



Detroit
Edison

Date: March 12, 1993

To: Record Center
2310 WCB

From: Susan Putrycus
Real Estate and Rights of Way Representative
Shelby Service Center - Macomb Division

Subject: Right of Way Agreement for Underground
Residential Distribution for Carrington Manor
Subdivision, located in the Northeast 1/4 of
Section 7, T3N, R12E, Shelby Township, Macomb
County, Michigan.

Attached for Records Center is the executed Right of Way Agreement dated September 17, 1992, and other pertinent papers for the above named project.

Easement for this project was requested by Anthony Garnatz, Service Planner, Shelby Service Center, Macomb Division. The Agreement was negotiated by Susan Putrycus, Representative of Real Estate and Rights of Way, Macomb Division.

Detroit Edison Company, Michigan Bell Telephone Company, and Comcast Cablevision made this Agreement with Sam LoChirco, President of Oliver Homes, Inc., a Michigan corporation, the developers of Carrington Manor Subdivision.

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

SP/ms

Attachments

RECORDED RIGHT OF WAY NO. 44357



Macomb Division
15600 Nineteen Mile Road
Clinton Township, Michigan 48044
(313) 228-4000

March 12, 1993

Mr. Salvatore LoChirco
c/o Oliver Homes, Inc.
1808 Washington
Rochester, MI 48063

Re: Carrington Manor Subdivision
Township of Shelby, Macomb County, Michigan

Dear Mr. LoChirco:

Enclosed is a fully executed copy of your Joint Underground Residential Distribution Right of Way Agreement. For exact location of underground equipment, telephone Miss Dig at 1-800-482-7171. The exact location of underground equipment indicates the centerline of said right of way.

Sincerely,

Susan A. Putrycus
Real Estate and Rights of Way
Shelby Service Center

SP/ms
Enclosure

65E 117

Detroit Edison

LIBER 05608PG901

17-
B833396

LIBER 05738PG412

(B781862)

UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R-9201078-01R

PROJECT NAME - CARRINGTON MANOR SUBDIVISION A 73965

On September 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:

Oliver Homes, Inc., a Michigan corporation, 1808 Washington, Rochester, Michigan 48063

"Grantee" is:

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

Michigan Bell Telephone Company, a Michigan corporation, 555 Michigan Avenue, Detroit, Michigan 48226

Comcast Cablevision, a Delaware corporation, 6065 Wall Street, Sterling Heights, Michigan 48077-1860

"Grantor's Land" is in Shelby Township, Macomb County, described as:

Part of the Northeast 1/4 of Section 7, T3N, R12E, being further described as follows: Commencing at the North 1/4 corner of Section 7; thence South 89°54'16" East 986.53 feet along the North line of Section 7 and the centerline of 25 Mile Road to the point of beginning; thence continuing South 89°54'16" East 354.47 feet along the North line of Section 7; thence South 00°05'13" East 1794.17 feet along the West line of Shelby Hills Subdivision No. 1 as recorded in Liber 89, Pages 38-41 inclusive of the Macomb County Record; thence North 57°17'23" West 576.47 feet along the centerline of a 66 foot wide Michigan Gas Storage Company easement as recorded in Liber 846, Page 503 of the Macomb County Records; thence North 39°00'30" East, 221.33 feet; thence North 00°05'13" West, 40.47 feet; thence North 69°26'30" West 176.08 feet; thence South 71°52'26" West, 76.59 feet; thence North 76°17'04" West 183.30 feet; thence South 50°41'30" West 95.26 feet; thence North 56°17'48" West 218.37 feet; thence North 48°50'58" East 120.74 feet; thence South 89°54'16" East 36.73 feet; thence North 00°05'44" East 150.00 feet; thence South 89°54'16" East 532.96 feet; thence North 00°04'25" West 900.00 feet to the point of beginning.

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

A ten foot easement as shown on the attached drawings whereby 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 indicates the centerline of said Right of Way.

