

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9201179

On 2-4 ~~2-4~~ 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:

Whitehall Development Company, a Michigan Limited CO-Partnership, and Gerald Wiegand and Joan H. Wiegand, his wife, c/o 67 Cass Avenue, Room 408, Mt. Clemens, MI 48043

"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 Washington Township, Macomb County, Michigan described as:

- See Appendix "A" attached hereto
- See Appendix "B" attached hereto
- See Appendix "C" attached hereto

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

A ten (10) foot wide easement as shown on drawing R-9201179-1MR attached hereto.

RECORDED RIGHT OF WAY NO. 45237

93 OCT 21 PM 1:33

CARROLL E. CAUGH
REGISTERED DEEDS
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.

19

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)

WHITEHALL DEVELOPMENT COMPANY
a Michigan Limited Co-Partnership

BY: Henry A. Zdrodowski
Henry A. Zdrodowski, Gen Partner

x Debra Ann Redlin
Debra Ann Redlin

Gerald Wiegand
Gerald Wiegand

x Arthur Klasky
ARTHUR KLASKY

Joan H. Wiegand
Joan H. Wiegand, wife

x Josephine Lesperance
JOSEPHINE LESPERANCE

x Veronica White
VERONICA WHITE WAYNE

Acknowledged before me in Wayne County, Michigan, on 2-4-93 ~~2-4-93~~ GERALD WIEGAND & JOAN H. WIEGAND,
HIS WIFE & HENRY A. ZDRODOWSKI, GEN PARTNER OF WHITEHALL DEV COMPANY, a Michigan
LIMITED CO-PARTNERSHIP, FOR THE PARTNERSHIP

Notary's Stamp Debra Ann Redlin
Notary Public for the State of Michigan, My Commission Expires NOV. 30, 1994
Notary's Signature Debra Ann Redlin
Debra Ann Redlin

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

RECORDED RIGHT OF WAY NO. 45237

APPROVED AS TO FORM 2/10/93 DATE
LEGAL DEPARTMENT [Signature]

APPENDIX "A"

PARCEL #1

A parcel of land in and being part of the Northwest 1/4 of Section 5, T4N, R12E., Washington Township, Macomb County, Michigan, Described as: Beginning at a point on the North line of said Section 5 distant N.90° E. 1,595.97' from its Northwest corner; thence extending N. 90° E. 224.03'; thence S. 0°01'50" W. 1,362.22'; thence N.63°57'58" W. 686.51' to a point on a curve to the Northeast, said curve having a radius of 1,200.00'; and a central angle of 46°37'21", and a long chord which bears N.24°15'55" E. 949.74'; thence Northeasterly 976.46' along the arc of said curve to its point of tangency; thence N.00°57'15" E. 195.11' to the beginning. Contains 10.983 acres more or less

PARCEL #2

A parcel of land in and being part of the Northwest 1/4 of Section 5, T4N, R12E, Washington Township, Macomb County, Michigan, described as: Commencing at the Northwest corner of said Section 5; thence N.90° E. 1,820.00' along its North line; thence S.0°01'50" W. 1,362.22' to the point of beginning of this description; thence extending S.0°01'50" W. 402.14'; thence N.89°05'10" W. 450.05'; thence N.53°28'34" W. 689.52' to a point on a curve to the Northeast; said curve having a radius of 600.00' and a central angle of 18°27'11", and a long chord which bears N.52°11'34" E. 192.40'; thence Northeasterly 193.24' along the arc of said curve to a point of reverse curve to the Northwest, said curve having a radius of 1,200.00' and a central angle of 13°50'34", and a long chord which bears N.54°29'52" E. 289.21'; thence Northwesterly 289.92' along the arc of said curve; thence S.63°57'58" E. 686.51' to the beginning. Contains 10.0840 acres more or less.

