

UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R-9108076-1MR
PROJECT NAME JEWELL ESTATES SUBDIVISION

On 3-2, ¹⁹⁹³ 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:

Jewell Development Corporation, a Michigan Corporation, 28315 Groesbeck Hwy, Roseville, MI 48066
Huntington Bank, a Michigan Banking Corporation, 27248 Van Dyke Avenue, Warren, MI 48093

"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, 6065 Wall Street, Sterling Heights, MI 48077

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

See Appendix "A" attached hereto.

93 APR - 6 PM 12: 38
CARMELLA SABAUGH
REGISTER OF DEEDS
MACOMB COUNTY, MI

RECORDED RIGHT OF WAY NO.

44521P

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)

Grantor:(type or print name below signature)

JEWELL DEVELOPMENT CORPORATION
a Michigan Corporation

x Michael J. McCabe
MICHAEL J. McCABE

Antonio Evangelista
Antonio Evangelista, Vice President

x Tony G. Brown
TONY G. BROWN

HUNTINGTON BANK
a Michigan Banking Corporation

x Michael J. McCabe
MICHAEL J. McCABE

Paul Rubin
Paul Rubin, Vice President

x Larry W. Simms
LARRY W. SIMMS

Acknowledged before me in MACOMB County, Michigan, on 3/2, 1993 by ANTONIO EVANGELISTA,
VICE PRESIDENT OF JEWELL DEVELOPMENT CORPORATION, A MICHIGAN
CORPORATION, FOR THE CORPORATION.

Notary's Stamp MICHAEL J. McCABE
Notary Public, Macomb County, MI
My Commission Expires Feb. 4, 1996

Notary's Signature Michael J. McCabe

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

Acknowledged before me in MACOMB County, Michigan, on 3/2 1993 by PAUL RUBIN
VICE PRESIDENT FOR HUNTINGTON BANK, A MICHIGAN BANKING CORPORATION. FOR THE CORP.

Notary's Stamp MICHAEL J. McCABE
Notary Public, Macomb County, MI
My Commission Expires Feb. 4, 1996

Notary's Signature Michael J. McCabe

RECORDED RIGHT OF WAY NO. 41510

Date: May 3, 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 Jewell Estates Subdivision, located
in Part of the West 1/2 of Section 35, Town 4 North,
Range 12 East, Washington Township, Macomb County,
Michigan.

Attached for Record Center is the executed Right of Way
Agreement dated March 2, 1993 for the above named project.

Easement for this project was requested by Anthony Garnatz,
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 Jewell Development
Corporation, Antonio Evangelista, Vice President, the developer
of Jewell Estates Subdivision.

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

MJM

Attachment

RECORDED RIGHT OF WAY NO.

445-40

APPENDIX "A"

JEWELL ESTATES SUBDIVISION being part of the West Half of Section 35, Town 4 North, Range 12 East, Washington Township, Macomb County, Michigan being described as:

Beginning at the West quarter post of Section 35; thence North 89 degrees 45 minutes 00 seconds East 263.84 feet to the point of beginning; thence North 00 degrees 21 minutes 33 seconds West 204.77 feet along the "Woodland Acres Subdivision" as recorded in Liber 34 of Plats, Page 39, Macomb County Records; thence North 89 degrees 56 minutes 59 seconds East 749.90 feet along the "Woodland Acres Subdivision", thence South 00 degrees 03 minutes 01 seconds East 185.00 feet; thence North 89 degrees 52 minutes 12 seconds East 389.80 feet along the "Woodland Acres Subdivision; thence South 01 degrees 15 minutes 55 seconds East 920.44 feet; thence South 89 degrees 50 minutes 00 seconds West 727.49 feet; thence North 01 degrees 41 minutes 00 seconds West 200.00 feet; thence South 89 degrees 50 minutes 00 seconds West 298.76 feet; thence North 01 degrees 41 minutes 00 seconds West 125.00 feet; thence South 89 degrees 50 minutes 00 seconds West 370.00 feet to the West line of Section 35; thence North 01 degrees 41 minutes 00 seconds West 361.23 feet along the West line of Section 35; thence North 89 degrees 46 minutes 00 seconds East 403.59 feet; thence North 01 degrees 41 minutes 00 seconds West 216.05 feet; thence South 89 degrees 45 minutes 00 seconds West 139.75 feet to the point of beginning. Containing Lots 1 thru 74, inclusive, and 26.527 Acres more or less.

