

**UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9201179-1MR**

On FEB 13, 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:**

Loring J. and Pamela M. Dohm, 1588 Oak Crest Street, Troy, Michigan 48083

**"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:**  
PARCEL # 7C

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" West 600.08' from its Centerpost; thence extending N.89°05'10" West 209.94'; thence N.07°04'16" West 807.40' to a point on a curve to the Northeast, said curve having a radius of 1,000'; a central angle of 11°45'44" and a long chord which bears S.86°13'19" East 204.93'; thence Northeasterly 205.29' along the arc of said curve; thence S.07°32'54" East 798.02' to the beginning;

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

A Ten (10) foot wide easement as shown on drawing #R09201179-1MR attached hereto.

RECORDED RIGHT OF WAY NO. 45238

93 OCT 21 PM 1:33

CARROLL L. BAUGH

- 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)

x Arthur Klasky  
Arthur Klasky

Loring J. Dohm  
Loring J. Dohm

x Debra Ann Redlin  
Debra Ann Redlin

Pamela M. Dohm  
Pamela M. Dohm, wife

Acknowledged before me in WAYNE County, Michigan, on 243, 1993 LORING J. DOHM AND PAMELA M. DOHM, HIS WIFE

ARTHUR KLASKY  
Notary Public, Macomb County, MI  
Acting in Wayne County, MI  
My Commission Expires September 5, 1993

