


**Detroit
Edison**

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 Forest View
Subdivision, located in the Southwest 1/4 and
part of the Southeast 1/4 of Section 6, T2N,
R12E, City of Sterling Heights, Macomb
County, Michigan.

Attached for Records Center is the executed Right of Way Agreement dated October 25, 1993, and other pertinent papers for the above named project.

Easement for this project was requested by Bryan J. Bolling, 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 Dominic Mocerri, President of 19 D. Corporation, a Michigan co-partnership and Norman J. Cohen, President of Biltmore Properties Corporation, a Michigan corporation and Harry F. Terbrueggen, Executive Vice President of Elro Corporation, a Michigan corporation and Carlo J. Catenacci, President of Trinity/Dequindre Development Company, a Michigan corporation.

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

SP/ms

Attachments


RECORDED RIGHT OF WAY NO.

45228

Detroit
Edison

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2310 WCB

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Attachments

RECORDED RIGHT OF WAY NO.

45228

Detroit Edison

UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. PROJECT NAME FOREST VIEW SUBDIVISION

On October 25, 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: corp.

19 D. Corporation, a Michigan co-partnership, 12741 S. Saginaw, Grand Blanc, MI 48439; Biltmore Properties Corporation, a MI corp., 2025 W. Long Lake, Suite 104, Troy, MI 48098; Elro Corporation, a Michigan corp., 201 W. Big Beaver Road, Suite 720, Troy, MI 48084; Trinity/Dequindre Development Company, a Michigan corp., 21570 Hall Road, Mt. Clemens, MI 48043

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226; Comcast Cablevision, a Delaware corp., 6065 Wall Street, Sterling Heights, MI 48077-1860; Michigan Bell Telephone Company, a Michigan corp., 555 Michigan Avenue, Detroit, MI 48226

"Grantor's Land" is in City of

Sterling Heights, Macomb County, described as:

SEE BACK OF DOCUMENT FOR LEGAL DESCRIPTION

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

A six (6) foot, nine (9) foot, ten (10) foot, fifteen (15) foot, thirty (30) foot easement wherein the exact location of underground equipment must be determined by the UTILITY COMPANIES. For exact location, telephone MISS DIG at 1-800-482-7171. The exact location of underground equipment indicates the centerline of said Right of Way.

- 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.

RECORDED RIGHT OF WAY NO.

45228

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

19 D. Corporation, a Michigan co-partnership

Joanne B. Jennings
Joanne B. Jennings

Dominic Mocerri
Dominic Mocerri, President

Patrick G. McKeever
Patrick G. McKeever

93 NOV 12 PM 12: 57

CARMELL L. SABAUGH
REGISTER OF DEEDS
MACOMB COUNTY, MI

Biltmore Properties Corporation, a Michigan corporation

Joanne B. Jennings
Joanne B. Jennings

Norman J. Cohen
Norman J. Cohen, President

Patrick G. McKeever
Patrick G. McKeever

Elro Corporation, a Michigan corporation

Joanne B. Jennings
Joanne B. Jennings

Harry F. Terbrueggen
Harry F. Terbrueggen,
Executive Vice President

Patrick G. McKeever
Patrick G. McKeever

172

**Detroit
Edison**

LIBER 06100PG453

Joanne B. Jennings
Patrick G. McKeever
Patrick G. McKeever

Trinity/Dequindre Development Company, a Michigan corp.

Carlo J. Catenacci
Carlo J. Catenacci, President

Acknowledged before me in Oakland County, Michigan, on October 25, 1993 by
Dominic Mocerì, President of 19 D. Corporation, a Michigan ~~co~~partnership corp.
Norman J. Cohen, President of Biltmore Properties Corporation, a Michigan corp.
Harry F. Terbrueggen, Exec. Vice Pres. of Elro Corporation, a Michigan corporation
Carlo J. Catenacci, President of Trinity/Dequindre Development Company, a Michigan

corp. JOANNE B. JENNINGS
Notary Public, Oakland County, MI
Notary's Stamp My Commission Expires Jan. 9, 1995
(Notary's name, county, and date commission expires)