PARCEL #3

A parcel of land in and being part of the Northwest 1/4 of Section 5, T4N, R12E, Washington Township, Macomb County, Michigan, described as: Commencing at the Northwest corner of said Section 5; thence N.90° E. 1,820.00' along its North line; thence S.0°01'50" W. 1,764.36'; thence N.89°05'10" W. 450.05' to the point of beginning of this description; thence N.53°28'34" W. 689.52' to a point on a curve to the Southwest, said curve having a radius of 600.00' and a central angle of 82°55'17", and a long chord which bears S.01°30'22" W. 794.52'; thence Southwesterly 868.34' along the arc of said curve its point of point of tangency; thence S.39°57'15" E. 234.00' to a point of curvature to the Southeast, said curve having a radius of 300.00' and a central angle of 26°33'51", and a long chord which bears S.53°14'14" E. 137.86'; thence Southeasterly 139.10' along the arc of said curve; thence N.25°57'04" E. 718.;7' to the beginning. Contains 10.0087 acres more or less.

PARCEL #8

A parcel of land in and being part of the Northwest 1/4 of Section 5, T4N, R12E., Washington Township, Macomb County, Michigan, described as: Beginning at a point on the East and West 1/4 line of said Section 5, distant N.89°05'10" W. 1,113.80' from its centerpost; thence extending N.89°05'10" W. 924.88'; thence N.26°20'47" E. 763.70' to a point on a curve to the Southeast, said curve having a radius of 300.00'; a central angle of 68°45'32" and a long chord which bears S.84°55'21" E. 338.80'; thence Southeasterly 360.02' along the arc of said curve to a point of reverse curve, said curve having a radius of 1,000', a central angle of 05°43'46" and a long chord which bears N.62°30'10" E. 62.99'; thence Northeasterly 63.00' along the arc of said curve; thence S.15°24'45" E. 724.27' to the beginning. This parcel contains 10.0640 acres more or less.

RECORDED RIGHT OF WAY NO. 45237

APPENDIX "B"

PARCEL #9

A parcel of land in and being part of the Northwest 1/4 of Section 5, T4N, R12E., Washington Township, Macomb County, Michigan, described as; Beginning at a point on the East and West 1/4 line of said Section 5, distant N.89°05'10" W. 2,038.69' from its centerpost; thence extending N.89°05'10" W. 646.43' to the West 1/4 corner of said Section 5; thence N.00°01'50" E. 107.84' along its West line; thence N.45°24'04" E. 1,117.40'; thence S.39°57'15" E. 243.00' to the P.C. of a curve to the Southeast, said curve having a Radius of 300'; a central angle of 10°35'18" and a long chord which bears S.45°14'55" E. 55.37'; thence Southeasterly 55.44' along the arc of said curve; thence S.26°20'47" W. 763.70' to the beginning. this parcel contains 10.0234 acres more or less.

PARCEL #10

A parcel of land in and being part of the Northwest 1/4 of Section 5, T4N, R12E, Washington Township, Macomb County, Michigan, described as: Beginning at a point on the West line of said Section 5, distant N.00°01'50" E. 107.84' from its West 1/4 corner; thence extending N.00°01'50" E. 812.82'; thence N.67°31'32" E. 715.32' to a point on a curve to the Southeast, said curve having a radius of 600'; a central angle of 31°56'40" and a long chord which bears S.23°58'55" E. 330.20'; thence Southeasterly 334.52' along the arc of said curve thence S.45°24'04" W. 1,117.40' to the beginning. This parcel contains 10.0120 acres more or less.

PARCEL #11

A parcel of land in and being part of the Northwest 1/4 of Section 5, T4N, R12E, Washington Township, Macomb County, Michigan, described as: Beginning at a point on the West line of said Section 5, distant N.00°01'50" E. 920.66' from its West 1/4 corner; thence extending N.00°01'50" E. 942.60'; thence S.65°16'21" E. 784.57' to a point on a curve to the Southwest, said curve having a radius of 600'; a central angle of 33°24'36" and a long chord which bears S.08°41'42" W. 344.93'; thence Southwesterly 349.87' along the arc of said curve; thence S.67°31'32" W. 715.32' to the beginning/ This parcel contains 10.0012 acres.

PARCEL #12

A parcel of land in and being part of the Northwest 1/4 of Section 5, T4N, R12E., Washington Township, Macomb County, Michigan, described as: Beginning at a point on the West line of said Section 5, distant N.00°01'50" E. 1,863.26' from its West 1/4 corner; thence extending N.00°01'50" E. 293.15'; thence N.57°39'35" E. 591.66'; thence S.21°51'59" E. 847.21' to a point on a curve to the Southwest said curve having a radius of 600'; a central angle of 17°34'01" and a long chord which bears S.34°10'59" W. 183.24'; thence Southwesterly 183.96' along the arc of said curve; thence N.65°16'21" W. 784.57' to the beginning. this parcel contains 10.0104 acres more or less.

