

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R-9202301-01
PROJECT NAME MACOMB HILLS SUBDIVISION NO. 3**

On 6/8, 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:

Frank Karam, 34457 Maple Lane, Sterling Heights, Michigan 48312
Beatrice McDonald, 15269 N.E. County Road. 314, Silver Springs, Fl 32688
Clara Depyper, 15841 24 Mile 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 Corporation, 444 Michigan Ave, Detroit, MI 48226
Comcast Cablevision, a Delaware Corporation, 6065 Wall Street, Sterling Hgts, MI 48077

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

Part of the Southeast 1/4 of Section 7, T3N, R13E, Macomb Township, Macomb County, MI, and being more particularly described as follows: Beginning at a point 840.75 ft. N.88°29'52" West along the South line of Sec 7, also being the centerline of 24 Mile Road from the Southeast corner of Section 7; thence N.88°29'52" West 318.06 ft along the South line of Section 7; thence N.00°00'51" East 250.00 ft; thence N.88°29'50" West 175.00 ft; thence N.00°00'51" East 1735.75 ft; thence S.89°15'29" East 565.76 ft; thence along the Westerly line of Macomb Hills Subdivision No. 1 the following courses and distances: S.00°00'51" West 209.67 ft and S.89°59'09" East 101.35 ft, and S.00°00'51" West 120.00 ft; thence along the Northerly and Westerly lines of Macomb Hills Subdivision No. 2 the following courses and distances: N.89°59'09" West 347.10 ft; S00°00'51" West 988.91 ft; S00°22'06" East 112.20 ft; S.20°29'45" East 46.67 ft; S35°41'58" East 19.33 ft; S.35°44'26" East 118.10 ft; S.48°09'09" East 101.43 ft; and S.00°00'51" West 337.68 ft to the point of beginning and containing 17.444 acres of land and containing 55 lots numbered 107 thru 161, Inclusive.

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

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

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 Joann M. Marcangelo
JOANN MARCANGELO
x [Signature]
SIGNATURE D. Mercurio

[Signature]
Frank Karam, a single man

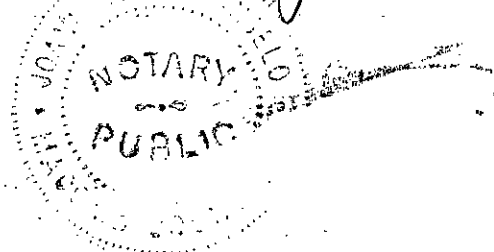
Acknowledged before me in MACOMB County, Michigan, on JUNE 5, 1992 by Frank Karam, a single man.

JOANN M. MARCANGELO
NOTARY PUBLIC - MACOMB COUNTY, MICH.
MY COMMISSION EXPIRES 6-19-94

Notary's Stamp

Notary's Signature

Prepared by and Return to: Michael J. McCabe, 15600 19 Mile Road, Mt. Clemens, MI 48044



RECORDED RIGHT OF WAY NO.

43114

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

Shirley Typinski
Shirley Typinski

Beatrice McDonald
Beatrice McDonald

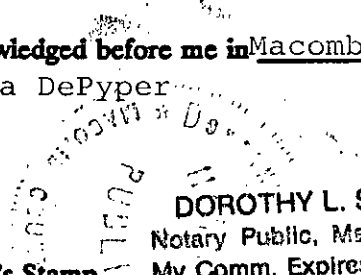
Carrie Elder
Carrie Elder

Shirley Typinski
Shirley Typinski

Clara De Pyper
Clara Depyper

Carrie Elder
Carrie Elder

Acknowledged before me in Macomb County, Michigan, on 6/8/, 1992 by Beatrice McDonald and Clara DePyper



Notary's Stamp

DOROTHY L. SHOWMAN
Notary Public, Macomb Co., MI
My Comm. Expires Dec. 21, 1993

Notary's Signature *Dorothy L. Showman*

Prepared by and Return to:

RECORDED RIGHT OF WAY NO.

43114

Date: July 29, 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 Macomb Hills Subdivision No. 3, located
in part of the Southeast 1/4 of Section 7, Town 3 North,
Range 13 East, Macomb Township, Macomb County, Michigan.