Notary's Signature Joanne B. Jennings

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

LEGAL DESCRIPTION

Part of the Southwest 1/4 and part of the Southeast 1/4 of Section 6, T2N, R12E, beginning at a point which is South 89 degrees 00 minutes 17 seconds East 620 feet along the South line of Section 6 from the South 1/4 corner of Section 6, T2N, R12E; thence North 00 degrees 59 minutes 43 seconds East 60 feet; thence North 24 degrees 33 minutes 09 seconds West 1145.38 feet; thence North 26 degrees 19 minutes 42 seconds West 134.63 feet; thence North 40 degrees 23 minutes 40 seconds East 30 feet; thence Northerly 73.91 feet along the arc of a curve to the right (Radius of 60 feet; central angle of 70 degrees 34 minutes 27 seconds, long chord bears North 14 degrees 19 minutes 06 seconds West 69.32 feet); thence North 69 degrees 01 minutes 53 seconds West 45.85 feet; thence North 26 degrees 19 minutes 42 seconds West 133.57 feet; thence North 81 degrees 09 minutes 52 seconds East 185 feet; thence North 87 degrees 53 minutes 06 seconds East 156.86 feet; thence South 76 degrees 00 minutes 00 seconds East 420 feet; thence North 14 degrees 00 minutes 00 seconds East 20 feet; thence South 76 degrees 00 minutes 00 seconds 185 feet; thence South 10 degrees 49 minutes 13 seconds West 90.14 feet; thence South 14 degrees 00 minutes 00 seconds West 5.71 feet; thence South 76 degrees 00 minutes 00 seconds East 197.31 feet; thence South 88 degrees 22 minutes 18 seconds East 190 feet; thence South 01 degrees 37 minutes 42 seconds West 1220 feet; thence North 89 degrees 00 minutes 17 seconds West 625.56 feet along the South line of Section 6 to the point of beginning.

APPROVED AS TO FORM 11/3/93 DATE
LEGAL DEPARTMENT GRM

To (Supervisor, RE & R/W) <i>SUE POTRUCUS</i>	For RE & R/W Dept. Use	Date Received	DE/BE/CP No.
Division <i>MACOMB</i>	Date	Application No.	

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).

*10/7/93 - reviewed documents
~~Harry never received~~
~~list~~
 Harry just found papers
 in Buckingham (can file -
 we'll get signatures + return*

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

Information

1. Project Name: *FOREST VIEW SUB NO. 1*

City/Township/Village: *STEELES*

Type of Development:

Proposed Subdivision Apartment Complex Condominium

Subdivision Mobile Home Park Other

2. Name of Owner: _____ Phone No. _____

Address: *201 W. Big Beaver Rd. SUITE 720 TROY, MICHIGAN 48064*

Owner's Representative: *HARRY F. TERBRIDGEN* Phone No. *689-6800*

Date Service is Wanted: _____

RECORDED RIGHT OF WAY NO. 45828

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

5. Joint easements required — Michigan Bell Telephone Yes No

 — Consumers Power Yes No

 — *CAN* Yes No

a. Name of Other Utilities If Not Michigan Bell Telephone or Consumers Power
COMCAST CABLE

b. Other Utility Engineer Names: *JOE KONAL MBT 466-1049 HENRY POSTL CAN 978-3530* Phone Numbers: _____

Addresses: _____

6. Additional Information or Comments

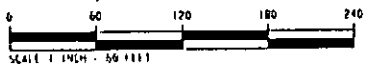
Note: Trenching letter attached will be submitted later

Service Planner: *BRYAN BOLLANS* Signed (Service Planning Supervisor): _____

Phone No. *84085* Address: _____

"FOREST VIEW SUB. NO. 1"

PART OF THE SOUTHWEST 1/4 AND PART OF THE SOUTHEAST 1/4 OF SECTION 6, T.2N., R.12E., CITY OF STERLING HEIGHTS, MACOMB COUNTY, MICHIGAN.

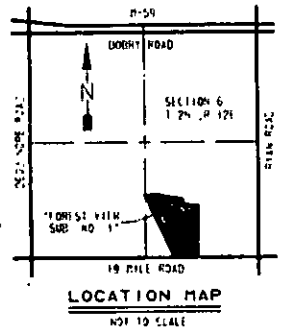


PLAT LEGEND

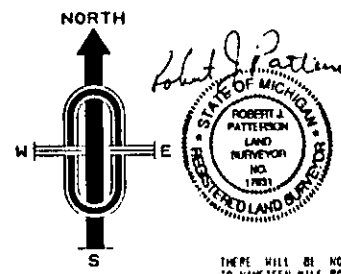
ALL DIMENSIONS ARE IN FEET
 THE SYMBOL "O" INDICATES A MONUMENT WHICH IS A 1 1/2" DIAMETER STEEL BAR 36" LONG, EMBEDDED IN 4" DIAMETER CONCRETE
 ALL LOT MARKERS ARE 1 1/2" IRON PIPES AND ARE 18" LONG "NO. 1 D CAPS"
 ALL BEARINGS ARE IN RELATION TO THE BEARING OF THE NORTH LINE OF "FOREST VIEW SUB. NO. 1" RECORDED IN LIBER 92, PAGE 1 THRU 14, M.C.R.