Notary's Stamp

Notary's Signature

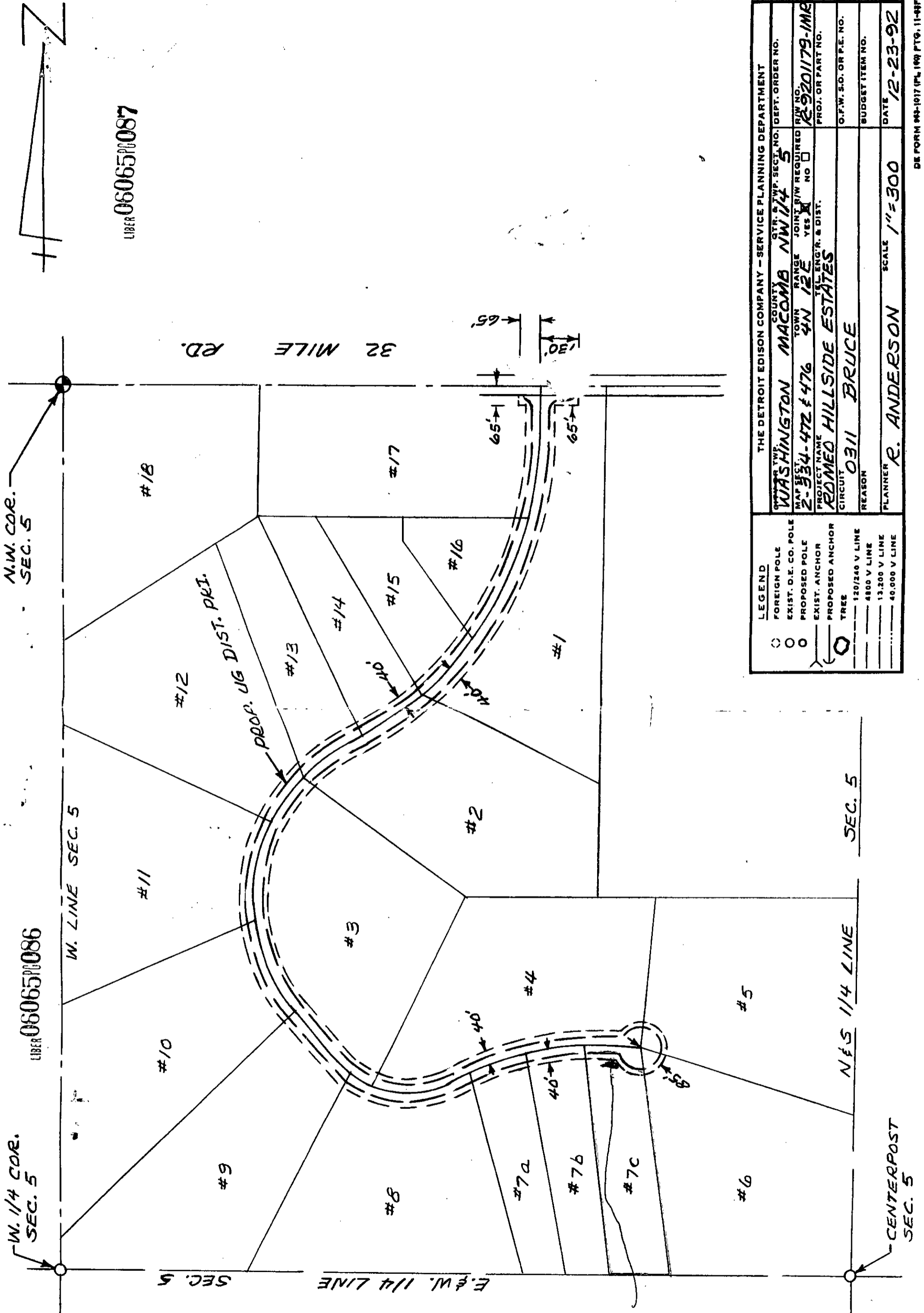
Arthur Klasky  
Arthur Klasky

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

RECORDED RIGHT OF WAY NO.

45238

APPROVED AS TO FORM 9/10/93 DATE  
LEGAL DEPARTMENT [Signature]



LIBER 060651087

LIBER 060651086


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).

THE DETROIT EDISON COMPANY - SERVICE PLANNING DEPARTMENT	
COUNTY <b>WASHINGTON</b>	QTR. & TWP. SECT. NO. <b>NW 1/4 5</b>
MAP SECT. <b>2-334-472 &amp; 476</b>	TOWN RANGE JOINT R/W REQUIRED <b>4N 12E</b> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
PROJECT NAME <b>ROMEO HILLSIDE ESTATES</b>	DATE <b>12-23-92</b>
CIRCUIT <b>0311 BRUCE</b>	PLANNER <b>R. ANDERSON</b>
REASON	SCALE <b>1"=300</b>
O.F.W.S.O. OR P.E. NO.	BUDGET ITEM NO.
LEGEND	
○ FOREIGN POLE	○ EXIST. D.E. CO. POLE
○ PROPOSED POLE	○ EXIST. ANCHOR
○ PROPOSED ANCHOR	○ TREE
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RECORDED RIGHT OF WAY NO. 45238

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 Gem Pointe Estates  
Condos, Ph III, Pt. II, located in the Southeast 1/4 of  
Section 34, T3N, R12E, Washington Township,  
Macomb County, Michigan.

Attached for Records Center is the executed Right of Way Agreement dated October 6, 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 Michael J. McCabe, Representative of Real Estate and Rights of Way, Macomb Division.

Detroit Edison Company, Michigan Bell Telephone Company, and Harron Cablevision made this Agreement with Benedict Morocco, President of Marquis Development, Inc., a Michigan corporation.

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

SP/ms

Attachments



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

December 13, 1993

Marquis Development Inc.  
30136 Barbary Court  
Warren, MI 48093

Attn: B. Morocco

Re: Gem Pointe Estates Condo, Phase III, Part II  
Township of Washington, Macomb County, Michigan

Dear Mr. Morocco:

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. 45238

To (Supervisor, RE & R/W) <b>M. McCABE</b>	For RE & R/W Dept. Use <b>ME-OK96</b>	Date Received	DE/Res/C.P. No.
Division <b>MACOMB</b>	Date <b>2-19-93</b>	Application No. <b>R-9209859-1MR</b>	

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.