Attached for Record Center is the executed Right of Way Agreement dated June 8, 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 Right of Way, Macomb Division.

Detroit Edison Company, Comcast Cablevision and Michigan Bell Telephone Company made this agreement with Frank Karah, Beatrice McDonald and Clara Depyper, Frank Karam being the developer of Macomb Hills Subdivision No. 3.

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

MJM

Attachment

RECORDED RIGHT OF WAY NO.

43114

LIBER 054961437

MACOMB HILLS SUBDIVISION NO. 3

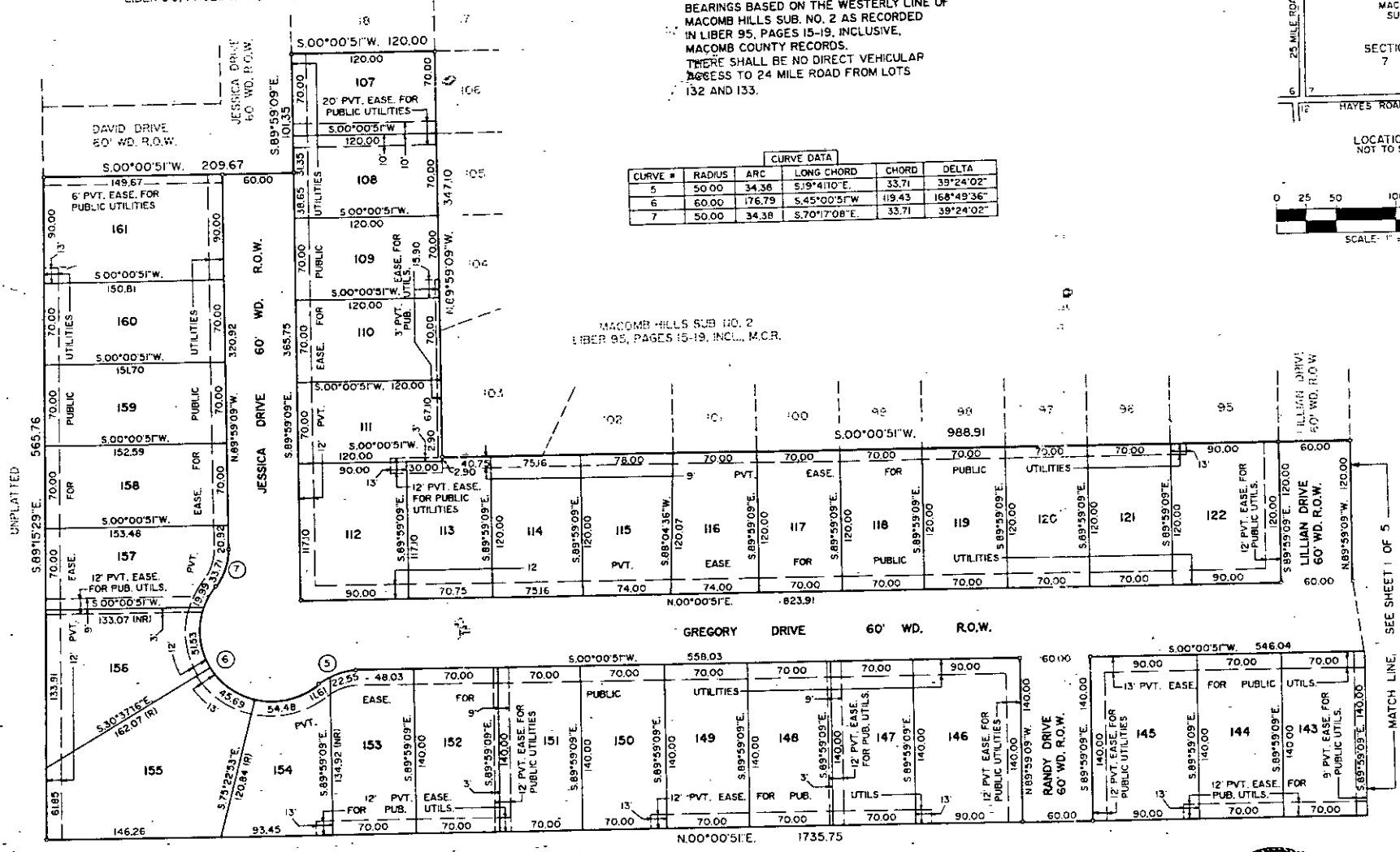
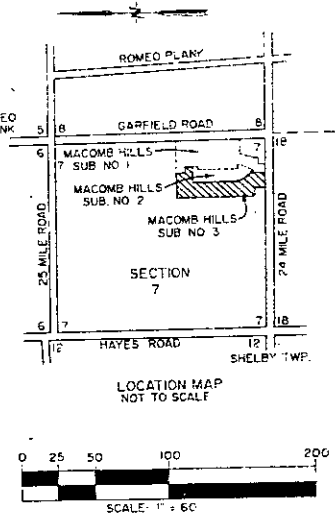
PART OF THE S.E. 1/4 OF SECTION 7, T.3N., R.13E.,
MACOMB TOWNSHIP, MACOMB COUNTY, MICHIGAN

