

UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO.

PROJECT NAME BUFFINGTON KNOLLS SUB. NO. 4

On July 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:

Washington Development Corporation, a Michigan Corporation, 68465 Winlock Ct, Romeo, MI ^{RCP}~~48065~~
~~48095~~

"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
Harron Cablevision, a Delaware Corporation, 55800 New Haven Road, New Haven, MI 48048

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

"See Appendix A" attached

RECORDED IN MACOMB COUNTY
RECORDS AT: 12:20p
AUG 14 1992

Edna Miller

CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

RECORDED RIGHT OF WAY NO. 43596

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

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)

x Anthony Jacobs
ANTHONY JACOBS

x Michael J. McCabe
MICHAEL J. MCCABE

Grantor:(type or print name below signature)

WASHINGTON DEVELOPMENT CORPORATION
a Michigan Corporation

Rolf C. Paul
Rolf C. Paul, President

RECORDED RIGHT OF WAY NO. 435916

Acknowledged before me in MACOMB County, Michigan, on 7-23, 1992 by ROLF C. PAUL, PRESIDENT, OF WASHINGTON DEVELOPMENT CORPORATION, A MICHIGAN CORPORATION, FOR THE CORPORATION

Notary's Stamp JUDITH A. JACOBS
Notary Public, Macomb County, MI
My Commission Expires April 20, 1996

Notary's Signature Judith A. Jacobs

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

"APPENDIX A"

"BUFFINGTON KNOLLS SUBDIVISION NO. 4", part of the Northeast 1/4 of Section 4, T4N, R12E, Washington Township, Macomb County, Michigan is described as:

Commencing at the North 1/4 Corner of Section 4, T4N, R12E, Washington Township, Macomb County, Michigan; thence S.00°04'39" East 2753.52 feet along the North-South 1/4 line of Section 4 and the West line of Buffington Knolls Subdivision as recorded in Liber 57, Pages 44 of the Macomb County Records and the West line of Buffington Knolls Subdivision No. 2 as recorded in Liber 61, Pages 48 and 49 of the Macomb County Records to the point of beginning; thence N. 80°41'07" East 278.52 feet; thence on a curve concave to the East of radius 325.00 feet, a central angle of 21°09'20", whose chord bears N. 10°39'19" West., a chord distance of 119.32 feet, an arc distance of 120.00 feet; thence along the line of Buffington Knolls Subdivision No 2 the following two courses N. 89°55'21" East, 260.00 feet; and N. 00°10'17" West 268.34 feet; thence along the South line of Buffington Knolls Subdivision No. 3, as recorded in Liber 84, P. 43 and 44 the following two courses S. 74°14'30" East., 260.68 feet; and S. 82°26'32"., East 269.85 feet; thence S. 00°05'11" East., 708.05 feet along the West line of Grayglenn Subdivision No. 3 as recorded in Liber 84, Pages 33 and 34 of the Macomb County Records; thence S. 89°14'31" West., 1030.98 feet to the Center Post of Section 4; thence N. 00°04'39" West., 396.95 feet along the North-South 1/4 line of Section 4 to the point of beginning. Containing 14.681 acres and comprising lots numbered 47 thru 60 inclusive.

RECORDED RIGHT OF WAY NO.

43596

Date: September 9, 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 Buffington Knolls Subdivision No. 4,
located in part of the Northeast 1/4 of Section 4,
Town 4 North, Range 12 East, Washington Township,
Macomb County, Michigan.

Attached for Record Center is the executed Right of Way
Agreement dated July 23, 1992 for the above named project.

Easement for this project was requested by Robert Burcar,
Service Planning, Macomb Division. The Agreement was
negotiated by Michael J. McCabe, Representative, Real
Estate and Right of Way, Macomb Division.

Detroit Edison Company, Harron Cablevision and Michigan Bell
Telephone Company made this agreement with Washington Development
Corporation, Rolf C. Paul, President, the developer of Buffington
Knolls Subdivision No. 2.

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

MJM

Attachment

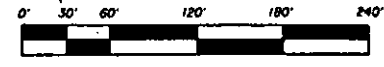
RECORDED RIGHT OF WAY NO.

43594

RECEIVED
JUN 11 1982

"BUFFINGTON KNOLLS SUBDIVISION NO. 4"

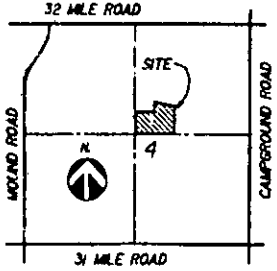
PART OF THE N.E. 1/4 OF SECTION 4, T.4N., R.12 E.,
WASHINGTON TOWNSHIP, MACOMB COUNTY, MICHIGAN



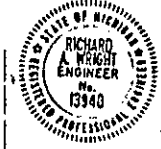
SCALE: 1" = 60'

- LEGEND**
- ALL DIMENSIONS ARE IN FEET
 - ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC
 - R. - DENOTES RADIAL
 - N.R. - DENOTES NOT RADIAL
 - MONUMENTS ARE 1/2" BARS, 1" LONG, ENCASED IN CONCRETE CYLINDERS 4" IN DIAMETER INDICATED THIS WAY
 - ALL LOT MARKERS ARE 1/2" IRON BARS 18" LONG
 - ALL BEARINGS ARE IN RELATION TO BUFFINGTON KNOLLS SUB. NO. 2 AS RECORDED IN LIBER 61, P. 48 & 49 M.C.R.

