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RIGHT OF WAY FILE #

R43170

GRANTOR NAME

[Empty grid for grantor name]

[Empty grid for grantor name]

STREET ADDRESS

[Empty grid for street address]

[Empty grid for street address]

ST

[Empty grid for street type]

CITY/TOWN

[Empty grid for city/town]

ZIP CODE

[Empty grid for zip code]

EASEMENT DESCRIPTION

6

AGREEMENT DATE

[Empty grid for agreement date]

AGREEMENT TYPE

[Empty grid for agreement type]

R P C

LIBER #

[Empty grid for liber #]

PAGE #

[Empty grid for page #]

DRAWING R/W #

[Empty grid for drawing r/w #]

PVT CL#

[Empty grid for pvt cl#]

SECTION

[Empty grid for section]

QUARTER SECTION 3

[Empty grid for quarter section 3]

1/4 1/2

QUARTER SECTION 2

[Empty grid for quarter section 2]

1/4 1/2

QUARTER SECTION 1

[Empty grid for quarter section 1]

1/4 1/2

TOWNSHIP

[Empty grid for township]

COUNTY

[Empty grid for county]

RTE OF LINE

[Empty grid for rte of line]

N/S E/W B

TOWNSHIP RANGE

[Empty grid for township range]

DIVISION CODE

[Empty grid for division code]

A D M O T W

SUBDIVISION NAME

KINGSWOOD SUB NO 2

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

(LIBER 05474PG448)

17 - (B727081)
B775121

LIBER 05589PG949

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R-9200042-01
PROJECT NAME**

SOUTH POINT SUBDIVISION

On 5-22, 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:

Elro Corporation, a Michigan Corporation, 201 West Big Beaver, Suite 720, Troy, MI 48084
Huntington Banks of Michigan, a Michigan Banking Corporation, 801 West Big Beaver Road, Troy, Michigan 48084

"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 City of Warren, Macomb County, Michigan described as:

Part of the Northwest 1/4 of Section 17, T1N, R12E, City of Warren, Macomb County, Michigan. Beginning at a point which is N89°55'00" East 2112.57 feet along the East and West 1/4 line of Section 17 and the centerline of Martin Road (86 feet wide) and N00°58'22" West 43.00 feet from the West 1/4 corner of Section 17, T1N, R12E; thence N00°58'22" West 808.49 feet along the East line of "Kingswood Subdivision No. 1" (liber 45, pages 19 and 20, M.C.R.); thence N88°55'52" East 739.67 feet along the South line of "Kingswood Subdivision No. 2" (liber 45, pages 21 and 22, M.C.R.); thence S01°39'40" East 821.43 feet along the West line of Milton Road (86 feet wide); thence S89°55'00" West 749.63 feet along the North line of said Martin Road to the point of beginning. Containing 13.930 acres and comprising 61 lots, numbered 1 through 61, both included.

RECORDED IN MACOMB COUNTY
RECORDS AT: 2:57 P.M.

OCT 1 1992

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.

CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

* Being Re-Recorded to include easements of Six (6) feet and Nine (9) feet in width as shown on the attached plat. The Six (6) and Nine (9) foot easements supercede the Ten (10) foot easement listed above.

RECORDED IN MACOMB COUNTY
RECORDS AT: 12:00 P.M.
JUN 12 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.

15

RECORDED RIGHT OF WAY NO. 43170

LIBER 05589PG950

LIBER 05474PG449

- 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 Joanne B. Jennings
 Joanne B. Jennings

x Patrick G. McKeever
 Patrick G. McKeever

ELRO CORPORATION
 a Michigan Corporation

BY: Harry F. Terbrueggen
 EXEC. V.P.

Harry F. Terbrueggen, Executive Vice President

RECORDED RIGHT OF WAY NO.

43170

Acknowledged before me in Oakland County, Michigan, on 8-22, 1992 by HARRY F. TERBRUEGGEN EXECUTIVE VICE PRESIDENT OF ELRO CORPORATION, A MICHIGAN CORPORATION FOR THE CORPORATION

JOANNE B. JENNINGS
Notary Public, Oakland County, MI
My Commission Expires Jan. 9, 1995

Notary's Stamp _____ Notary's Signature Joanne B. Jennings
Prepared by and Return to: Michael J. McCabe, 15600 19 Mile Road, Mt. Clemens, MI 48044

LIBER 055897951

LIBER 0547470450

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

x *Fila Kaljaj*
Fila Kaljaj

x *Brenda C Meyers*
Brenda C. Meyers

HUNTINGTON BANKS OF MICHIGAN
a Michigan Banking Corporation

BY: *Harry T. Diehl*
Harry T. Diehl,
Vice President

RECORDED RIGHT OF WAY NO: 43170

Acknowledged before me in Macomb County, Michigan, on May 28, 1992 by Harry T. Diehl, Vice President of Huntington Banks of Michigan, a Michigan Banking Corporation, for the Corporation.