CURVE DATA

NO	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
7	100.00	36.25	20°46'19"	36.06	N 12°00'51" E
8	100.00	36.25	20°46'19"	36.06	N 08°45'27" W
9	100.00	36.25	20°46'19"	36.06	N 08°45'27" W
10	100.00	36.25	20°46'19"	36.06	N 12°00'51" E



LOCATION MAP
NOT TO SCALE



THERE WILL BE NO VEHICULAR ACCESS TO NINETEEN MILE ROAD FROM LOTS 1 & 44.

SOUTH 1/4 CORNER OF SECTION 6, T.2N., R.12E. LIBER 4608, PAGE 37, M.C.R.

POINT OF BEGINNING

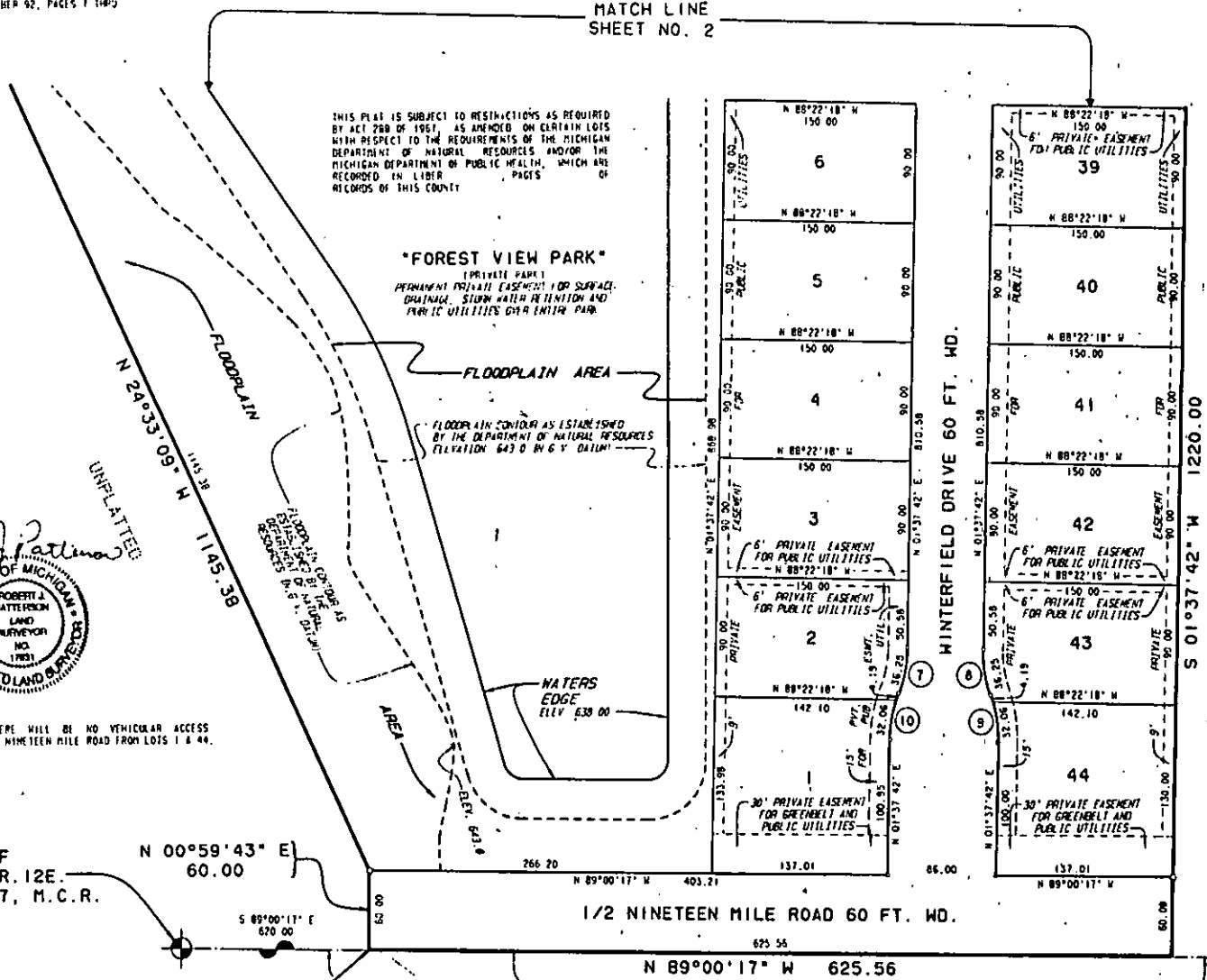
THIS PLAT IS SUBJECT TO RESTRICTIONS AS REQUIRED BY ACT 200 OF 1961, AS AMENDED, ON CERTAIN LOTS WITH RESPECT TO THE REQUIREMENTS OF THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES AND/OR THE MICHIGAN DEPARTMENT OF PUBLIC HEALTH, WHICH ARE RECORDED IN LIBER PAGE OF RECORDS OF THIS COUNTY