RECORDED
46337

"APPENDIX C"

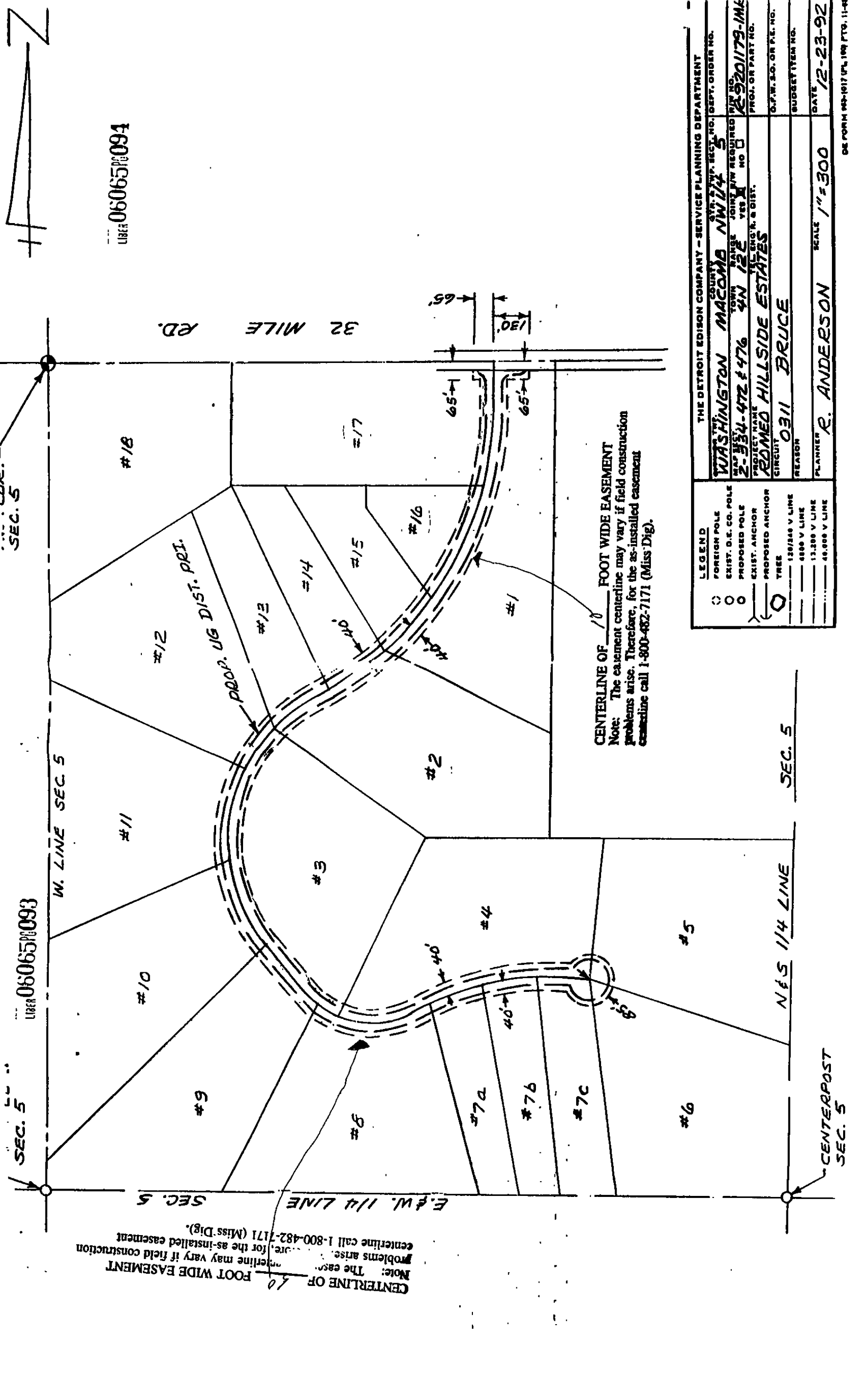
PARCEL #16

A parcel of land in and being part of the Northwest 1/4 of Section 5, T4N, R12E, Washington Township, Macomb County, Michigan, described as: Commencing at the Northwest corner of said Section 5; thence N.90° E. 649.00' along its North line; thence S.00°01'50" W. 466.00'; thence N.90°00'00" E. 486.00' to the point of beginning of this description; thence extending N.90°00'00" E. 422.34' to a point on a curve to the Southwest, said curve having a radius of 1,200'; a central angle of 21°14'58" and a long chord which bears S.24°39'15" W. 422.50'; thence Southwesterly 445.05' along the arc of said curve; thence N.36°25'40" W. 400.40'; thence N.00°00'00" E. 80.00' to the beginning. This parcel contains 2.3075 acres more or less.

