


Date: December 13, 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 Hunters Crossing  
Subdivision, located in the Southwest 1/4 of  
Section 12, T3N, R12E, Shelby Township,  
Macomb County, Michigan.

Attached for Records Center is the executed Right of Way Agreement dated October 23, 1993, 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 A. 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 Martin Ginzinger, a single man; Mario Nardone and Julie Nardone, husband and wife; Huntington Banks of Michigan, a Michigan Banking Corp.

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

SP/ms

Attachments

RECORDED RIGHT OF WAY NO.

45226



Macomb Division  
15600 Nineteen Mile Road  
Clinton Township, Michigan 48038-3502  
(313) 228-4000

December 13, 1993

Mr. Mario Nardone  
14315 Towering Oaks Drive  
Shelby Township, MI 48315

Re: Hunters Crossing Subdivision  
Township of Shelby, Macomb County, Michigan

Dear Mr. Nardone:

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

RECORDED RIGHT OF WAY NO. 458226

**Detroit Edison**

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R9304578-01R  
PROJECT NAME HUNTERS CROSSING SUBDIVISION**

On October 20, 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:

- Martin Ginzinger, a single man, 400 Antoinette, Rochester Hills, MI 48309
- Mario Nardone and Julie Nardone, husband and wife, 14315 Towering Oaks Drive, Shelby Township, MI 48315
- Huntington Bank Corporation, a Michigan Banking Corporation, 801 W. Big Beaver Road, Troy, MI 48084

"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, MI 48226
- Comcast Cablevision, a Delaware corporation, 6065 Wall Street, Sterling Heights, MI 48077-1860

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

LEGAL DESCRIPTION ON BACK OF DOCUMENT

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

The easements as shown on the attached plat.

- 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.
- 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.
- 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.
- 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.
- Damages:** If Grantor, its agents, employees or contractors damage Grantee's facilities, Grantee shall make repairs at Grantor's expense.
- 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)

Brian Zilli  
BRIAN ZILLI

Brian Zilli  
BRIAN ZILLI

Brian Zilli  
BRIAN ZILLI

Martin Ginzinger  
Martin Ginzinger, a single man

Mario Nardone  
Mario Nardone

Julie Nardone  
Julie Nardone, his wife

James F. Johns  
James F. Johns

Banks of Michigan  
Huntington Bank Corporation, a Michigan Banking Corp.  
Michael A. Aginiah  
MICHAEL A. AGINIAH

RECORDED RIGHT OF WAY NO. 45-226

93 NOV 12 PM 12:56

CARMELLA SABAUGH  
REGISTER OF DEEDS  
MACOMB COUNTY, MI

45-13x2

**Detroit  
Edison**

LIBER 06100 PG 438

Acknowledged before me in Macomb County, Michigan, on October 20, 1993 by  
Martin Ginzinger, a single man.

James F. Johns, Wayne acting

Notary's Stamp in Macomb County 3/13/95  
(Notary's name, county, and date commission expires)

Notary's Signature 

Acknowledged before me in Macomb County, Michigan, on October 20, 1993 by  
Mario Nardone and Julie Nardone, husband and wife.

James F. Johns, Wayne acting

Notary's Stamp in Macomb County 3/13/95  
(Notary's name, county, and date commission expires)

Notary's Signature 

Acknowledged before me in Macomb County, Michigan, on October 20, 1993 by  
Michael A. Aginian the Vice President of Huntington Bank Corporation, a Michigan-Banking  
Corporation.

