

Date: April 28, 1992

To: Record Center

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

Subject: Right of Way Agreement for Underground Residential
Distribution for Huntington Woods Subdivision, No. 3,
located in part of the Northwest 1/4 of the Southwest
1/4 of Section 8, T3N, R13E, Macomb Township, Macomb
County, Michigan.

Attached for Record Center is the executed Right of Way
Agreement dated March 19, 1992 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. McCabe, Representative, Real Estate and Rights of
Way, Macomb Division.

Detroit Edison Company, Comcast Cablevision and Michigan Bell
Telephone Company made this agreement with Huntington Woods
Estates, Inc., Joseph Van Haverbeck, President, developer of
Huntington Woods Subdivision No. 3.

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

MJM

Attachment

RECORDED RIGHT OF WAY NO. 42938
~~MISC RIGHT OF WAY FILE No. _____~~

B693691

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. MC-R435
PROJECT NAME HUNTINGTON WOODS SUB #3**

On March 19, 1992, 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:

Huntington Woods Estates, Inc., a Michigan Corporation, 54001 Romeo Plank Road, Mt. Clemens, Michigan 48044

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
Michigan Bell Telephone Company, a Michigan Corp., 444 Michigan Ave, Detroit, MI 48226
Comcast Cablevision, a Delaware Corporation, 6065 Wall Street, Sterling Heights, MI 48077

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

Part of the Northwest 1/4 and Southwest 1/4 of Section 8, T3N, R13E, Macomb Township, Macomb County, Michigan, and being more particularly described as follows: Beginning at a point 2368.80 feet South 00°09'55" East along the West line of said Section 8 from the Northwest corner of said Section 8; thence North 89°26'44" East 800.01 feet; thence South 41°42'45" East 12.17 feet; thence along the Westerly line of Huntington Woods Subdivision No. 2, as recorded in Liber 93, Pages 29-32, inclusive, Macomb County Records, the following courses and distances: South 24°36'32" West 253.33 feet along a curve (R=307.00 ft) concave to the Southwest, whose long chord bears North 67°40'32" West 23.71 feet and whose central angle is 04°25'36" and South 00°09'55" East 863.14 feet; thence South 89°23'44" West 680.02 feet; thence North 00°09'55" West 801.53 feet along the West line of said Section 8 to the West 1/4 corner of Said Section 8; thence North 00°09'55" West 291.44 feet along the West line of said Section 8 to the point of beginning and containing 17.476 acres of land and containing 52 lots numbered 47 thru 98, inclusive.

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.

RECORDED IN MACOMB COUNTY RECORDS AT: 9:12A.M.

APR - 9 1992

Edna Hill
CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

RECORDED RIGHT OF WAY NO. 42938

- 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.

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

x Holly E. MacLeod

x Jennifer A. Walker

HOLLY E. MACLEOD

Jennifer A. Walker

HUNTINGTON WOODS ESTATES, INC.
a Michigan Corporation

Joseph Van Haverbeck Pres
Joseph Van Haverbeck, President

Fay Van Haverbeck, Sec
Fay Van Haverbeck, Secretary

RECORDED RIGHT OF WAY NO. 42738

Acknowledged before me in Macomb County, Michigan, on March 19, 1991 by JOSEPH VAN HAVERBECK & FAY VAN HAVERBECK the PRESIDENT & SECRETARY OF HUNTINGTON WOODS ESTATES, INC. a MICHIGAN CORPORATION, FOR THE CORPORATION

Notary's Stamp Macomb County - Exp 12/174 Notary's Signature GARY S. ANTHONY

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

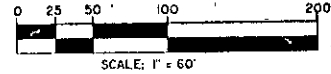
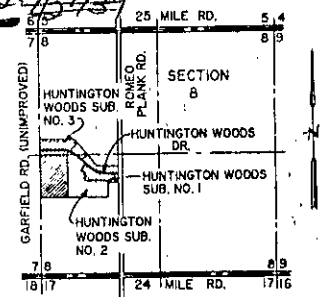
HUNTINGTON WOODS SUBDIVISION-NO. 3

