

UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R-9207581-1MR
PROJECT NAME BRENTWOOD FARMS SUBDIVISION NO. 2

on 6-29, 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:

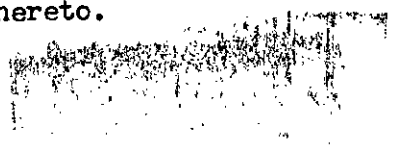
M&C Limited of Utica, a Michigan Corporation, 46401 Romeo Plank Road, Mt. Clemens, MI 48044
First Federal of Michigan, a Federal Corporation, 1001 Woodward Avenue, Detroit, MI 48226

"Grantee" is:

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

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

See Appendix "A" attached hereto.



93 AUG -4 AM 10: 31
CARMELLA SABAUGH
REGISTER OF DEEDS
MACOMB COUNTY, MI

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

Easements as shown on the attached plat.

RECORDED RIGHT OF WAY NO. 44812

21

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.

9207581

LIBER 05960PG223

- 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 Katherine Hamlin
Katherine Hamlin

x Stephen R. Neepes
Stephen R. Neepes

M&C LIMITED OF UTICA
A Michigan Corporation

Michael A. Chirco
Michael A. Chirco, President

RECORDED RIGHT OF WAY NO. 44813

Acknowledged before me in MACOMB County, Michigan, on 6/29, 1993 by Michael A. Chirco, President of M&C Limited of Utica, a Michigan Corporation, for the Corporation.

Notary's Stamp BARBARA A. KLONKE
Notary Public, Macomb County, MI
My Commission Expires Jan. 28, 1995

Notary's Signature Barbara A. Klonke

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

APPROVED AS TO FORM 7/22/93 DATE
LEGAL DEPARTMENT GMA

-9207581-1MR

LIBER 05960 PG 224

Witnesses: (type or print name below signature)

Grantor: (type or print name below signature)

x Maryann Ripari
MARYANN RIPARI

x Eileen M. Berry
Eileen M. Berry

FIRST FEDERAL OF MICHIGAN
a Federal Corporation
Charles G. Rowe
Charles G. Rowe, Vice President

RECORDED RIGHT OF WAY NO. 44813

Acknowledged before me in Wayne County, Michigan, on 7-14, 1993 by Charles G. Rowe, Vice President of First Federal of Michigan, a Federal Corporation, for the Corporation.

MARYANN RIPARI
Notary Public, Macomb County, Michigan
Acting in Wayne County
My Commission Expires August 1, 1995

Notary's Stamp

Notary's Signature: Maryann Ripari

Prepared by and Return to:

APPROVED AS TO FORM 7/22/93 DATE
LEGAL DEPARTMENT [Signature]

APPENDIX "A"

Part of the N.E. 1/4 and N.W. 1/4 of Section 29, T3N, R13E, Macomb Township, Macomb County, Michigan and being more particularly described as follows:

Beginning at a point 2151.08 ft. N.87°48'14" E. along the North line of said Section 29, said line also being the centerline of 22 Mile Road (120 ft. R.O.W.) from the Northwest corner of said Section 29; thence extending along said line N.87°48'14" E. 185.09 ft; thence S.01°57'13" E. 360.00 ft; thence N.87°48'14" E. 334.63 feet; thence N.01°54'39" W. 10.00 ft; thence N.87°56'02" E. 38.52 ft; thence along the Westerly line of Brentwood Farms Subdivision No. 1, as recorded in Liber 93 of plats, Pages 42-47, inclusive, Macomb County Records, the following courses and distances; S.02°11'46" E. 130.47 ft, S.01°54'39" E. 60.13 ft, S.02°20'53" W. 119.68 ft, S.87°48'14" W. 30.31 ft, and S.01°54'39" E. 890.70 ft. along the North & South 1/4 line of said Section 29; thence S.88°05'21" W. 130.00 ft; thence S.01°54'39" E. 29.24 ft; thence S.87°31'34" W. 360.02 ft; thence N.01°54'39" W. 400.97 ft; thence along the arc of a curve to the left (R=220.00 ft.) whose long chord bears N.08°08'23" W. 47.74 ft. and whose central angle is 12°27'28"; thence N.14°22'07" W. 42.67 ft; thence S.87°31'34" W. 190.43 ft; thence N.02°28'26" W. 700.00 ft; thence N.87°31'34" E. 169.38 ft; thence N.04°50'43" E. 103.08 ft; thence along the arc of a curve to the left (R=220.00 ft.) whose long chord bears N.01°19'29" E. 27.02 ft. and whose central angle is 07°02'29"; thence N.02°11'46" W. 261.69 ft. to the point of beginning and containing 18.822 acres of land and containing 61 lots numbered 113 thru 173 inclusive.