RECORDED IN MACOMB COUNTY
RECORDS AT: 1:04P M.

FEB - 1 1993

Carmella A. ...
CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

RECORDED IN MACOMB COUNTY
RECORDS AT: 1:20P M.

OCT 16 1992

Edna ...
CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

RECORDED RIGHT OF WAY NO.

44357

Being Re-recorded to include Appendix "A"

Handwritten initials and marks at the bottom left.

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 signature)

Grantor:(type or print name below signature)

Oliver Homes, Inc., a Michigan corp.

Joseph W. Greene

 JOSEPH W. GREENE

Susan A. Putrycus

 SUSAN A. PUTRYCUS

Oliver Homes / Sam Lo Chirco
President

Sam Lo Chirco
 SAM LO CHIRCO - PRESIDENT

Acknowledged before me in Macomb County, Michigan, on 9-17-92, 1992
 by SAM LOCHIRCO the PRESIDENT of
 Oliver Homes, Inc., a Michigan corporation on behalf of the corporation.

Notary's Stamp **MARY E COOPER**
 Notary Public, Macomb County, Michigan
 My Commission Expires March 27, 1995
 (Notary's name, county, and date commission expires)

Notary's Signature *Mary E. Cooper*

Prepared by and Return to: Susan Putrycus, 15600 - 19 Mile Road, Clinton Township, Michigan 48038

RECORDED RIGHT OF WAY NO. 44357



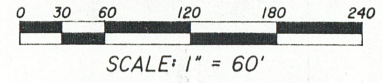
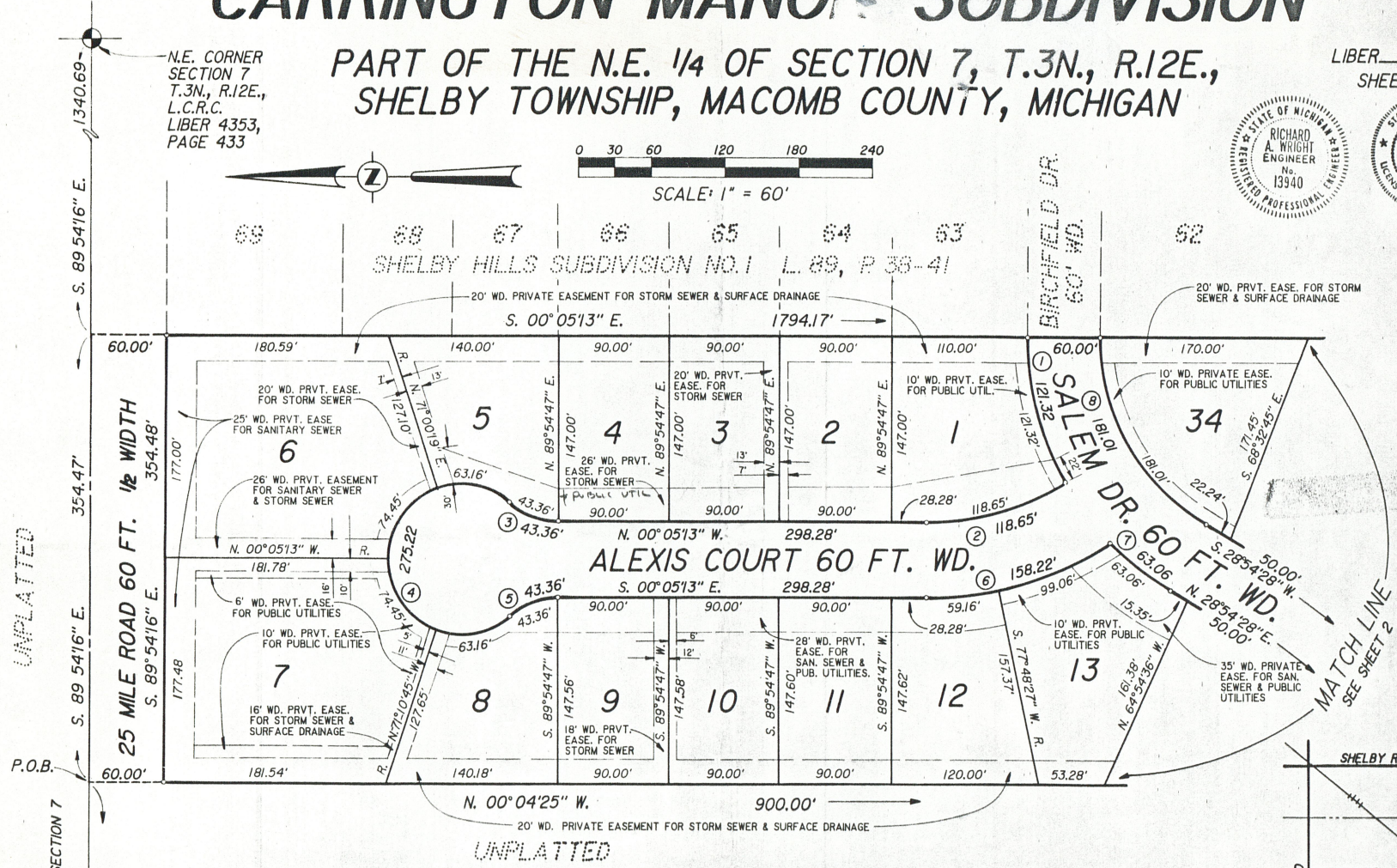
"CARRINGTON MANOR SUBDIVISION"

