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RIGHT OF WAY FILE #

R42087

GRANTOR NAME

[Empty grid for Grantor Name]

[Empty grid for Grantor Name]

STREET ADDRESS

[Empty grid for Street Address]

[Empty grid for City/Town]

ST [Empty grid]

CITY/TOWN

ZIP CODE

[Empty grid for City/Town]

[Empty grid for ZIP Code]

EASEMENT DESCRIPTION

AGREEMENT DATE

AGREEMENT TYPE

[Empty grid for Easement Description]

[Empty grid for Agreement Date]

[Empty grid for Agreement Type]

R P C

LIBER #

PAGE #

DRAWING R/W #

[Empty grid for Liber #]

[Empty grid for Page #]

[Empty grid for Drawing R/W #]

PVT CL#

SECTION

QUARTER SECTION 3

QUARTER SECTION 2

QUARTER SECTION 1

[Empty grid for PVT CL#]

[Empty grid for Section]

[Empty grid for Quarter Section 3]

[Empty grid for Quarter Section 2]

[Empty grid for Quarter Section 1]

1/4

1/2

1/4

1/2

1/4

1/2

TOWNSHIP

[Empty grid for Township]

COUNTY

[Empty grid for County]

RTE OF LINE

[Empty grid for RTE of Line]

TOWNSHIP RANGE

[Empty grid for Township Range]

DIVISION CODE

[Empty grid for Division Code]

A D M O T W

SUBDIVISION NAME

AUBURN RIDGE

EAST OF

[Empty grid for East of]

WEST OF

[Empty grid for West of]

NORTH OF

[Empty grid for North of]

SOUTH OF

[Empty grid for South of]

OUT LOT

[Empty grid for Out Lot]

BLOCK #1

[Empty grid for Block #1]

LOT #1

[Empty grid for Lot #1]

BLOCK #2

[Empty grid for Block #2]

LOT #2

[Empty grid for Lot #2]

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**Detroit  
Edison**

**PROJECT NAME AUBURN RIDGE SUBDIVISION**

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. MC-P580**

On August 19, 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:**

RECORDED IN MACOMB COUNTY  
RECORDS AT: 2:07 P. M.

Hillcrest Homes, Inc., a Michigan corporation, 5750 Parshall, Shelby Township, Michigan 48316

SEP 17 1991

**"Grantee" is:**

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

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

Comcast Cablevision of Shelby, a Delaware corporation, 6065 Wall Street, Sterling Heights, Michigan 48077-1860

*Edna M. Hill*  
CLERK - REGISTER OF DEEDS  
MACOMB COUNTY, MICHIGAN

**"Grantor's Land" is in Shelby Township, Macomb County, Michigan described as:**

Part of the Northwest 1/4 of Section 31, 13N, R12E, being more particularly described as follows: Beginning at a point 900.00 feet North 90°00'00" East and 391.26 feet South 00°26'19" East of the Northwest corner of said Section 31 to the point of beginning; thence extending North 90°00'00" East 329.05 feet; thence along the West boundary line of Brooklands Park Subdivision No. 15, as recorded in Liber 30, Page 13 of the Macomb County Records, South 00°18'00" East 929.38 feet and South 89°50'00" Seconds West 326.80 feet; thence North 00°26'19" West 930.35 feet to the point of beginning.

**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.
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.

RECORDED IN LIBER 30-42087

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B

Susan A. Putrycus

SUSAN A. PUTRYCUS

Michael J. McCabe

MICHAEL J. MCCABE

Douglas G. Coghlan

DOUGLAS G. COGHLAN - PRESIDENT  
for Hillcrest Homes Inc.

Prepared by and Return to:

Susan A. Putrycus  
15600 - 19 Mile Road  
Mt. Clemens, MI 48044

Acknowledged before me in Macomb County, Michigan, on August 19, 1991

by DOUGLAS G. COGHLAN the President

of Hillcrest Homes Inc., a Michigan corporation, for the corporation.

Notary's Stamp Macomb County  
My Commission Expires Sept. 25 1991

Notary's Signature Nancy S. Navis  
NANCY S. NAVIS

witness: Jerry Starling

Date: September 27, 1991

To: Record Center  
2310 WCB

From: Michael J. McCabe *MJM*  
Sr. Real Estate and Rights of Way Representative  
Macomb Division

Subject: Right of Way Agreement for Underground Residential  
Distribution for Auburn Ridge Subdivision, located in the  
Northwest 1/4 of Section 31, T3N, R12E, Shelby Township,  
Macomb County, Michigan.