Date: August 24, 1993

To: Record Center

From: Michael J. McCabe
Sr. Real Estate and Right of Way Representative
Macomb Division

Subject: Right of Way Agreement

Re: **Underground Residential Distribution for Brentwood Farms Subdivision No. 2, located in part of the Northwest 1/4 of Section 29, Town 3 North, Range 13 East, Macomb Township, Macomb County, Michigan.**

Attached for Record Center is the executed Right of Way Agreement dated June 29, 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 M&C Limited of Utica, Michael A. Chirco, President, the developer of Brentwood Farms Subdivision No. 2.

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

MJM/dlj

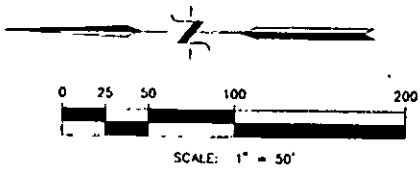
attachment

RECORDED RIGHT OF WAY NO. 44813

BRENTWOOD FARMS SUBDIVISION NO. 2

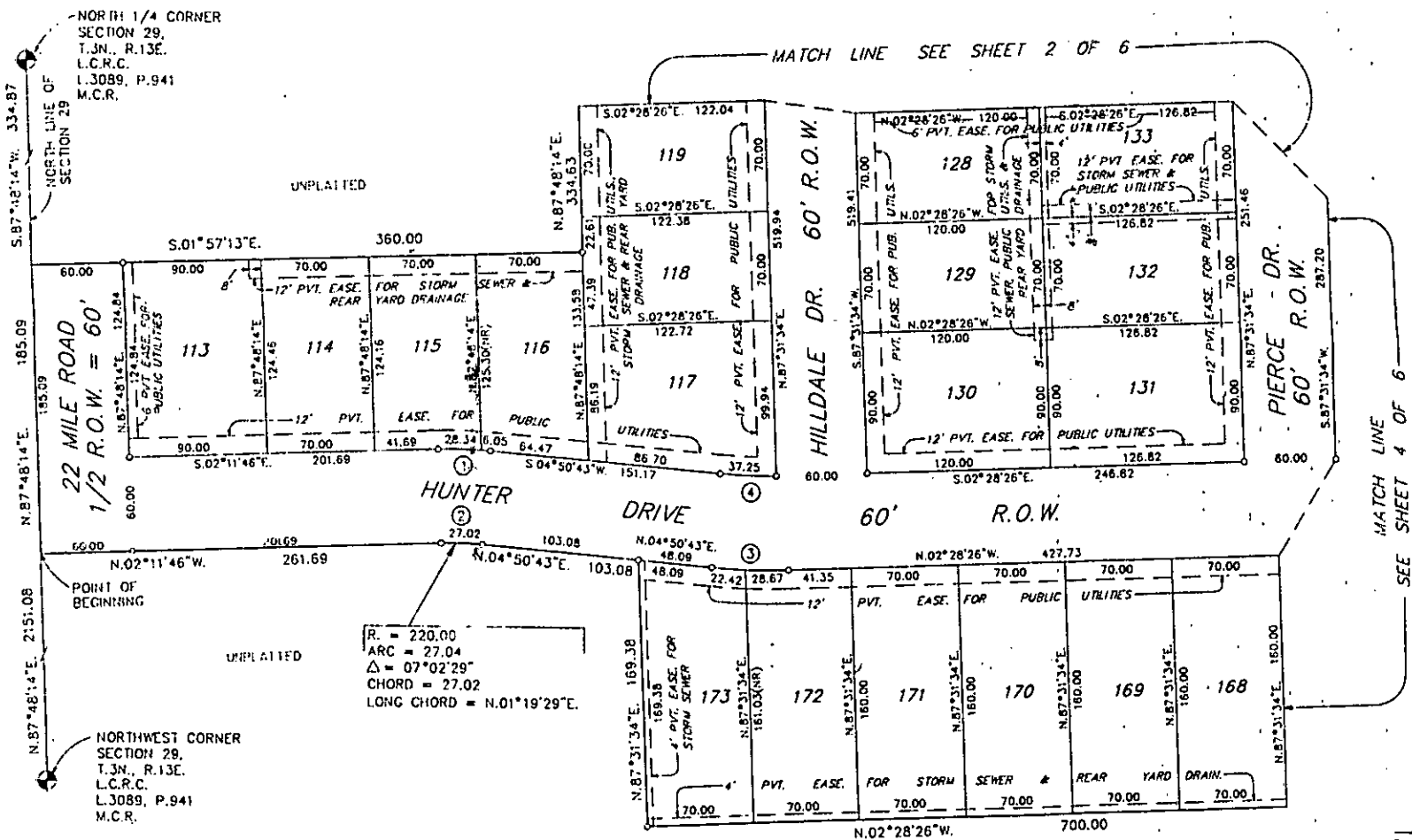
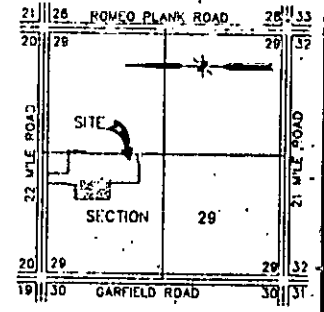
PART OF THE N.E. 1/4 AND N.W. 1/4 OF SECTION 29, T.3N., R.13E., MACOMB TOWNSHIP, MACOMB COUNTY, MICHIGAN

