

APARTMENTS

AGREEMENT - EASEMENT - RESTRICTIONS

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This instrument made this 6TH day of DECEMBER, 19 76, by and between the undersigned Owners and THE DETROIT EDISON COMPANY, a corporation organized and existing concurrently under the laws of the states of Michigan and New York, of 2000 Second Avenue, Detroit, Michigan, 48226, hereinafter called "EDISON", and MICHIGAN BELL TELEPHONE COMPANY, a Michigan corporation, of 1365 Cass Avenue, Detroit, Michigan, 48226, hereinafter called "BELL."

WITNESSETH:

WHEREAS, Owners are erecting apartments known as Roux Apartments, on land in the City of Northville, County of OAKLAND, State of Michigan, as described in Appendix "A", attached hereto and made a part hereof, and EDISON and BELL will install their electric and communication facilities underground except necessary above ground equipment.

NOW, THEREFORE, in consideration of the mutual promises and covenants for the installation of underground utility service made by the parties hereto it is hereby agreed:

(1) The installation, ownership and maintenance of electric services and the charges to be made therefor shall be subject to and in accordance with the Orders and Rules and Regulations adopted from time to time by the Michigan Public Service Commission.

(2) Owners must certify to EDISON and BELL that the easements are graded to within four (4") inches of final grade before the underground facilities are installed.

(3) Owners further agree that if subsequent to the installation of the utility facilities of EDISON and BELL, it is necessary to repair, move, modify, rearrange or relocate any of their facilities to conform to a new plot plan or change of grade or for any cause or changes attributable to public authority having jurisdiction or to Owners action or request, Owners will pay the cost and expense of repairing, moving, rearrangement or relocating said facilities to EDISON or BELL upon receipt of a statement therefor. Further, if the lines or facilities of EDISON and BELL are damaged by acts of negligence on the part of the Owners or by contractors engaged by Owners, repairs shall be made by the utilities named herein at the cost and expense of the Owners and shall be paid to EDISON or BELL upon receiving a statement therefor. Owners are defined as those persons owning the land at the time damage occurred.

(4) Owners hereby grant to EDISON and BELL easement for electric and communication underground services in land herein described. When utility lines are installed, this instrument shall be re-recorded with an "as installed" drawing showing the location of utility facilities in relation to building lines and indicating the easements by their centerlines. Easements herein granted shall be six (6') feet in width unless otherwise indicated on said drawing. However, secondary electric service and communication entrance line locations, as shown on an installed drawing are not guaranteed; actual locations can be determined after contact with utilities.

(5) Owners to pay the cost of conduit for electric and/or communication facilities to accomodate patios or similar site conditions.

(6) Easements herein granted are subject to the following restrictions and additional conditions:

a. Said easements shall be subject to Order of and the Rules and Regulations adopted from time to time by the Michigan Public Service Commission.

"THIS EASEMENT IS RE-RECORDED FOR PURPOSES OF SHOWING THE PLANNED "AS INSTALLED" CENTERLINES OF EASEMENTS GRANTED AS SHOWN ON DRAWING ATTACHED HEREIN

RETURN TO
P. W. POTTER
THE DETROIT EDISON COMPANY
8750 TELEGRAPH ROAD
TAYLOR, MICHIGAN 48180

FOREST E. YOUNGBLOOD Registered at Deeds
WATKINS COUNTY, MICHIGAN 48226

13.00
15.00

30776



- b. Owners will place survey stakes indicating building plot lines and property lines before trenching.
- c. No shrubs or foliage shall be permitted on Owners land within five (5') feet of front door of transformers or switching cabinet enclosures.
- d. Sanitary sewers shall be installed prior to installation of electric and communication lines. Sewer, water and gas lines may cross easements granted for electric and communication lines, but shall not be installed parallel within said easements.
- e. Owners shall make no excavations nor erect any structures within the easements identified on the "as installed" drawing. No excavations for fences shall be allowed within the limits of the utility easements provided for electric and communication lines unless prior written approval is secured from the utilities.
- f. Owners to provide for clearing the easements of trees, large stumps, and obstructions sufficiently to allow trenching equipment to operate. Owners to pay to utility concerned the extratrenching costs involved if trenching is required while ground is frozen.
- g. EDISON and BELL shall have the right of access at all times upon premises for the purposes of constructing, repairing, and maintaining their electric and communication lines and facilities.
- h. Any of the undersigned who are vendors on land contracts wherein a portion of the lands described herein are being sold shall not be liable to BELL or EDISON unless and until the interest of the vendees, under any such contracts, have been forfeited and damage to utility lines and equipment occurs after such forfeiture.

