

APPLICATION FOR RIGHT OF WAY

DE 963-0811 9-7455 (MS 80)

S. PUTRYCUS

JAN 17 1992

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

DATE January 17, 1992

LOCATION Oak Grove Parcels 1 thru 6

APPLICATION NO. MC-R238

DEPT. ORDER NO. A-73830

CITY OR VILLAGE _____

O. F. W. NO. _____

TOWNSHIP Shelby COUNTY Macomb

BUDGET ITEM NO. _____

DATE BY WHICH RIGHT OF WAY IS WANTED 1-30-92

INQUIRY NO. _____

THIS R/W IS 100 % OF TOTAL PROJECT NO. _____ ACCUM. _____ %

JOINT RIGHT OF WAY REQUIRED YES NO

NOTE: Identify on print or sketch the subdivisions as to section location and liber and page.

KIND AND DESCRIPTION OF RIGHT OF WAY REQUESTED 10' wide joint easement with MBT and CATV along front lot lines of Parcels 1 thru 6 as shown on attached drawing A-73830

PURPOSE OF RIGHT OF WAY To provide U.G. service

SIGNED A. Garnatz

OFFICE _____

DEPARTMENT _____

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

R/W secured as requested.

PERMITS IN RECORD CENTER 1 R.E. & R/W DEPT. FILE 1 GRANTOR 1

NO. OF PERMITS _____ NO. OF STRUCTURES _____ NO. OF MILES _____ PERMITS TO MBT _____

DATE 4/20/92 SP

SIGNED Hue

RECORDED RIGHT OF WAY NO.

42770

REAL ESTATE FILE NO.

See Also:

Dates for d-Top
4-13-8

**Future Joint Use
Joint Use Memo**

MC-R238

D.E. Memo No.

Other Utility No.

, Michigan

City

January 17, 1992

Date

To: Comcast Cablevision

Tim Frank

6065 Wall St.

Sterling Hgts., MI 48077-1860

The attached sketch shows the proposed Detroit Edison overhead / underground construction located as follows:

Oak Grove Parcels 1 thru 6

In connection with the provisions of the Administrative Practices - Rights of Way, regarding construction of lines suitable for joint use and obtaining joint right-of-way, will you please indicate on the sketch whether or not you are interested in this line and, if so, what portions.

If you desire to use all, or a portion, of this line, please furnish sufficient information regarding your present and ultimate requirements to enable The Detroit Edison Company to design the line for joint use and secure necessary rights of way for both companies. This information should include type of wire, contact heights, ground clearances, etc.

Return one signed copy of this memo along with a copy of the sketch that indicates your requirements prior to 1-30, 19 92. If the memo is not returned by the specified date or if The Detroit Edison Company is not otherwise notified, our records will show that Joint Construction will not be required.



Detroit Edison Service Planner Representative

Verbally agreed that Joint Rights of Way:

is agreed is not agreed

By T. Frank

Other Utility Representative

&

A. Garnatz

Detroit Edison Service Planning Representative

Report: Please indicate necessary information on the attached sketch and return with signed memo.

Date 1-27-92

Signed T. E. Frank

Other Utility Representative

RECORDED RIGHT OF WAY NO. 42779

ORIGINAL

MC-R238

D.E. Memo No.

Other Utility No.

Michigan

City

January 17, 1992

Date

Wash

To: Michigan Bell Telephone Co.

100 S. Gratiot

Rm. 314

Mt. Clemens, MI 48043

The attached sketch shows the proposed Detroit Edison overhead / underground construction located as follows:

Oak Grove Parcels 1 thru 6

In connection with the provisions of the Administrative Practices - Rights of Way, regarding construction of lines suitable for joint use and obtaining joint right-of-way, will you please indicate on the sketch whether or not you are interested in this line and, if so, what portions.

If you desire to use all, or a portion, of this line, please furnish sufficient information regarding your present and ultimate requirements to enable The Detroit Edison Company to design the line for joint use and secure necessary rights of way for both companies. This information should include type of wire, contact heights, ground clearances, etc.