CURVE #	RADIUS	ARC	LONG CHORD	CHORD	DELTA
1	289.00	34.41	S.01°19'29"W	34.39	07°02'28"
2	270.00	27.04	N.01°19'29"E	27.02	07°02'28"
3	400.00	51.10	N.01°11'09"E	51.06	07°18'09"
4	340.00	37.27	S.01°42'19"W	37.25	06°16'46"



LEGEND

ALL DIMENSIONS ARE SHOWN 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)
 (R) INDICATES RADIAL LOT LINES.
 (NR) INDICATES NOT RADIAL LOT LINES.
 BEARINGS BASED ON THE WLY. LINE OF BRENTWOOD FARMS SUB. NO. 1 AS RECORDED IN LIBER 93, PAGES 42-47, INCL. MACOMB COUNTY RECORDS.
 THERE SHALL BE NO DIRECT VEHICULAR ACCESS TO 22 MILE ROAD FROM LOT 113.



LIBER 059601P226

Robert L. Smith
 ROBERT L. SMITH

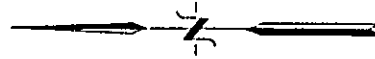


RECORDED RIGHT OF WAY NO. 44812

BRENTWOOD FARMS SUBDIVISION NO. 2

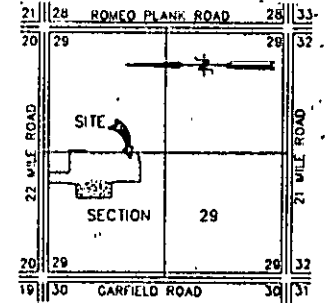
PART OF THE N.E. 1/4 AND N.W. 1/4 OF SECTION 29, T.3N., R.13E.,
MACOMB TOWNSHIP, MACOMB COUNTY, MICHIGAN