JAMES F. JOHNS
NOTARY PUBLIC STATE OF MICHIGAN
WAYNE COUNTY
MY COMMISSION EXP. MAR. 13, 1995

JAMES F. JOHNS
NOTARY PUBLIC STATE OF MICHIGAN
WAYNE COUNTY
MY COMMISSION EXP. MAR. 13, 1995

Notary's Stamp

Notary's Signature

Prepared by and Return to:

**Detroit
Edison**

Date: July 22, 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 South Point Subdivision, located
in part of the Northwest 1/4 of Section 17, Town¹¹
North, Range 12 East, City of Warren, Macomb County,
Michigan.

Attached for Record Center is the executed Right of Way Agreement dated May 22, 1992 for the above named project.

Easement for this project was requested by William Ronne, 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 Elro Corporation, Harry Terbrueggen, Executive Vice President, the developer of South Point Subdivision.

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

MJM

Attachment

RECORDED RIGHT OF WAY NO. 43170

"SOUTH POINT SUB."

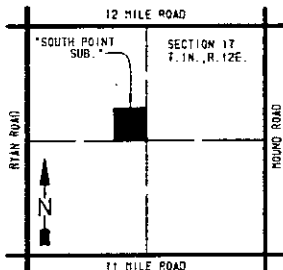
PART OF THE NORTHWEST 1/4 OF SECTION 17, T.1N., R.12E.,
CITY OF WARREN, MACOMB COUNTY, MICHIGAN.

RECORDED RIGHT OF WAY NO. 43170

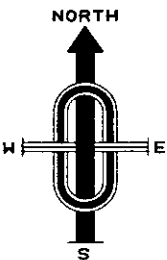


PLAT LEGEND

ALL DIMENSIONS ARE IN FEET.
ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC
(R.) DENOTES RADIAL. (M.R.) DENOTES NOT RADIAL.
THE SYMBO. "O" INDICATES A MONUMENT WHICH IS A 1/2" DIAMETER
STEEL BAR 36" LONG, ENCASED IN 4" DIAMETER CONCRETE.
ALL LOT MARKERS ARE 1/2" IRON PIPES AND ARE 18" LONG. "NO I.D. CAPS"
ALL BEARINGS ARE IN RELATION TO THE BEARING OF THE SOUTH LINE OF
"KINGSWOOD SUBDIVISION NO. 1" AS RECORDED IN LIBER 45,
PAGES 19 AND 20, M.C.R.