PART OF THE N.E. 1/4 OF SECTION 7, T.3N., R.12E.,
SHELBY TOWNSHIP, MACOMB COUNTY, MICHIGAN

LIBER _____ PAGE _____
SHEET 1 OF 5



LIBER 05738 PG 414



UNPLATTED

UNPLATTED

LEGEND

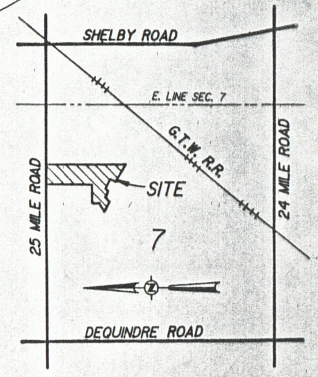
- ALL DIMENSIONS ARE IN FEET.
- ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC.
- R. - DENOTES RADIAL.
- N.R. - DENOTES NOT RADIAL.
- MONUMENTS ARE 1/2" BARS, 3' LONG, ENCASED IN CONCRETE CYLINDERS 4" IN DIAMETER INDICATED THUSLY "o".
- ALL LOT MARKERS ARE 1/2" IRON BARS 18" LONG.
- THE BEARINGS USED FOR THIS PLAT CORRESPOND TO WEST LINE OF SHELBY HILLS SUBDIVISION NO. 1 AS RECORDED IN LIBER 89, PAGES 38-41 INCLUSIVE.

CURVE DATA

NO.	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
1	230.00	121.32	30°13'20"	119.92	S. 74°48'07" W.
2	220.00	118.65	30°54'05"	117.22	N. 15°32'15" W.
3	60.00	43.36	41°24'35"	42.43	N. 20°37'04" E.
4	60.00	275.22	262°49'10"	90.00	S. 89°54'47" W.
5	60.00	43.36	41°24'35"	42.43	S. 20°47'30" E.
6	280.00	158.22	32°22'34"	156.12	S. 16°16'30" E.
7	230.00	63.06	15°42'30"	62.86	S. 36°45'44" W.
8	170.00	181.01	61°00'19"	172.57	S. 59°24'38" W.