CURVE #	RADIUS	ARC	CURVE DATA		
			LONG CHORD	CHORD	DELTA
5	50.00	21.48	N 75°12'58"E	21.32	24°37'12"
6	60.00	146.39	S 47°14'36"E	112.69	139°48'01"
7	50.00	21.48	S 10°23'57"W	21.32	24°37'12"

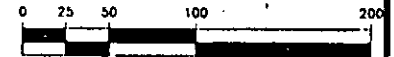


LEGEND

ALL DIMENSIONS ARE SHOWN IN FEET.
ALL CURVILINEAR DIMENSIONS ARE SHOWN
ALONG THE CHORD.
THE SYMBOL "o" INDICATES A 4" DIAMETER,
36" LONG = 1/2" STEEL ROD CENTER
CONCRETE MONUMENT.
ALL LOT MARKERS ARE 1/2" STEEL RODS AND
ARE 18" LONG. (NO. I.D. CAPS)
(R) INDICATES RADIAL LOT LINES.
(NR) INDICATES NOT RADIAL LOT LINES.
BEARINGS BASED ON THE WLY. LINE OF
BRENTWOOD FARMS SUB. NO. 1 AS RECORDED IN
LIBER 83, PAGES 42-47, INCL., MACOMB COUNTY
RECORDS.
THERE SHALL BE NO DIRECT VEHICULAR ACCESS
TO 22 MILE ROAD FROM LOT 113.