RECORDED RIGHT OF TAX NO.

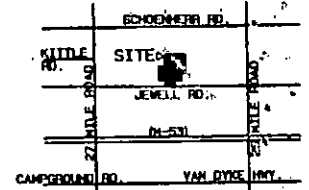
44540

JEWELL ESTATES SUBDIVISION

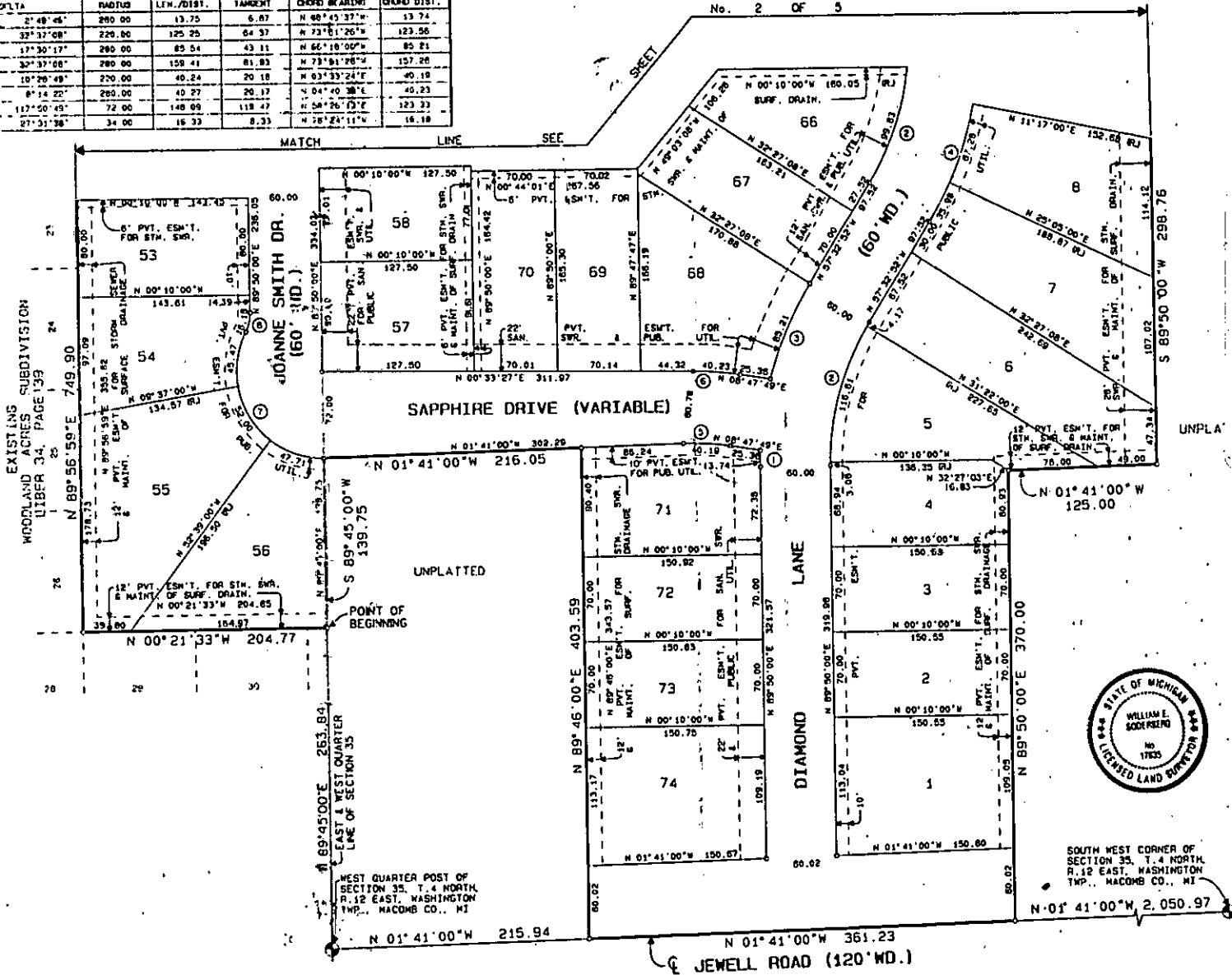
PART OF THE WEST HALF OF SECTION 35, TOWN 4 NORTH, RANGE 12 EAST, WASHINGTON TOWNSHIP, MACOMB COUNTY, MICHIGAN.