Attached for Records Center is the executed Right of Way Agreement  
dated August 19, 1991, and other pertinent papers for the above  
named project.

Easement for this project was requested by Phil Howard, Service  
Planner, Macomb Division. The Agreement was negotiated by Susan  
Putrycus, Representative of Real Estate and Rights of Way, Macomb  
Division.

Detroit Edison Company, Comcast Cable Television and Michigan Bell  
Telephone Company made this agreement with Hillcrest Homes Inc., a  
Michigan corporation the developers of Auburn Ridge Subdivision.

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

MJM/caw

Attachment

RECORDED RIGHTS OF WAY NO. 42087

To (Supervisor, RE & R/W) <b>Mike McCabe</b>	For RE & R/W Dept. Use <b>ME-0278</b>	Date Received <b>7-30-91</b>	DE/Bell/C.P. No.
Division <b>Macomb</b>	Date <b>7-25-91</b>	Application No. <b>MC-P580</b>	

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).

**S. PUTRYCUS**  
**AUG 15 1991**

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

**Information**

1. Project Name <b>Auburn Ridge Subdivision</b>	County <b>Macomb</b>
City/Township/Village <b>Shelby</b>	Section No. <b>31</b>

Type of Development

<input type="checkbox"/> Proposed Subdivision	<input type="checkbox"/> Apartment Complex	<input type="checkbox"/> Condominium
<input checked="" type="checkbox"/> Subdivision	<input type="checkbox"/> Mobile Home Park	<input type="checkbox"/> Other

2. Name of Owner <b>Hillcrest Homes, Inc.</b>	Phone No.
Address <b>5750 Parshall, Shelby Twp., Michigan 48316</b>	

Owner's Representative <b>Doug Coghlan</b>	Phone No. <b>254-7242 &amp; 466-2456</b>
Date Service is Wanted <b>8-15-91</b>	

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>Comcast Cablevision of Shelby</b>	
b. Other Utility Engineer Names <b>H. Postl</b>	Phone Numbers <b>978-3530</b>
Addresses <b>6065 Wall St., Sterling Heights, Michigan 48077-1860</b>	

6. Additional Information or Comments

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Note: Trenching letter  attached  will be submitted later

Service Planner <b>Phil Howard</b>	Signed (Service Planning Supervisor) <i>Ronald E. Payne</i>
Phone No. <b>286-9417</b>	Address <b>15600 19 Mile Rd., Mt. Clemens, MI 48044</b>

RECORDED TICKET OF THE NO. 42087

**Detroit  
Edison**

Macomb Division  
15600 Nineteen Mile Road  
Mount Clemens, Michigan 48044  
(313) 286-9300

September 27, 1991

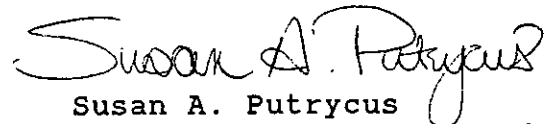
Mr. Doug Coghlan  
Hillcrest Homes, Inc.  
5750 Parshall  
Shelby Township, Michigan 48316

Re: Auburn Ridge Subdivision  
Shelby Township, Macomb County, Michigan

Dear Mr. Coghlan:

Enclosed is a fully executed copy of your Joint Underground Residential Distribution Right of Way 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 Right of Way  
Macomb Division