James F. Johns, Wayne acting

Notary's Stamp in Macomb County 3/13/95  
(Notary's name, county, and date commission expires)

Notary's Signature 

Prepared by and Return to: Susan Putrycus, 15600 - 19 Mile Road, Clinton Township, MI 48038-3502

**LEGAL DESCRIPTION OF GRANTOR'S LAND**

Part of the Southwest 1/4 of Section 12, T3N, R12E, described as: Commencing at the South 1/4 corner of Section 12; thence North 01 degrees 23 minutes 10 seconds West, 444.90 feet along the North-South 1/4 line of Section 12 and the West line of "Sherwood Forest Subdivision No. 1" as recorded in Liber 74, Pages 7 and 8 of the Macomb County Records to the point of beginning; thence South 84 degrees 12 minutes 17 seconds West, 163.60 feet; thence North 01 degrees 13 minutes 45 seconds West, 211.60 feet; thence South 88 degrees 46 minutes 15 seconds West 162.46 feet; thence North 01 degrees 04 minutes 21 seconds West, 1602.49 feet; thence North 88 degrees 36 minutes 50 seconds East, 316.22 feet to the West line of "Sherwood Forest Subdivision No. 1"; thence South 01 degrees 23 minutes 10 seconds East 1801.94 feet along the North-South 1/4 line of Section 12 and the West line of "Sherwood Forest Subdivision No. 1" to the point of beginning.

APPROVED AS TO FORM 10/25/93 DATE  
LEGAL DEPARTMENT 

To (Supervisor, RE & R/W) <del>XXXXXXXXXXXXXXXXXXXX</del> S. Putyus	For RE & R/W Dept. Use	Date Received 10/7/93	DE/Bell C.P. No. A-74122
Division MACOMB	Date 10-5-93	Application No. R-9304578-01R	

We have included the following necessary material and information:

**Material:**

**A. Proposed Subdivision**

- 1. copy of complete final proposed plat - All pages

or

**B. Other than proposed subdivision (condo., apts. mobile home park — other)**

- 1. Property description.
- 2. Site plan.
- 3. title information (deed, title commitment, contract with title commitment, or title search).

Note: Do not submit application for URD easements until all above material has been acquired.

RECORDED RIGHT OF WAY 10-11-93

**Information**

1. Project Name HUNTERS CROSSING SUB.	County MACOMB
City/Township/Village SHELBY	Section No. 12
Type of Development <input checked="" type="checkbox"/> Proposed Subdivision <input type="checkbox"/> Subdivision	<input type="checkbox"/> Apartment Complex <input type="checkbox"/> Mobile Home Park <input type="checkbox"/> Condominium <input type="checkbox"/> Other
2. Name of Owner VARIOUS - SEE PLAT	Phone No.
Address 14315 TOWERING OAKS DR. SHELBY TWP MICH. 48315	
Owner's Representative MARIO NARDONE	Phone No. 781-8696
Date Service is Wanted 11-8-93	Bbr 436-5115

4. Entire Project will be developed at one time .....  Yes  No

5. Joint easements required — Michigan Bell Telephone .....  Yes  No  
 — Consumers Power .....  Yes  No

3. Name of Other Utilities If Not Michigan Bell Telephone or Consumers Power  
COMCAST CABLEVISION

b. Other Utility Engineer Names  
T. FRANK

Phone Numbers  
978-3532

Addresses  
6065 WALL ST.  
STERLING HEIGHTS, MICH. 48077-1860

6. Additional Information or Comments

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Note: Trenching letter  attached  will be submitted later

Service Planner  
A. GARNATZ

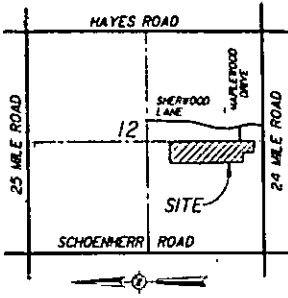
Signed (Service Planning Supervisor)

Phone No. 228-4096

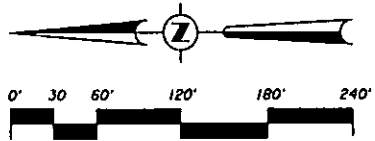
Address 138 MOH.

