

**Detroit Edison**

(LIBER 05448 PG 811)

B736897 19-

LIBER 05496 PG 427

(B715659)

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. 9201304-01R  
PROJECT NAME**

VILLA ROSA SUBDIVISION NO. 2

On 4/23, 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:**

Villa Rosa Development, Inc., a Michigan Corporation, 11845 Whispering Oaks Lane, Shelby Township, Michigan 48315

**"Grantee" is:**

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226  
Michigan Bell Telephone Company, a Michigan Corporation, 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:**

See "Appendix A" attached

RECORDED IN MACOMB COUNTY  
RECORDS AT: 10:47A.  
MAY 20 1992

*Edna Hill*

CLERK - REGISTER OF DEEDS  
MACOMB COUNTY, MICHIGAN

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

A ten (10) foot wide easement as shown on attached plat.

RECORDED IN MACOMB COUNTY  
RECORDS AT: 10:56A  
JUL - 6 1992

*Edna Hill*

CLERK - REGISTER OF DEEDS  
MACOMB COUNTY, MICHIGAN

- 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.

*Being Re-Recorded to include Appendix B & C*

RECORDED RIGHT OF WAY NO. 43113

*17*

- 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)

VILLA ROSA DEVELOPMENT, INC.  
a Michigan Corporation

x Rosario Curcuru  
ROSARIO CURCURU

Flippo Leone  
Flippo Leone, President

x Lori A. Carly  
LORI A. CARLY

Roy Curcuru  
ROY CURCURU, VICE PRESIDENT

Vito Vitale  
Vito Vitale SECRETARY

Acknowledged before me in Macomb County, Michigan, on 4/23, 1992 by Flippo Leone, Roy Curcuru and Vito Vitale, the President, Vice President and Secretary of Villa Rosa Development, Inc. a Michigan Corporation, for the Corporation.

RECORDED RIGHT OF WAY NO. 4313

Notary's Stamp

Notary's Signature

Lori A. Carly  
Commissioner  
3/24/93

Prepared by and Return to:

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

LORI A. CARLY

## "APPENDIX A"

Part of the Southeast 1/4 and Southwest 1/4 of Section 7, T3N, R13E, Macomb Township, Macomb County, Michigan and being more particularly described as follows: Commencing at a point on the North-South 1/4 line of said Section 7 1324.12 feet N. 00°06'08" West from the South 1/4 corner of said Section 7 to the point of beginning: thence extending along the boundary of "Bayberry Place Subdivision No. 1" as recorded in Liber 91 Pages 28 thru 31 of the Macomb County Records N. 88°46'38" West 30.01 feet; thence along the boundary of "Bayberry Place Subdivision No. 2" as recorded in Liber 94 Pages 48 thru 50 of the Macomb County Records N. 00°06'08" West 180.05 feet and S. 88°46'38" East 30.01 feet and N 00°06'08" West 150.00 feet; thence N 89°53'52" East 120.00 feet; thence N. 85°31'29" East 60.18 feet; thence S. 89°53'52" East 166.10 feet; thence S. 89°59'36" East 330.23 feet; thence N. 00°00'24" East 8.03 feet; thence S. 89°59'36" East 120.00 feet; N 00°24'00" East 24.03 feet; thence S. 89°59'36" East 180.00 feet; thence along the boundaries of "Spring Hill Meadows Subdivision No 2" as recorded in Liber Pages thru of the Macomb County records and "Spring Hill Meadows Subdivision No. 1" as recorded in Liber 93 Pages 23 thru 26 of the Macomb County Records S. 00° 00'24" West 285.85 feet and S. 00°03'15" East 694.15 feet; thence along the boundary of "Villa Rosa Subdivision No. 1" as recorded in Liber 92 Pages 25 thru 27 of the Macomb County Records N. 89°59'36" West 410.10 feet and N. 42°14'36" West 661.46 feet and S. 47° 45'24" West 20.00 feet; thence along the boundary of "Bayberry Place Subdivision No. 1" as recorded in Liber 91 Pages 28 thru 31 of the Macomb County Records N. 37° 54'52" West 173.74 feet to the point of beginning. Containing 54 lots numbered 43 thru 96 inclusive in 17.5059 acres of land.