**Information**

1. Project Name <b>GEM POINTE ESTATES CONDO'S PHASE III PART II</b>		County <b>MACOMB</b>
City/Township/Village <b>WASHINGTON</b>		Section No. <b>34</b>
Type of Development <input type="checkbox"/> Proposed Subdivision <input type="checkbox"/> Apartment Complex <input checked="" type="checkbox"/> Condominium <input type="checkbox"/> Subdivision <input type="checkbox"/> Mobile Home Park <input type="checkbox"/> Other		
2. Name of Owner <b>JEWELL DEVELOPMENT CORP.</b>		Phone No. <b>573-6639</b>
Address <b>28135 GROESBECK HIGHWAY ROSEVILLE, MICH 48066</b>		
Owner's Representative <b>PETE MOROCCO</b>		Phone No. <b>825-1430</b>
Date Service is Wanted <b>5-24-93</b>		

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

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

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

**HARRON CABLEVISION OF MICHIGAN**

b. Other Utility Engineer Names

**R. JEROUE**

Phone Numbers

**749-9561 x116**

Addresses

**55800 NEW HAVEN RD.**

**NEW HAVEN, MICH. 48048**

6. Additional Information or Comments

Note: Trenching letter  attached     will be submitted later

Service Planner

**A. GARNIATZ**

Signed (Service Planning Supervisor)

Phone No.

**228-4096**

Address

**138 MDH9 SHELBY S.C.**

RECORDED RIGHT OF WAY NO. 15338


Detroit  
Edison

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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. 2175-1-1-0

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.

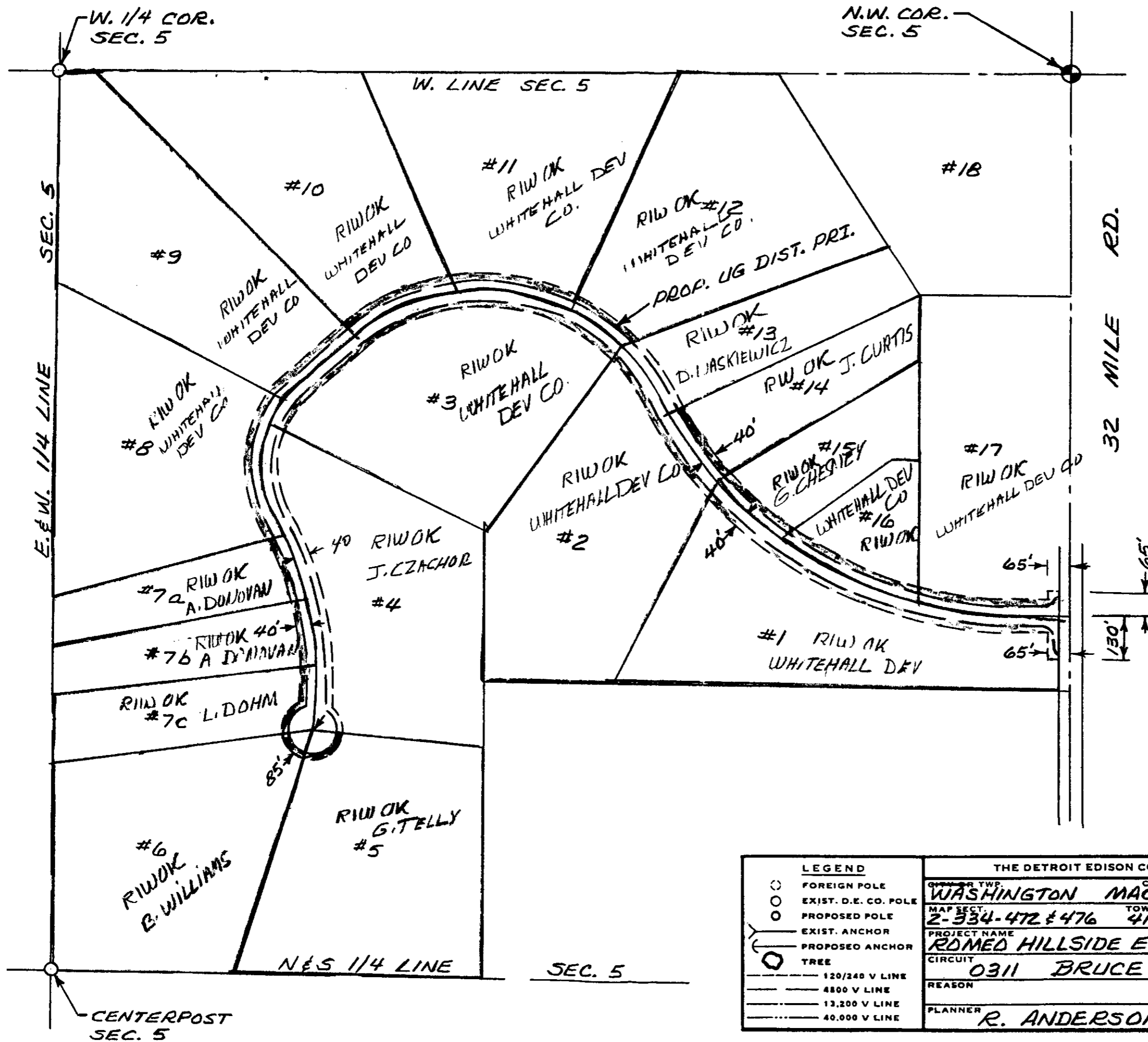
RECORDED RIGHT OF WAY NO.

