

UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R-9110732-1MR
PROJECT NAME CRACKLEWOOD SUBDIVISION

On 2-23, 1993 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:

Huntington Woods Estates, Inc., 54001 Romeo Plank Road, Mt. Clemens, Michigan 48044

"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 Macomb Township, Macomb County, Michigan described as:

Part of the W.W. 1/4 of Section 8, T. 3 N., R. 13 E., Macomb Township, Macomb County, Michigan, and being more particularly described as follows:

Beginning at a point 890.37 ft. S.89°-24'-20" W. Along the South line of said Section 8, said line also being the centerline of 24 Mile Road and 835.00 ft. N.02°-08'-40" W. along the centerline of Romeo Plank Road from the South 1/4 corner of said Section 8; thence N.02°-08'-40" W. 913.40 ft. and N.03°-06'-40" W. 75.27 feet along said centerline of Romeo Plank Road; thence N.89°-26'-44" E. 345.11 ft.; thence S.02°-08'-40" E. 988.38 ft.; thence S.89° 24'-20" W. 343.83 ft. to the point of beginning and containing 7.801 acres of land and containing 10 lots numbered 1 thru 10 inclusive.

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.

93 APR -6 PM 2:38
CARMELLA SABAUGH
REGISTER OF DEEDS
MACOMB COUNTY, MI

RECORDED RIGHT OF WAY NO. 44509

- 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.
- Access:** Grantee has the right of access to and from the Right of Way Area.
- 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.

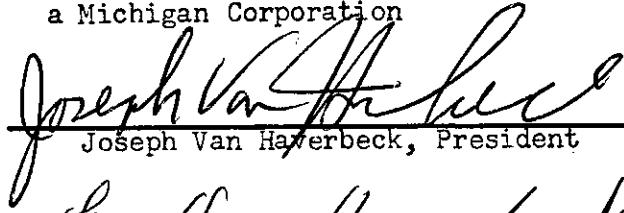
Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

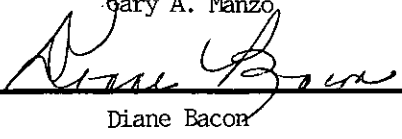
HUNTINGTON WOODS ESTATES, INC.
a Michigan Corporation

x 

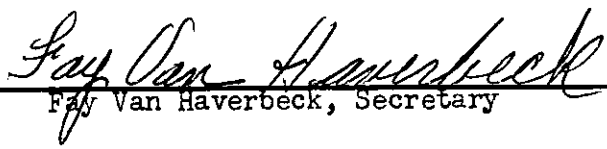
Gary A. Manzo



Joseph Van Haverbeck, President

x 

Diane Bacon



Fay Van Haverbeck, Secretary

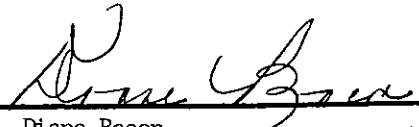
RECORDED RIGHT OF WAY NO. 44809

Acknowledged before me in Macomb County, Michigan, on 2/23, 1993 by Joseph Van Haverbeck and Fay Van Haverbeck, President and Secretary of Huntington Woods Estates, Inc., a Michigan Corporation, for the Corporation.

DIANE BACON, NOTARY PUBLIC
MACOMB COUNTY, STATE OF MICHIGAN
MY COMMISSION EXPIRES 8-20-96

Notary's Stamp

Notary's Signature


Diane Bacon

Prepared by and Return to:

Michael J. McCabe, 43230 Elizabeth Road, Clinton Twp, MI 48036

Date: May 5, 1993

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 Cracklewood Subdivision, located in
part of the Southwest 1/4 of Section 8, Town 3 North,
Range 13 East, Macomb Township, Macomb County, Michigan.

Attached for Record Center is the executed Right of Way
Agreement dated February 23, 1993 for the above named project.

Easement for this project was requested by Jerry Pollard,
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 Huntington Woods
Estates, Inc., Joseph Van Haverback, President, the developer
of Cracklewood Subdivision.