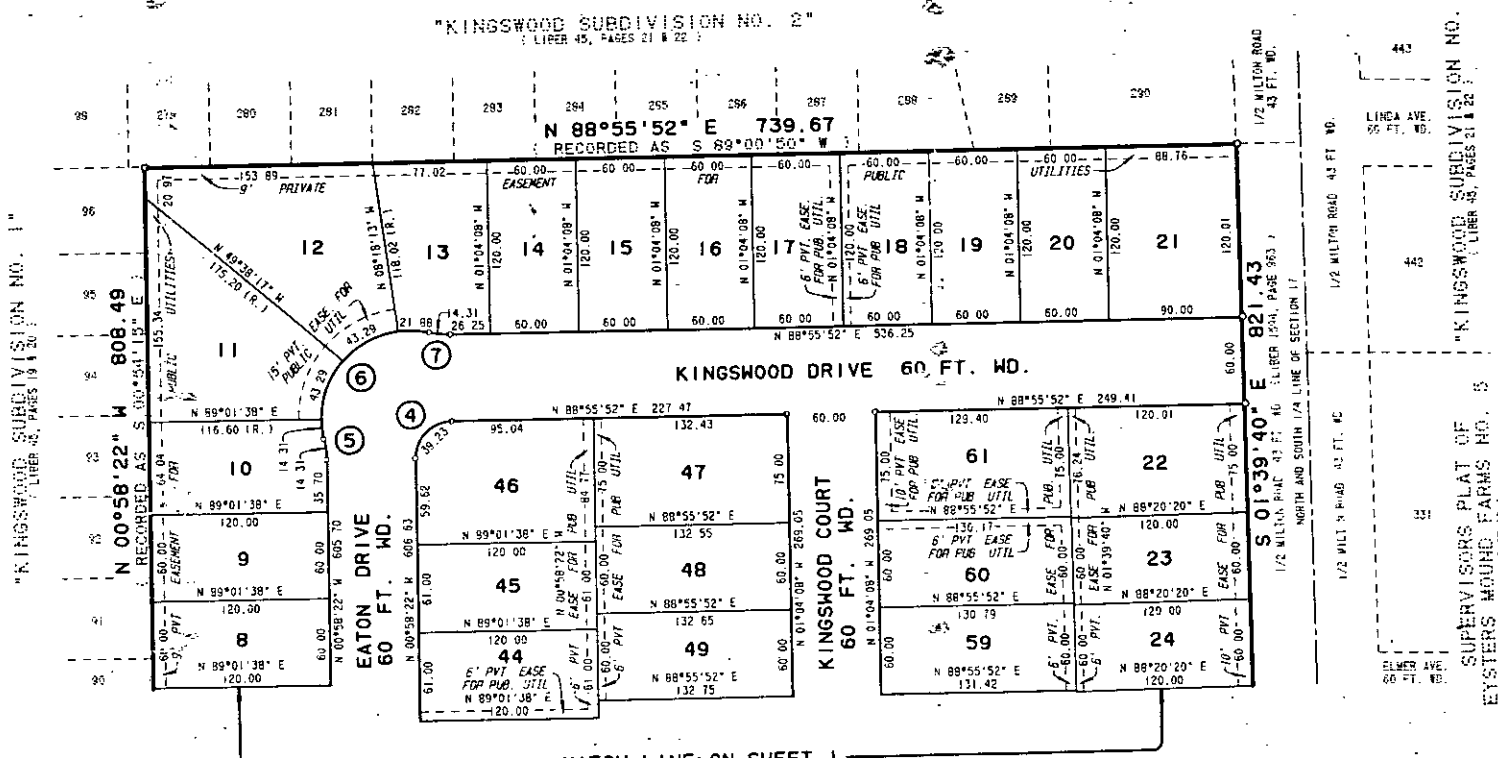


LOCATION MAP
NOT TO SCALE



CURVE DATA

NO.	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
4	25.00	39.23	89°54'14"	35.33	N 43°58'45" E
5	60.00	14.31	13°39'54"	14.28	N 07°48'19" W
6	60.00	122.77	117°14'02"	102.44	N 43°58'45" E
7	60.00	14.31	13°39'54"	14.28	N 84°14'11" W



LIBER 054740451

LIBER 055890952

"SOUTH POINT SUB."

PART OF THE NORTHWEST 1/4 OF SECTION 17, T.1N., R.12E.,
CITY OF WARREN, MACOMB COUNTY, MICHIGAN.



PLAT LEGEND

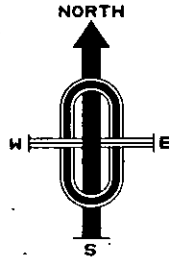
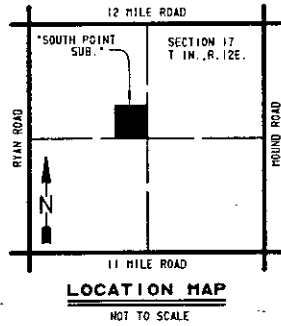
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ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC.
(R.) DENOTES RADIAL. (M.R.) DENOTES NOT RADIAL.
THE SYMBOL "o" INDICATES A MONUMENT WHICH IS A 1 1/2" DIAMETER STEEL BAR 36" LONG, ENCASED IN 4" DIAMETER CONCRETE.
ALL LOT MARKERS ARE 1 1/2" IRON PIPES AND ARE 18" LONG "NO I.D. CAPS".
ALL BEARINGS ARE IN RELATION TO THE BEARING OF THE SOUTH LINE OF "KINGSWOOD SUBDIVISION NO. 1" AS RECORDED IN LIBER 45, PAGES 19 AND 20, M.C.R.