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

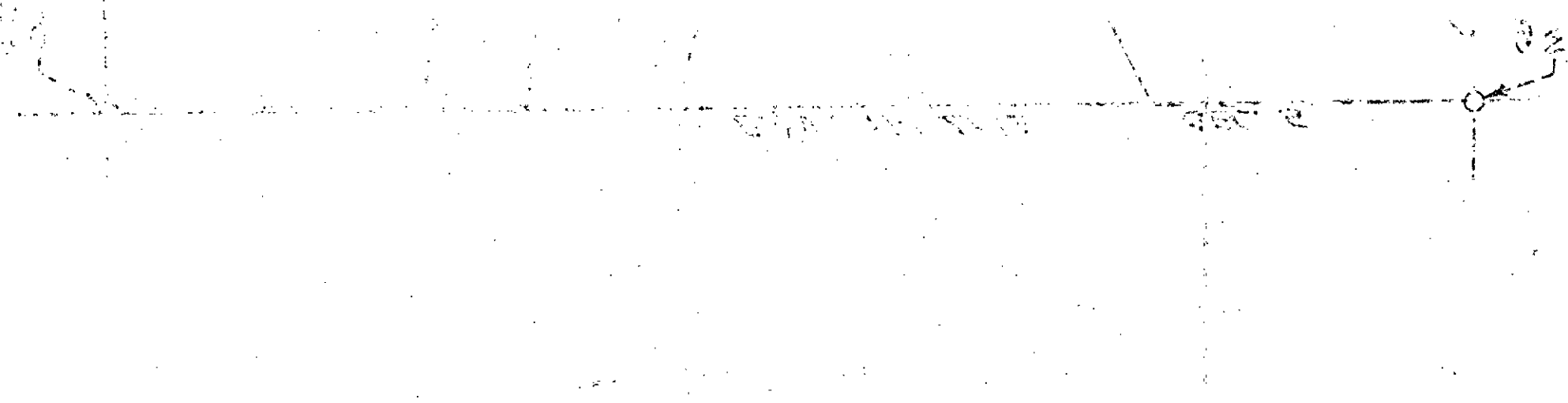
DATE 12/13/93 SIGNED S. Patryus



THE DETROIT EDISON COMPANY - SERVICE PLANNING DEPARTMENT			
QTR. & TWP.	COUNTY	GTR. & 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"/>
R/W NO.	R-9201179-1MR		
PROJECT NAME	TEL. ENG'R. & DIST.		PROJ. OR PART NO.
RDMED HILLSIDE ESTATES			
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