MACOMB HILLS SUB. NO. 1
LIBER 90, PAGES 13-17, INCL., M.C.R.

LEGEND

ALL DIMENSIONS ARE SHOWN 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 WESTERLY LINE OF
MACOMB HILLS SUB. NO. 2 AS RECORDED
IN LIBER 95, PAGES 15-19, INCLUSIVE,
MACOMB COUNTY RECORDS.
THERE SHALL BE NO DIRECT VEHICULAR
ACCESS TO 24 MILE ROAD FROM LOTS
132 AND 133.

CURVE DATA					
CURVE #	RADIUS	ARC	LONG CHORD	CHORD	DELTA
5	50.00	34.38	S.79°41'00"E.	33.71	39°24'02"
6	60.00	176.79	S.45°00'51"W.	119.43	168°49'36"
7	50.00	34.38	S.70°17'08"E.	33.71	39°24'02"



MACOMB HILLS SUB. NO. 2
LIBER 95, PAGES 15-19, INCL., M.C.R.

UNPLATTED

UNPLATTED

SEE SHEET 1 OF 5

MATCH LINE.



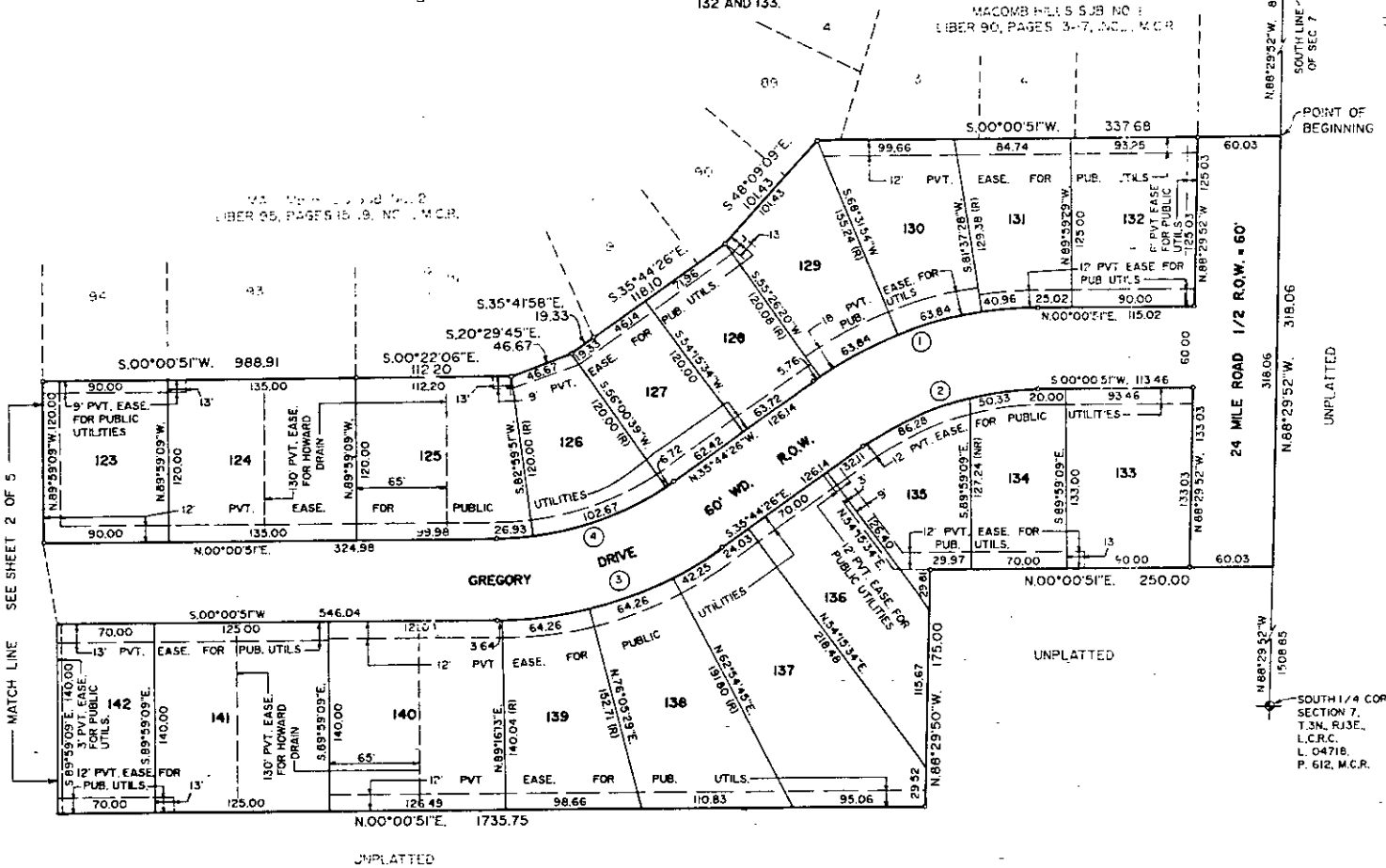
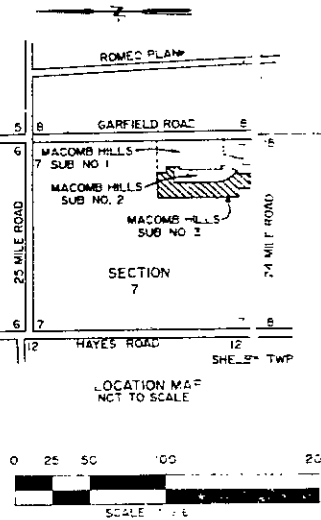
ROBERT L. SMITH

MACOMB HILLS SUBDIVISION NO. 3
 PART OF THE S.E. 1/4 OF SECTION 7, T.3N., R.13E.,
