

Date: August 19, 1991

To: Record Center

From: Michael McCabe *MJM*  
Sr. Real Estate and Right of Way Rep  
Macomb Division

Subject: Right of Way Agreement for Underground Residential  
Distribution for Koresky Subdivision, located in  
part of the Southwest 1/4 of Section 32, Town 2 North,  
Range 12 East, City of Sterling Heights, Macomb County,  
Michigan.

Attached for Record Center is the executed Right of Way  
Agreement dated July 11, 1991 for the above named project.

Easement for this project was requested by Richard Mroz,  
Service Planning, Macomb Division. The Agreement was  
negotiated by Michael J. McCabe, Representative, Real  
Estate and Right of Way, Macomb Division.

Detroit Edison Company, Comcast Cablevision and Michigan Bell  
Telephone Company made this agreement with Joseph W. Koresky and  
Mary J. Koresky the developers of Koresky Subdivision.

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

MJM

Attachment

RECORDED RIGHT OF WAY NO. 41979

**PROJECT NAME KORESKY SUBDIVISION**

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. MC-P458**

On July 11, 1991, 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:**

Joseph W. Koresky and Mary J. Koresky, Husband and wife, 4741 Fourteen Mile Road, Sterling Hts, MI, 4810, Huntington Bank, 27248 Van Dyke Avenue, Warren, Michigan 48090

**"Grantee" is:**

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

Michigan Bell Telephone Company, 444 Michigan Avenue, Detroit, Michigan 48226

Comcast Cablevision, a Delaware Corporation, 6065 Wall Street, Sterling Heights, MI 48077

**"Grantor's Land" is in City of Sterling Heights, Macomb County, Michigan described as :**

Part of the Southwest 1/4 of Section 32, T2N, R12E, City of Sterling Heights, Macomb County, Michigan, beginning at a point which is S89 degrees 19 minutes 23 seconds West 93.34 feet along the South line of Section 32 and N02 degrees 55 minutes 36 seconds East 59.98 feet, from the South 1/4 corner of Section 32, thence S89 degrees 14 minutes 00 seconds West 440.47 feet, thence along the East line of Robinhood Estates Subdivision (Liber 58, Pages 35 and 36, M.C.R.) N03 degrees 01 minutes 39 seconds East 1254.45 feet, thence N88 degrees 32 minutes 25 seconds East 230.59 feet, thence N87 degrees 40 minutes 30 seconds East 252.90 feet, thence along the boundary of Beth Ann Miller Subdivision (Liber 69, Page 15, M.C.R.), 158.63 feet, along the arc of a curve to the right (Radius of 265.00 feet, central angle of 34 degrees 17 minutes 49 seconds, long chord bears S19 degrees 26 minutes 16 seconds West 156.27 feet) and S02 degrees 55 minutes 36 seconds West 286.19 feet and S38 degrees 29 minutes 50 seconds East 13.91 feet and S87 degrees 06 minutes 45 seconds East 25.62 feet, thence S02 degrees 53 minutes 15 seconds West 77.00 feet, thence S87 degrees 06 minutes 45 seconds East 40.13 feet, thence S02 degrees 55 minutes 36 seconds West 72.62 feet, thence S29 degrees 29 minutes 30 seconds West 111.80 feet, being in part along the boundary of said Beth Ann Subdivision, thence along the boundary of said Beth Ann Miller Subdivision S16 degrees 57 minutes 32 seconds West 103.11, thence S02 degrees 55 minutes 36 seconds West 470.80 feet, being in part along the boundary of said Beth Ann Miller Subdivision, to the point of beginning. Containing 13.093 acres and comprising 36 lots, numbered 1 through 36. (Outlot a)

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

A twelve (12) foot easement as shown on the attached plat.

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.

B

RECORDED RIGHT OF WAY NO. 11979

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:

Grantor:

Deanne M. May  
Deanne M. May

Joseph W. Koresky  
Joseph W. Koresky

Jennifer Manczyk  
Jennifer Manczyk

Mary J. Koresky  
Mary J. Koresky WIFE

JoAnn DeBlouw  
JoAnn DeBlouw

Tom P. Bernasconi  
Huntington Bank  
A Michigan Banking Corporation

Eila Kaljaj  
Eila Kaljaj

By: Tom P. Bernasconi, Senior Vice President  
Sections 1, 2, 3, 4, 5, 6, 7 and 8  
apply to Joseph W. and Mary J. Koresky  
only and Huntington Bank is excluded  
from said sections

Acknowledged before me in Macomb County, Michigan, on July 11, 1991

by Joseph W. Koresky and Mary J. Koresky and

Notary's Stamp DEANNE M. MAY  
NOTARY PUBLIC - MACOMB COUNTY, MICH.  
MY COMMISSION EXPIRES 7-27-93

Notary's Signature Deanne M. May

Acknowledged before me in Macomb County, Michigan, on 7-11 (July 11), 1991

by Tom P. Bernasconi the Senior Vice President

of Huntington Bank, a Michigan corporation, for the corporation.