NORTH LINE SECTION 7
S. 89°54'16" E. 986.53'

NORTH 1/4 CORNER SECTION 7
T.3N., R.12E.
L.C.R.C. LIBER 3945,
PAGE 717



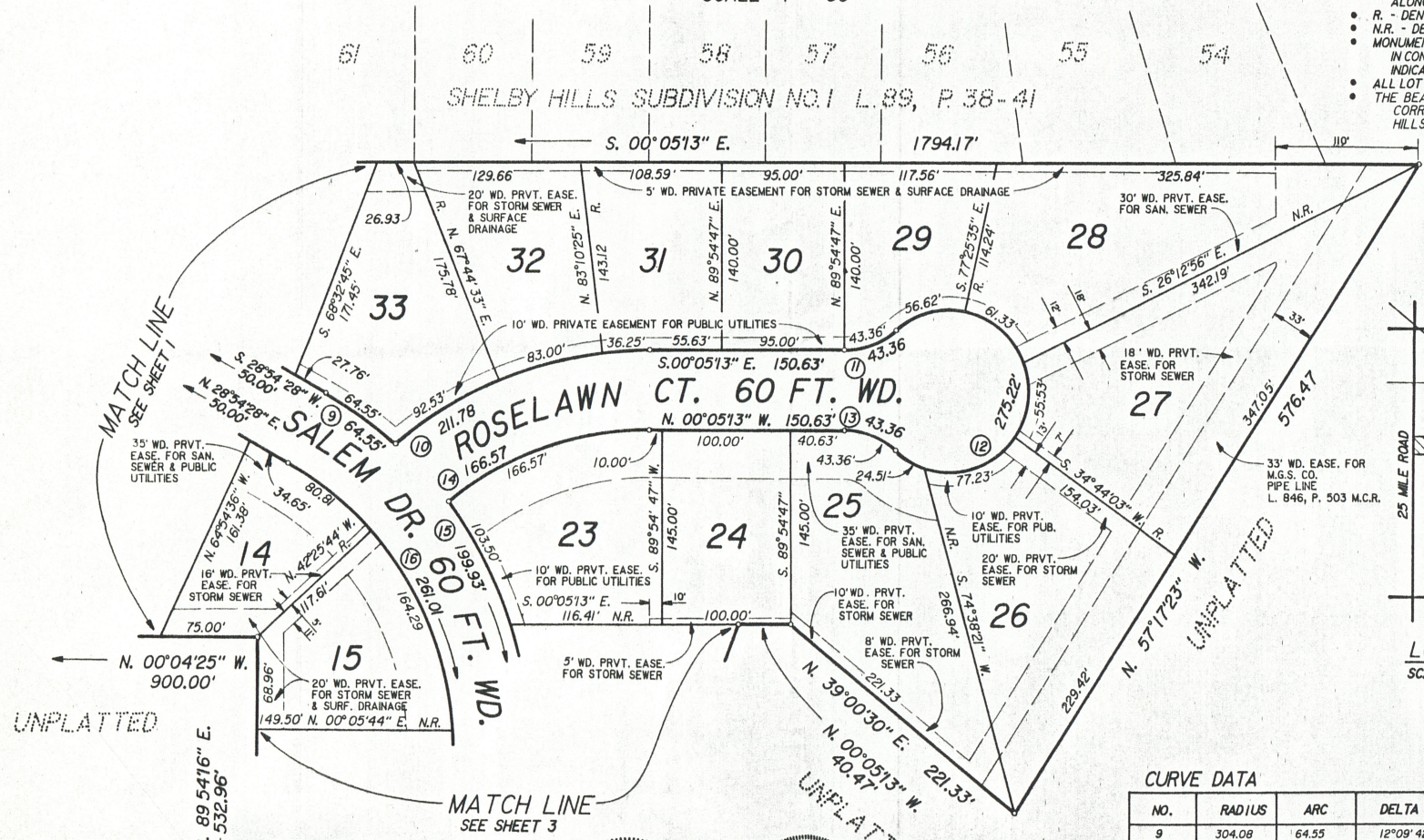
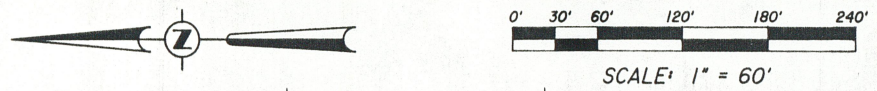
LOCATION MAP
SCALE: 1" = 2000'