Return one signed copy of this memo along with a copy of the sketch that indicates your requirements prior to 1-30, 19 92. If the memo is not returned by the specified date or if The Detroit Edison Company is not otherwise notified, our records will show that Joint Construction will not be required.

A. Garnatz

Detroit Edison Service Planner Representative

RECORDED RIGHT OF WAY NO. 42778

Verbally agreed that Joint Rights of Way:

is agreed is not agreed

By S. Kunert

Other Utility Representative

& A. Garnatz

Detroit Edison Service Planning Representative

Report: Please indicate necessary information on the attached sketch and return with signed memo.

Date 1-27-92
SECRET & MAIL

Signed Sue Kunert
Other Utility Representative

M.B.I.: Please return to RE/RW, 15600 Nineteen Mile Rd., Mt. Clemens, MI 48044

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. MC-R238

On 2-16, 1992, for the consideration of system betterment, Grantor grants to Grantee a permanent underground easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

"Grantor" is:

Royal Forest of Shelby, Inc., a Michigan corporation, 30500 Van Dyke Avenue, Warren, Michigan 48093

"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, a Delaware corporation, 6065 Wall Street, Sterling Heights, Michigan 48077-1860

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

A parcel of land located in the Southwest 1/4 of Section 12, T3N, R12E, being more particularly described as: Commencing at the South 1/4 corner of Section 12; thence South 84°08'59" West 329.57 feet along the South line of Section 12 and the centerline of 24 Mile Road; thence North 01°07'38" West 2306.89 feet to the point of beginning; thence South 83°44'58" 315.69 feet; thence North 00°44'14" West 367.05 feet partially along the East line of Nottingham Forest #2 as recorded in Liber 81, Pages 49 and 50 of the Macomb County Records to a point on the East-West 1/4 line of Section 12; thence North 83°44'00" East 313.19 feet along the East-West 1/4 line of Section 12; thence South 01°07'38" East 366.10 feet to the point of beginning.

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

A ten (10) foot easement being in an easterly and westerly direction across the above described property as shown on the drawing attached hereto.

- 1. **Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain underground 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. **Restoration:** If Grantee's employees, contractors, vehicles or equipment damage Grantor's Land while entering Grantor's Land for the purposes stated in this Right of Way, then Grantee shall restore Grantor's Land as nearly as can be to its original condition.
- 7. **Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors, lessees, licensees and assigns.

RECORDED RIGHT OF WAY NO. 42978

Witnesses: (type or print name below signature)

Cheryl L. Nicholson
 CHERYL L. NICHOLSON

Susan A. Putrycus
 SUSAN A. PUTRYCUS

Grantor: (type or print name below signature)

Michael A. Marco, Sec.
 MICHAEL A. MARCO, SEC.
 ROYAL FOREST OF SHELBY, INC.

1142
B

Acknowledged before me in Macomb County, Michigan, on February 16, 1992

by MICHAEL A. LARSEN the SECRETARY

of ROYAL FOREST OF STEUBEN, INC., a Michigan corporation, for the corporation.

DIANA L. LOVELACE, NOTARY PUBLIC
Notary's Stamp MACOMB COUNTY, STATE OF MICHIGAN
MY COMMISSION EXPIRES 01-31-95

Notary's Signature Diana L. Lovelace

Prepared by and Return to: Susan A. Putrycus, 15600 - 19 Mile Road, Mt. Clemens, MI 48044

RECORDED IN MACOMB COUNTY
RECORDS AT: 12:44 P.M.