CURVE DATA

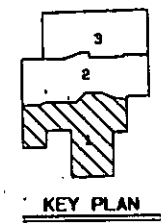
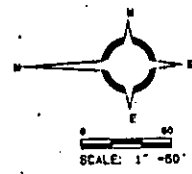
CHORD DIST.	CHORD BEARING	TANGENT	LEN./DIST.	RADIUS	CHORD
13.74	N 00° 43' 37" W	6.87	13.75	280.00	2' 48" 46"
123.96	N 73° 01' 26" W	64.37	125.25	220.00	32° 37' 08"
85.21	N 66° 10' 00" W	43.11	85.54	280.00	17° 30' 17"
157.26	N 73° 01' 26" W	81.83	159.41	280.00	32° 37' 08"
40.19	N 03° 33' 24" E	20.18	40.24	220.00	10° 28' 48"
40.23	S 04° 40' 38" E	20.17	40.27	280.00	8° 14' 22"
123.23	S 04° 40' 38" E	118.21	140.96	72.00	12° 50' 43"
18.18	N 28° 23' 11" E	8.33	18.33	34.00	27° 31' 38"



LOCATION MAP
N.T.S.



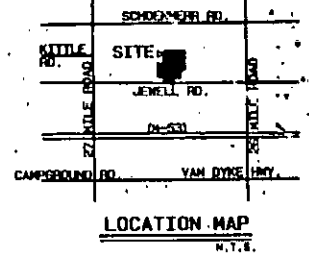
LIBER 05801 P 779



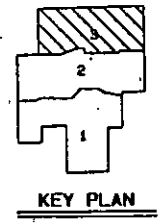
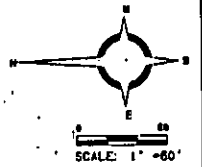
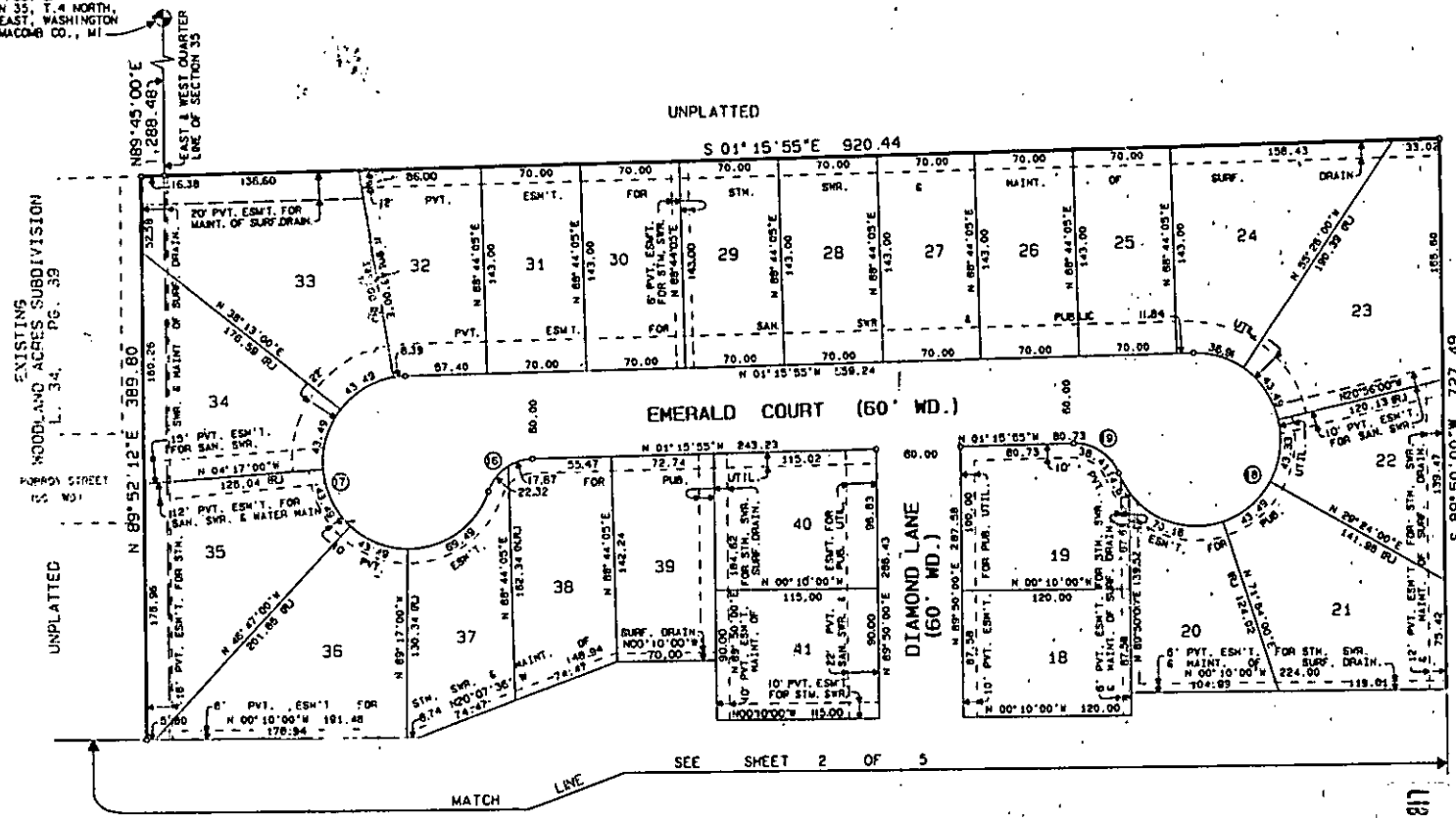
LEGEND
 (N.R.) DENOTES NON-RADIAL LINES.
 (R.) DENOTES RADIAL LINES.
 ALL DIMENSIONS ARE IN FEET.
 ALL CURVILINEAR DIMENSIONS ARE SHOWN IN CHORD DISTANCES.
 4" DIA. CONCRETE MONUMENTS 36" LONG WITH 1/2" REBAR ARE INDICATED BY "C".
 ALL LOT CORNERS HAVE BEEN MARKED BY 1/2" DIA. PERIODS, 18" LONG, WITH PLASTIC CAP NO. 17635.