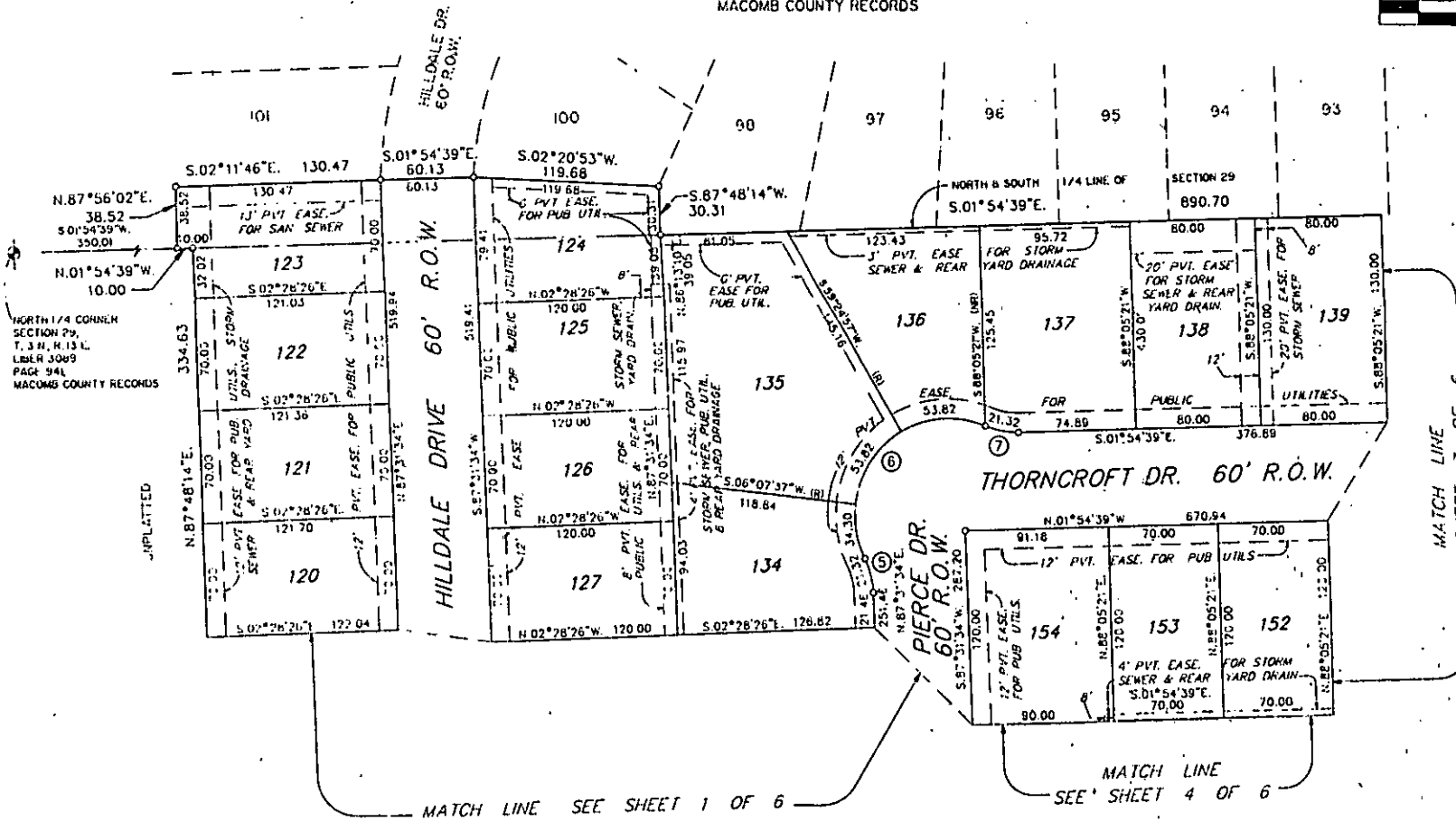


LOCATION MAP
NOT TO SCALE



SCALE: 1" = 50'

BRENTWOOD FARMS SUBDIVISION NO. 1
LIBER 93, PAGES 42 THRU 47 INCL.
MACOMB COUNTY RECORDS



NORTH 1/4 CORNER
SECTION 29,
T. 3 N., R. 13 E.,
LIBER 3089
PAGE 94L
MACOMB COUNTY RECORDS

UNPLATTED

MATCH LINE
SEE SHEET 3 OF 6

MATCH LINE
SEE SHEET 4 OF 6

LIBER 05960P227



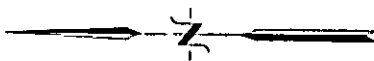
Robert L. Smith
ROBERT L. SMITH

RECORDED RIGHT OF WAY NO. 44812

BRENTWOOD FARMS SUBDIVISION NO. 2

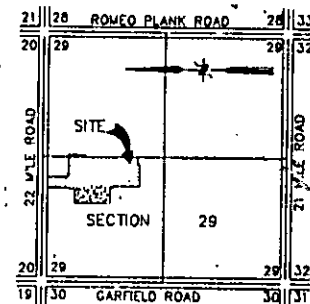
PART OF THE N.E. 1/4 AND N.W. 1/4 OF SECTION 29, T.3N., R.13E.,
MACOMB TOWNSHIP, MACOMB COUNTY, MICHIGAN

CURVE #	RADIUS	ARC	LONG CHORD	CHORD BEARING	DELTA
8	220.00	58.13	N.08°25'16"W.	58.02	11°53'41"
9	220.00	45.67	S.08°25'16"E.	45.59	11°53'41"
10	280.00	60.88	S.08°08'23"E.	60.76	12°27'28"
11	220.00	47.83	N.08°08'23"W.	47.74	12°27'28"