PART OF THE N.W. 1/4 & S.W. 1/4 OF SECTION 8, T.3N., R.13E.,
MACOMB TOWNSHIP, MACOMB COUNTY, MICHIGAN

RECORDED RIGHT OF WAY NO. 42738 ^{24/6939}

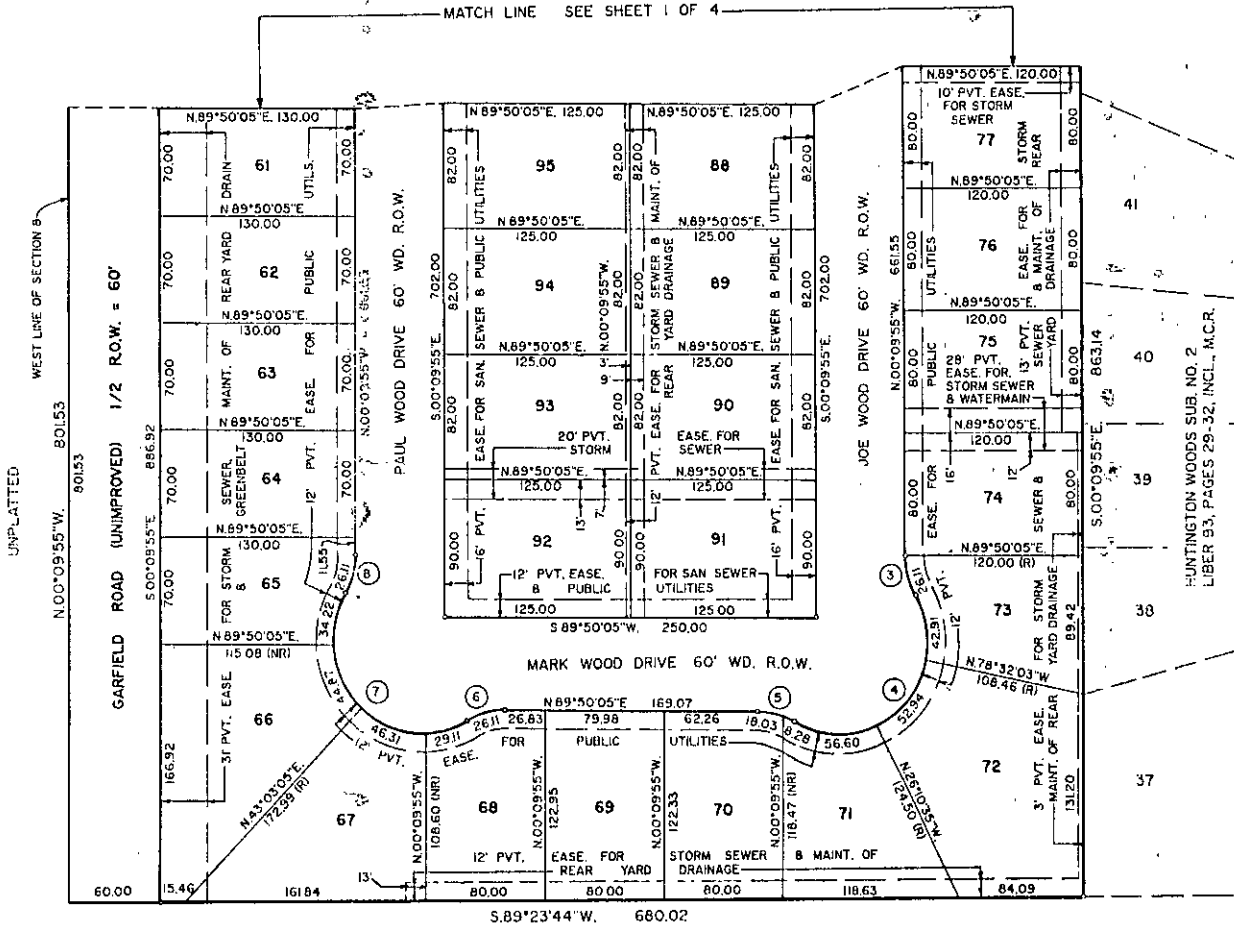
LEGEND

ALL DIMENSIONS ARE IN FEET.
ALL CURVILINEAR DIMENSIONS ARE SHOWN
ALONG THE CHORD.
THE SYMBOL "o" INDICATES A 4" DIAMETER
36" LONG w/1/2" STEEL ROD CENTER
CONCRETE MONUMENT.
ALL LOT MARKERS ARE 1/2" STEEL RODS AND
ARE 18" LONG (NO I.D. CAPS).
(R) INDICATES RADIAL LOT LINES.
(NR) INDICATES NOT RADIAL LOT LINES.
BEARINGS BASED ON THE WEST LINE OF
HUNTINGTON WOODS SUB. NO. 2 AS RECORDED
IN LIBER 93, PAGES 29-32, INCLUSIVE, MACOMB