THIS PLAN IS SUBJECT TO RESTRICTIONS AS RECORDED BY ACT 288 OF 1967, AS AMENDED OR CHANGED LATER WITH RESPECT TO THE REQUIREMENTS OF THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES AND/OR THE MICHIGAN DEPARTMENT OF PUBLIC HEALTH WHICH ARE RECORDED IN LIBER _____ OF RECORDS OF THE COUNTY.



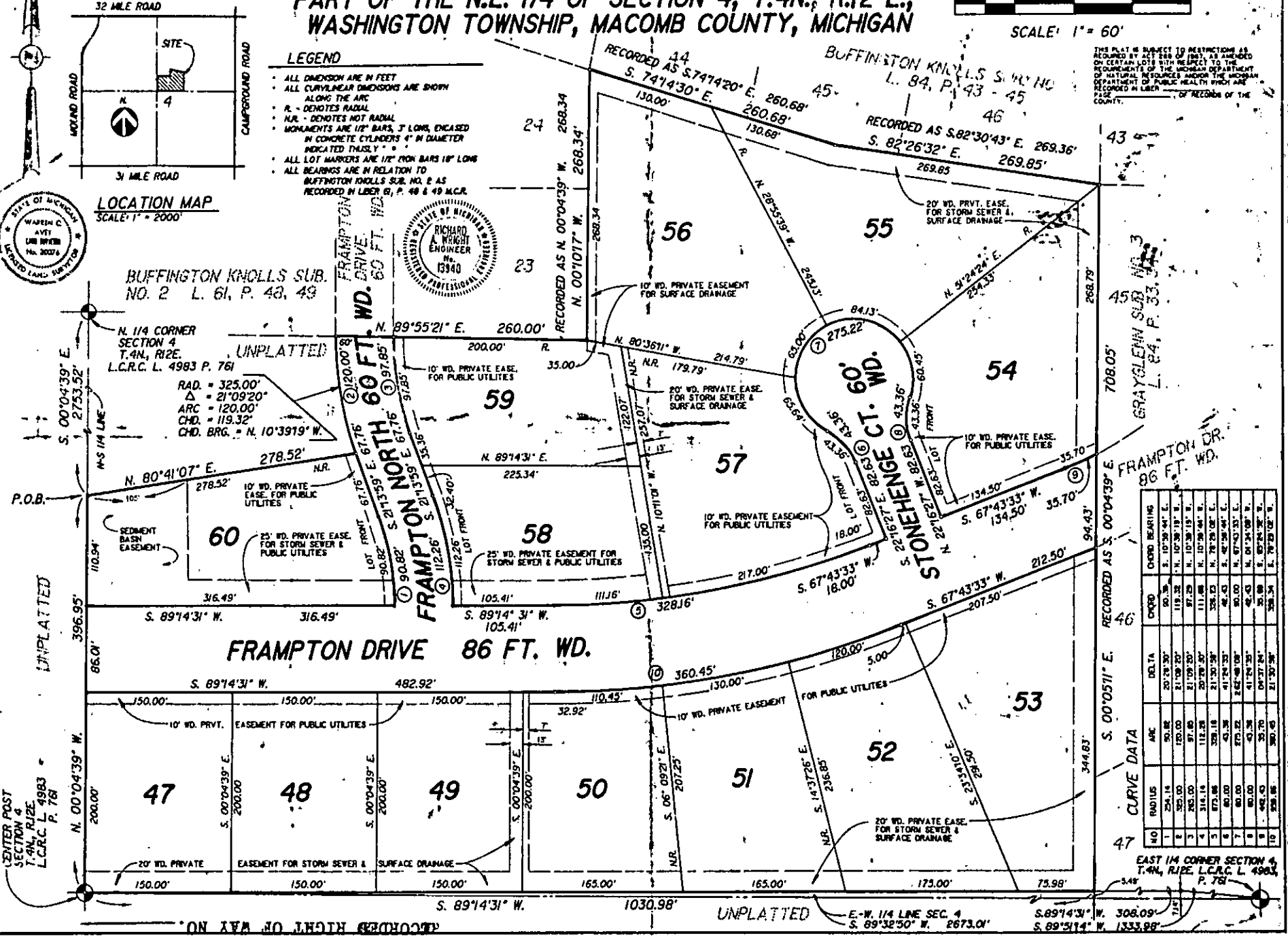
LOCATION MAP
SCALE: 1" = 2000'



BUFFINGTON KNOLLS SUB.
NO. 2 L. 61, P. 48, 49

GRAYGLENN SUB. NO. 3
L. 84, P. 33, 34

FRAMPTON DR.
86 FT. WD.



CURVE DATA

NO.	CHORD BEARING	CHORD	DELTA	ARC	RADIUS
1	S. 10°30'41" E.	50.82	20°28'30"	50.82	234.14
2	N. 10°30'37" E.	118.32	21°18'27"	118.32	295.00
3	N. 10°30'19" E.	97.85	21°09'20"	97.85	295.00
4	N. 10°30'34" E.	111.88	20°59'20"	111.88	295.00
5	N. 10°30'08" E.	308.18	21°30'58"	308.18	873.88
6	N. 10°30'04" E.	46.43	41°24'33"	46.43	60.00
7	N. 10°30'04" E.	60.00	41°24'33"	60.00	60.00
8	N. 10°30'04" E.	282.48	41°24'33"	282.48	60.00
9	N. 10°30'04" E.	46.43	41°24'33"	46.43	60.00
10	N. 10°30'04" E.	308.18	41°24'33"	308.18	60.00

EAST 1/4 CORNER SECTION 4,
T.4N., R.12E. L.C.R.C. L. 4983,
P. 78

LIBER 055351387

43576