PARCEL #17

A parcel of land in and being part of the Northwest 1/4 of Section 5, T4N, R12E., Washington Township, Macomb County, Michigan, described as: Beginning at a point on the North line of said Section 5, distant N.90° E. 649.00' from its Northwest corner; thence extending N.90° E. 946.97'; thence S.00°57'15" W. 195.11' to the P.C. of a curve to the Southwest; said curve having a radius of 1,200'; a central angle of 13°04'31", and a long chord which bears S.07°29'30" W. 273.25'; thence Southwesterly 273.85' along the arc of said curve; thence S.90° W. 908.34'; thence N.00°01'50" E. 466.00' to the beginning. This Parcel contains 10.0263 acres more or less.

RECORDED RICH. OF TAY. NO. 45237



CENTERLINE OF 10 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).

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THE DETROIT EDISON COMPANY - SERVICE PLANNING DEPARTMENT	
COUNTY	MACOMB
TOWN	WASHINGTON
RANGE	NW 1/4 S
JOINT F/W REQUIRED	NO
YES	NO
PROJECT NAME	ROMED HILLSIDE ESTATES
PROJECT NO.	2-934-472 & 476
PROG. OR PART NO.	0311
DATE	12-23-92
PLANNER	R. ANDERSON
SCALE	1"=300
SUBJECT ITEM NO.	
D.P.W. S.O. OR P.E. NO.	

LEGEND	
○	FOREIGN POLE
○	EXIST. D.E. CO. POLE
○	PROPOSED POLE
○	EXIST. ANCHOR
○	PROPOSED ANCHOR
○	TREE
---	120/240 V LINE
---	4800 V LINE
---	13,200 V LINE
---	48,000 V LINE

Detroit
Edison

Date: December 13, 1993

To: Records Center
2310 WCB

From: Susan Putrycus 
Shelby Service Center

Subject: R9201179-1MR - Hillside Drive
Washington Township, Macomb County

Please file the attached Right of Ways in the appropriate Record Center file.

If you have any questions, please call me on 182-84181.

RECORDED RIGHT OF WAY NO. 45230 - 45239

APPLICATION FOR RIGHT OF WAY

DE 983-0811 B-7486 (MS 80)

E-9201179-1MR

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

DATE 12-23-92

LOCATION ROMEO HILLSIDE ESTATES,
HILLSIDE DR. AT 32 MILE RD.

APPLICATION NO. _____

DEPT. ORDER NO. A-74017

CITY OR VILLAGE _____

O. F. W. NO. _____

TOWNSHIP WASHINGTON COUNTY MACOMB

BUDGET ITEM NO. 2MBOB-MDB

DATE BY WHICH RIGHT OF WAY IS WANTED 5-1-93

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 Additional 10' Right-of-Way adjacent to
60' wide ingress & egress easement (private road), along
lots #1 thru #17. Also additional easement on lot #1 & #17.

PURPOSE OF RIGHT OF WAY To provide U.G. distribution in said project.

SIGNED R.C. Anderson

OFFICE _____

DEPARTMENT Service Planning

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

R/W secured as requested.