Notary's Stamp MICHAEL J. McCABE  
Notary Public, Macomb County, MI  
My Commission Expires Mar. 9, 1992

Notary's Signature Michael J. McCabe

Prepared by and Return to:

Michael J. McCabe 15600 19 Mile Road, Mt. Clemens, MI 48044

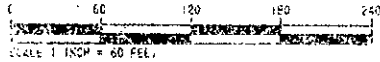
RECORDED IN MACOMB COUNTY  
RECORDS AT: 11:34A M.  
JUL 30 1991

Edna Hill  
CLERK - REGISTER OF DEEDS  
MACOMB COUNTY, MICHIGAN

RECORDED RIGHT OF WAY NO. 41979

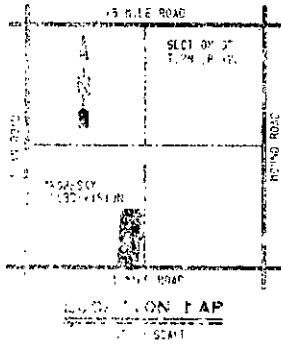
# KORESKY SUBDIVISION

PART OF THE S.W. 1/4 OF SECTION 32, T.2N., R.12E.,  
CITY OF STERLING HEIGHTS, MACOMB COUNTY, MICHIGAN.

