

UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO.

PROJECT NAME NORTH BRANCH VALLEY SUB NO. 6

On 8/11/92, 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:

Seville Homes, Inc., a Michigan Corporation, 51332 Oro Drive, Shelby Township, MI 48315

"Grantee" is:

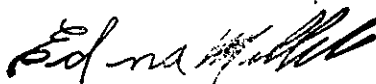
The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226

Michigan Bell Telephone Company, a Michigan Corporation, 444 Michigan Avenue, Detroit, MI
Comcast Cablevision, a Delaware Corporation, 6065 Wall Street, Sterling Heights, MI

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

"See Appendix A attached hereto"

RECORDED IN MACOMB COUNTY
RECORDS AT: 2:46p.
AUG 31 1992



CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

RECORDED RIGHT OF WAY NO. 43397

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

Width of easement as shown on the attached plat.

- 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 Nancy J. Harvey
 NAWCY J. HARVEY

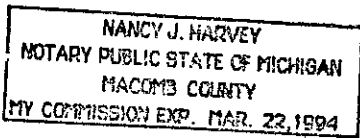
* Michelle A. Harvey
 Michelle A. Harvey

SEVILLE HOMES, INC.
 a Michigan Corporation

BY: Michael Marrocco
 Michael Marrocco, Vice-President

RECORDED RIGHT OF WAY NO. 43397

Acknowledged before me in Macomb County, Michigan, on 8/11, 1992 by Michael Marrocco, Vice-President of Seville Homes, Inc. a Michigan Corporation, for the Corporation



Notary's Stamp

Notary's Signature

Nancy J. Harvey

Prepared by and Return to:

Michael J. McCabe, 15600 19 Mile Road, Clinton Township, MI 48038

"APPENDIX A"

Part of P.C. 610 & 546, T2N, R13E, Clinton Township, Macomb County, Michigan and being more particularly described as follows:

Beginning at a point 1872.77 ft. S.87°10'16" E. along the South line of said P.C. 610 and 48.16 ft. N.02°-59'-27" E. along the centerline of Heydenreich Road (120 ft. wd.) from the Southwest corner of said P.C. 610; thence N.02°-59'-27" E. 106.67 ft. along said centerline of Heydenreich Road; thence S.87°-00'-33" E. 1693.00 ft. along the South line in part of North Branch Valley Sub. No. 3, as recorded in Liber 83, Pages 7 thru 10, incl., Macomb County Records, and North Branch Valley Sub. No. 4, as recorded in Liber 84, Pages 10 and 11, Macomb County Records, and North Branch Valley Sub. No. 5, as recorded in Liber 85, Pages 37 thru 40, incl. Macomb County Records; thence along the Easterly line of said North Branch Valley, Sub. No. 5 the following courses and distances: N.02°-59'-27" E. 120.00 ft., S.87°-00'-33" E. 13.27., N.02°-59'-27" E. 300.00 ft., S.87°00'-33" E. 5.00 ft., N.02°-59'-27" E. 180.00 ft., N.87°-00'-33" W. 375.00 ft., N. 02°-59'-27" E. 457.45 ft., N.87°-00'-27" W. 120.00 ft., N. 02°59'27" E. 120.00 ft., N.42°-00'-33" W. 21.21 ft. and N.48°-39'-28" W. 210.40 ft., thence N.02°-59'-27" E. 34.45 ft. along the East line of said North Branch Valley Sub. No.3; thence S.87°-00'-33" E. 490.88 ft. and N.02°-53'-23" E. 111.00 ft. along the Southerly and Easterly lines of said North Branch Valley Sub. No. 2; thence along the Southerly line of Riverbend Condominiums, M.C.C.P. #231 as recorded in Liber 4301, Pages 914 thru 930, incl., Macomb County Records, the following courses and distances: S.63°-23'-59" E. 311.81 ft., S.81°-17'-11" E. 200.00 ft., N.72°-42'-49" E. 221.31 ft. and N.56°-12'-49" E. 153.15 ft., thence S.53°-27'-07" E. 3.89 ft., thence S.68°-08'-04" E. 50.00 ft., thence S.11°-09'-28" W. 294.39 ft.,; thence S.22°-26'-01" W. 166.76 ft.; thence S.45°-13'-38" W. 390.00 ft.; thence S.00°-13'-38" W. 410.00 ft.,; thence S.08°-13'-38" W. 634.42 ft.; thence N.87°-00'-33" W. 494.48 ft.; thence N.02°-59'-27" E. 45.00 ft.; thence N.87°-00'-33" W. 120.00 ft.; thence N.02°-59'-27" E. 80.00 ft.; thence N.87°-00'33" W. 1053.18 ft.; thence along a curve (R*50.00 ft.) concave to the Southeast, whose long chord Bears S.64°-31'-08" W. 47.67 ft. and whose central angle is 56°-56'-39"; thence along a curve (R*60.00 ft.) concave to the Northeast, whose long chord bears N.60°-32'-02" W. 119.21 ft. and whose central angle is 166°-50'-38"; thence N.67°-06'-52" W. 126.11.; thence N.87°-00'-33" W. 60.00 ft. to the point of beginning and containing 31.611 acres of land and containing 108 lots numbered 330 thru 437, inclusive.