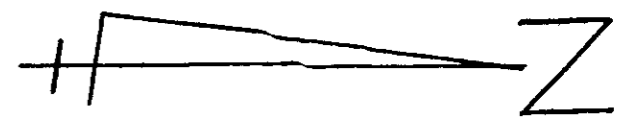
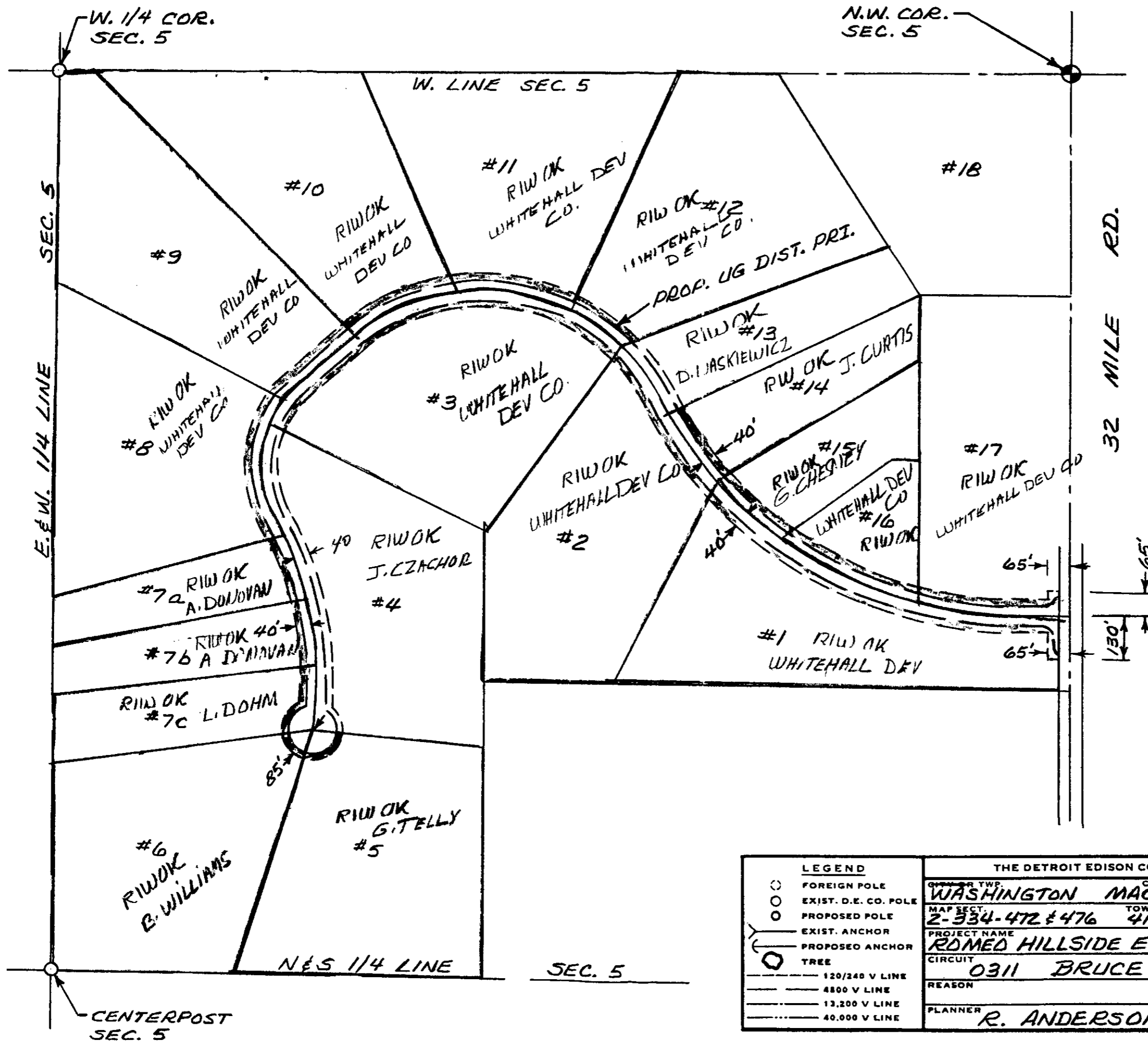
RECORDED RIGHT OF WAY NO.

