

APPLICATION FOR RIGHT OF WAY

DM 983-0811 8-7488 (MS 80)

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

DATE 4-2-93

LOCATION REGENCY HILLS SUB #2 PHASE 2
PART III LOT # 165, 164, 189

APPLICATION NO. R-9300530-1MR

DEPT. ORDER NO. A-74059

CITY OR VILLAGE _____

O. F. W. NO. _____

TOWNSHIP SHELBY COUNTY MACOMB

BUDGET ITEM NO. _____

DATE BY WHICH RIGHT OF WAY IS WANTED 5-27-93

INQUIRY NO. _____

THIS R/W IS 100 % OF TOTAL PROJECT NO. _____ ACCUM. _____ %.

JOINT RIGHT OF WAY REQUIRED YES NO

NOTE: Identify on print or sketch the subdivisions as to section location and liber and page.

KIND AND DESCRIPTION OF RIGHT OF WAY REQUESTED 6' WIDE EASEMENT ON LOTS # 165, 164
& 189 AS SHOWN ON ATTACHED DRAWING # R-9300530-1MR TO
BE JOINT WITH MBT.

PURPOSE OF RIGHT OF WAY TO SERVE LOTS 176-191 & 207-223.

SIGNED A. Gannoy

OFFICE _____ DEPARTMENT _____

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

R/W secured as requested

RECORDED RIGHT OF WAY NO. 144736

PERMITS IN RECORD CENTER 1 R.E. & R/W DEPT. FILE 1 GRANTOR 1

NO. OF PERMITS 1 NO. OF STRUCTURES _____ NO. OF MILES _____ PERMITS TO MBT 1

DATE 7-16-93 SIGNED Michael W. Cook

15-

LIBER 05912PG037

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9300530-LMR

On May 7, 1993 for the consideration of system betterment, Grantor grants to Grantee a permanent underground easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

"Grantor" is:

Michael J. Chirco Development Company, 48645 Van Dyke, Utica, Michigan 48087
Triangle Enterprises, Inc, 7669 Auburn Road, Utica, Michigan 48087

"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

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

Lots 164, 165 and 189 of Regency Hills Subdivision No. 2, being part of the West 1/2 of Section 7, Town 3 North, Range 12 East, as recorded in Liber 90 of plats, Page 55, of the Macomb County Records.

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

A Six (6) foot wide easement as shown on drawing #R-9300530-LMR attached hereto.

RECORDED RIGHT OF WAY NO. 44936

93 JUN 28 AM 9:43

CARMELLA SABAUGH
REGISTERED CLERK
MACOMB COUNTY, MI

- 1. Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain underground 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. Restoration: If Grantee's employees, contractors, vehicles or equipment damage Grantor's Land while entering Grantor's Land for the purposes stated in this Right of Way, then Grantee shall restore Grantor's Land as nearly as can be to its original condition.

7. 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 under signature)

Grantor:(type or print name under signature)

MICHAEL J. CHIRCO DEVELOPMENT COMPANY
a Michigan Corporation

BY: Michael J. Chirco
Michael J. Chirco, President

x Cindy Simpson
Cindy Simpson

x Mary Simpson
Mary Simpson

Acknowledged before me in Macomb County, Michigan, on 5-7, 1993 by MICHAEL J. CHIRCO, PRESIDENT OF MICHAEL J-CHIRCO DEVELOPMENT COMPANY, A MICHIGAN CORPORATION, FOR THE CORPORATION.

Notary's Stamp Macomb County Notary
Commission Expires 2-25-95

Cindy Simpson
Cindy Simpson

Prepared by and Return to: Michael J. McCabe, 43230 Elizabeth Road, Clinton Twp, MI 48036