The provisions of this instrument shall run with the land and shall be binding upon and inure to the benefit of the respective heirs, administrators, executors, personal representatives, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and year first above written.

In the Presence of:

Geraldine L. McMurray
GERALDINE L. McMURRAY

Irene C. Kata
IRENE C. KATA

James R. Miller
JAMES R. MILLER

Charles J. Girrbach
Charles J. Girrbach

THE DETROIT EDISON COMPANY
By W. C. Arnold
W. C. ARNOLD, DIRECTOR
Real Estate and Rights of Way Dept.

By Lillian J. H. Carroll
LILLIAN J. H. CARROLL ASST. SECRETARY

MICHIGAN BELL TELEPHONE COMPANY
By Richard D. Seefelt
RICHARD D. SEEFELT, AREA ENGINEER
SOUTH SUPERVISOR, ~~Michigan Bell~~
(authorized signature)

RECORDED RIGHT OF WAY NO. 30776

RETURN TO
P. W. POTTER
THE DETROIT EDISON COMPANY
8750 TELEGRAPH ROAD
TAYLOR, MICHIGAN 48120

Land situated in the Township of Novi, County of Oakland, State of Michigan, described as follows:

Part of Southwest one-quarter of Section 34, Town 1 North, Range 8 East, Township of Novi, Oakland County, Michigan, more particularly described as being part of the Southwest one-quarter beginning at a point on the West Section Line, distant North, 563 feet from the Southwest section corner, thence North 381.6 feet, thence South 89 degrees 15 minutes East 265 feet, thence South 381.6 feet, thence North 89 degrees West 265 feet to beginning, except the South 190.80 feet thereof.

Richard Lockman
RICHARD LOCKMAN Witness
C. George Williams
C. GEORGE WILLIAMS Witness

Robert E. Mount
Florence T. Mount
ROBERT E. MOUNT · FLORENCE T MOUNT
26418 Ann Arbor Trail (HIS WIFE)
Dearborn Heights, Michigan, 48127

State of Michigan
County of Wayne } S.S.

On this 6th day of December A.D. 19 76, before me, the undersigned, a Notary Public in and for said county, personally appeared Robert E. Mount and Florence T. Mount, His wife known to me to be the persons named in and who executed the foregoing instrument as grantors and acknowledged the same to be their free act and deed.

My commission expires 1-4-78
Richard Lockman
RICHARD LOCKMAN Witness
C. George Williams
C. GEORGE WILLIAMS Witness
State of Michigan
County of Wayne } S.S.

Sherry K. MeDel
SHERRY K. MEDEL
Notary Public, Wayne County, Michigan
My Commission Expires 1-4-78
ALPHA RENFRO
26418 Ann Arbor Trail
Dearborn Heights, Michigan 48127
RECORDED
OAKLAND COUNTY MICHIGAN
REGISTER OF DEEDS
ANN D. ALLEN
DEEDS
AM 10

On this 6th day of December A.D., 19 76, before me, the undersigned, a Notary Public in and for said county, personally appeared Altha Renfro known to me to be the person named in and who executed the foregoing instrument as grantor and acknowledged the same to be HER free act and deed.

My Commission expires: 1-4-78
C. George Williams
C. GEORGE WILLIAMS Witness
Richard Lockman
RICHARD LOCKMAN Witness
State of Michigan
County of Wayne } S.S.