45230
45239

PERMITS IN RECORD CENTER 9 R.E. & R/W DEPT. FILE 9 GRANTOR 9

NO. OF PERMITS 9 NO. OF STRUCTURES — NO. OF MILES — PERMITS TO MBT 9

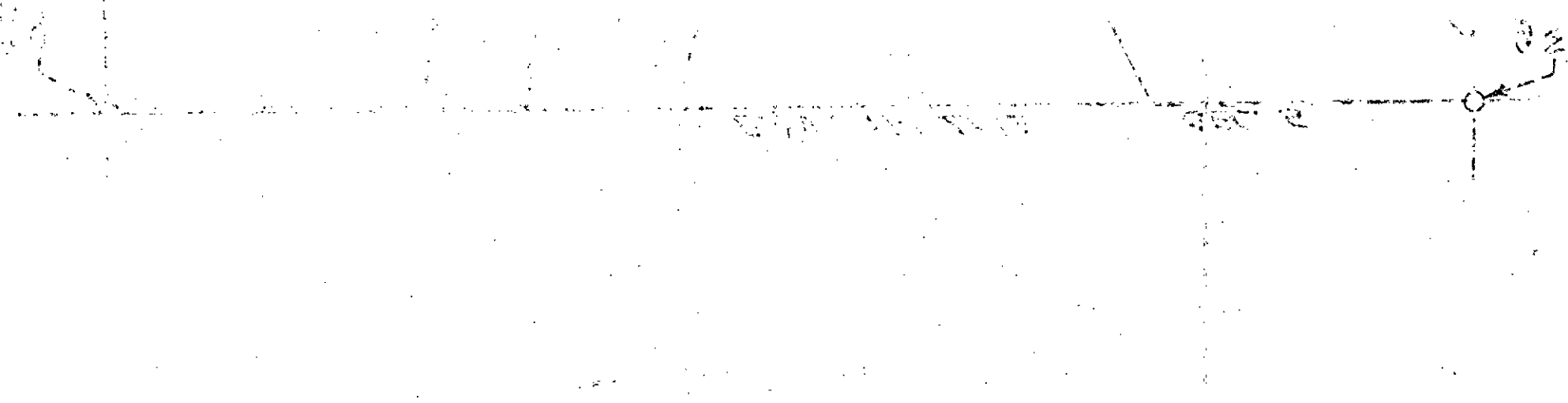
DATE 12/13/93 SIGNED S. Patryus



LEGEND				THE DETROIT EDISON COMPANY - SERVICE PLANNING DEPARTMENT			
○	FOREIGN POLE	○	EXIST. D.E. CO. POLE	○	PROPOSED POLE	○	EXIST. ANCHOR
○	PROPOSED ANCHOR	○	TREE	---	120/240 V LINE	---	4800 V LINE
---	13,200 V LINE	---	40,000 V LINE				
				COUNTY: WASHINGTON MACOMB			
				QTR. & TWP. SECT. NO.: NW 1/4 5			
				DEPT. ORDER NO.:			
				MAP SECT.: 2-334-472 & 476			
				TOWN RANGE: 4N 12E			
				JOINT R/W REQUIRED: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>			
				R/W NO.: R-9201179-1MR			
				PROJECT NAME: RDMED HILLSIDE ESTATES			
				TEL. ENG'R. & DIST.:			
				PROJ. OR PART NO.:			
				CIRCUIT: 0311 BRUCE			
				O.F.W. S.O. OR P.E. NO.:			
				REASON:			
				BUDGET ITEM NO.:			
				PLANNER: R. ANDERSON			
				SCALE: 1"=300			
				DATE: 12-23-92			