RECORDED RIGHTS OF WAY NO. 44736

RECORDED RIGHT OF WAY NO. 44736

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

x *C. S. Simpson*
Cindy Simpson

TRIANGLE ENTERPRISES, INC.
a Michigan Corporation
BY: *William R. Church*
William R. Church, President

x *Mary Simpson*
Mary Simpson

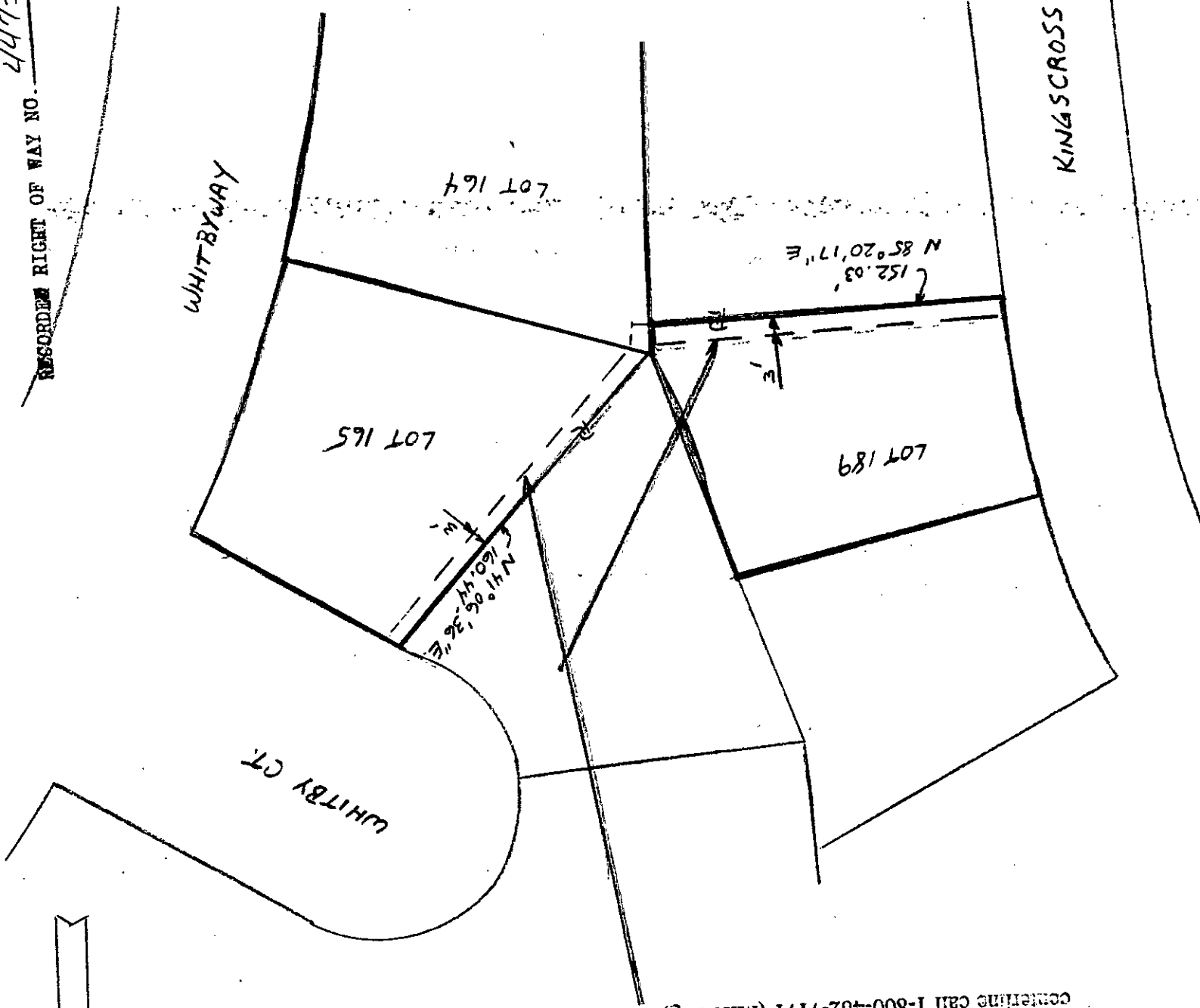
Acknowledged before me in Macomb County, Michigan, on 5-7, 1993 by William R. Church, President of TRIANGLE ENTERPRISES, INC, a Michigan Corporation, for the Corporation.

Notary's Stamp Commission Expires 2-25-95 Notary's Signature *C. S. Simpson*
Cindy Simpson
Prepared by and Return to: Michael J. McCabe, 43230 Elizabeth Road, Clinton Twp, Mi 48036

LIBER 912PC040

REGENCY HILLS SUB #2
LIBER 90, PG 50-58
SECT. 7 T3N R12E

CENTERLINE OF 6 FOOT WIDE EASEMENT
Note: The easement centerline may vary if field construction
problems arise. Therefore, for the as-installed easement
centerline call 1-800-482-7171 (Miss Dig).