MAR 18 1992

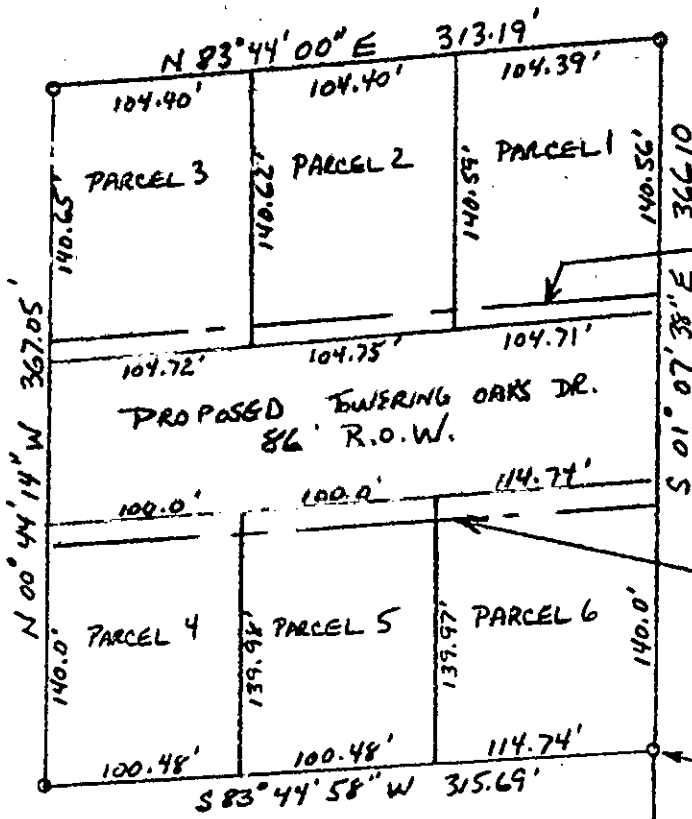
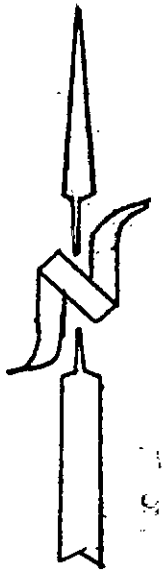
Edna Hill

CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

RECORDED RIGHT OF WAY NO. 42992

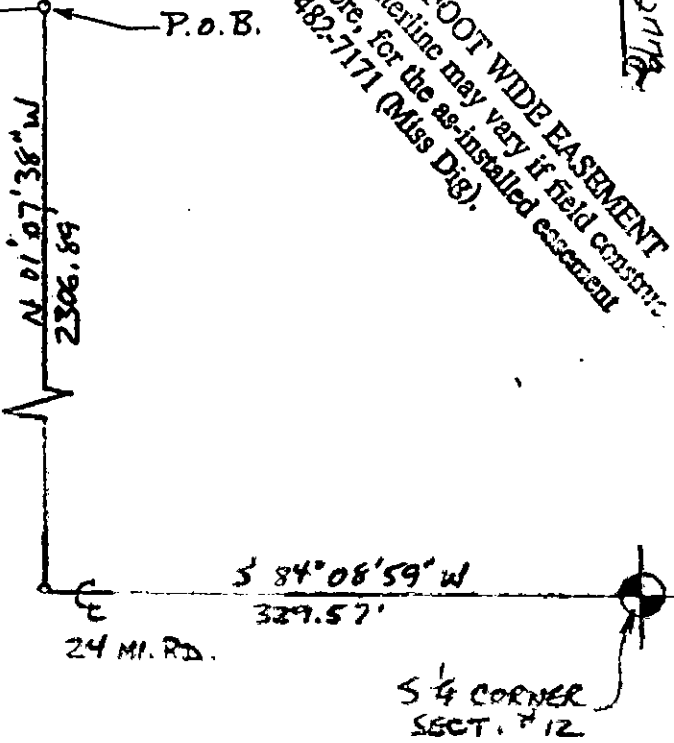
APPROVED AS TO FORM 3/16/92 DATE
LEGAL DEPARTMENT MAA

LIBER 05365 PG 858



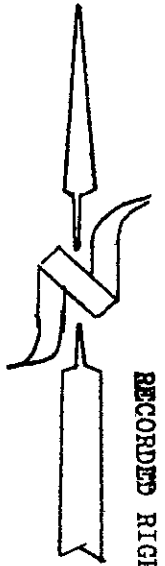
CENTERLINE OF 10 FOOT WIDE EASEMENT
 Note: The easement centerline may vary if field construction problems arise. Therefore, for the as-installed easement centerline call 1-800-482-7171 (Miss Dig).