SP/ms  
Enclosure

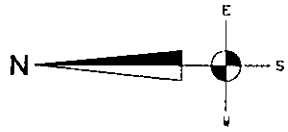
RECORDED RIGHT OF WAY NO. 42087

# "AUBURN RIDGE SUBDIVISION"

PART OF THE N. W. 1/4 OF SECTION 31, T. 3 N., R. 12 E., SHELBY TOWNSHIP,  
MACOMB COUNTY, MICHIGAN

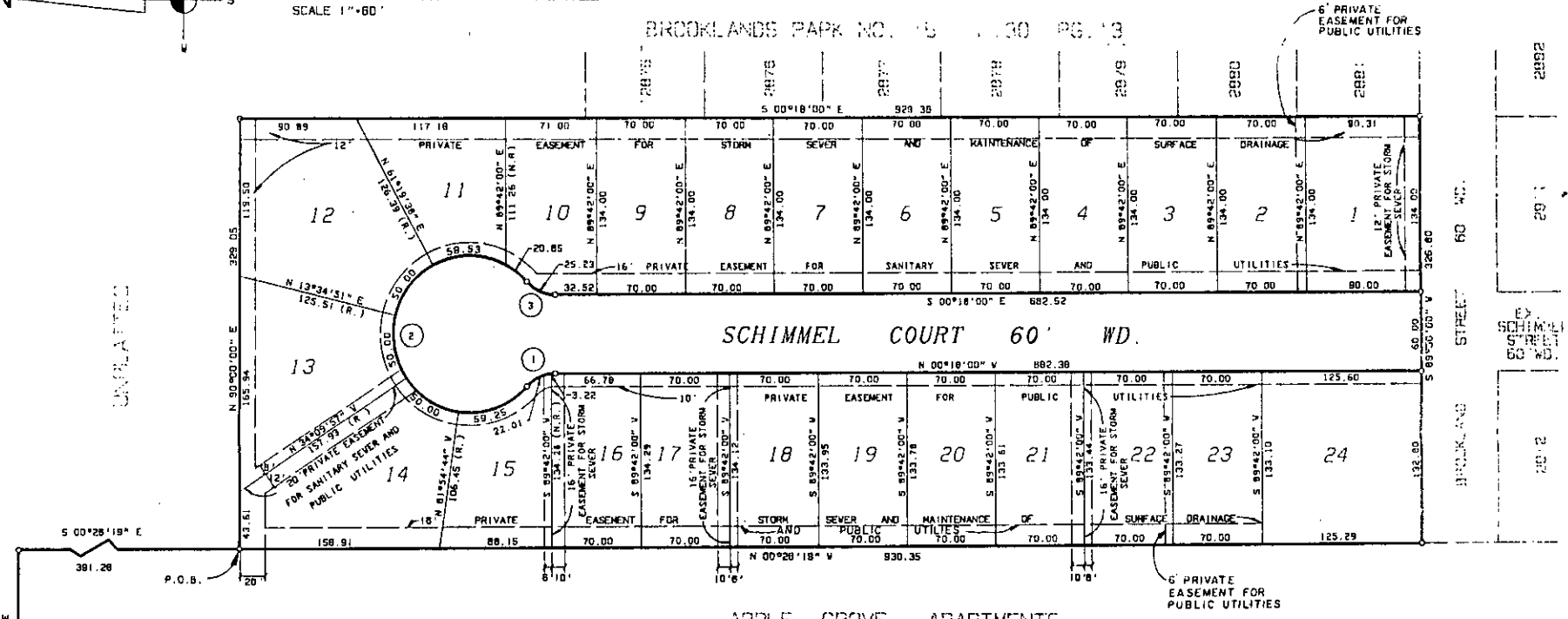
RECORDED RIGHT OF WAY NO. 42087

707 15198619 817



0 60 120 240  
SCALE 1"=60'

BROOKLANDS PARK NO. 15 PG. 13

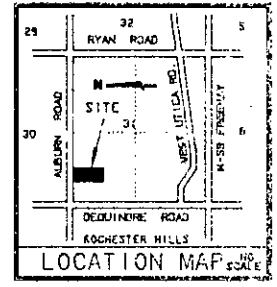


UNDEVELOPED

### PLAT LEGEND

ALL DIMENSIONS ARE GIVEN IN FEET.  
ALL CURVILINEAR DIMENSIONS ARE GIVEN ALONG THE ARC.  
THE SYMBOL 'O' REPRESENTS THE LOCATION POINTS OF PERMANENT CONCRETE MONUMENTS.  
MONUMENTS ARE 3/8" - 1/2" STEEL RODS ENCASED IN 4" CONCRETE CYLINDERS.  
LOT MARKERS ARE 1/2" IRON PIPES AND ARE 18" LONG.  
ALL BEARINGS ARE IN RELATION TO THE BEARING OF "BROOKLANDS PARK SUBDIVISION NO. 15" AS RECORDED IN LIBER 30, PAGE 13 OF MACOMB COUNTY RECORDS.  
1(R)- DENOTES RADIAL. (NR)- DENOTES NON-RADIAL.

CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
1	48°11'23"	30.00	25.23	13.42	24.49	N 24°23'41" W
2	276°22'46"	60.00	289.43	60.00	60.00	N 09°42'00" E
3	48°11'23"	30.00	25.23	13.42	24.49	S 83°47'42" W



BROOKLAND STREET 60' WD.  
 SCHIMMEL COURT 60' WD.  
 APPLE GROVE APARTMENTS