45230

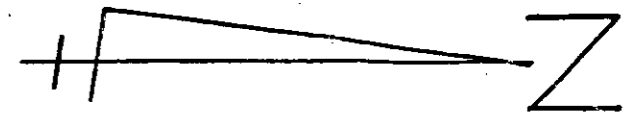
RECORDED RICE CO. UNIT 11



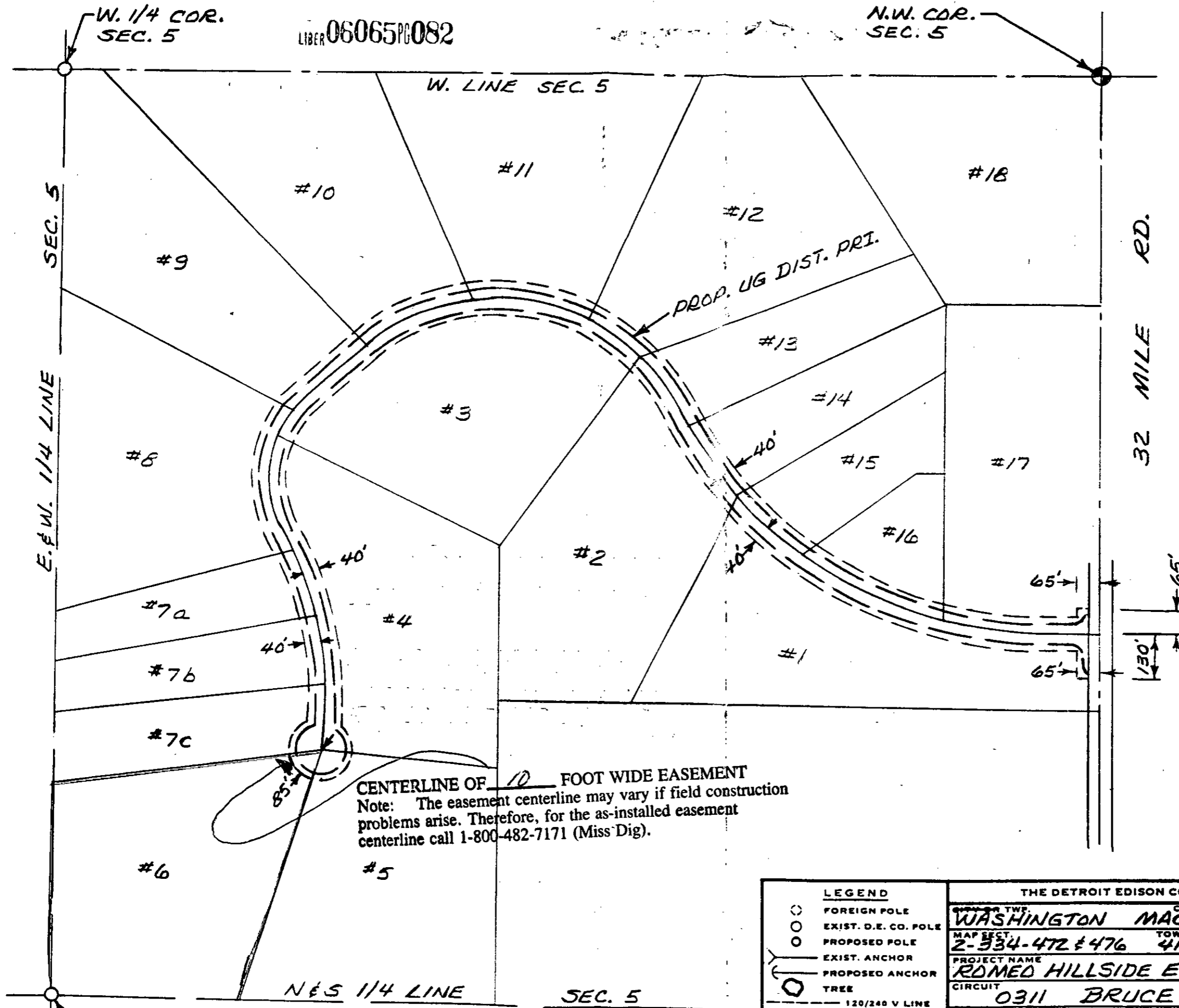
LIBER 06065PG082

N.W. COR. SEC. 5

W. 1/4 COR. SEC. 5



LIBER 06065PG083



CENTERLINE OF 10 FOOT WIDE EASEMENT
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THE DETROIT EDISON COMPANY - SERVICE PLANNING DEPARTMENT			
OWNER TWP.	COUNTY	QTR. & TWP. SECT. NO.	DEPT. ORDER NO.
WASHINGTON	MACOMB	NW 1/4 5	
MAP SECT.	TOWN	RANGE	JOINT R/W REQUIRED
2-334-472 & 476	4N	12E	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
PROJECT NAME	TEL. ENG'R. & DIST.		R/W NO.
ROMED HILLSIDE ESTATES			R-9201179-IMR
CIRCUIT			PROJ. OR PART NO.
0311 BRUCE			
REASON			O.F.W. S.O. OR P.E. NO.
PLANNER	SCALE	DATE	
R. ANDERSON	1"=300	12-23-92	

LEGEND	
	FOREIGN POLE
	EXIST. D.E. CO. POLE
	PROPOSED POLE
	EXIST. ANCHOR
	PROPOSED ANCHOR
	TREE
	120/240 V LINE
	4800 V LINE
	13,200 V LINE
	40,000 V LINE

JAN 4 1993