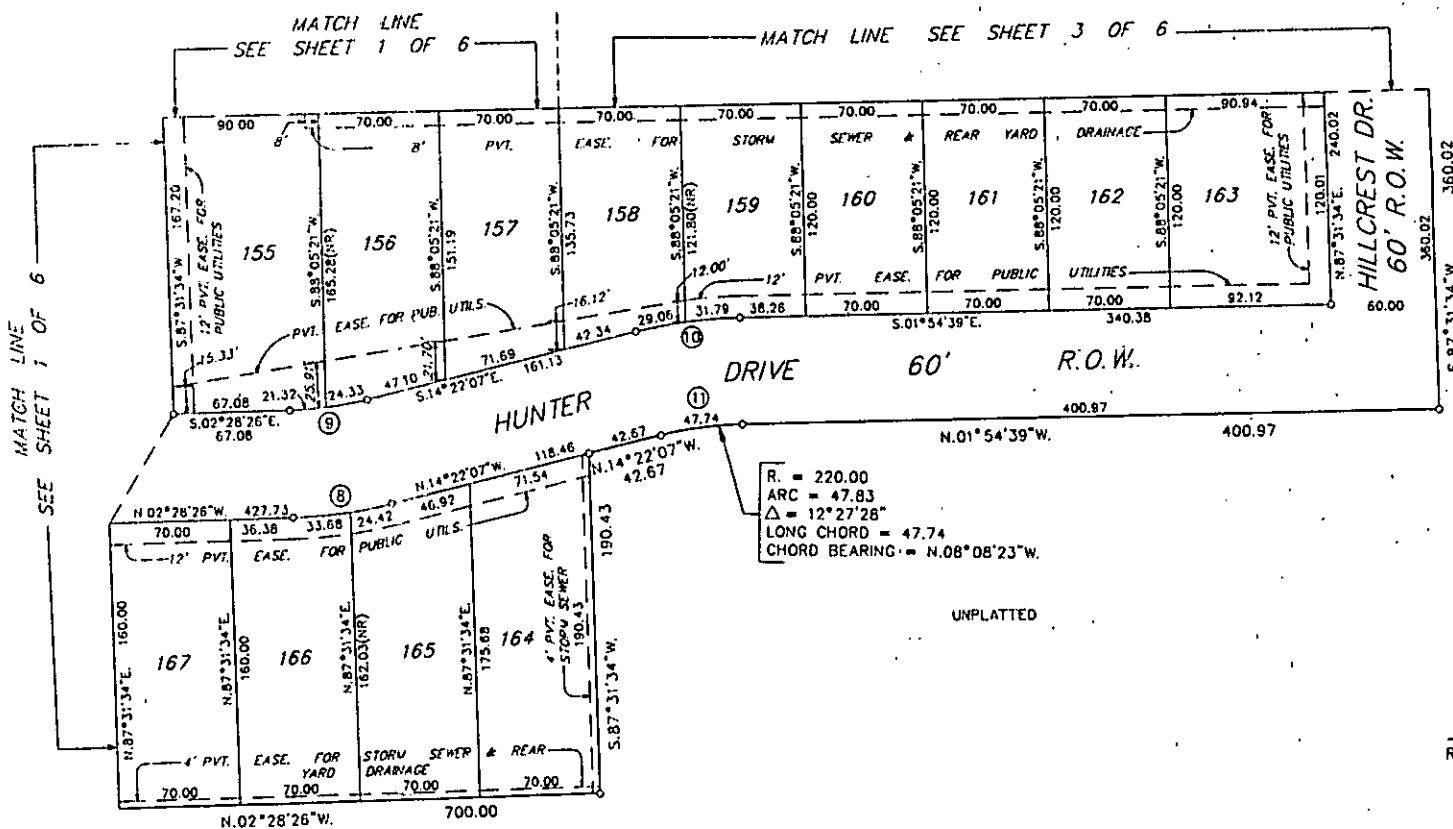
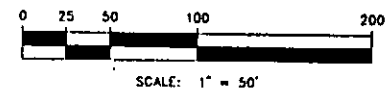


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THERE SHALL BE NO DIRECT VEHICULAR ACCESS TO 22 MILE ROAD FROM LOT 113.



LOCATION MAP
NOT TO SCALE



UNPLATTED

LIBER 05960P229

Robert L. Smith
ROBERT L. SMITH



RECORDED RIGHT OF WAY NO. 44812