Sherry K. MeDel
SHERRY K. MEDEL
Notary Public, Wayne County, Michigan
My Commission Expires 1-4-78
Denis A. Roux
DENNIS A. ROUX
21130 Chigwidden E.
Northville, Michigan, 48167

On this 6th day of December A.D., 19 76, before me, the undersigned, a Notary Public in and for said county, personally appeared Denis A. Roux, A MARRIED MAN known to me to be the person named in and who executed the foregoing instrument as grantor and acknowledged the same to be HIS free act and deed.

My Commission expires: 1-4-78
Prepared by:
C. George Williams
8750 Telegraph
Taylor, Michigan, 48180

Sherry K. MeDel
SHERRY K. MEDEL
Notary Public, Wayne County, Michigan
My Commission Expires 1-4-78

~~APPENDIX B~~

RETURN TO
P. W. POTTER
THE DETROIT EDISON COMPANY
8750 TELEGRAPH ROAD
TAYLOR, MICHIGAN 48180

RECORDED EIGHT OF WAY NO. 30776

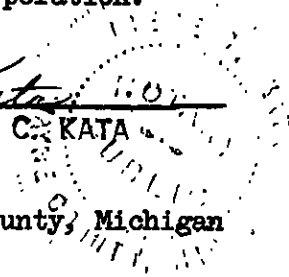
STATE OF MICHIGAN)
)
) SS
COUNTY OF WAYNE)



On this 10th day of December, 1976, before me, the subscriber, a Notary Public in and for said County, personally appeared W. C. Arnold and Lillian J.H. Carroll to me personally known, who being by me duly sworn, did say that they are the Director, RE & R/W Dept. and Assistant Secretary of THE DETROIT EDISON COMPANY, a corporation organized and existing concurrently under the laws of Michigan and New York, and that the seal affixed to said instrument is the corporate seal of the said corporation, and that said instrument was signed in behalf of said corporation by authority of its Board of Directors and W. C. Arnold and Lillian J.H. Carroll acknowledged said instrument to be the free act and deed of said corporation.

My Commission Expires: April 12, 1980

Irene C. Kata
Notary Public IRENE C. KATA
Wayne County, Michigan



STATE OF MICHIGAN)
)
) WAYNE) SS
COUNTY OF ~~WAYNE~~)

On this 28th day of DECEMBER, 1976, before me, the subscriber, a Notary Public in and for said County, appeared RICHARD D. SEEFELT to me personally known, who being by me duly sworn, did say that he is AREA ENGINEER, authorized by and for MICHIGAN BELL TELEPHONE COMPANY a Michigan Corporation, and that the said instrument was signed in behalf of said corporation, by authority of its Board of Directors, and RICHARD D. SEEFELT acknowledged said instrument to be the free act and deed of said corporation.

