

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R-9203384-01
PROJECT NAME**

SHERWOOD FOREST SUBDIVISION NO. 6

On August 17, 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:

Chirco Homes, Inc. a Michigan Corporation, 48645 Van Dyke, Utica, Michigan 48317

"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 Shelby Township, Macomb County, Michigan described as:

Part of the East 1/2 of the Northeast 1/4 of Section 12, T3N, R12E, Shelby Township, Macomb County, Michigan and being more particularly described as follows: Commencing at a point on the East line of said Section 12, also being the centerline of Hayes Road 749.89 feet N. 01°32'27" West from the East 1/4 corner of said Section 12 to the point of beginning: thence S. 88°29'53" West 429.89 feet; thence S. 01°30'07" East 130.00 feet; thence S. 88°29'53" West 556.10 feet; thence along the boundary of "Burlington Subdivision No 1" N. 01°30'07" West 386.79 feet; thence along the boundary of "Sherwood Forest Subdivision No. 3" N. 88°29'53" East 320.00 feet and N. 01°30'07" West 598.21 feet and N. 88°29'53" East 190.00 feet and N. 01°30'07" West 25.00 feet and N. 88°29'53" East 130.00 feet; thence S. 01°30'07" East 820.00 feet; thence N. 88°29'53" East 344.95 feet; thence along the East line of said Section 12, also being the centerline of Hayes Road S. 01°32'27" East 60.00 feet to the point of beginning: Containing 23 Lots numbered 234 thru 256 inclusive in 10.377 acres of land.

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: 2:42p. M.
SEP 17 1992

Edna Hill

CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

RECORDED RIGHT OF WAY NO.

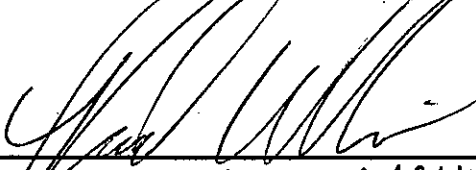
43730

- 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.

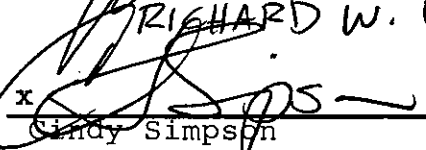
- 4. **Excavation:** As required by Public Act 53 of 1974, MISS DIG must be called on 1-800-482-7171 before anyone excavates in the Right of Way Area.
- 5. **Trees, Bushes, Branches, Roots, Structures and Fences:** Grantee may trim, cut down, remove or otherwise control any trees, bushes, branches and 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)

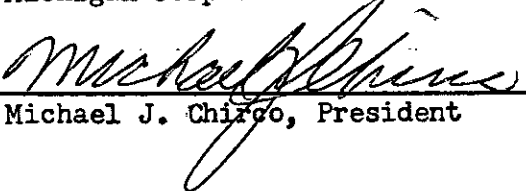
x 

 RICHARD W. MAUIG

x 

 Cindy Simpson

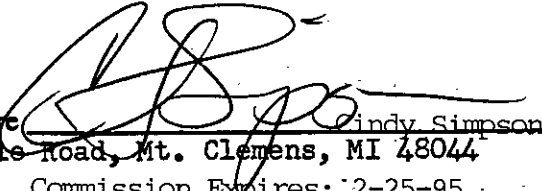
CHIRCO HOMES, INC.
 a Michigan Corporation

BY: 

 Michael J. Chirco, President

RECORDED RIGHT OF WAY NO. 43730

Acknowledged before me in Macomb County, Michigan, on 8-27, 1992 by Michael J. Chirco, President of Chirco Homes, Inc. a Michigan Corporation.

Notary's Stamp _____ Notary's Signature 
 Prepared by and Return to: Michael J. McCabe, 15600 19 Mile Road, Mt. Clemens, MI 48044
 Commission Expires: 2-25-95

Date: October 19, 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 Sherwood Forest Subdivision No. 6,
located in part of the Northeast 1/4 of Section 12,
Town 3 North, Range 12 East, Shelby Township, Macomb
County, Michigan.

Attached for Record Center is the executed Right of Way
Agreement dated August 17, 1992 for the above named project.

Easement for this project was requested by Anthony Garnatz,
Service Planning, Macomb Division. The Agreement was nego-
tiated 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 Chirco Homes, Inc.,
Michael J. Chirco, President, the developer of Sherwood Forest
Subdivision No. 6.