RECORDED RIGHT OF WAY NO. 43397

Detroit
Edison

Date: September 25, 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 North Branch Valley Subdivision No. 6,
located in part of P.C. 610 & 546, Town 2 North, Range
13 East, Clinton Township, Macomb County, Michigan.

Attached for Record Center is the executed Right of Way
Agreement dated August 11, 1992 for the above named project.

Easement for this project was requested by James Kelly,
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 Seville Homes, Inc.,
Michael Marrocco, Vice President, the developer of North Branch
Subdivision No. 6.

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

MJM

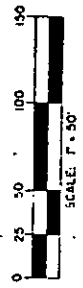
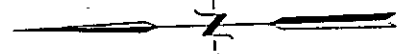
Attachment

RECORDED RIGHT OF WAY NO.

43397

NORTH BRANCH VALLEY SUBDIVISION NO. 6 PART OF P.C. 610 & P.C. 546, T.2N., R.13E., CLINTON TOWNSHIP, MACOMB COUNTY, MICHIGAN

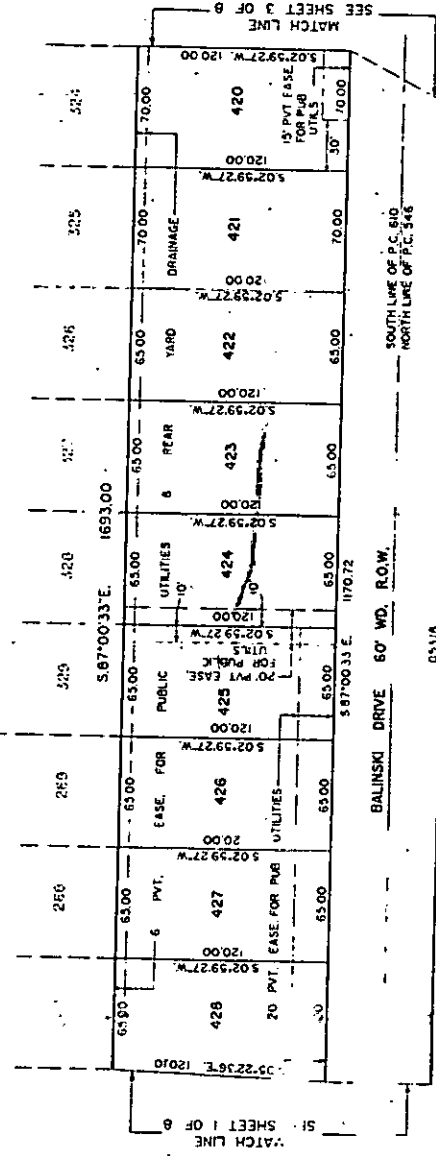
LEGEND
 ALL DIMENSIONS ARE SHOWN IN FEET.
 ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE CHORD.
 THE SYMBOL "Ø" INDICATES A 4" DIAMETER 36" LONG #1/2" STEEL ROD CENTER CONCRETE MONUMENT.
 ALL LOT MARKERS ARE 1/2" STEEL RODS AND ARE 18" LONG. (NO I.D. CAPS).
 (RI) INDICATES RADIAL LOT LINES.
 BEARINGS BASED ON THE EASTERLY LINE OF NORTH BRANCH VALLEY SUB. NO. 5 AS RECORDED IN LIBER 85, PAGES 37-41, INCLUSIVE, MACOMB COUNTY RECORDS. THERE SHALL BE NO DIRECT VEHICULAR ACCESS TO HEYDENREICH ROAD FROM LOT 437.