# "HUNTER'S CROSSING SUBDIVISION"

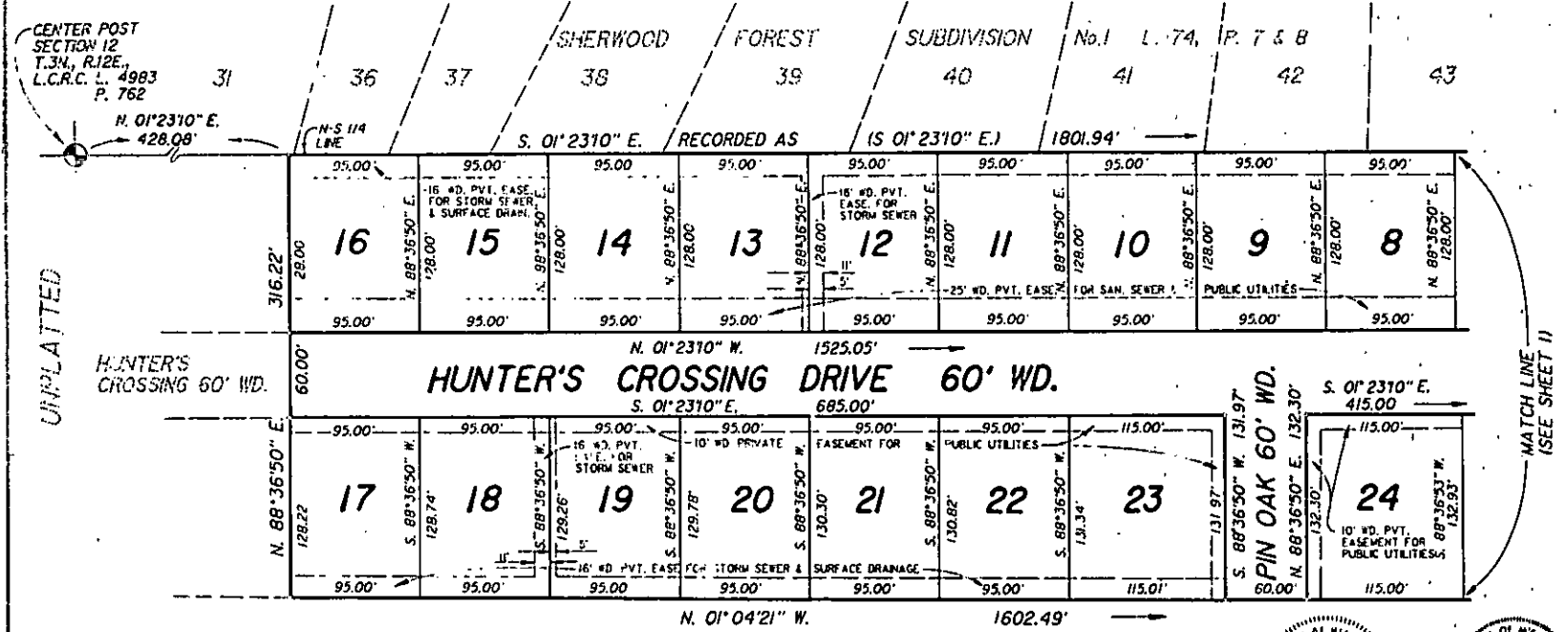
PART OF THE S.W. 1/4 OF SECTION 12, T.3N., R.12E.,  
SHELBY TOWNSHIP, MACOMB COUNTY, MICHIGAN



LOCATION MAP  
SCALE: 1" = 2000'



SCALE: 1" = 60'



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 CYLINDER 4" IN DIAMETER INDICATED THUSLY
- ALL LOT MARKERS ARE 1/2" IRON BARS 18" LONG. THE BEARINGS USED FOR THIS PLAT CORRESPOND TO THE BEARING SYSTEM OF "SHERWOOD FOREST SUBDIVISION NO. 1" AS RECORDED IN LIBER 74, P. 7 & 8 M.C.R.

