utility company so damaged at the cost and expense of owners. Owners are defined as those persons owning the property at the time the damage occurred.

THIS GRANT is declared to be binding upon the heirs, successors, lessees, licensees and assigns of the parties hereto. IN WITNESS WHEREOF, the undersigned have hereunto set their hand(s) on the date of this agreement.

Witnesses:

Grantors:

Brenda Walters BREND A. WALTERS

Nancy Dolan NANCY, DOLAN

OAK MEADOW DEVELOPMENT CORPORATION - a Michigan Corporation JOHN KLOOSTERMAN

Prepared by: James M. Davenport 316 E. Grand River Howell, MI. 48843

Address: 3243 EAST PARIS SE KENTWOOD, MI 49512

Over

RECORDED RIGHT OF WAY NO 40968

LIBER 2148 PAGE 363  
STATE OF MICHIGAN  
County of KENT )SS

County of KENT )SS

On this 6 day of AUGUST 19 90, the foregoing instrument was acknowledged before me, a notary public in and for said county, by JOHN KLOOSTERMAN whose title(s) is/are VICE PRESIDENT of Oak Meadow Development Corporation a Michigan corporation, on behalf of the corporation.

My commission expires AUG 16, 1992

*Brenda M. Walters*  
BRENDA M. WALTERS  
Notary Public, KENT County, Michigan  
a/k/a Brenda Walters

APPENDIX "A"

The west 1/2 of the NE 1/4 of Section 7, T35, NR2, excepting therefrom the part lying NW'ly of the Ann Arbor-Saline Road.

Also beginning at the SE corner of the NW 1/4 of said Section 7 and running thence west along the south line of said NW 1/4, 10 chains and 33 links to a stake; thence N 50' west 11 chains and 85 links to the center of the said Ann Arbor-Saline Road; thence NE'ly along the center of said road to the east line of said NW 1/4; thence south along the quarter line to the place of beginning, excepting therefrom lands conveyed to John Coble in Liber 65 of Deeds, Page 5 and in Liber 71 of Deeds, page 153, Washtenaw County Records. Also excepting therefrom land conveyed to Elizabeth Olsen Grange No. 882 by Warranty Deed dated March 4, 1942 and recorded March 9, 1942 in Liber 360 of Deeds, page 84. Also excepting therefrom land conveyed to Marshall Keller and wife by Warranty Deed dated August 14, 1943 and recorded October 18, 1943 in Liber 372 of Deeds, page 73. Also excepting therefrom Highway Easement release to the State of Michigan dated June 15, 1951 and recorded October 7, 1951 in Liber 675 of Records, Page 120. Also excepting therefrom land conveyed to George E. Pyle and wife by Warranty Deed recorded in Liber 1323, Page 102. Also excepting therefrom land conveyed to Michigan State Highway Commission by Warranty Deeds recorded in Liber 1462, Page 148 and 149, Washtenaw County Records.

Also excepting therefrom land conveyed to Edward F. Baugher by Warranty Deed recorded in Liber 1431, Page 230, Washtenaw County Records.

Also excepting therefrom land conveyed to Good Will Co., Inc., a Michigan Corporation, by Warranty Deed recorded in Liber 2064, Page 554, Washtenaw County Records.

Together with easements as set forth in Access Easement, recorded in Liber 2064, page 55; Washtenaw County Records, and Access and Utility Easement, recorded in Liber 2064, Page 556, Washtenaw County Records.

NUMB 311 DEED  
8333 033903 5125 10:08AM 10/26/90 7:00

Ret  
✓  
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RETURN TO:  
RICHARD LONGWISH  
THE DETROIT EDISON COMPANY  
425 S. MAIN STREET, ROOM 332  
ANN ARBOR, MI 48104

RECORDED  
WASHTENAW COUNTY MI  
OCT 26 10 04 AM '90  
PEGGY M. HAINES  
COUNTY CLERK/REGISTER

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