COUNTY RECORDS.
THERE SHALL BE NO DIRECT VEHICULAR
ACCESS TO UNIMPROVED GARFIELD ROAD
FROM LOTS 55 THRU 66, INCLUSIVE.



CURVE DATA					
CURVE #	RADIUS	ARC	LONG CHORD	CHORD	DELTA
3	50.00	26.42	N15°18'06"W	26.11	30°16'22"
4	60.00	157.65	S44°50'05"W	116.06	150°32'44"
5	50.00	26.42	N75°01'44"W	26.11	30°16'22"
6	50.00	26.42	N74°41'54"E	26.11	30°16'22"
7	60.00	157.65	N45°09'55"W	116.06	150°32'44"
8	50.00	26.42	S14°58'16"W	26.11	30°16'22"

LIBER 05393 P160



UNPLATTED

UNPLATTED

ROBERT L. SMITH

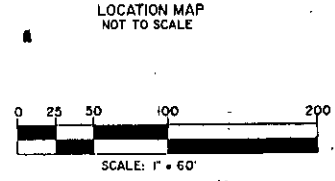
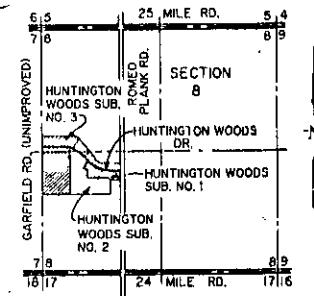
HUNTINGTON WOODS SUBDIVISION-NO. 3