"FOREST VIEW PARK"
 (PRIVATE PARK)
 PERMANENT EASEMENT FOR SURFACE DRAINAGE, STORM WATER RETENTION AND PUBLIC UTILITIES GRANTER PARK

FLOODPLAIN AREA
 FLOODPLAIN CONSIDER AS ESTABLISHED BY THE DEPARTMENT OF NATURAL RESOURCES ELEVATION 643.0 BY G.V. DATUM

WATERS EDGE ELEV. 638.00

MATCH LINE SHEET NO. 2



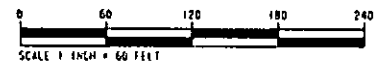
UNPLATTED

SOUTHEAST CORNER OF SECTION 6, T.2N., R.12E. LIBER 5300, PAGE 263, M.C.R.

LIBER 06100PG454

"FOREST VIEW SUB. NO. 1"

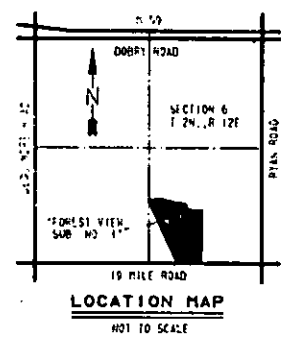
PART OF THE SOUTHWEST 1/4 AND PART OF THE SOUTHEAST 1/4 OF SECTION 6,
T.2N., R.12E., CITY OF STERLING HEIGHTS, MACOMB COUNTY, MICHIGAN.