RECORDED RIGHT OF WAY NO. 44736

DRAWING # R-9300530-1MR
BY A. GARNATZ
RW FOR PHASE 2 PART III
4-7-93

MRT J.U. MEMO # J-9300530-1M

LIBER 05912PG049

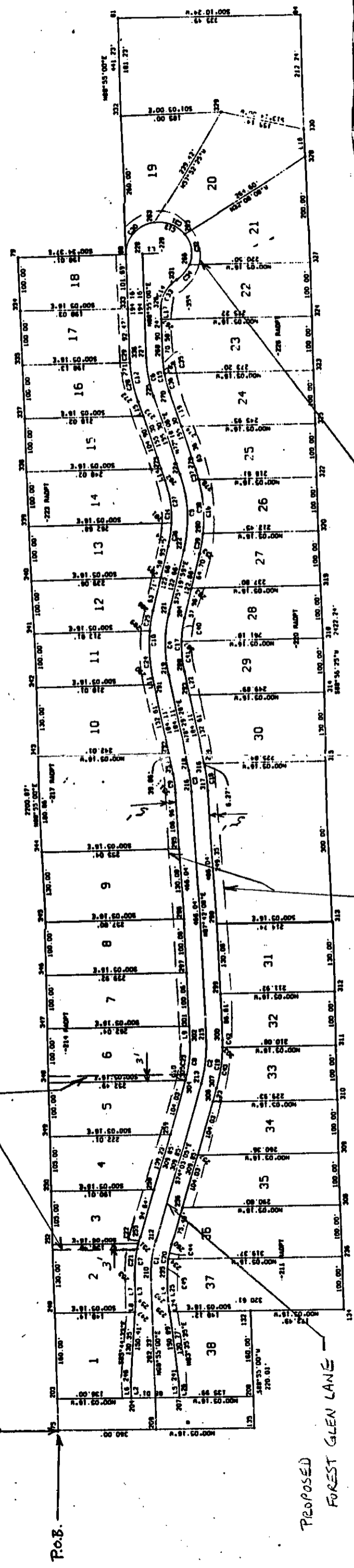
SCALE
1" = 200'

LEGAL DESCRIPTION

Part of the S.W. 1/4 of Section 11, T.3N., R.12E., Shelby Township, Macomb County, Michigan is described as:
 Commencing at the West 1/4 corner of Section 11; thence S.00°05'16"E., 592.87 feet along the West line of Section 11 which is the centerline of Jewell Road to the Point of Beginning; thence N.88°55'00"E., 2200.87 feet; thence S.00°34'37"E., 198.01 feet; thence N.88°55'00"E., 441.23 feet; thence S.00°10'24"W., 335.49 feet along the N.-S. 1/4 line of Section 11; thence S.88°56'25"W., 2422.24 feet; thence N.00°05'16"W., 172.49 feet; thence S.88°55'00"W., 220.01 feet; the Point of Beginning and containing 29.455 acres.
 Subject to the rights of the public for highway purposes along Jewell Road.
 Subject to all other easements of record, if any.

CENTERLINE OF 6 FOOT WIDE EASEMENT
 Note: The easement centerline may vary if field construction problems arise. Therefore, for the as-installed easement centerline call 1-800-482-7171 (Miss Dig).