LIBER 05552PG480

20' - BRANCH VALLEY SUB. NO. 4
REF. 04, PAGES 10-11, M.C.R.

20' - BRANCH VALLEY SUB. NO. 5
LIBER 85, PAGES 37-40, INCL. M.C.R.



NOT ATTACHED

RECORDED RICKS OF WAX NO. 43397

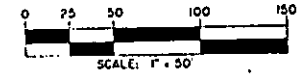
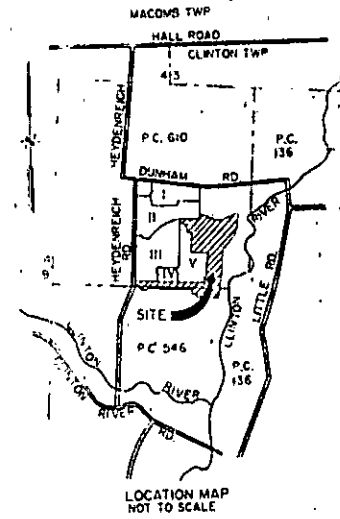
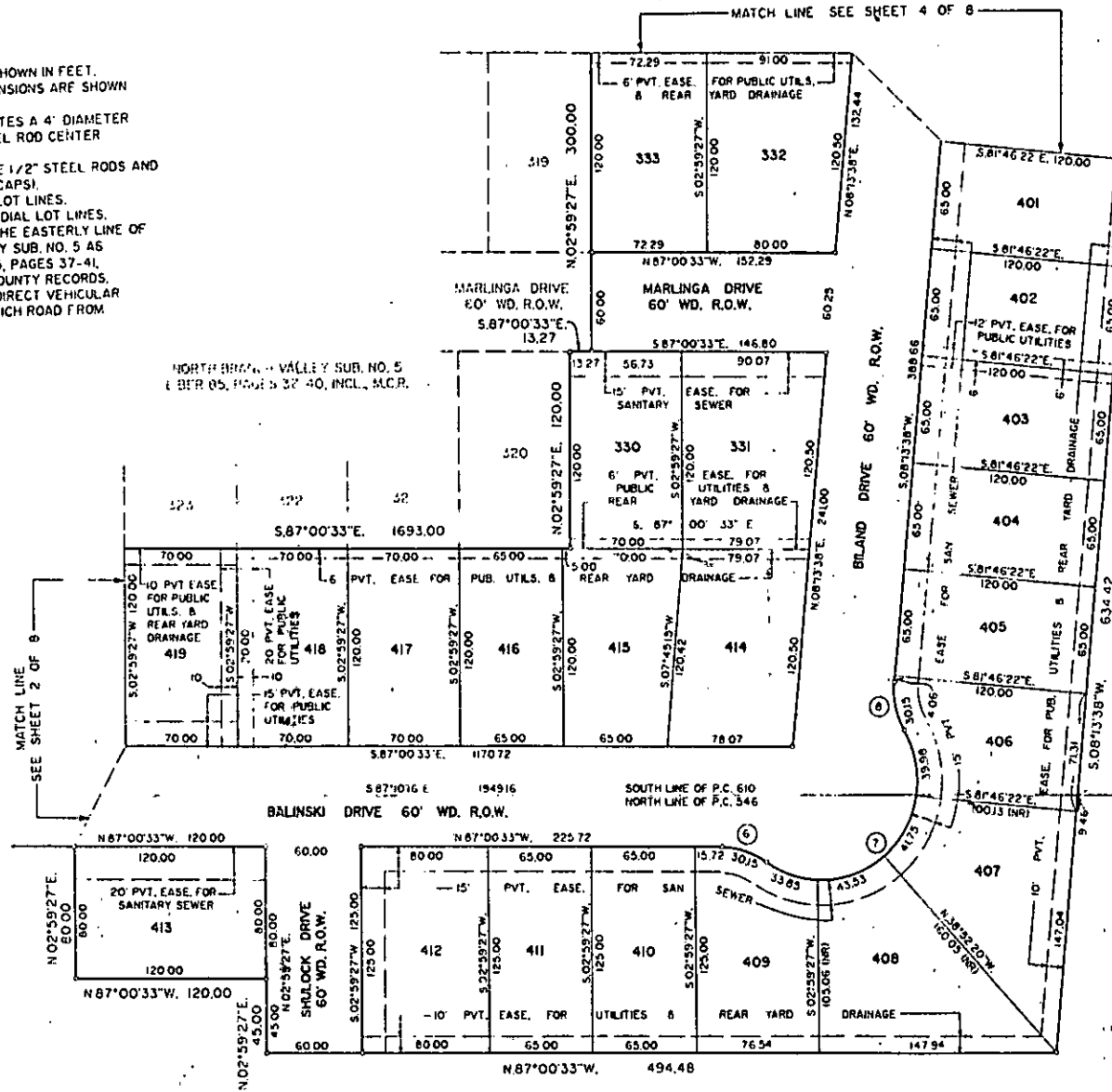
ROBERT L. SMITH