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

MJM

Attachment

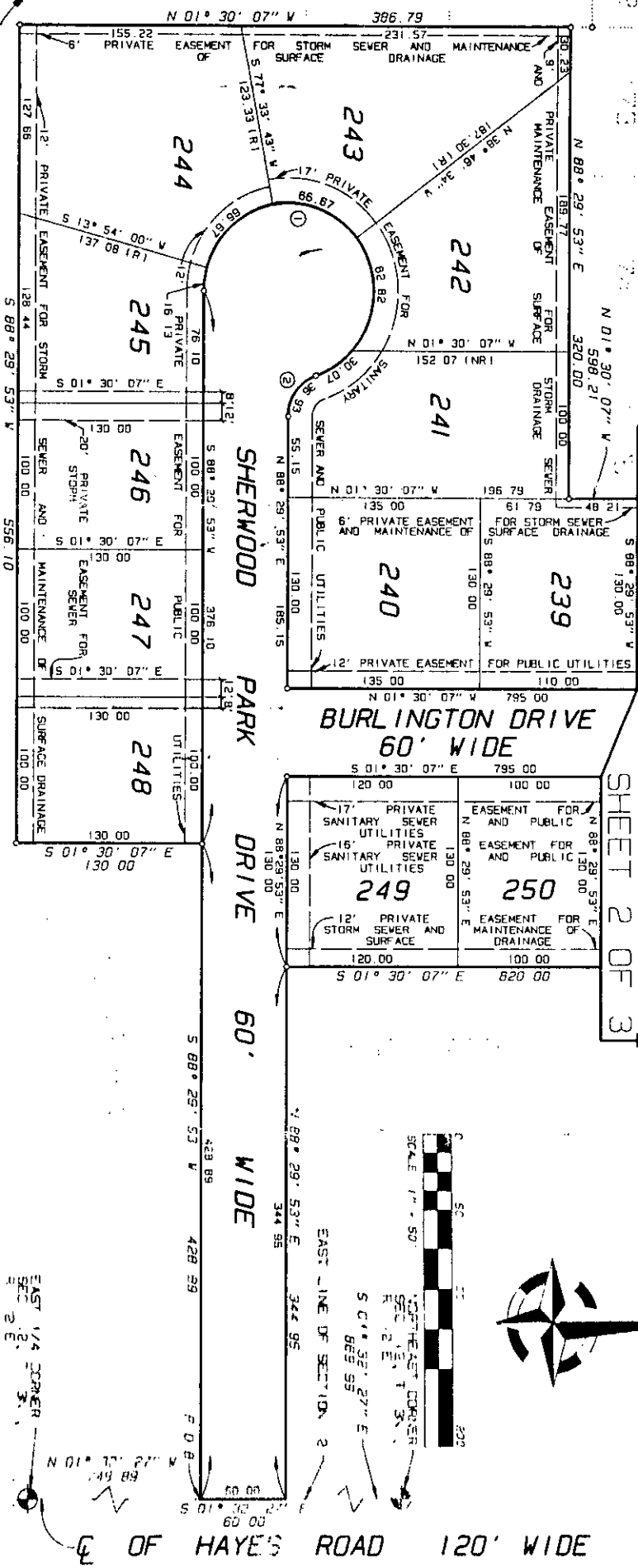
RECORDED RIGHT OF WAY NO. 43730

"SHERWOOD FOREST SUBDIVISION NO. 6"

PART OF THE E. 1/2 OF THE N.E. 1/4 OF SECTION 12, T. 3N., R. 12 E., SHELBY TOWNSHIP, MACOMB COUNTY, MICHIGAN.

SHERWOOD FOREST SUBDIVISION NO. 3 LIBER 80 PAGES 41 AND 42

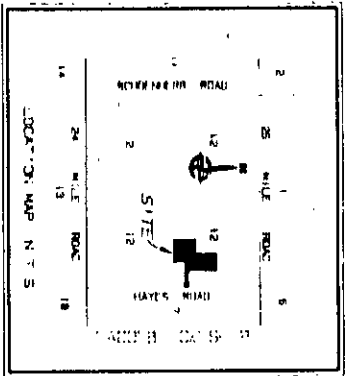
172 773 774 MATCH LINE SHEET 2 OF 3



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 36" - 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 BEARING OF "SHERWOOD FOREST SUBDIVISION NO. 3" AS RECORDED IN LIBER 80 PAGES 41 AND 42 OF M.C.R. (M.C.R. DENOTES RADIAL)