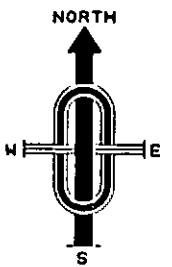
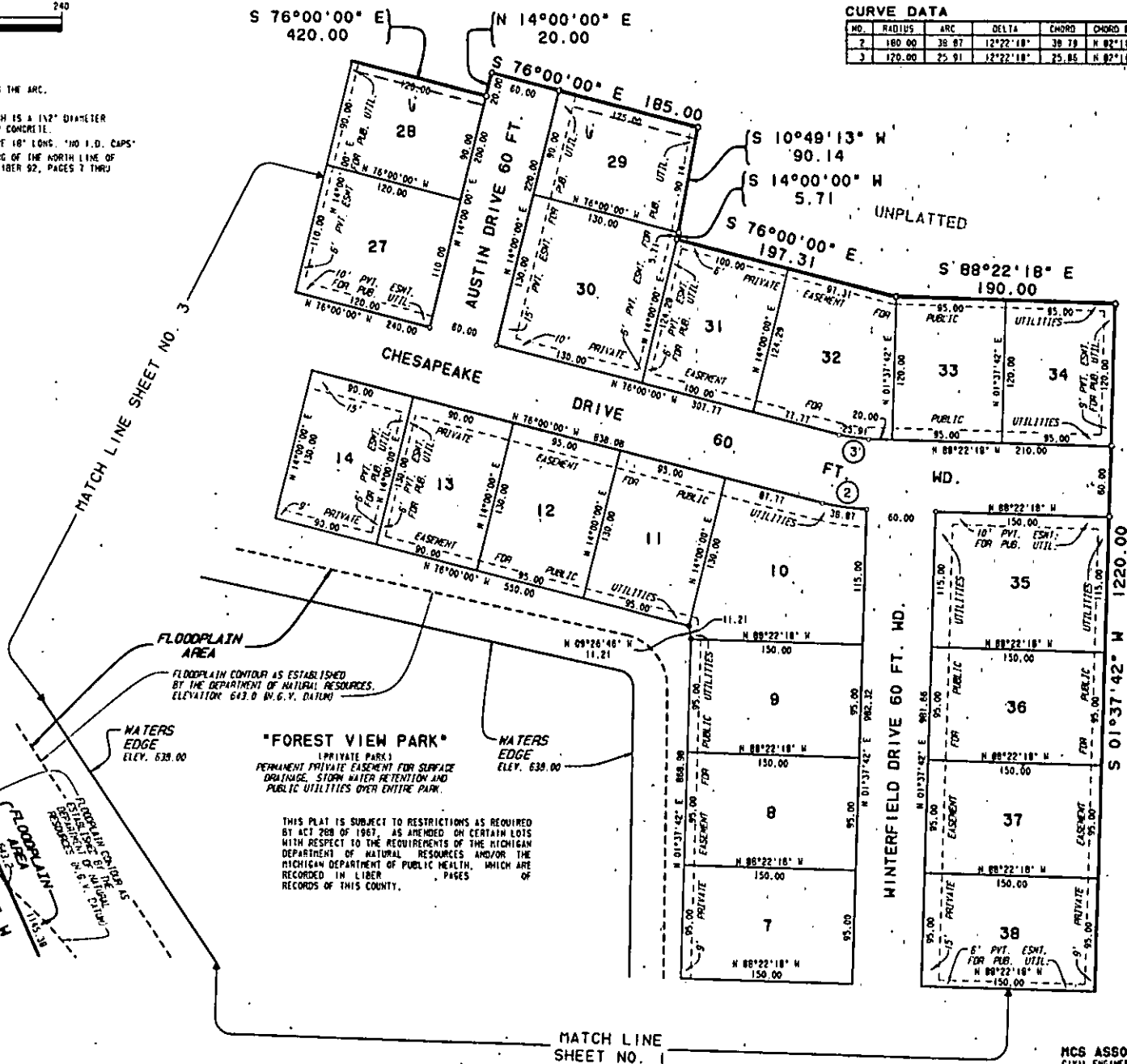
PLAT LEGEND
ALL DIMENSIONS ARE IN FEET
ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC.
THE SYMBOL "•" DENOTES AN ANGLE POINT
THE SYMBOL "••" INDICATES A MONUMENT WHICH IS A 1 1/2" DIAMETER STEEL BAR 36" LONG, ENCASED IN 4" DIAMETER CONCRETE.
ALL LOT MARKERS ARE 1 1/2" IRON PIPES AND ARE 18" LONG, 1/2" I.D. CAPS.
ALL BEARINGS ARE IN RELATION TO THE BEARING OF THE NORTH LINE OF "FOREST VIEW SUB. NO. 1" AS RECORDED IN LIBER 92, PAGES 7 THRU 14, P.L.

CURVE DATA

NO.	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
1	180.00	38.87	12°22'18"	38.78	N 82°11'09" W
2	170.00	25.91	12°22'18"	25.86	N 82°11'09" W



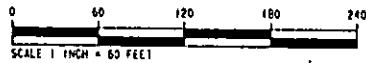
LIBER 061000455



THIS PLAT IS SUBJECT TO RESTRICTIONS AS REQUIRED BY ACT 268 OF 1967, AS AMENDED ON CERTAIN DATES WITH RESPECT TO THE REQUIREMENTS OF THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES AND/OR THE MICHIGAN DEPARTMENT OF PUBLIC HEALTH, WHICH ARE RECORDED IN LIBER _____, PAGES _____ OF RECORDS OF THIS COUNTY.

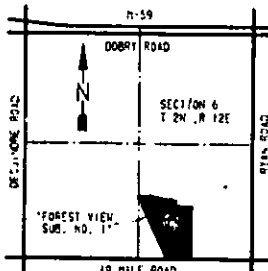
"FOREST VIEW SUB. NO. 1"

PART OF THE SOUTHWEST 1/4 AND PART OF THE SOUTHEAST 1/4 OF SECTION 6,
T.2N., R.12E., CITY OF STERLING HEIGHTS, MACOMB COUNTY, MICHIGAN.

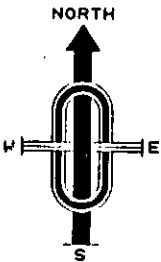


PLAT LEGEND

ALL DIMENSIONS ARE IN FEET.
ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC.
R () DENOTES RADIAL (N R) DENOTES NOT RADIAL.
THE SYMBOL " ° " DENOTES AN ANGLE POINT.
THE SYMBOL " Ø " INDICATES A MONUMENT WHICH IS A 1 1/2" DIAMETER STEEL BAR 36" LONG, ENCASED IN 4" DIAMETER CONCRETE.
ALL LOT MARKERS ARE 1 1/2" IRON PIPES AND ARE 18" LONG. "NO I.O. CAPS"
ALL BEARINGS ARE IN RELATION TO THE BEARING OF THE NORTH LINE OF
OF "FOREST BROOK SUB. NO. 1" AS RECORDED IN LIBER 82, PAGES 7 THRU 14, M.C.R.