NORTH BRANCH VALLEY SUBDIVISION NO. 6

PART OF P.C. 610 & P.C. 546, T.2N., R.13E.,
CLINTON TOWNSHIP, MACOMB COUNTY, MICHIGAN

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 ID. CAPS).
(R) INDICATES RADIAL LOT LINES.
(NR) INDICATES NOT RADIAL LOT LINES.
BEARINGS BASED ON THE EASTERLY LINE OF NORTH BRANCH VALLEY SUB. NO. 5 AS RECORDED IN LIBER 85, PAGES 37-41, INCLUSIVE, MACOMB COUNTY RECORDS. THERE SHALL BE NO DIRECT VEHICULAR ACCESS TO HEYDENREICH ROAD FROM LOT 437.



CURVE DATA					
CURVE #	RADIUS	ARC	LONG CHORD	DELTA	
6	30.00	11.63	N 65° 27' 45" W	30.15°	35° 09' 35"
7	60.00	16.26	N 50° 36' 32" E	117.74°	154° 57' 00"
8	30.00	10.63	S 09° 19' 09" E	30.15°	22° 03' 35"

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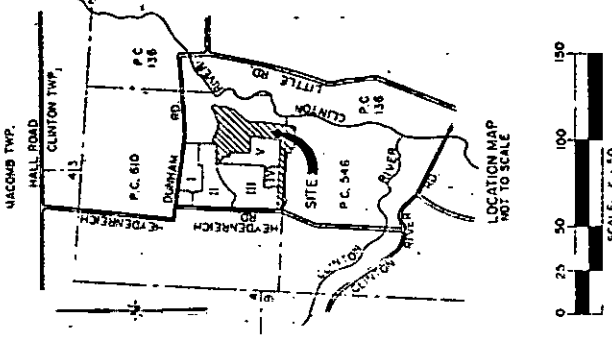
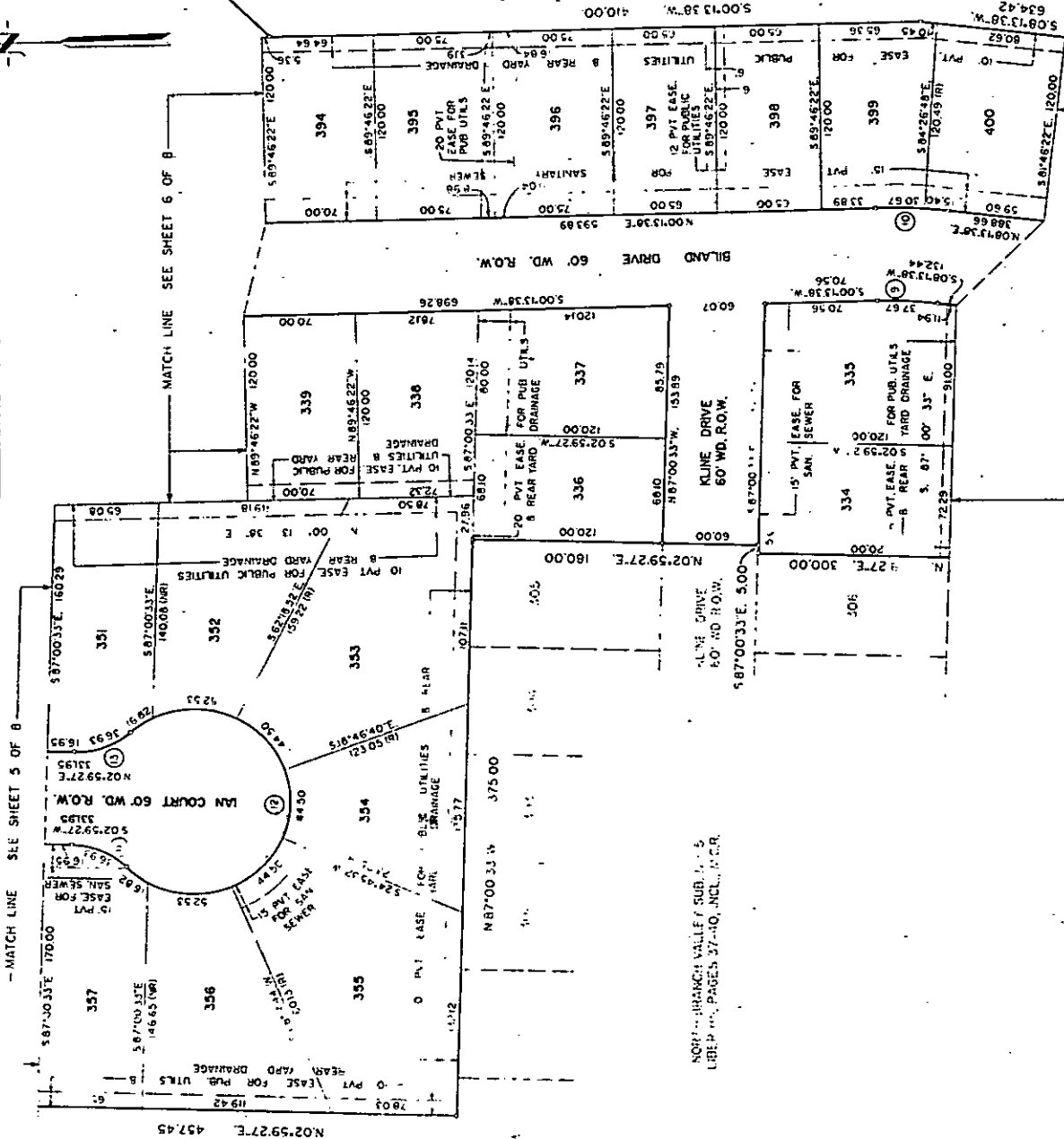
RECORDED RIGHT OF WAY NO