CURVE	DELTA ANGLE	RADIUS	ARC	CHORD	CHORD BEARING
1	109° 28' 10"	80.00	282.36	97.88	N 33° 45' 45" E
2	70° 31' 44"	30.00	96.93	34.64	S 55° 14' 15" E



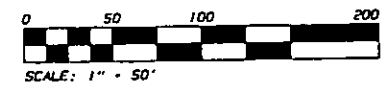
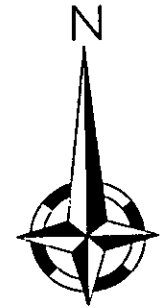
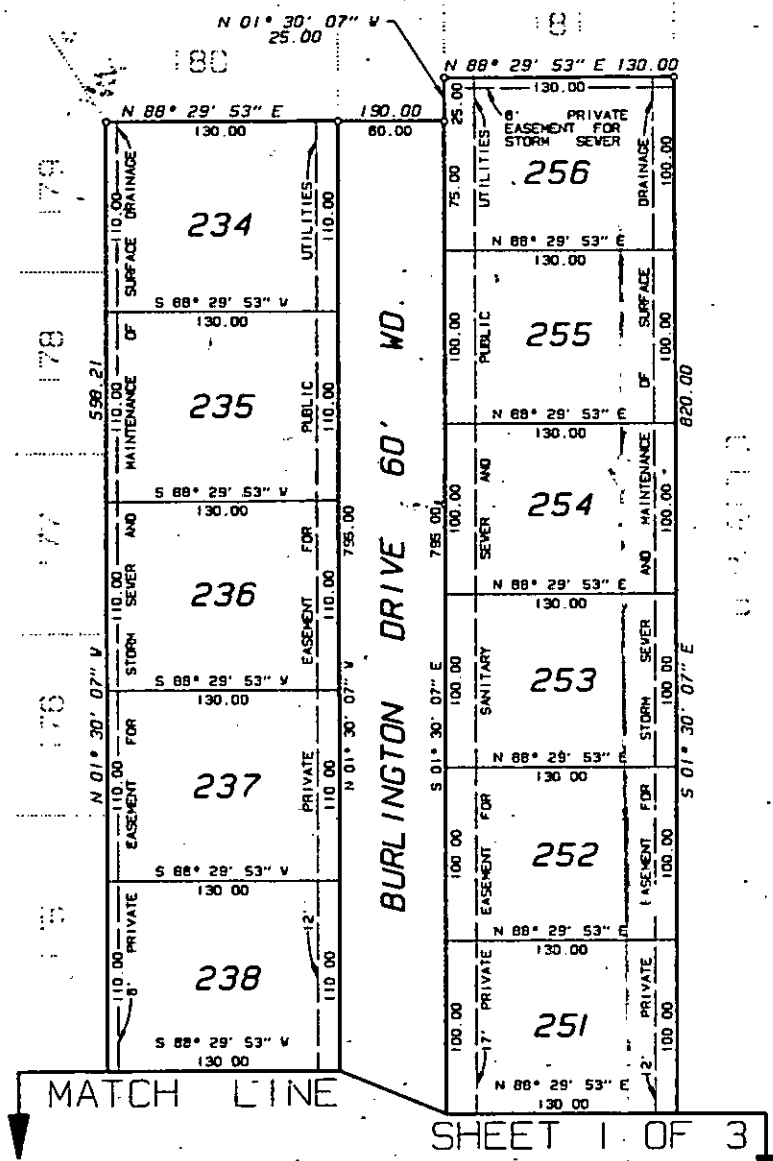
RECORDED RIGHT OF WAY NO. 439300

"SHERWOOD FOREST SUBDIVISION NO. 6"

PART OF THE E. 1/2 OF THE N.E. 1/4 OF SECTION 12, T.3N., R.12 E., SHELBY TOWNSHIP, MACOMB COUNTY, MICHIGAN.

LIBER 0557. 527

SHERWOOD FOREST SUBDIVISION NO. 3
LIBER 80 PAGES 41 AND 42



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" 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 BEARING OF "SHERWOOD FOREST SUBDIVISION NO. 3" AS RECORDED IN LIBER 80 PAGES 41 AND 42 OF M.C.R.