LOCATION MAP
NOT TO SCALE

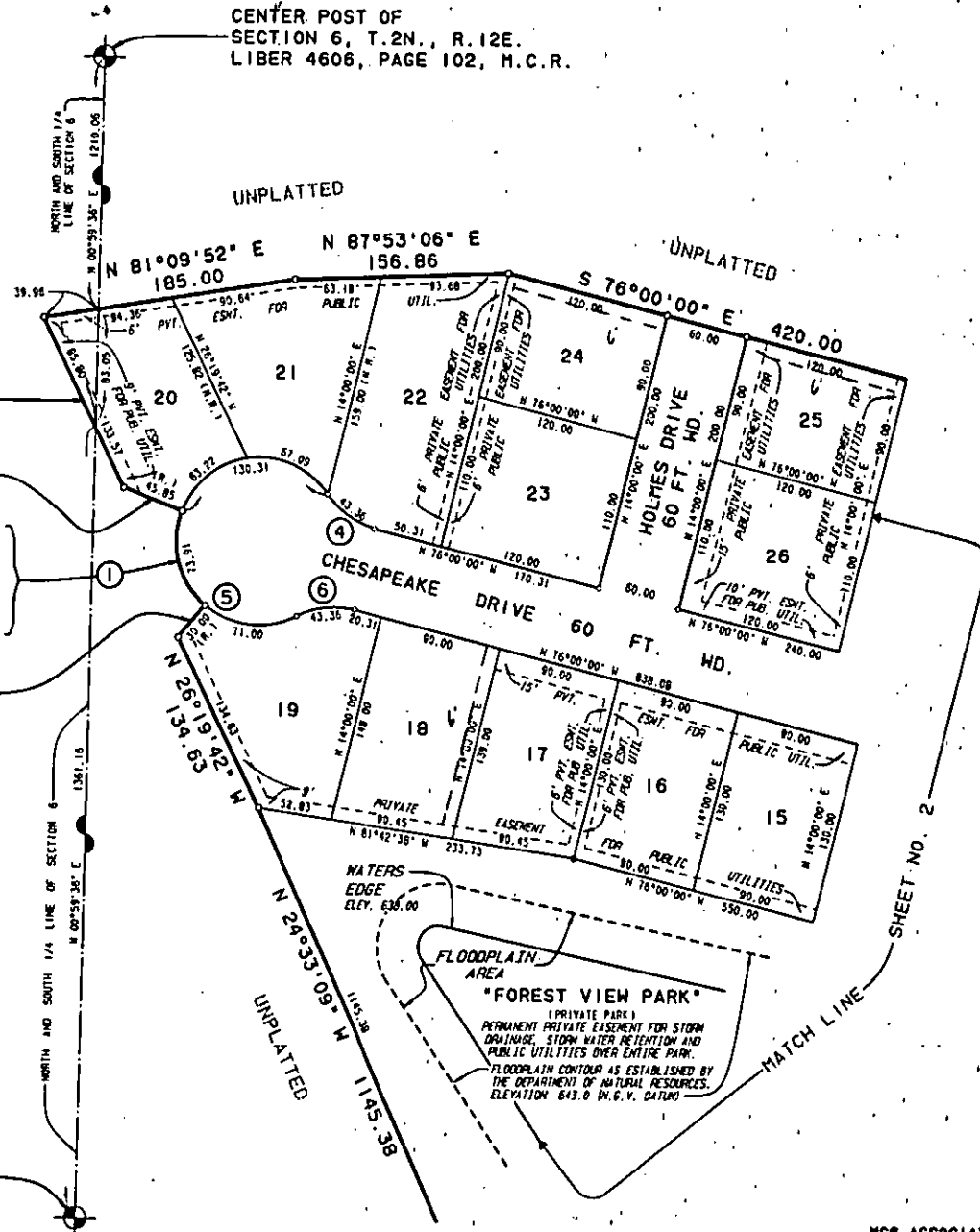


THIS PLAT IS SUBJECT TO RESTRICTIONS AS REQUIRED BY ACT 288 OF 1967, AS AMENDED ON CERTAIN LOTS WITH RESPECT TO THE REQUIREMENTS OF THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES AND/OR THE MICHIGAN DEPARTMENT OF PUBLIC HEALTH, WHICH ARE RECORDED IN LIBER _____, PAGES _____ OF _____ RECORDS OF THIS COUNTY.