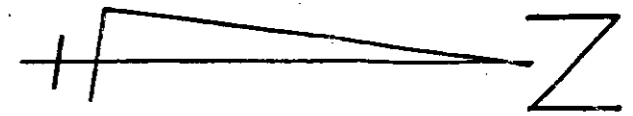
RECORDED RICE CO. UNIT 11



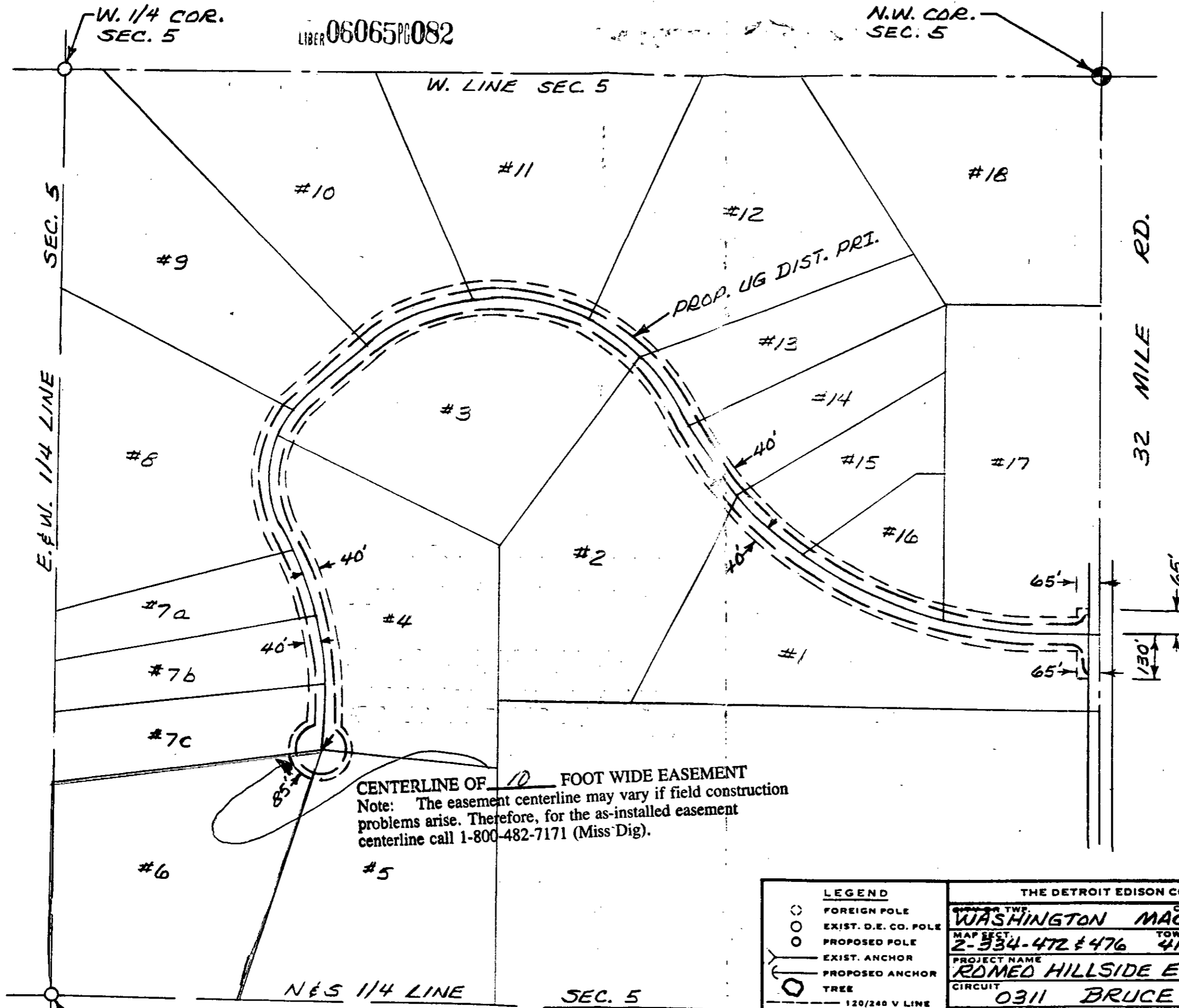
LIBER 06065PG082

N.W. COR. SEC. 5

W. 1/4 COR. SEC. 5



LIBER 06065PG083



CENTERLINE OF 10 FOOT WIDE EASEMENT  
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).

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.		PROJ. OR PART NO.
ROMED HILLSIDE ESTATES			
CIRCUIT			O.F.W. S.O. OR P.E. NO.
0311 BRUCE			
REASON			BUDGET ITEM 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