LIBER 055520/481

ROBERT L. SMITH

NORTH BRANCH VALLEY SUBDIVISION NO. 6
 PART OF P.C. 610 & P.C. 546, T.2N., R.13E.,
 CLINTON TOWNSHIP, MACOMB COUNTY, MICHIGAN

CURVE DATA				
CURVE #	RADIUS	ARC	LONG. CHORD	CHORD DELTA
9	270.00	37.70	N04°13'38"E	37.67
10	330.00	48.08	N04°13'38"E	48.04
11	30.00	37.82	S24°35'42"W	38.93
12	60.00	27.92	S87°00'33"E	28.27
13	50.00	37.82	S19°40'48"E	38.93



LEGEND
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 36" LONG #1/2" STEEL ROD CENTER
 CONCRETE MONUMENT.
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 NORTH BRANCH VALLEY SUB. NO. 5 AS
 RECORDED IN LIBER 83, PAGES 37-41.
 INCLUSIVE, MACOMB COUNTY RECORDS.
 THERE SHALL BE NO DIRECT VEHICULAR
 ACCESS TO HEYDENEICH ROAD FROM
 LOT 437

RECORDED RIGHT OF WAY NO. 43397

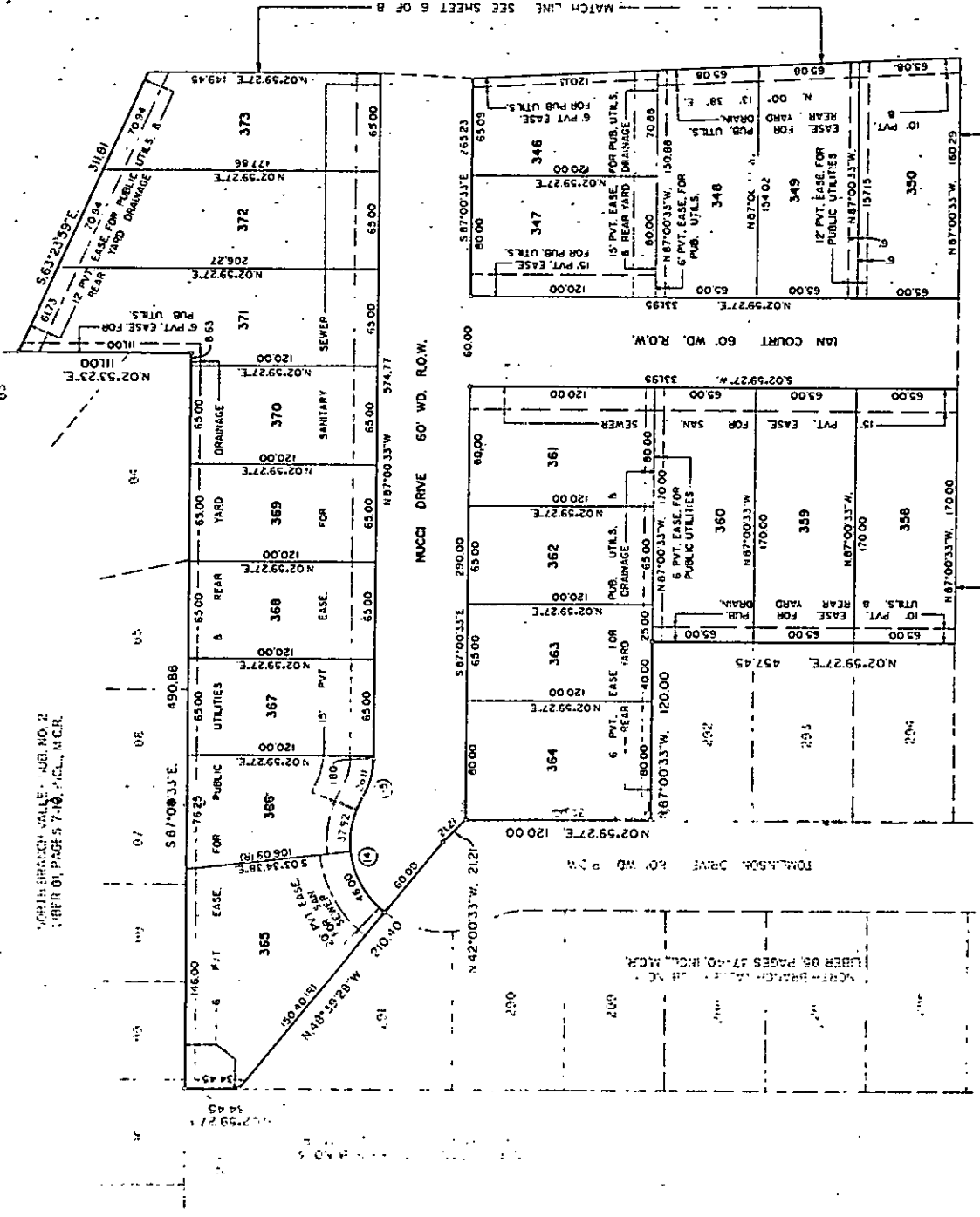
NORTH BRANCH VALLEY SUBDIVISION NO. 6

PART OF P.C. 610 & P.C. 546, T.2N., R.13E.,
CLINTON TOWNSHIP, MACOMB COUNTY, MICHIGAN

CURVE #	RADIUS	ARC	LONG CHORD	CHORD	DELTA
14	60.00	85.79	1182.1010"E	78.66	81°55'37"
15	50.00	26.42	371°32'22"E	26.11	30°16'22"

HETDENREICH CONDOMINIUMS,
M.C.C.P. # 231
LIBER 4301, PAGES 214-230, INCL., M.C.R.