PART OF THE N.W. 1/4 & S.W. 1/4 OF SECTION 8, T.3N., R.13E.,
MACOMB TOWNSHIP, MACOMB COUNTY, MICHIGAN

RECORDED RIGHT OF WAY NO. 42738 & 42739

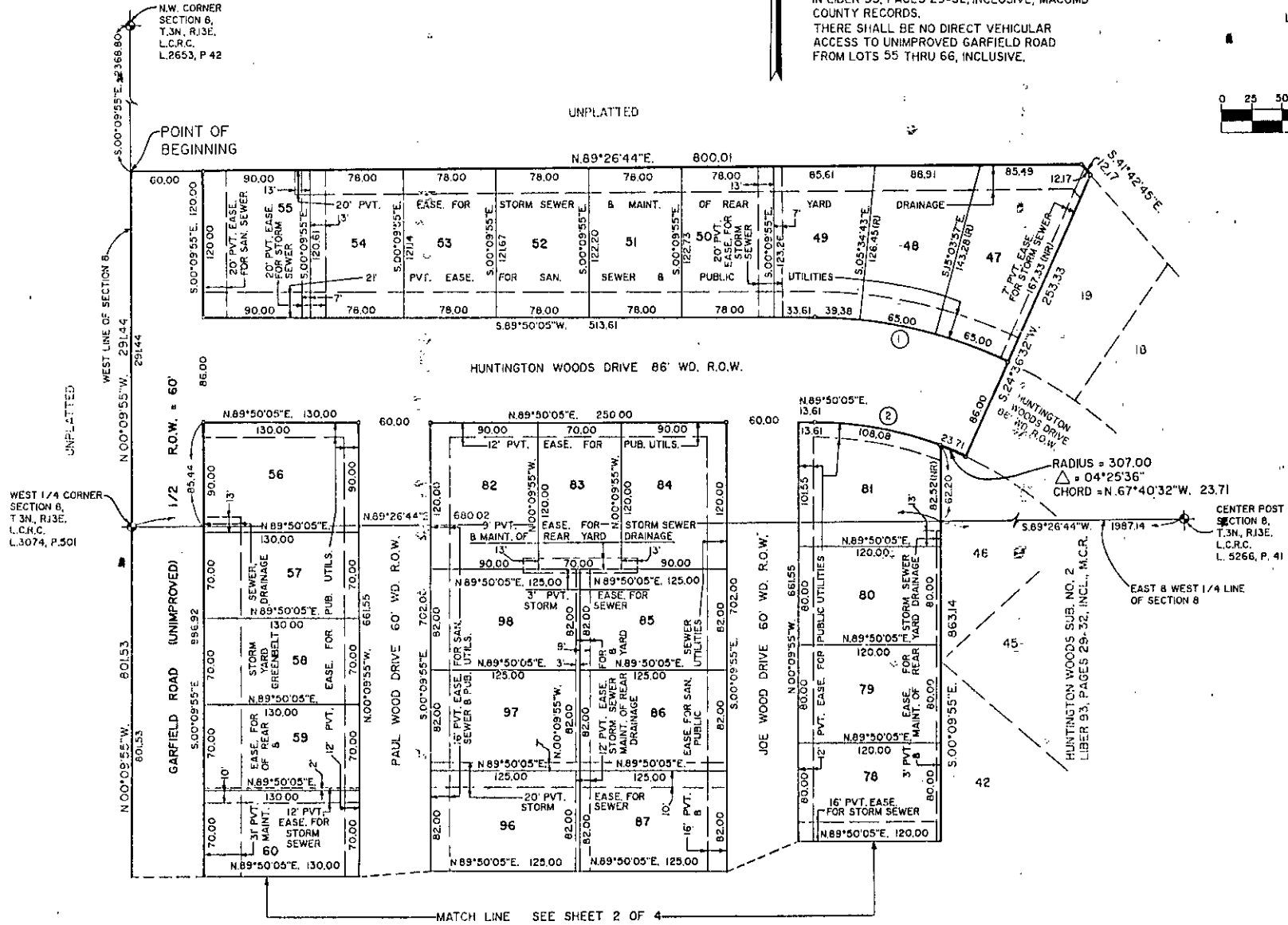
LEGEND

ALL DIMENSIONS ARE IN FEET.
ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE CHORD.
THE SYMBOL "o" INDICATES A 4" DIAMETER 36" LONG w/1/2" STEEL ROD CENTER CONCRETE MONUMENT.
ALL LOT MARKERS ARE 1/2" STEEL RODS AND ARE 18" LONG. (NO I.D. CAPS).
(R) INDICATES RADIAL LOT LINES.
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THERE SHALL BE NO DIRECT VEHICULAR ACCESS TO UNIMPROVED GARFIELD ROAD FROM LOTS 55 THRU 66, INCLUSIVE.



CURVE DATA					
CURVE #	RADIUS	ARC	LONG CHORD	CHORD DELTA	
1	393.00	149.55	5.77°48'22"E.	148.64	21°48'09"
2	307.00	108.64	5.80°01'38"E.	108.08	20°16'34"

LIBER 05393



ROBERT L. SMITH