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

MJM

Attachment

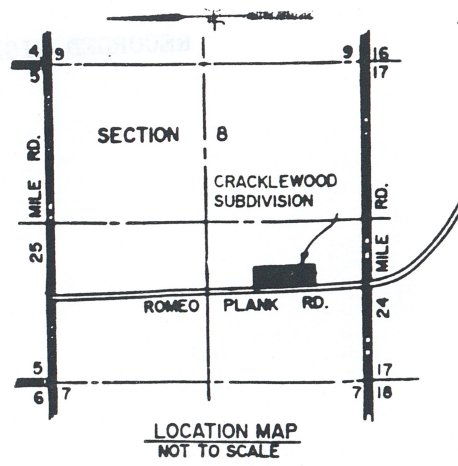
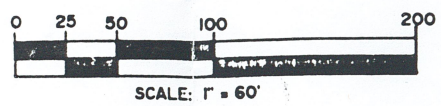
RECORDED RIGHT OF WAY NO. 44509

CRACKLEWOOD SUBDIVISION

PART OF THE S.W. 1/4 OF SECTION 8, T.3N., R.13E.,
MACOMB TOWNSHIP, MACOMB COUNTY, MICHIGAN

8

Register # B 136478



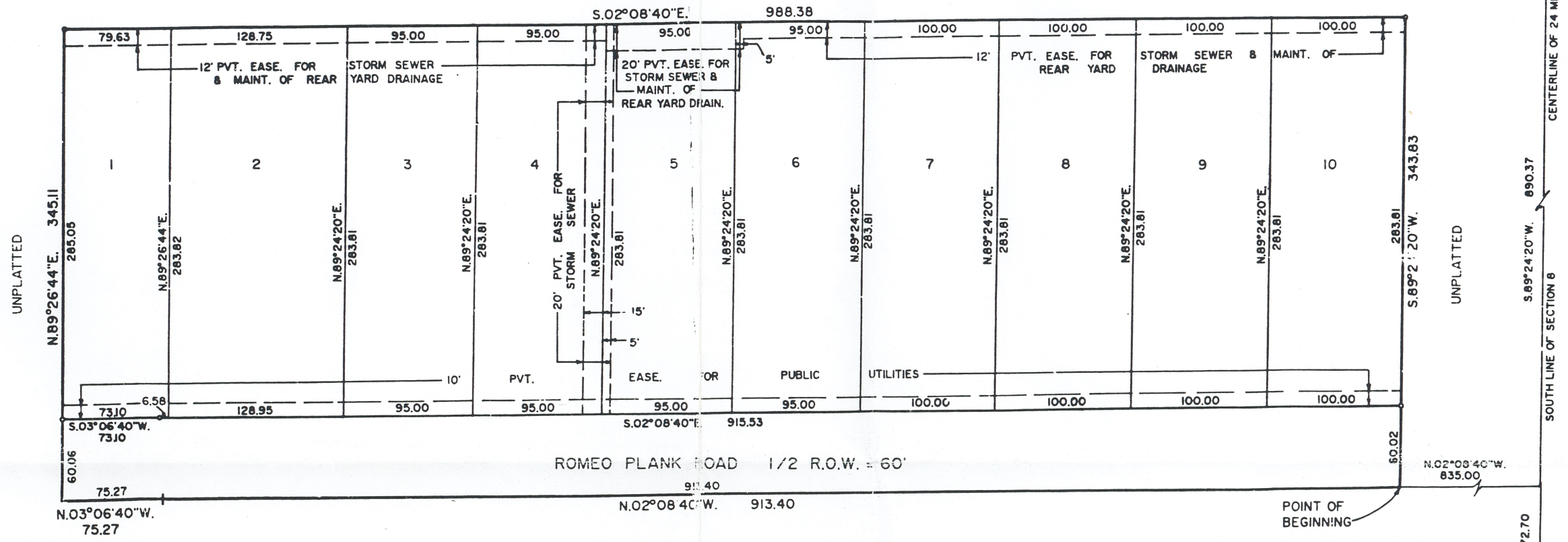
LEGEND

ALL DIMENSIONS ARE 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 I.D. CAPS).
BEARINGS BASED ON THE WEST LINE OF
PENZIEN SUB. NO. 1 AS RECORDED IN
LIBER 93 PAGES 48 THRU 50, MACOMB
COUNTY RECORDS.

LIBER 05801 PG 786

LIBER 05801 PG 787

UNPLATTED

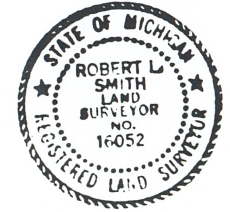


SOUTH 1/4 CORNER
SECTION 8,
T.3N., R.13E.
L.C.R.C.
L. 4718, P. 612, M.C.R.

ROMEO PLANK ROAD 1/2 R.O.W. = 60'

UNPLATTED

EXAMINED AND APPROVED
Date June 30, 1992
BY THE DEPARTMENT
OF COMMERCE
Richard E. Lomas
Richard E. Lomas, P.L.S.
Manager, Plat Section



Robert L. Smith
ROBERT L. SMITH

S.W. CORNER
SECTION 8,
T.3N., R.13E.
L.C.R.C.
L. 4718, P. 612, M.C.R.