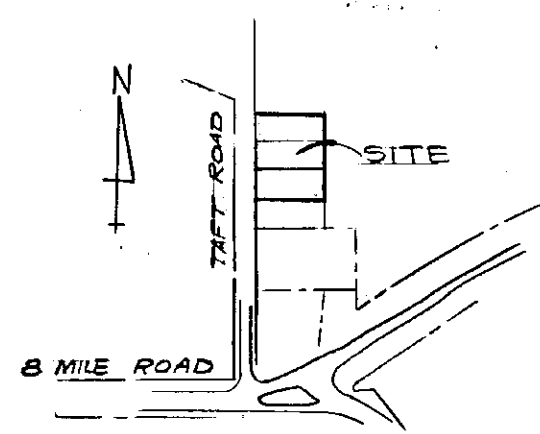
My Commission Expires: MARCH 7, 1977

Charles J. Gurrbach
Notary Public Charles J. Gurrbach
WAYNE County, Michigan

RECORDED RIGHT OF WAY NO. 30776

RETURN TO
P. W. POTTER
THE DETROIT EDISON COMPANY
8750 TELEGRAPH ROAD
TAYLOR, MICHIGAN 48180

LOCATION SKETCH
U. G. MAP SEC. NOS. NOVI 1044



TRANSFORMER SPECS. 1-17-261 & R351E
PEDESTAL SPEC.-R13
NO. OF PEDESTALS 2

- CODE -

- ⊙ TEMPORARY SECONDARY PEDESTAL
- ⊠ DFT (DEAD FRONT TYPE)
- ⊡ UDT (NON-SWITCHING-LIVE FRONT TYPE)
- ⊣ UDT (SWITCHING-LIVE FRONT TYPE)
- ← DIRECTION OF TRANSFORMER DOOR OPENING
- SECONDARY PEDESTAL
- ▲ SECONDARY TERMINAL
- ⊙ CABLE POLE
- ⊠ PRIMARY SWITCH CABINET
- BURIED PRIMARY CABLE-ALL VOLTAGES
- BURIED SECONDARY CABLE
- BURIED SECONDARY SERVICE CABLE
- DETROIT EDISON TRENCH ONLY
- TELEPHONE TRENCH ONLY
- SEWER
- WATER
- GAS
- PROPOSED CONDUIT

CABLE SUMMARY

ITEM# 455 #2APEC X 1 13.2 KV 713-3029= 225'
ITEM# 437 AP2-350M & 1-4/0 600 V. 713-0537= 325'
ITEM# AP2-2/0 & 1-#1 600 V. 713-0614=

TRENCH SUMMARY

JOINT USE 375'
D. E. ONLY
TEL. ONLY
TOTAL 375'

SITE SUPT. DENNIS ROUX
PHONE NO. 1-349-4180

- GENERAL NOTES -

TRENCHING TO BE DONE BY D.E. CO.
TRENCH AND CABLE LENGTHS ARE APPROXIMATE.
SEE DRAWING UH-2369 FOR TRANS. MAT. DETAILS.
SEE PAGE 32-11 (S.I.M.) DETAIL " " FOR ENTRANCE POINT DETAILS (APTS. ONLY).
SEE DRAWING UH-4-2263 FOR PLACEMENT OF CABLES, TRANSFORMERS AND PEDESTALS (SUB'DS ONLY).
D.E. SERVICE PLANNER: ELMER CLARK 295-1650
TEL. CO.: RON NAGLE 427-9950

CONTACT "MISS DIG" 20482-1718 BEFORE DOING ANY EXCAVATION.
EASEMENTS INDICATED BY OUR CENTERLINES ARE (6') SIX FEET IN WIDTH UNLESS OTHERWISE NOTED.