CURVE DATA

NO.	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
1	60.00	73.91	70°34'27"	69.32	N 14°19'06" W
4	60.00	43.36	41°24'35"	42.43	N 55°17'43" W
5	60.00	275.22	282°49'10"	90.00	N 14°00'00" E
6	60.00	43.36	41°24'35"	42.43	N 83°17'43" E

SOUTH 1/4 CORNER OF
SECTION 6, T.2N., R.12E.
LIBER 4608, PAGE 37, M.C.R.



CENTER POST OF
SECTION 6, T.2N., R.12E.
LIBER 4608, PAGE 102, M.C.R.

UNPLATTED

UNPLATTED

N 26°19'42" W 133.57

N 69°01'53" W 45.85

RADIUS = 60.00
ARC = 73.91
DELTA = 70°34'27"
CHORD = 69.32
CHD. BRG. = N 14°19'06" W

N 40°23'40" E 30.00

NORTH AND SOUTH 1/4 LINE OF SECTION 6
N 00°29'36" E 1210.06

NORTH AND SOUTH 1/4 LINE OF SECTION 6
N 00°29'36" E 1361.16

UNPLATTED

SHEET NO. 2

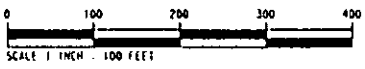
FLOODPLAIN AREA
"FOREST VIEW PARK"
(PRIVATE PARK)
PERMANENT PRIVATE EASEMENT FOR STORM DRAINAGE, STORM WATER RETENTION AND PUBLIC UTILITIES OVER ENTIRE PARK.
FLOODPLAIN CONTOUR AS ESTABLISHED BY THE DEPARTMENT OF NATURAL RESOURCES. ELEVATION 643.0 M.G.V. DATUM

"FOREST VIEW SUB. NO. 1"

PART OF THE SOUTHWEST 1/4 AND PART OF THE SOUTHEAST 1/4 OF SECTION 6,
T.2N., R.12E., CITY OF STERLING HEIGHTS, MACOMB COUNTY, MICHIGAN.

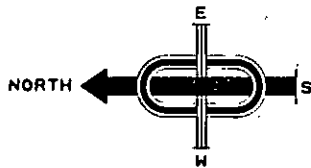
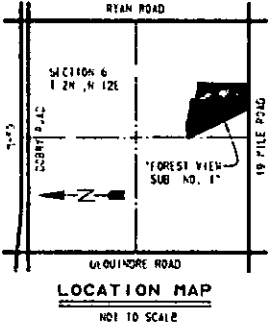
PARK LOCATION MAP AND PLAT BOUNDARY

SOUTHEAST CORNER OF SECTION 6, T.2N., R.12E.,
LIBER 5300, PAGE 263, M.C.R.



PLAT LEGEND
ALL DIMENSIONS ARE IN FEET
ALL CURVE LINEAR DIMENSIONS ARE SHOWN ALONG THE ARC
(P) DENOTES RADIAL (M R) DENOTES NOT RADIAL
THE SYMBOL ° ' " DENOTES AN ANGLE POINT
THE SYMBOL ' O ' INDICATES A MONUMENT WHICH IS A 1 1/2" DIAMETER
STEEL BAR 36" LONG, ENCASED IN 4" DIAMETER CONCRETE
ALL 101 MARKERS ARE 1 1/2" IRON PIPES AND ARE 18" LONG "NO 4" CAPS"
ALL BEARINGS ARE IN RELATION TO THE BEARING OF THE NORTH LINE OF
"FOREST VIEW SUB NO. 1" AS RECORDED IN LIBER 92, PAGES 7 THRU
14, M.C.R.