LIBER 057380415

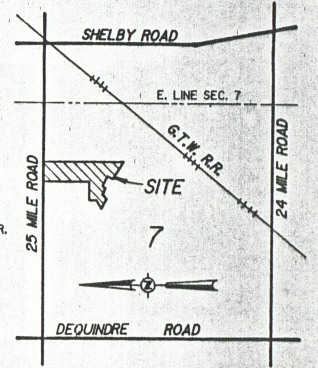
"CARRINGTON MANOR SUBDIVISION"

PART OF THE N.E. 1/4 OF SECTION 7, T.3N., R.12E., SHELBY TOWNSHIP, MACOMB COUNTY, MICHIGAN

LIBER _____ PAGE _____
SHEET 2 OF 5



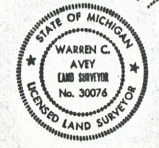
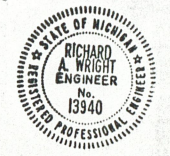
- LEGEND**
- ALL DIMENSIONS ARE IN FEET.
 - ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC.
 - R - DENOTES RADIAL.
 - N.R. - DENOTES NOT RADIAL.
 - MONUMENTS ARE 1/2" BARS, 3' LONG, ENCASED IN CONCRETE CYLINDERS 4" IN DIAMETER INDICATED THUSLY "••"
 - ALL LOT MARKERS ARE 1/2" IRON BARS 18" LONG.
 - THE BEARING USED FOR THIS PLAT CORRESPOND TO WEST LINE OF SHELBY HILLS SUB. NO. 1 AS RECORDED IN LIBER 89, PAGES 38-41 INCLUSIVE.



LOCATION MAP
SCALE: 1" = 2000'

CURVE DATA

NO.	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
9	304.08	64.55	12°09'42"	64.42	N. 34°59'19" E.
10	308.18	211.78	39°22'27"	207.64	N. 19°46'26" W.
11	60.00	43.36	41°24'35"	42.43	N. 20°47'30" W.
12	60.00	275.22	262°49'10"	90.00	N. 89°54'47" E.
13	60.00	43.36	41°24'35"	42.43	S. 20°37'04" W.
14	248.18	166.57	38°27'19"	163.46	N. 19°18'53" W.
15	304.08	199.93	37°40'17"	196.35	S. 71°15'36" W.
16	244.08	260.66	61°11'16"	248.45	N. 59°30'06" E.



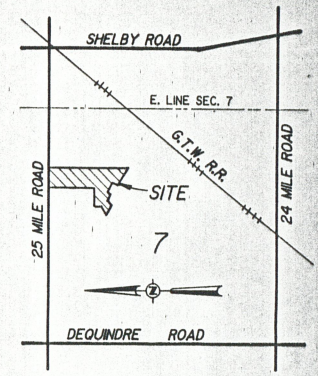
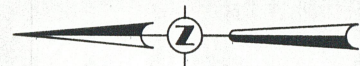
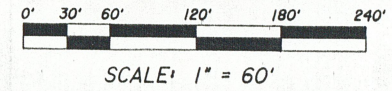
URBAN LAND CONSULTANTS - 731-8030
ENGINEER - PLANNERS - LAND SURVEYORS

"CARRINGTON MANOR SUBDIVISION"