PERMITS REQUIRED
City of Northville

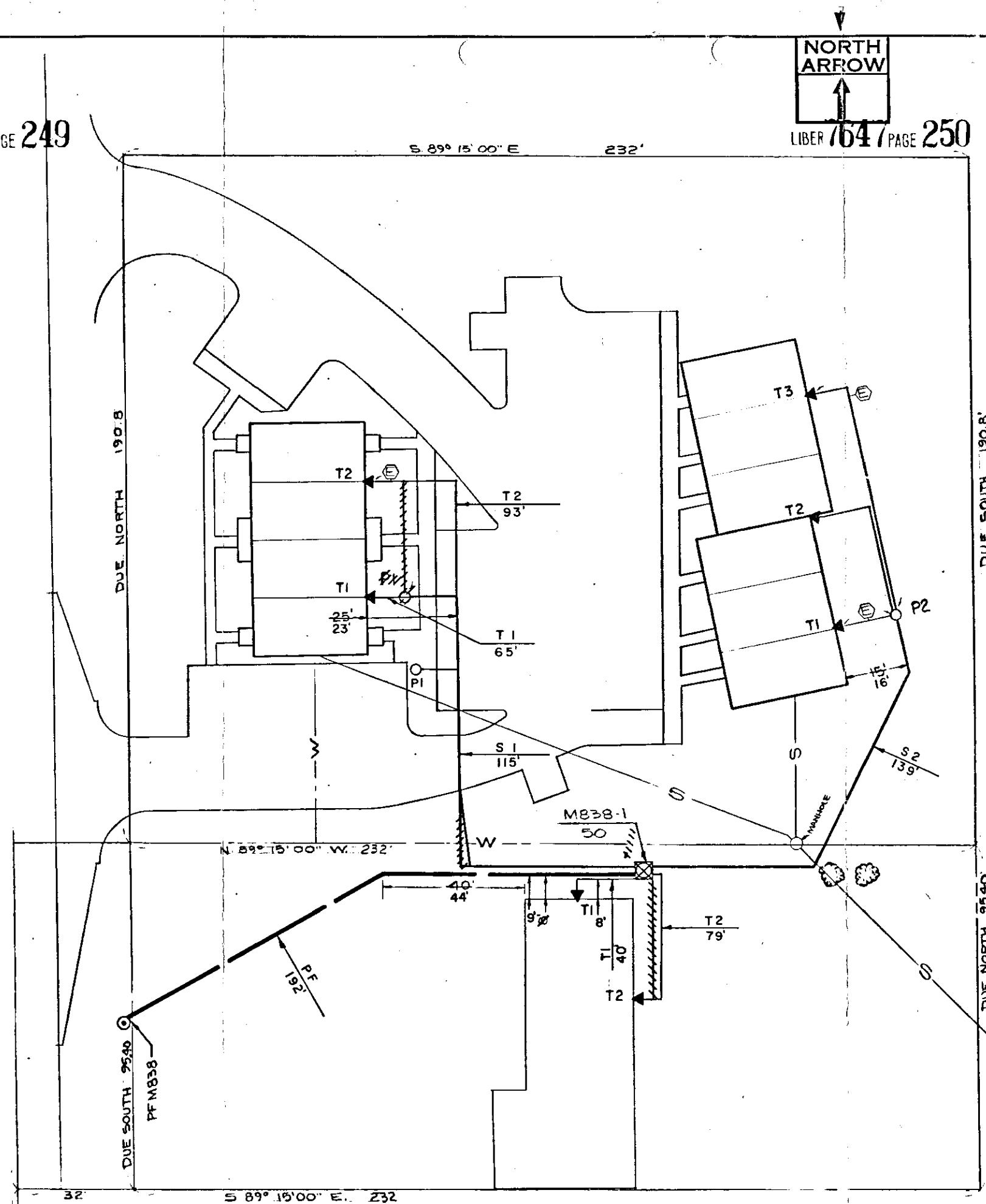
30776
RECORDED R/W FILE NO.

TRANSFORMER DATA

U.D.T. NO.	SIZE	ED. STK. NO.
M838 1	50	661-1152

TAFT ROAD

UP TO TAFT, THENCE MILE TAFT, THENCE N 192° 25' 23" E 10' 0" QUAK



DUE NORTH 658.70

SW COR SEC. 34 W. 8 MILE ROAD

DEPT. ORDER: A-34700
WORK ORDER: 367B13J956
START: 12-23-76
FINISH: 12-27-76
LABOR: HEATH ENERGY INC.

D REVISION			C REVISION			B REVISION			A REVISION			REFERENCE
						AS INSTALLED IN FIELD FOR RECORDING			REROUTE SEC MAINS RELOCATE PED 1 & 2			
DRAWN BY	CHECKED BY	APPROVED BY	DRAWN BY	CHECKED BY	APPROVED BY	DRAWN BY	CHECKED BY	APPROVED BY	DRAWN BY	CHECKED BY	APPROVED BY	

NAME	DATE	JOB TITLE
Stacy Zonta	10-28-76	
Elmer Clark	11-5-76	
Ed Clark	11-5-76	

ROUX APT'S.
PART OF THE SW 1/4 OF SECTION 34, T.1N., R.8E
CITY OF NORTHVILLE
OAKLAND CO. MICH.

THE DETROIT EDISON COMPANY SERVICE PLANNING DEPARTMENT		
SCALE 1" = 20'	NUMBER OF UNITS 13	WORK ORDER NUMBER 367 B13J956
LATEST REVISION "A"	DISTRIBUTION CIRCUIT 9336 T NORTHVILLE 132 KV	
DEPT. ORDER NUMBER A 34700	SHEET 1 OF 1 SHEETS	