

(LIBER 04742 43)

(B403159)

ANTUCKET DRIVE DEVELOPMENT

(LIBER 05089 PG 758)

Real Estate and Rights of Way

Detroit Edison

Joint Underground Residential Distribution Right of Way Agreement

B559085

Sept 10th, 1988

For good and valuable consideration of system betterment, the undersigned hereby grant and convey to THE DETROIT EDISON COMPANY, a Michigan corporation of 2000 Second Avenue, Detroit, Michigan, MICHIGAN BELL TELEPHONE COMPANY, a Michigan corporation of 444 Michigan Avenue, Detroit, Michigan and Comcast Cable Television a Delaware

corporation of 6065 Wall Street, Sterling Heights, MI 48078 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 and appurtenances including the necessary above ground equipment, connections, poles and accessories required in, under, upon, over and across the property located in the Township of Clinton, County of Macomb

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 10 feet in width unless otherwise indicated and the route is described as follows:

The exact location of said easements will be as shown on a drawing to be recorded within 90 days after construction.

RECORDED IN MACOMB COUNTY RECORDS AT: 9:38 A.M.
APR - 3 1991

RECORDED IN MACOMB COUNTY RECORDS AT: 2:12 P.M.
OCT 12 1989

Edna Hill
CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

Edna Hill
CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

Being Re-Recorded to include Appendix B

RECORDED RIGHT OF WAY NO. 41570

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, employes or contractors, repairs shall be made by the granting 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:

Lauren De Luca
LAUREN DE LUCA
Anthony De Luca
ANTHONY DE LUCA
Lyn B. Wild
LYN B WILD
Linda Roberts
LINDA ROBERTS

Marshall L. Self
 Marshall L. Self
Jacqueline M. Self
 Jacqueline M. Self, wife
Calvin L. Self
 Calvin L. Self
Margaret Self
 Margaret Self, wife

Prepared by: & return to:
Michael J. McCabe
15600 - 19 Mile Road
Mt. Clemens, MI 48044

Address:
22610 Clairwood
St. Clair Shores, MI 48080

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Acknowledgement-Individual

STATE OF MICHIGAN

County of MACOMB)SS

LIBER 05069 PG 759

On this 10th day of SEPTEMBER, 19 89, the foregoing instrument was acknowledged before me, a notary public in and for said county, by MARSHALL L SELF AND JACQUELINE M SELF

Donald L. Chresman
Notary Public, MACOMB County, Michigan

My commission expires 9-10-89

Acknowledgement-Individual

STATE OF MICHIGAN Alabama

County of Jefferson)SS

On this 15th day of September, 19 89, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Calvin L. Self and wife, Margaret Self

Rita J. Brubaker
Notary Public, _____ County, Michigan

My commission expires My Commission Expires May 9, 1990

Acknowledgement-Corporation

STATE OF MICHIGAN

County of _____)SS

On this _____ day of _____, 19 _____, the foregoing instrument was acknowledged before me, a notary public in and for said county, by _____ whose title(s) is /are _____ of _____, a _____ corporation, on behalf of the corporation.

Notary Public, _____ County, Michigan

My commission expires _____

Acknowledgement-Partnership

STATE OF MICHIGAN

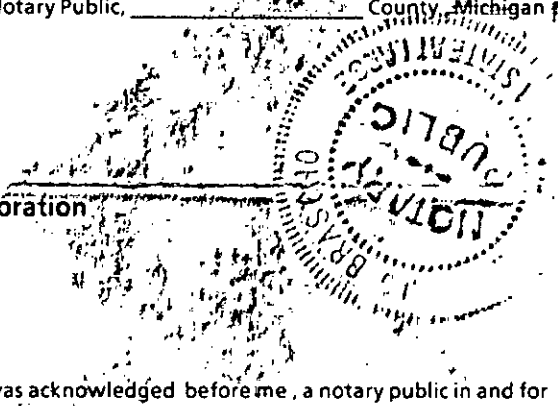
County of _____)SS

On this _____ day of _____, 19 _____, the foregoing instrument was acknowledged before me, a notary public in and for said county, by _____ (a) general/managing partner(s), on behalf of _____ a partnership.

Notary Public, _____ County, Michigan

My commission expires _____

RECORDED RIGHT OF WAY NO. 415720



Date: April 16, 1991
To: Record Center
From: Michael J. Mc Cabe *MJM*
Sr. Real Estate & Right of Way Rep
Macomb Division
Subject: Right of Way Agreement for Underground Residential
Distribution for Nantucket Drive Development, located
in Part of the Northeast 1/4 of Section 30, T2N, R13E,
Clinton Township, Macomb County, Michigan.

Attached for Record Center is the executed Right of Way
Agreement dated September 10, 1989 for the above named project.

Easement for this project was requested by Jerry Pollard,
Service Planning, Macomb Division. The Agreement was
negotiated by Michael J. Mc Cabe, Representative, Real
Estate and Rights of Way, Macomb Division.

Detroit Edison Company, Comcast Cablevision and Michigan Bell
Telephone Company made this agreement with Marshall L. Self,
Jacqueline M. Self, Calvin Self and Margaret Self, the developers
of Nantucket Drive Development.

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

MJM

Attachment

RECORDED RIGHT OF WAY NO. 41570

(LIBER 04742PG645)

APPENDIX "A"

LIBER 05069PG760

"NANTUCKET DRIVE DEVELOPMENT", part of the Northeast 1/4 of Section 30, T2N, R13E, Clinton Township, Macomb County, Michigan, described as: Commencing at the intersection of the N-S 1/4 line of Section 30 and the centerline of Moravian Drive; thence N 89°27'00" East 588.97 feet; thence N 00°03'45" West, 1048.00 feet of the centerline of the Crooked Brook Drain and the point of beginning; thence continuing N 00°03'45" West 20.0 feet to a traverse point on the top of bank; thence continuing N 00°03'45" West 265.0 feet to a point on the South line of "Moravian Meadows Sub. No. 1", as recorded in Liber 50, Pages 28 and 29; thence N 89°06'00" East 235.66 measured(236.08 feet record) along the South line of "Moravian Meadows Sub. No. 1"; thence S 00°08'19" East 265.0 feet to a traverse point on the bank of Crooked Brook drain; thence continuing S 00°08'19" East 21.0 feet to the centerline of the drain; thence S 89°20'38" West 236.03 feet along the centerline of the Crooked Brook drain to the point of beginning. Also, Land located in the Township of Clinton, Macomb County, Michigan as follows: T2N, R13E, Section 30, described as commencing at the Northeast corner of Section 30, thence S 00°39'11" East 1347.08 feet; thence 89°01' West 1631.39 feet to the point of beginning; thence S 02°10' East 305.0 feet; thence 84°15' West 227.39 feet along a line 30 feet South and parallel to centerline of Crooked Brook drain, thence North 325.0 feet, thence North 89°19' East 214.73 feet to the point of beginning.

RECORDED RIGHT OF WAY NO. 41570

R41570

RECORDED RIGHT OF WAY NO. 41570