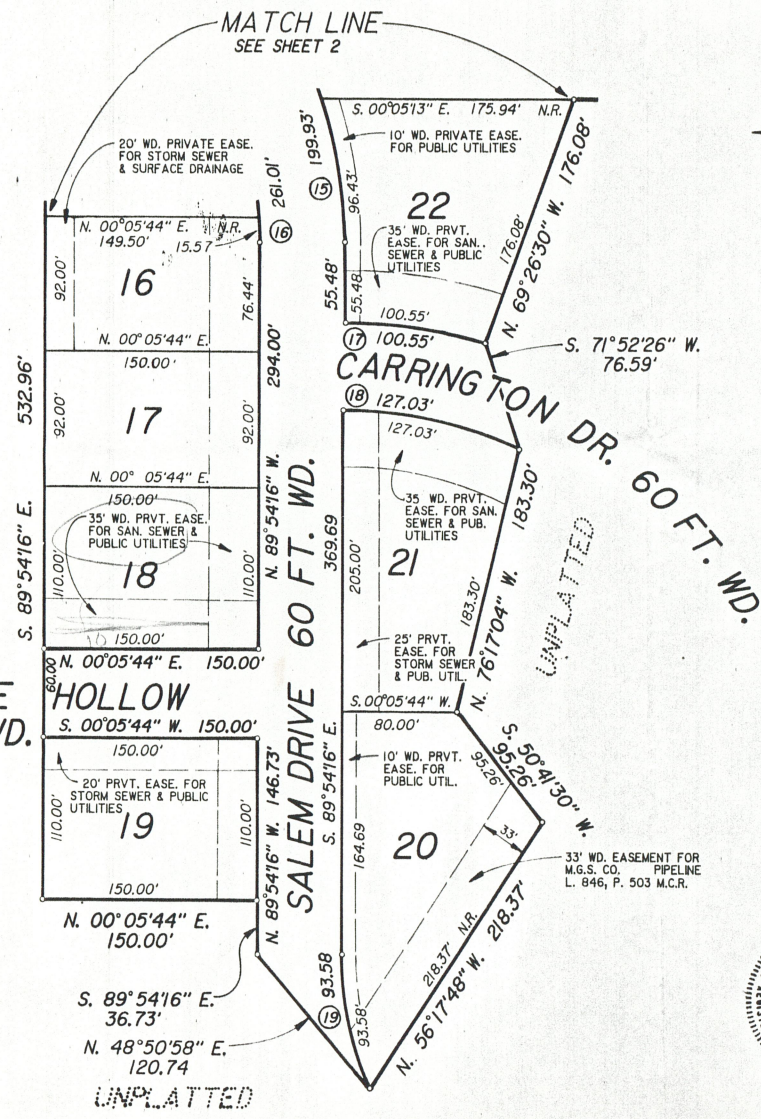
PART OF THE N.E. 1/4 OF SECTION 7, T.3N., R.12E.,
SHELBY TOWNSHIP, MACOMB COUNTY, MICHIGAN

LIBER _____ PAGE _____
SHEET 3 OF 5

LIBER 05738P0416



LOCATION MAP
SCALE: 1" = 2000'

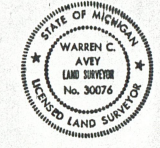
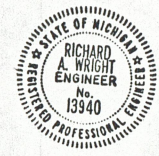


CURVE DATA

NO.	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
15	304.08	199.93	37°40'17"	196.35	S. 71°15'36" W.
16	244.08	260.66	61°11'16"	248.45	N. 59°30'06" E.
17	355.62	100.35	16°11'28"	100.21	S. 8°11'28" W.
18	295.82	127.03	24°36'14"	126.06	N. 12°23'51" E.
19	220.00	93.58	24°22'18"	92.88	S. 77°54'35" W.

LEGEND

- ALL DIMENSIONS ARE IN FEET.
- ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC.
- R. - DENOTES RADIAL.
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- THE BEARING USED FOR THIS PLAT CORRESPONDS TO THE WEST LINE OF SHELBY HILLS SUB. NO. 2 AS RECORDED IN LIBER 89, PAGES 38-41 INCLUSIVE.



MOORGATE HOLLOW
60 FT. WD.

SALEM DRIVE
60 FT. WD.

CARRINGTON DR.
60 FT. WD.

UNPLATTED

UNPLATTED

UNPLATTED