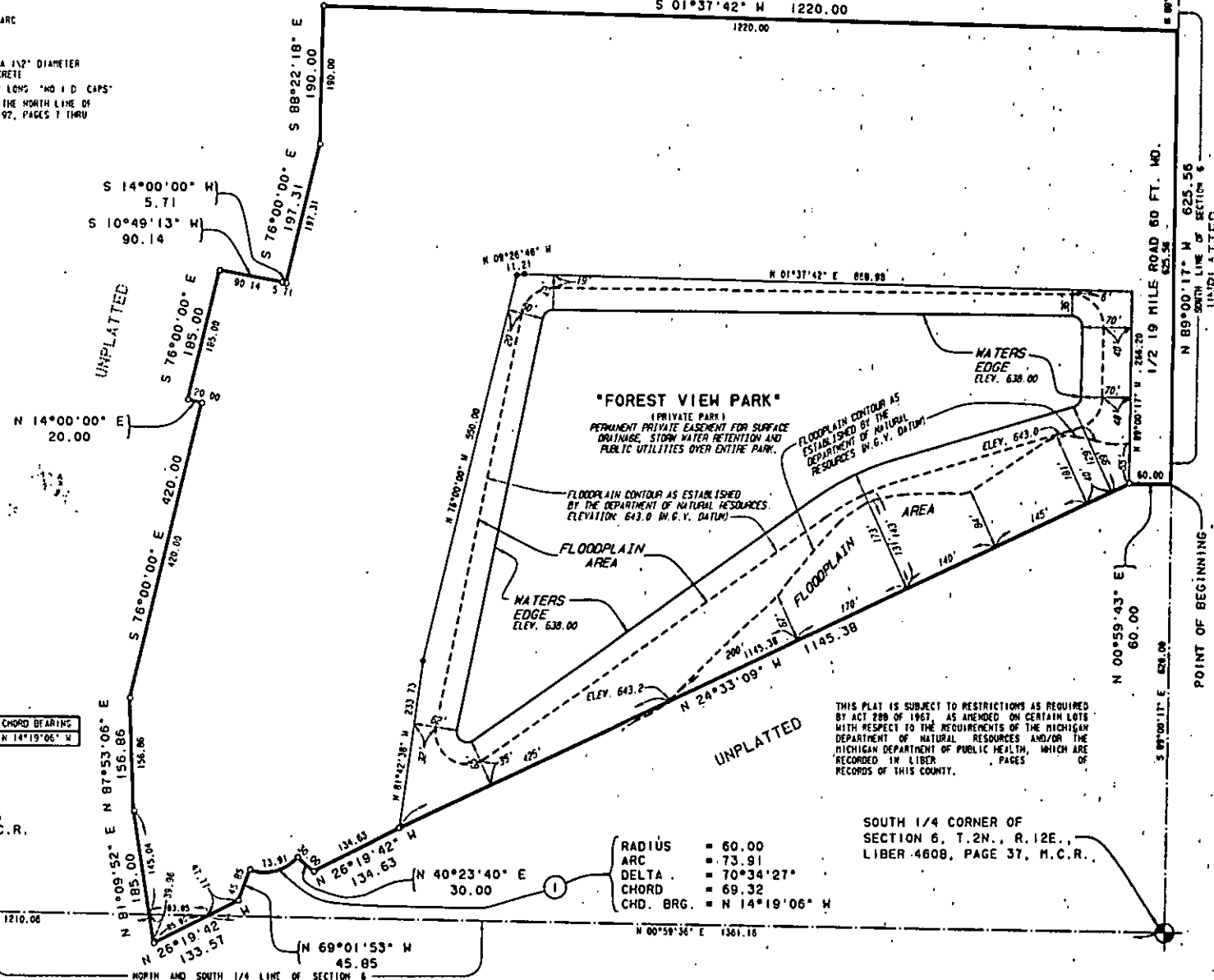
UNPLATTED



NO.	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
1	60.00	73.91	70°34'27"	69.32	N 14°19'06" W

CENTER POST OF SECTION 6, T.2N., R.12E.,
LIBER 4606, PAGE 102, M.C.R.

MCS ASSOCIATES, INC.
CIVIL ENGINEERS AND SURVEYING
STERLING HEIGHTS, MICHIGAN



THIS PLAT IS SUBJECT TO RESTRICTIONS AS REQUIRED BY ACT 288 OF 1967, AS AMENDED ON CERTAIN LOTS WITH RESPECT TO THE REQUIREMENTS OF THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES AND/OR THE MICHIGAN DEPARTMENT OF PUBLIC HEALTH, WHICH ARE RECORDED IN LIBER 5300, PAGES 263 OF RECORDS OF THIS COUNTY.

SOUTH 1/4 CORNER OF SECTION 6, T.2N., R.12E.,
LIBER 4608, PAGE 37, M.C.R.

RADIUS	60.00
ARC	73.91
DELTA	70°34'27"
CHORD	69.32
CHD. BRG.	N 14°19'06" W

LIBER 0610000457