CURVE TABLE	RADIUS	DELTA	LENGTH	BEARING	DISTANCE
C1	250.00'	17°01'33"	74.22'	S87°34'03"E	74.04'
C2	250.00'	18°14'47"	79.28'	S87°10'29"E	79.28'
C3	250.00'	19°28'01"	84.34'	S86°46'55"E	84.34'
C4	250.00'	20°41'15"	89.40'	S86°23'19"E	89.40'
C5	250.00'	21°54'29"	94.46'	S85°59'43"E	94.46'
C6	250.00'	23°07'43"	99.52'	S85°36'07"E	99.52'
C7	250.00'	24°20'57"	104.58'	S85°12'31"E	104.58'
C8	250.00'	25°34'11"	109.64'	S84°48'55"E	109.64'
C9	250.00'	26°47'25"	114.70'	S84°25'19"E	114.70'
C10	250.00'	28°00'39"	119.76'	S84°01'43"E	119.76'
C11	250.00'	29°13'53"	124.82'	S83°38'07"E	124.82'
C12	250.00'	30°27'07"	129.88'	S83°14'31"E	129.88'
C13	250.00'	31°40'21"	134.94'	S82°50'55"E	134.94'
C14	250.00'	32°53'35"	140.00'	S82°27'19"E	140.00'
C15	250.00'	34°06'49"	145.06'	S82°03'43"E	145.06'
C16	250.00'	35°20'03"	150.12'	S81°39'67"E	150.12'
C17	250.00'	36°33'17"	155.18'	S81°15'31"E	155.18'
C18	250.00'	37°46'31"	160.24'	S80°51'55"E	160.24'
C19	250.00'	38°59'45"	165.30'	S80°28'19"E	165.30'
C20	250.00'	40°12'59"	170.36'	S79°4'43"E	170.36'
C21	250.00'	41°26'13"	175.42'	S78°40'7"E	175.42'
C22	250.00'	42°39'27"	180.48'	S78°16'31"E	180.48'
C23	250.00'	43°52'41"	185.54'	S77°52'55"E	185.54'
C24	250.00'	45°05'55"	190.60'	S77°29'19"E	190.60'
C25	250.00'	46°19'09"	195.66'	S77°05'43"E	195.66'
C26	250.00'	47°32'23"	200.72'	S76°42'7"E	200.72'
C27	250.00'	48°45'37"	205.78'	S76°18'31"E	205.78'
C28	250.00'	49°58'51"	210.84'	S75°54'55"E	210.84'
C29	250.00'	51°12'05"	215.90'	S75°31'19"E	215.90'
C30	250.00'	52°25'19"	220.96'	S75°07'43"E	220.96'
C31	250.00'	53°38'33"	226.02'	S74°44'7"E	226.02'
C32	250.00'	54°51'47"	231.08'	S74°20'31"E	231.08'
C33	250.00'	56°05'01"	236.14'	S73°56'55"E	236.14'
C34	250.00'	57°18'15"	241.20'	S73°33'19"E	241.20'
C35	250.00'	58°31'29"	246.26'	S73°9'43"E	246.26'
C36	250.00'	59°44'43"	251.32'	S72°46'7"E	251.32'
C37	250.00'	60°57'57"	256.38'	S72°22'31"E	256.38'
C38	250.00'	62°11'11"	261.44'	S71°58'55"E	261.44'
C39	250.00'	63°24'25"	266.50'	S71°35'19"E	266.50'
C40	250.00'	64°37'39"	271.56'	S71°11'43"E	271.56'
C41	250.00'	65°50'53"	276.62'	S70°48'7"E	276.62'
C42	250.00'	67°04'07"	281.68'	S70°24'31"E	281.68'
C43	250.00'	68°17'21"	286.74'	S70°1'55"E	286.74'
C44	250.00'	69°30'35"	291.80'	S69°38'19"E	291.80'
C45	250.00'	70°43'49"	296.86'	S69°14'43"E	296.86'
C46	250.00'	71°57'03"	301.92'	S68°51'7"E	301.92'
C47	250.00'	73°10'17"	306.98'	S68°27'31"E	306.98'
C48	250.00'	74°23'31"	312.04'	S68°03'55"E	312.04'
C49	250.00'	75°36'45"	317.10'	S67°40'19"E	317.10'
C50	250.00'	76°50'00"	322.16'	S67°16'43"E	322.16'
C51	250.00'	78°03'14"	327.22'	S66°53'7"E	327.22'
C52	250.00'	79°16'28"	332.28'	S66°29'31"E	332.28'
C53	250.00'	80°29'42"	337.34'	S66°05'55"E	337.34'



CENTERLINE OF 6 FOOT WIDE EASEMENT
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DRAWING # R-9207179-1MR
 BY A. GARNATZ
 R/W FOR FOREST GLEN SITE CONDO'S
 4-1-93
 MBT J.U. MEMO # M-920719-3M
 CATY J.U. MEMO # M-920719-4M

WEST 1/4 CORNER
 SECT. 11
 T.3N
 R.12E.

JEWELL Rd. 120' R.O.W.
 S.00°05'16"E. 692.87'

PROPOSED
 FOREST GLEN LANE