RECORDED RIGHT OF WAY NO. 43113

Date: July 27, 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 Villa Rosa Subdivision No. 2, located  
in part of the Southeast 1/4 of the Southwest 1/4 of  
Section 7, T3N, R13E, Macomb Township, Macomb County, MI.

Attached for Record Center is the executed Right of Way  
Agreement dated April 23, 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 Villa Rosa Development,  
Inc., Flippo Leone, President, the developer of Villa Rosa Subdivision  
No. 2.

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

MJM

Attachment

RECORDED RIGHT OF WAY NO.

43113

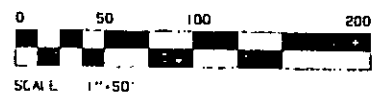
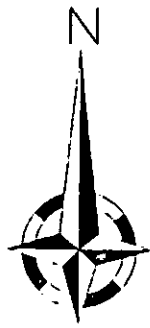


# " VILLA ROSA SUBDIVISION NO. 2 "

PARTS OF THE S.E. 1/4 AND S.W. 1/4 OF SECTION 7, T.3N., R.13E., MACOMB TOWNSHIP, MACOMB COUNTY, MICHIGAN.

Appendix B

LIBER 05496 P. 431



CURVE	DELTA ANGLE	RADIUS	ARC	CHORD	CHORD BEARING
1	06° 01' 07"	332.76	34.86	34.94	N 03° 00' 58" E
2	05° 05' 48"	392.76	34.84	34.83	S 02° 33' 10" W
3	47° 45' 00"	200.00	233.35	226.88	N 66° 07' 06" W
4	47° 45' 00"	200.00	183.35	178.08	S 66° 07' 06" E

**PLAN LEGEND**

ALL DIMENSIONS ARE GIVEN IN FEET.

ALL CURVE BREAK DIMENSIONS ARE GIVEN ALONG THE ARC.

THE SYMBOL REPRESENTS THE LOCATION POINTS OF PERMANENT CONCRETE MONUMENTS.

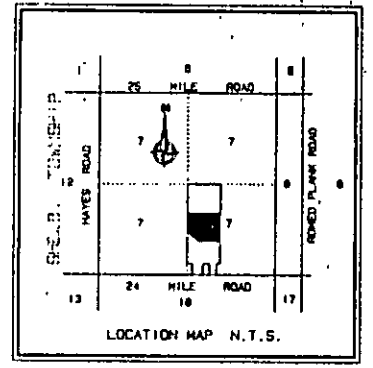
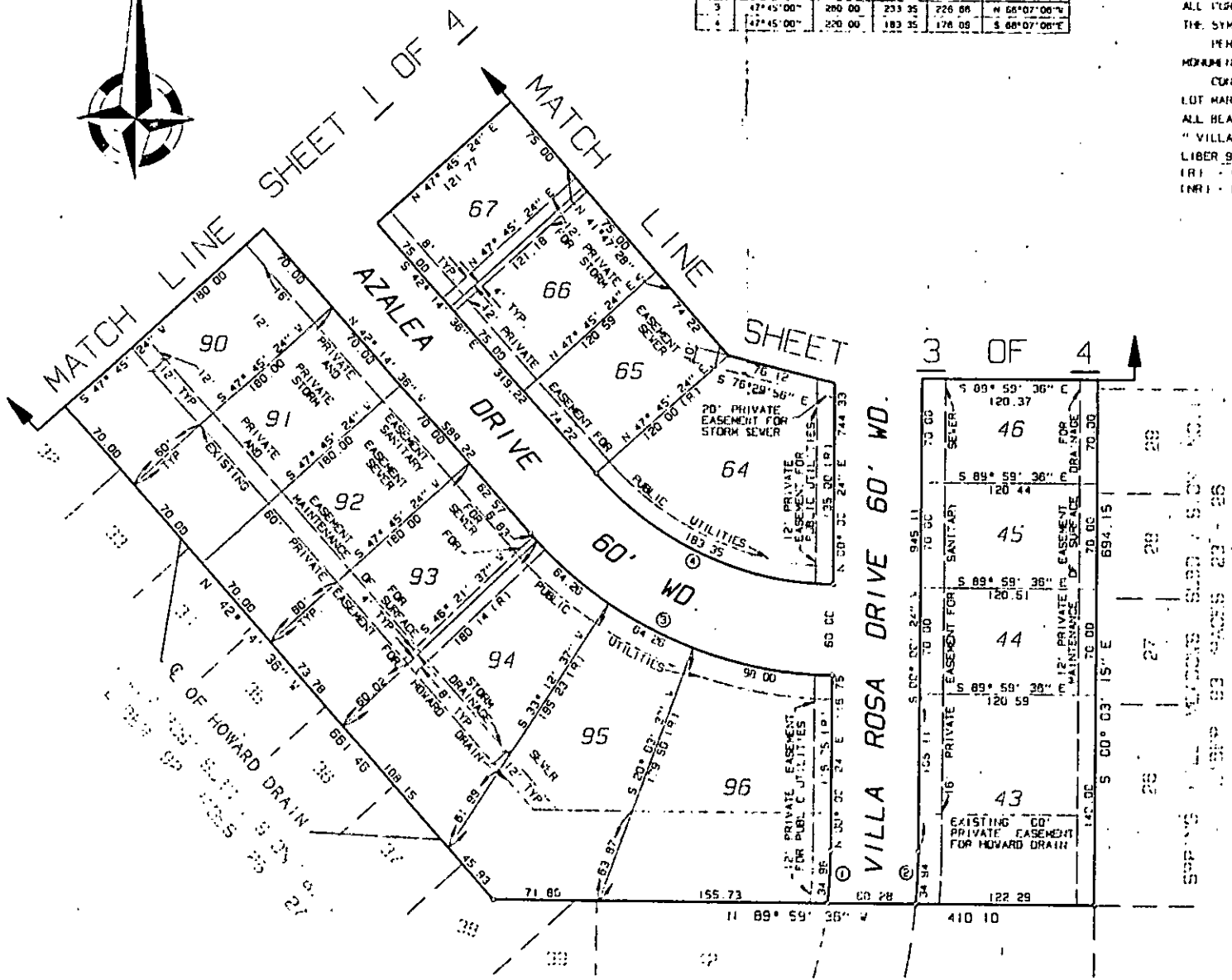
MONUMENTS ARE 36" x 1/2" STEEL RODS INCASED IN 4" CONCRETE CYLINDERS.