 MACOMB TOWNSHIP, MACOMB COUNTY, MICHIGAN

LIBER 05496 P. 436

CURVE DATA					
CURVE #	RADIUS	ARC	LONG CHORD	CHORD	DELTA
1	280.00	174.73	N17°5'47"W	171.91	35°45'17"
2	220.00	137.29	N17°5'47"W	135.07	35°45'17"
3	280.00	174.73	S17°5'47"E	171.91	35°45'17"
4	220.00	137.29	S17°5'47"E	135.07	35°45'17"

LEGEND
 ALL DIMENSIONS ARE SHOWN IN FEET.
 ALL CURVILINEAR DIMENSIONS ARE SHOWN
 ALONG THE CHORD.
 THE SYMBOL "Ø" 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 ID. CAPS).
 (R) INDICATES RADIAL LOT LINES.
 (NR) INDICATES NOT RADIAL LOT LINES.
 BEARINGS BASED ON THE WESTERLY LINE OF
 MACOMB HILLS SUB. NO. 2 AS RECORDED
 IN LIBER 95, PAGES 15-19, INCLUSIVE,
 MACOMB COUNTY RECORDS.
 THERE SHALL BE NO DIRECT VEHICULAR
 ACCESS TO 24 MILE ROAD FROM LOTS
 132 AND 133.



Robert L. Smith
 ROBERT L. SMITH