CURVE DATA

NO.	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
1	60.00	275.22	262°49'10"	90.00	N 88°55'52" E
2	60.00	43.36	41°24'35"	42.43	N 21°46'25" W
3	60.00	43.36	41°24'35"	42.43	N 19°58'09" E

LIBER 054740452

LIBER 055891953



POINT OF BEGINNING

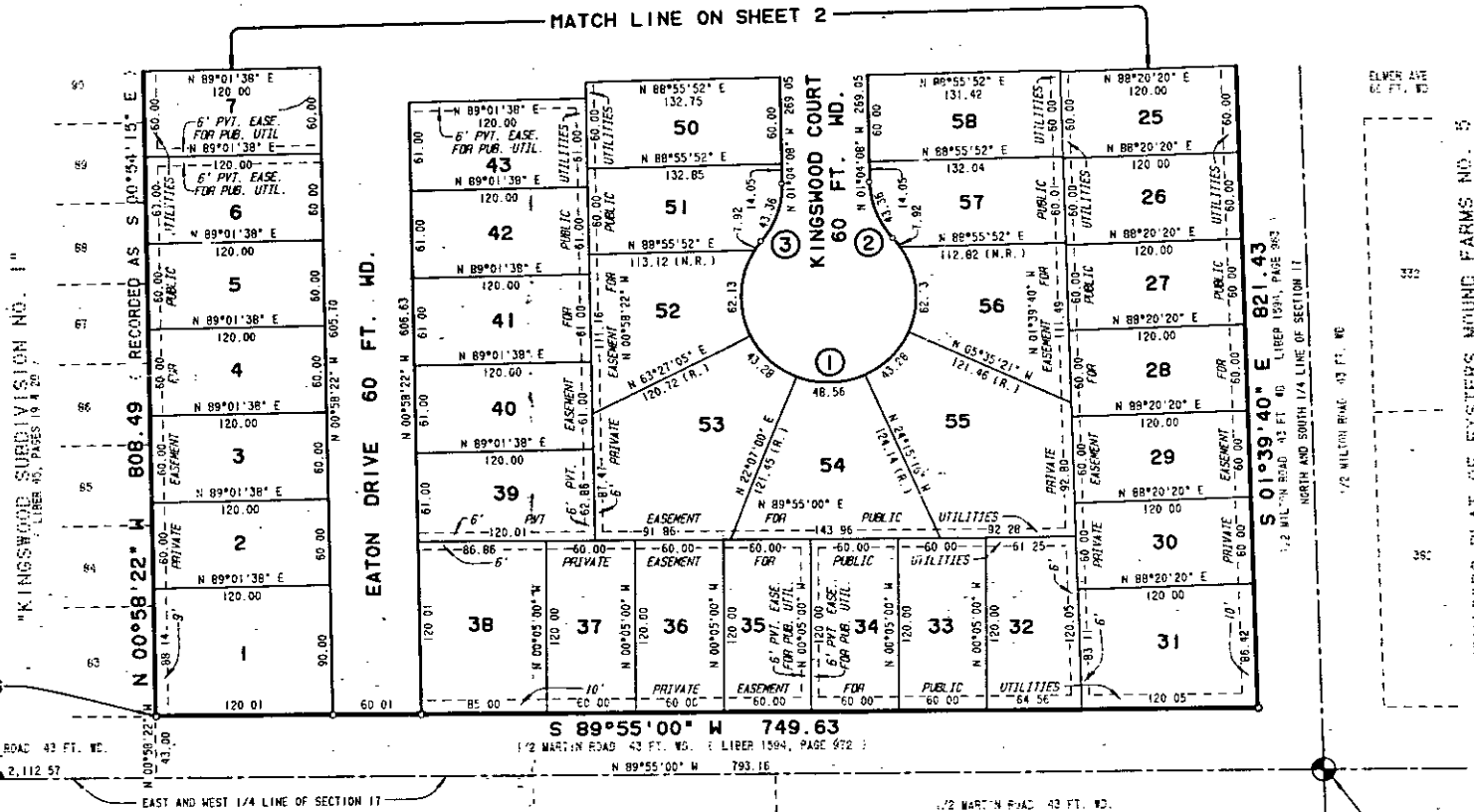
WEST 1/4 CORNER OF SECTION 17, T.1N., R.12E., LIBER 5295, PAGE 395, M.C.R.

UNPLATTED

SUPERVISORS PLAT OF PAUL HOSTE'S FIRST SUBDIVISION LIBER 21, PAGE 42

CENTER POST OF SECTION 17, T.1N., R.12E., LIBER 5295, PAGE 395, M.C.R.

MCS ASSOCIATES, INC. CIVIL ENGINEERING AND SURVEYING STERLING HEIGHTS, MICHIGAN 48314



SUPERVISORS PLAT OF EYESTERS MOUND FARMS NO. 5 LIBER 2, PAGE 25