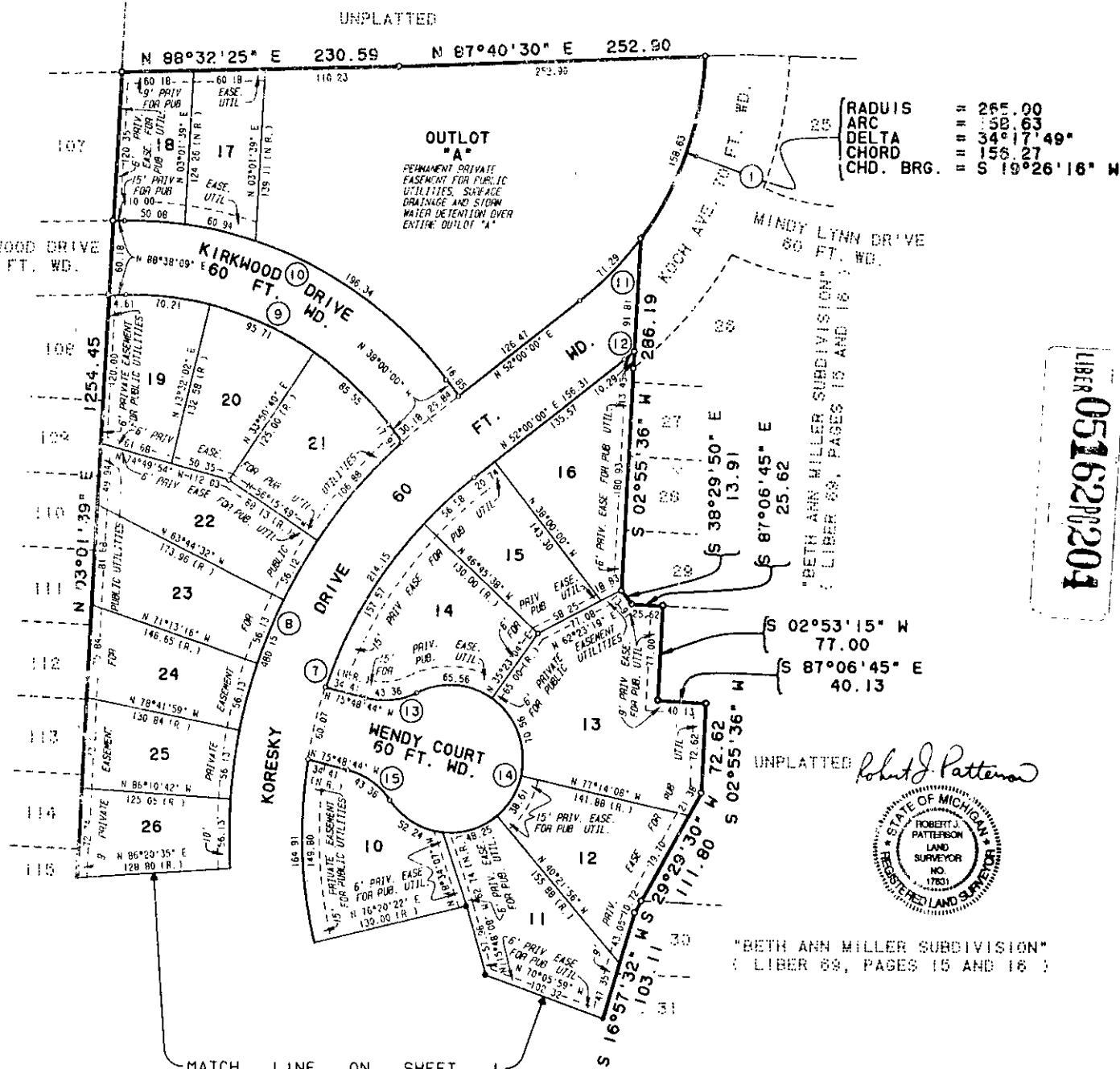


### PLAT LEGEND

ALL DIMENSIONS ARE IN FEET  
ALL CURVES NEAR LINES ARE SHOWN ALONG THE ARC.  
(E) BEHINDS RADIAL (IN R.) DENOTES NOT RADIAL.  
ALL SYMBOLS "O" INDICATES A POINT WHILE "S" IS A 1/2" DIAMETER  
PIPE FOR 3" LINES, ENCASED IN 4" DIAMETER CONCRETE  
ALL CUT PAPERS ARE 1/2" IRON PIPES AND ARE 18" LONG. "NO I.O. CAPS"  
ALL BEARINGS ARE IN RELATION TO THE BEARINGS OF THE EAST LINE OF  
"KIRKWOOD ESTATES SUB'D." AS RECORDED IN LIBER 88, PAGES 35 AND 36,  
M.C.S.



KIRKWOOD ESTATES SUB'D.  
LIBER 88, PAGES 36 AND 38



(RADIUS  
ARC  
DELTA  
CHORD  
CHD. BRG.)

R	=	25° 00'
A	=	58' 63"
D	=	34' 7' 49"
H	=	156' 27"
S	=	19° 26' 16" W

LIBER 051620204

UNPLATTED *Robert Patterson*



"BETH ANN MILLER SUBDIVISION"  
LIBER 89, PAGES 15 AND 16

### CURVE DATA

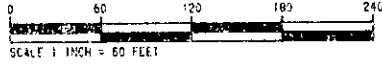
CHORD	RADIUS	ARC	DELTA	CHORD BEARING
158.43	95.30	34°17'49"	56.2'	S 19°26'16" W
413.80	330.11	66°00'00"	413.80	N 18°00'00" E
480.91	510.33	69°00'00"	480.91	N 18°00'00" E
242.48	351.47	53°21'51"	242.48	N 64°40'56" W
296.37	307.36	53°21'51"	296.37	N 64°40'56" W
71.08	71.28	15°24'49"	71.08	N 44°17'25" E
142.29	142.29	0°48'51"	142.29	N 51°35'35" E
40.55	41.35	4°20'35"	40.55	N 83°29'59" E
90.00	275.57	74°44'10"	90.00	N 4°11'16" E
42.41	41.35	31°24'33"	42.41	N 83°29'59" E

MATCH LINE ON SHEET 1

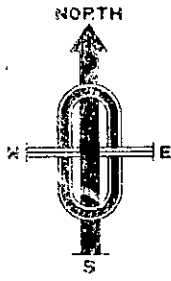
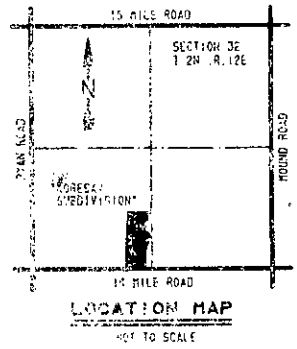
RECORDED RIGHT OF WAY NO. 1111

# KORESKEY SUBDIVISION

PART OF THE S.W. 1/4 OF SECTION 32, T.2N., R.12E., CITY OF STERLING HEIGHTS, MACOMB COUNTY, MICHIGAN.



