

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO.
PROJECT NAME RIDGEWOOD ESTATES CONDOS**

On Sept 18, 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:

T.C.M.S., Inc., a Michigan Corporation, 10 S. Gratiot, Suite 205, Mt. Clemens, MI 48043

"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 Heights, MI 48077

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

See Appendix "A" attached hereto.

RECORDED IN MACOMB COUNTY
RECORDS AT: 1:15 P. M.
OCT 16 1992

Edna Hill
CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

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

The exact location of underground equipment must be determined by the UTILITY COMPANIES. For exact location, telephone MISS DIG at 1-800-482-7171. The exact location of underground equipment indicated the centerline of said Right of Way.

- 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.

RECORDED RIGHT OF WAY NO. 43816

**Detroit
Edison**

Date: November 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 Ridgewood Estates Condominiums, located
in part of the Southeast 1/4 of Section 16, Town 2 North,
Range 13 East, Clinton Township, Macomb County, Michigan.

Attached for Record Center is the executed Right of Way
Agreement dated September 18, 1992 for the above named project.

Easement for this project was requested by Larry Simms,
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 T.C.M.S., Inc., John
Socks, Vice President, the developer of Ridgewood Estates
Condominiums.

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

MJM

Attachment

RECORDED RIGHT OF WAY NO.

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- 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 *Larry R. Simms*
 LARRY R. SIMMS

x *Dean G. Wolfe*
 DEAN G. WOLFE

T.C.M.S., INC
 a Michigan Corporation

John Socks *Rec Pres*
 JOHN SOCKS

BY: *Thomas R. Cooney* VP
 THOMAS R. COONEY, V.P.

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Acknowledged before me in Macomb County, Michigan, on 9/18, 1992 by JOHN SOCKS AND THOMAS R. COONEY, VICE PRESIDENTS, FOR T.C.M.S., INC, A MICHIGAN CORPORATION,
 FOR THE CORPORATION.

my commission expires: 5/9/94

Notary's Stamp _____ Notary's Signature *Dorothy J. Woodward*

Prepared by and Return to: Michael J. McCabe, 15600 19 Mile Road, Clinton Township, MI 48038

APPENDIX "A"

A parcel of land located in and being a part of the Southeast 1/4 of Section 16, and P.C. 137, T2N, R13E., Clinton Township, Macomb County.

Commencing at the intersection of the South line of P.C. 137 and the centerline of Little Mack Rd., thence 3638.51 ft. N.28°-42'-18" E. to the point of beginning; thence N.87°-31'-00" W. 2644.07 ft. to the centerline of the Harrington Drain, thence along the centerline of the Harrington Drain the following courses and distances; N.10°-00'-52" W. 175.28 ft., thence N.36°-35'-21" E. 187.01 ft., thence N.77°-23'-00" E. 819.76 ft., thence N.69°-42'-00" E. 662.87., thence S.35°-00'-00" E. 227.65 ft., thence S.56°-50'-00" E. 343.78 ft., thence N. 64°-07'-00" E. 114.47 ft., thence N.73°-42'-30" E. 515.02 ft. to the Westerly Right of Way line of M-97, thence leaving the centerline of the Harrington Drain and extending N.73°-42'-30" E. 103.98 ft. to the centerline of M-97, thence in a Southerly direction along a curve concave to the West, whose radius is 1910.08 ft. a distance of 544.39 ft. (whose chord bears S.08°-07'-50" E. 542.55 ft.) along the center line of M-97 (200' wd.) thence continuing along the centerline of M-97 S.16°-17'-42" E. 41.54 ft. to the intersection of the centerline of Little Mack Avenue, thence S.28°-42'-18" W. 135.17 ft. along the centerline of Little Mack Avenue (120' wd.) to the point of beginning.

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