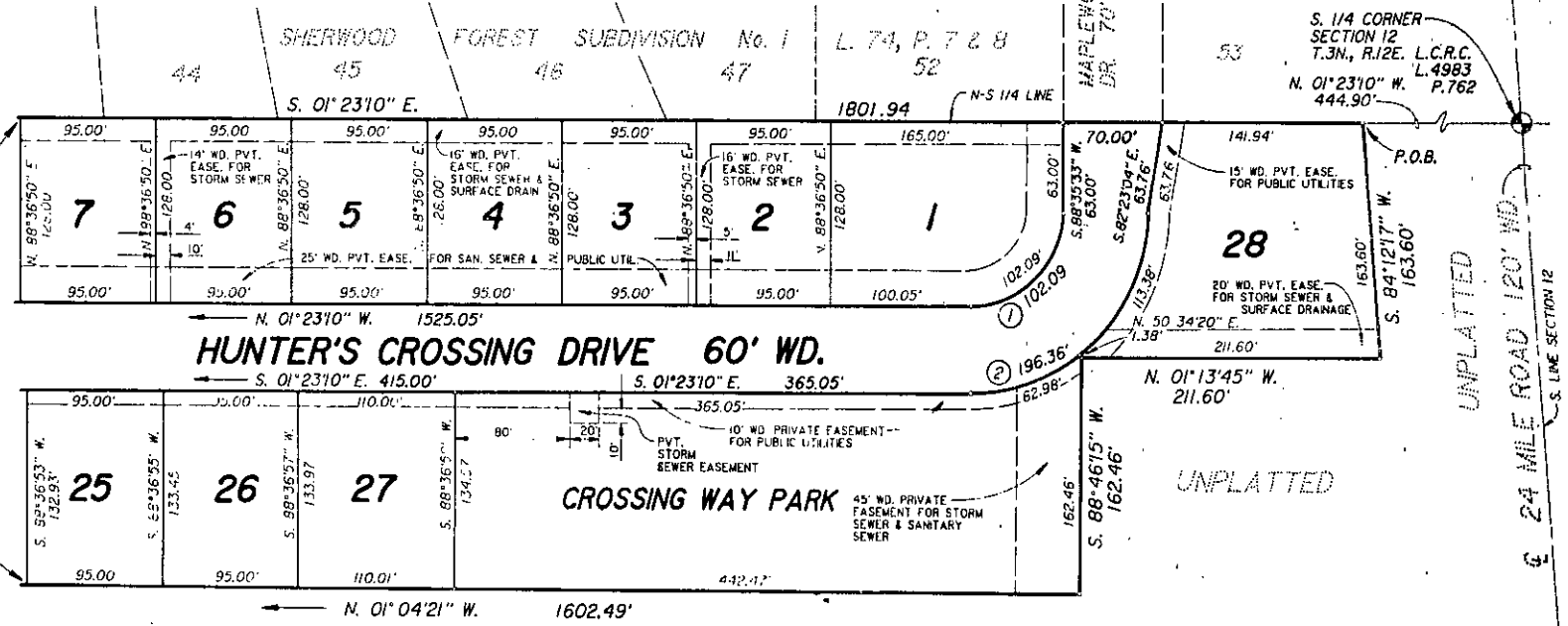
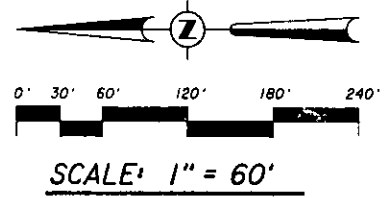
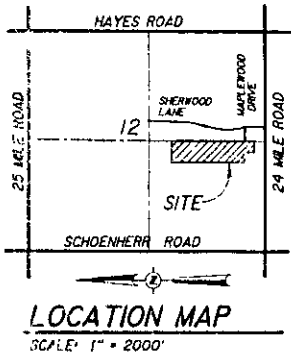
UNPLATTED



*Richard J. Wynn*

# "HUNTER'S CROSSING SUBDIVISION"

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



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**CURVE DATA**

NO.	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
1	64.98'	102.09'	90°0'17"	91.9'	N. 46°23'49" W.
2	124.98'	196.36'	90°0'17"	176.78'	S. 46°23'49" E.

Richard A. Miller  
Professional Engineer  
No. 13940

Warren C. Avey  
Professional Land Surveyor  
No. 30074

LIBER 001000439