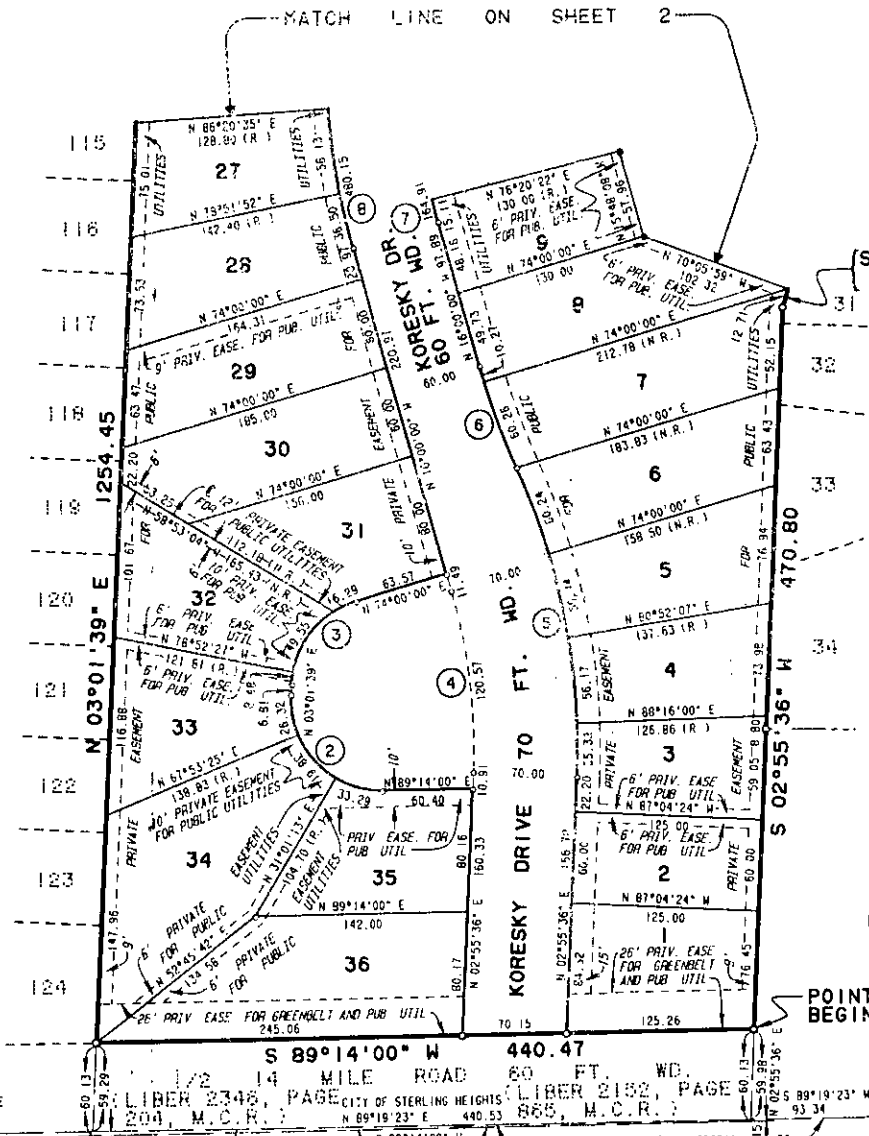
**PLAT LEGEND**  
 ALL DIMENSIONS ARE IN FEET.  
 ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC.  
 (P. ) DENOTES PERCENT (N.R.) DENOTES NOT RADIAL.  
 THE SYMBOL "O" INDICATES A MONUMENT WHICH IS A 1/2" DIAMETER STEEL BAR 36" LONG, ENCASED IN 4" DIAMETER CONCRETE.  
 ALL LOT MARKERS ARE 1/2" IRON PIPES AND ARE 18" LONG, "NO 1 D. CAPS".  
 ALL BEARINGS ARE IN RELATION TO THE BEARING OF THE EAST LINE OF ROBINHOOD ESTATES SUB'D. AS RECORDED IN LIBER 58, PAGES 35 AND 36, M.C.R.  
 THE SYMBOL "A" DENOTES AN ANGLE POINT.



**CURVE DATA**

NO.	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
1	60.00	98.22	93°47'39"	87.62	N 43°52'11" W
2	60.00	74.32	10°58'21"	69.66	N 38°30'50" E
3	365.00	120.57	18°55'36"	120.02	N 06°32'12" W
4	435.00	208.23	27°25'36"	206.25	N 10°41'12" W
5	725.40	70.53	08°30'00"	70.46	N 20°15'00" W
6	372.96	439.13	68°00'00"	413.80	N 18°00'00" E
7	430.00	510.33	68°00'00"	480.91	N 18°00'00" E

ROBINHOOD ESTATES SUB'D. N. LIBER 58, PAGES 35 AND 36



S 16°57'32" W 103.11

"BETH ANN MILLER SUBDIVISION" (LIBER 69, PAGES 15 AND 16)

LIBER 05162P0205

UNPLATTED

POINT OF BEGINNING

S 89°14'00" W 440.47  
 1/2 14 MILE ROAD 80 FT. WD.  
 LIBER 2346, PAGE 204, M.C.R. CITY OF STERLING HEIGHTS LIBER 2182, PAGE 865, M.C.R.  
 SOUTH LINE OF SECTION 32  
 CITY OF WARREN  
 UNPLATTED

**NOTE**  
 THERE SHALL BE NO DIRECT VEHICULAR ACCESS TO 14 MILE ROAD FROM LOTS 1 AND 36



*Robert J. Patterson*

MCS ASSOCIATES, INC.  
 CIVIL ENGINEERING AND SURVEYING  
 STERLING HEIGHTS, MICHIGAN 48314