OF TAX NO. 42772

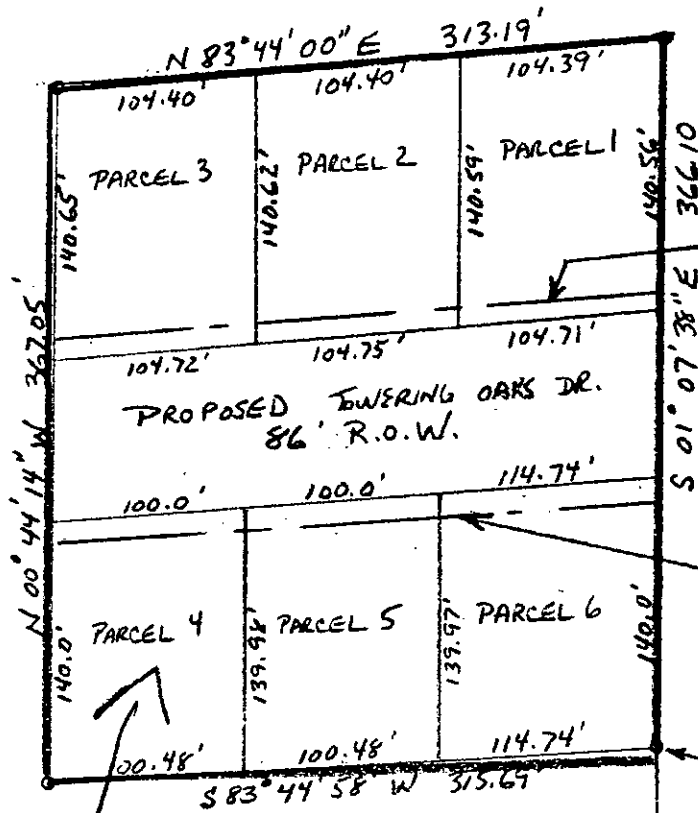


R/W # MC-R238
 SURVEYOR - A. GARNATZ
 1-15-92



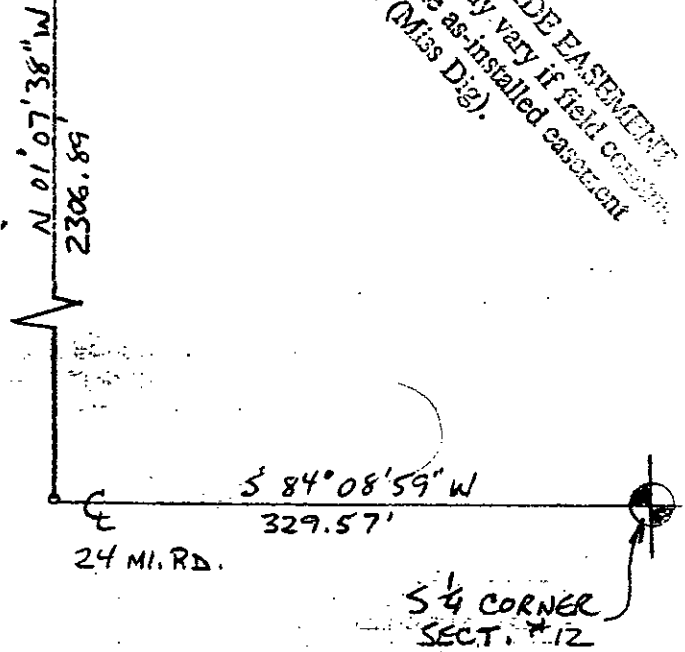


RECORDED RIGHT OF WAY NO. 141178



CENTERLINE OR 10 FOOT WIDE EASEMENT
 Note: The easement centerline may vary if field conditions
 prohibits arise. Therefore, for the as-installed easement
 centerline call 1-800-482-1171 (Miss Dig).

R/W OK
 Royal Forest of Shelby, Inc.
 @ MI corp.



R/W * MC-R238
 SUR PLANNER - A. GARNATZ
 1-15-92