LOT MARKERS ARE 1/2" STEEL RODS AND ARE 18" LONG.

ALL BEARINGS ARE IN RELATION TO THE BEARINGS OF "VILLA ROSA SUBDIVISION NO. 1" AS RECORDED IN LIBER 92, PAGES 25-27 M.C.R.

(R) - DENOTES RADIAL

(NR) - DENOTES NON-RADIAL



# " VILLA ROSA SUBDIVISION NO. 2 "

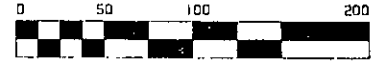
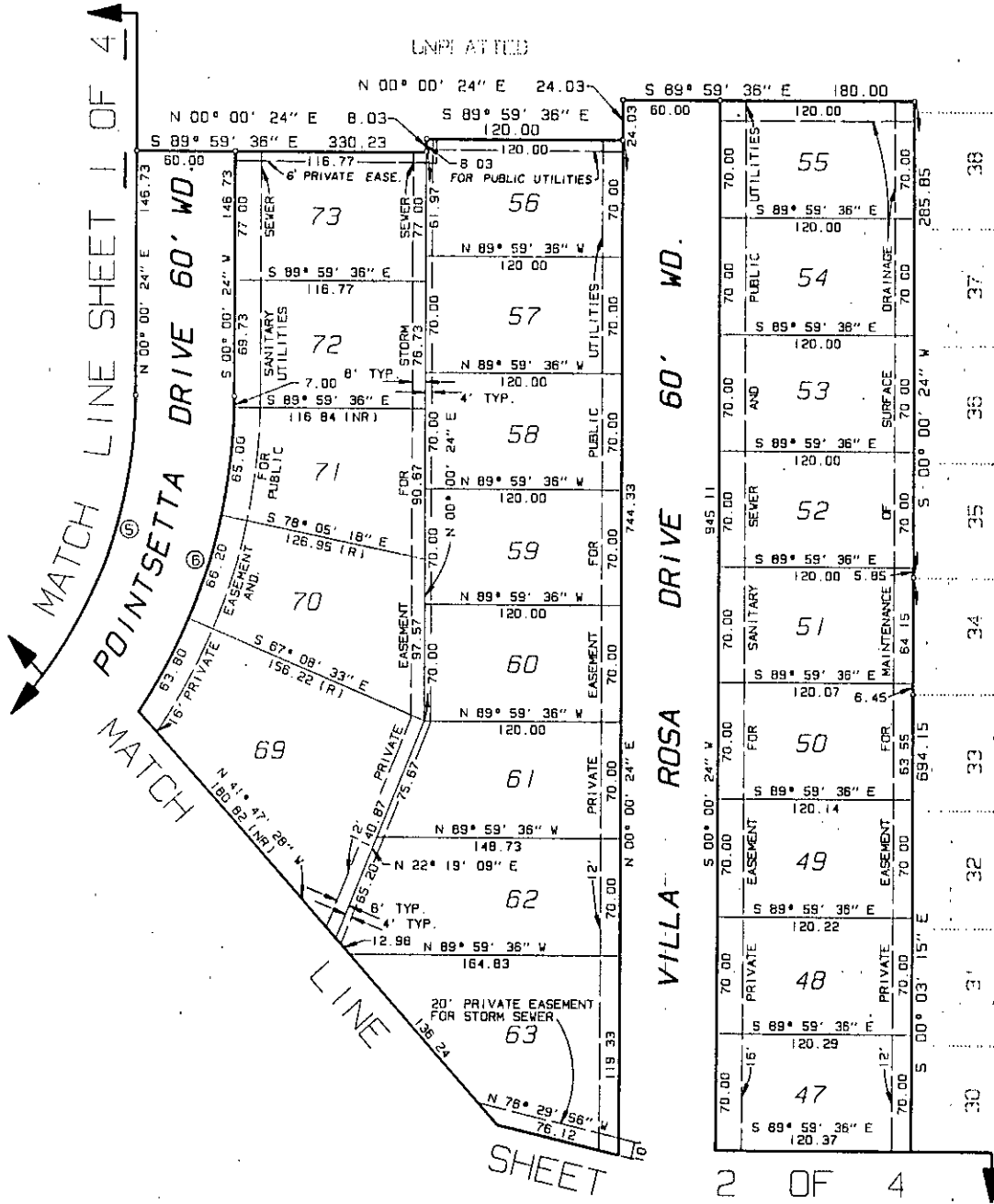
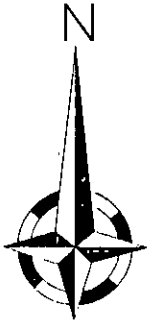
PARTS OF THE S.E. 1/4 AND S.W. 1/4 OF SECTION 7, T.3N., R.13E., MACOMB TOWNSHIP, MACOMB COUNTY, MICHIGAN.

43113

RECORDED RIGHT OF WAY NO.

054961432

APPEAL X C



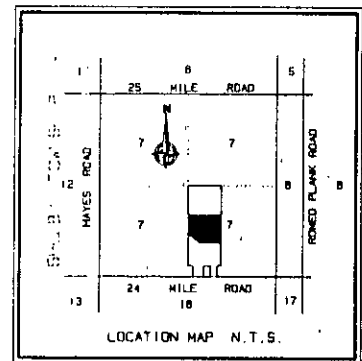
SCALE: 1"=50'

### 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 INCASED IN 4" CONCRETE CYLINDERS.  
 LOT MARKERS ARE 1/2" STEEL RODS AND ARE 18" LONG.  
 ALL BEARINGS ARE IN RELATION TO THE BEARINGS OF "VILLA ROSA SUBDIVISION NO. 1" AS RECORDED IN LIBER 92 PAGES 25-27 M.C.R.  
 (R) - DENOTES RADIAL  
 (NR) - DENOTES NON-RADIAL

CURVE	DELTA ANGLE	RADIUS	ARC	CHORD	CHORD BEARING
5	47°45'00"	286.52	238.78	231.93	N 23°52'54"E
6	47°45'00"	348.52	288.79	280.50	S 23°52'54"W

SPRING HILL MEADOWS SUB. NO. 2 LIBER 92 PAGES 25-27 M.C.R.  
 SPRING HILL MEADOWS SUB. NO. 1 LIBER 93 PAGES 23-28



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