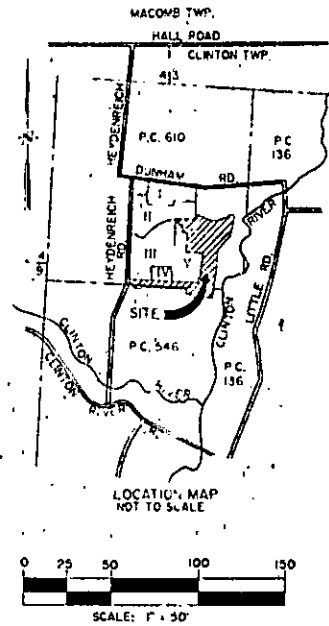
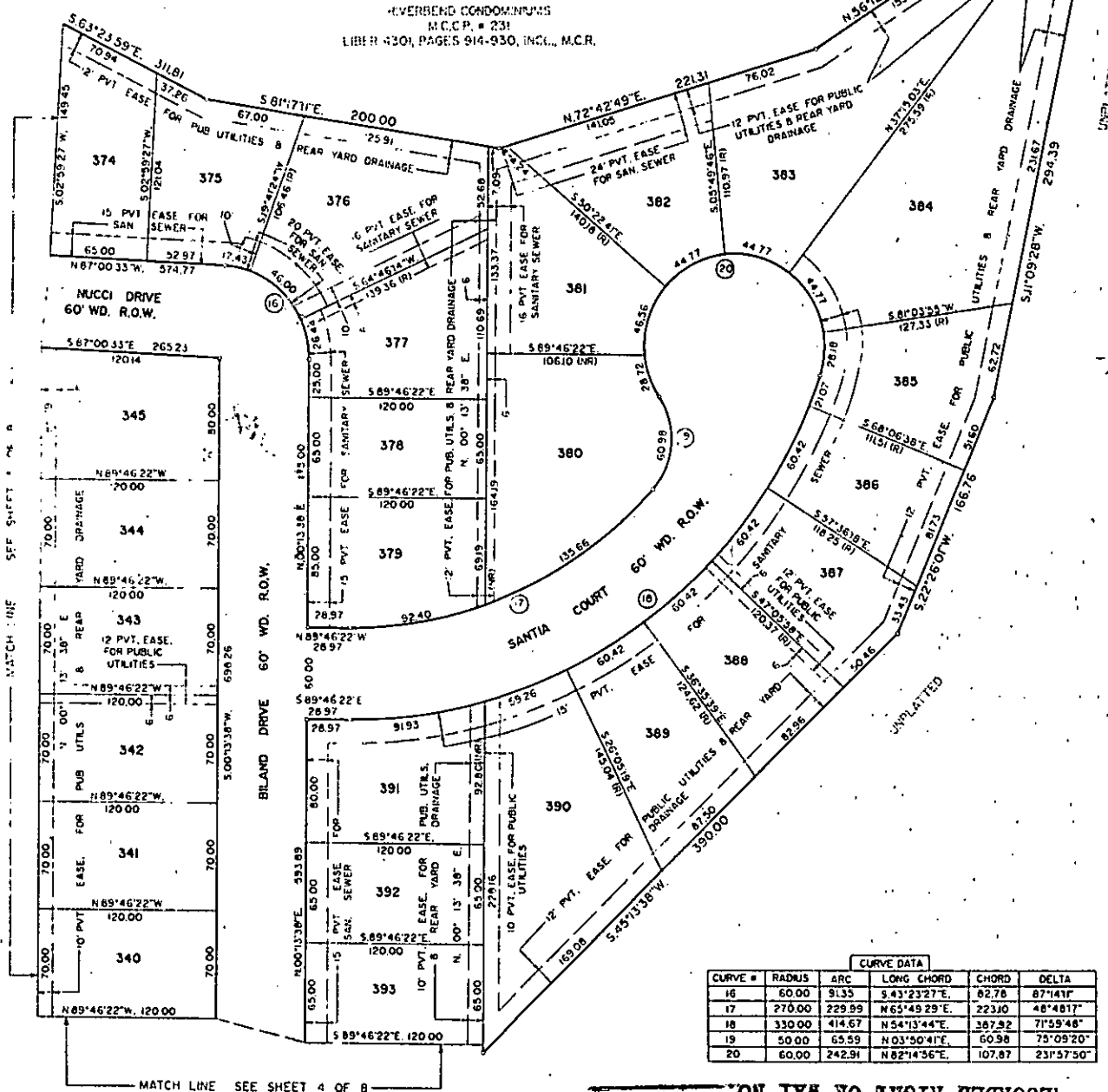
NORTH BRANCH VALLEY SUB. NO. 2
LIBER 01, PAGES 740, INCL., M.C.R.



NORTH BRANCH VALLEY SUBDIVISION NO. 6

PART OF P.C. 610 & P.C. 546, T.2N., R.13E.,
CLINTON TOWNSHIP, MACOMB COUNTY, MICHIGAN

REVERBEND CONDOMINIUMS
M.C.C.P. # 231
LIBER 4301, PAGES 914-930, INCL., M.C.R.



LEGEND

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THERE SHALL BE NO DIRECT VEHICULAR ACCESS TO HEYDENREICH ROAD FROM LOT 437.

CURVE DATA					
CURVE #	RADIUS	ARC	LONG CHORD	CHORD	DELTA
16	60.00	91.35	S 43° 23' 27" E.	82.76	87° 14' 11"
17	270.00	229.99	N 65° 49' 29" E.	223.00	48° 48' 17"
18	330.00	414.67	N 54° 13' 44" E.	387.92	71° 59' 48"
19	50.00	65.59	N 03° 50' 41" E.	60.98	75° 09' 20"
20	60.00	242.91	N 82° 14' 36" E.	107.87	231° 57' 50"

Robert L. Smith
ROBERT L. SMITH

RECORDED RIGHT OF WAY NO. 43397