 BEARINGS ARE RELATED TO WOODLAND ACRES SUBDIVISION, AS RECORDED IN LIBER 34, PAGE 39, M.C.R.

JEWELL ESTATES SUBDIVISION

PART OF THE WEST HALF OF SECTION 35, TOWN 4 NORTH, RANGE 12 EAST, WASHINGTON TOWNSHIP, MACOMB COUNTY, MICHIGAN.



CENTER POST OF SECTION 35, T. 4 NORTH, R. 12 EAST, WASHINGTON TWP., MACOMB CO., MI



CURVE DATA

Δ	DELTA/BEARING	RADIUS	LEN./DIST.	TANGENT	CHORD BEARING	CHORD DIST.
66	68° 47' 41"	34.00	40.82	23.28	N 35° 39' 45" W	38.42
67	248° 47' 44"	46.00	260.34	87.64	N 54° 20' 13" E	89.02
68	248° 47' 32"	80.00	260.53	87.64	N 54° 52' 10" W	89.02
69	68° 47' 32"	34.00	40.82	23.28	N 33° 08' 20" E	38.41



LIBER 05801 OF 781

LEGEND

(N.R.) DENOTES NON-RADIAL LINES.
(R.) DENOTES RADIAL LINES.

ALL DIMENSIONS ARE IN FEET.

ALL CURVILINEAR DIMENSIONS ARE SHOWN IN CHORD DISTANCES.

4" DIA. CONCRETE MONUMENTS 36" LONG WITH 1/2" REBAR ARE INDICATED BY "4".

ALL LOT CORNERS HAVE BEEN MARKED BY 1/2" DIA. REBARS, 18" LONG, WITH PLASTIC CAP NO. 17835.

BEARINGS ARE RELATED TO WOODLAND ACRES SUBDIVISION, AS RECORDED IN LIBER 34, PAGE 39, N.C.R.