

Detroit Edison

C005062

UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R9210572-1M

PROJECT NAME Kings Pointe Subdivision No. 1

On December 10, 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:

ELRO Corporation, 201 West Big Beaver, Suite 720, Troy Michigan 48084-5297
Huntington Banks of Michigan, 801 West Big Beaver, Troy, Michigan 48084

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
Ameritech, a Michigan Corporation, 444 Michigan Avenue, Detroit, Michigan 48226
Harron Cablevision, a Delaware Corporation, 55800 New Haven Road, Chesterfield, Michigan 48051

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

"Kings Pointe Subdivision No.1", Part of the Northeast 1/4 and part of the Northwest 1/4 of Section 31, T3N, R14E, Chesterfield Township, Macomb County, Michigan. Beginning at a point which is N 01°14'10" E 188.85 feet along the West line of Section 31 and N 23°10'30" E 600.30 feet along the easterly line of Gratiot Avenue from the West 1/4 corner of Section 31, T3N, R14E; thence N 23°10'30" E 100.00 feet along the Easterly line of Gratiot Avenue; thence S 66°49'30" E 185.07 feet; thence Easterly 138.59 feet along the arc of a curve to the left (radius of 350.0 feet, central angle of 22°41'14", long chord bears S 78°10'07" E 137.68 feet); thence S 89°30'44" E 106.39 feet; thence N 00°42'04" E 141.37 feet; thence N 02°29'25" E 168.80 feet; thence, along the South line of "Madison Manor Subdivision" (Liber 12, Page 5 M.C.R.) S 71°47'06" E 3.44 feet; thence, along the South line of "Madison Manor Subdivision" and its extension, S 89°24'30" E 2633.53 feet; thence S 00°48'27" W 142.45 feet; thence S 26°35'54" W 976.49 feet along the Westerly line of I-94 Expressway; thence N 89°39'18" W 235.50 feet along the East and West 1/4 line of Section 31 to the center post of Section 31; thence N 00°48'56" E 266.67 feet along the North and South 1/4 line of Section 31; thence N 89°11'04" W 190.0 feet; thence N 00°48'56" E 0.72 feet thence N 89°11'04" W 132.16 feet; thence N 08°15'26" E 93.91 feet; thence N 89°11'04" W 185.18 feet; thence N 79°07'24" W 254.63 feet; thence N 89°30'44" W 200.0 feet; thence N 00°29'16" E 40.0 feet; thence N 89°30'44" W 420.0 feet; thence N 00°29'16" E 120.00 feet; thence N 89°30'44" W 420.0 feet; thence S 00°29'16" W 33.63 feet; thence N 89°30'44" W 194.28 feet; thence N 00°42'04" E 80.00 feet thence N 89°30'44" W 106.02 feet; thence Westerly 178.19 feet along the arc of a curve to the right (radius of 450.0 feet, central angle of 22°41'14", long chord bears N 78°10'07" W 177.02 feet); thence N 66°49'30" W 185.07 feet to the point of beginning.

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

Eastments as shown on 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)

X Harry F. Terbrueggen
Harry F. Terbrueggen

X Joanne B. Jennings
Joanne B. Jennings

ELRO CORPORATION
a Michigan Corporation

Graham A. Orley
Graham A. Orley, President

94 JAN -7 AM 10: 69 BY:
CARMELLA SABAUGH
REGISTER OF DEEDS
MACOMB COUNTY, MI

RECORDED RIGHT OF WAY NO. 45377

Acknowledged before me in Oakland County, Michigan, on December 2, 1993 by

Graham A. Orley, PRESIDENT ✓ ELRO CORPORATION, a Michigan Corporation

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

Notary's Signature *Joanne B. Jennings*

X *Harry F. Terbrueggen*

Harry F. Terbrueggen

HUNTINGTON BANKS OF MICHIGAN
a Michigan Banking Corporation

BY: *Harry T. Diehl*

Harry T. Diehl
Vice President

X *Joanne B. Jennings*
Joanne B. Jennings

Acknowledged before me in Oakland County, Michigan, on December 10, 1993 by

Harry T. Diehl, Vice President of HUNTINGTON BANKS OF MICHIGAN, a Michigan Banking Corporation

Notary's Stamp JOANNE B. JENNINGS
Notary Public, Oakland County, MI
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: Michael J. McCabe, 43230 Elizabeth Rd., Clinton Township MI 48036

RECORDED RIGHT OF MAY NO. 45-377

APPROVED AS TO FORM 12/16/93
LEGAL DEPARTMENT SPM

Date: February 14, 1994

To: Record Center

From: Michael J. McCabe *MJM*
Sr. Real Estate and Right of Way Representative
Mt Clemens Service Center, Macomb Division

Subject: Right of Way Agreement

Re: **Underground Residential Distribution for Kings Pointe Subdivision No. 1, located in part of Northeast 1/4 and part of the Northwest 1/4 of Section 31, Town 3 North, Range 14 East, Chesterfield Township, Macomb County, Michigan.**

Attached for Record Center is the executed Right of Way Agreement dated December 10, 1993, for the above named project.

Easement for this project was requested by Richard J. Mroz, Service Planner, Mt. Clemens Service Center, Macomb Division. The Agreement was negotiated by Michael J. McCabe, Representative, Real Estate and Right of Way, Mt Clemens Service Center, Macomb Division.

Detroit Edison Company, Ameritech and Harron Cablevision made this agreement with ELRO Corporation, Graham A. Orley, President, the developers of Kings Pointe Subdivision No. 1.

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

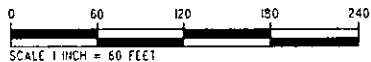
MJM/caw

Attachment

RECORDED RIGHT OF WAY NO. 45377

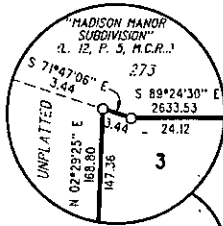
"KINGS POINTE SUB. NO. 1"

PART OF THE NORTHEAST 1/4 AND PART OF THE NORTHWEST 1/4
OF SECTION 31, T.3N., R.14E., CHESTERFIELD TWP.,
MACOMB COUNTY, MICHIGAN.



PLAT LEGEND

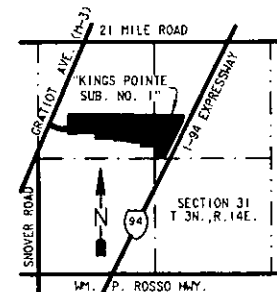
A. L. DIMENSIONS ARE IN FEET.
ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC.
(R.) DENOTES RADIAL. (N.R.) DENOTES NOT RADIAL.
THE SYMBOL "o" INDICATES A MONUMENT WHICH IS A 1/2" DIAMETER
STEEL BAR 36" LONG, ENCASED IN 4" DIAMETER CONCRETE.
A. L. LOT MARKERS ARE 1/2" IRON PIPES AND ARE 18" LONG. "NO I. D. CAPS"
ALL BEARINGS ARE IN RELATION TO THE BEARING OF THE SOUTH LINE OF
"MADISON MANOR SUBDIVISION" (PART OF SECTION 31), T.3N., R.14E.,
CHESTERFIELD TOWNSHIP, MACOMB COUNTY, MICHIGAN AS RECORDED IN LIBER 12,
PAGE 5, M.C.R.



DETAIL "A"
NOT TO SCALE

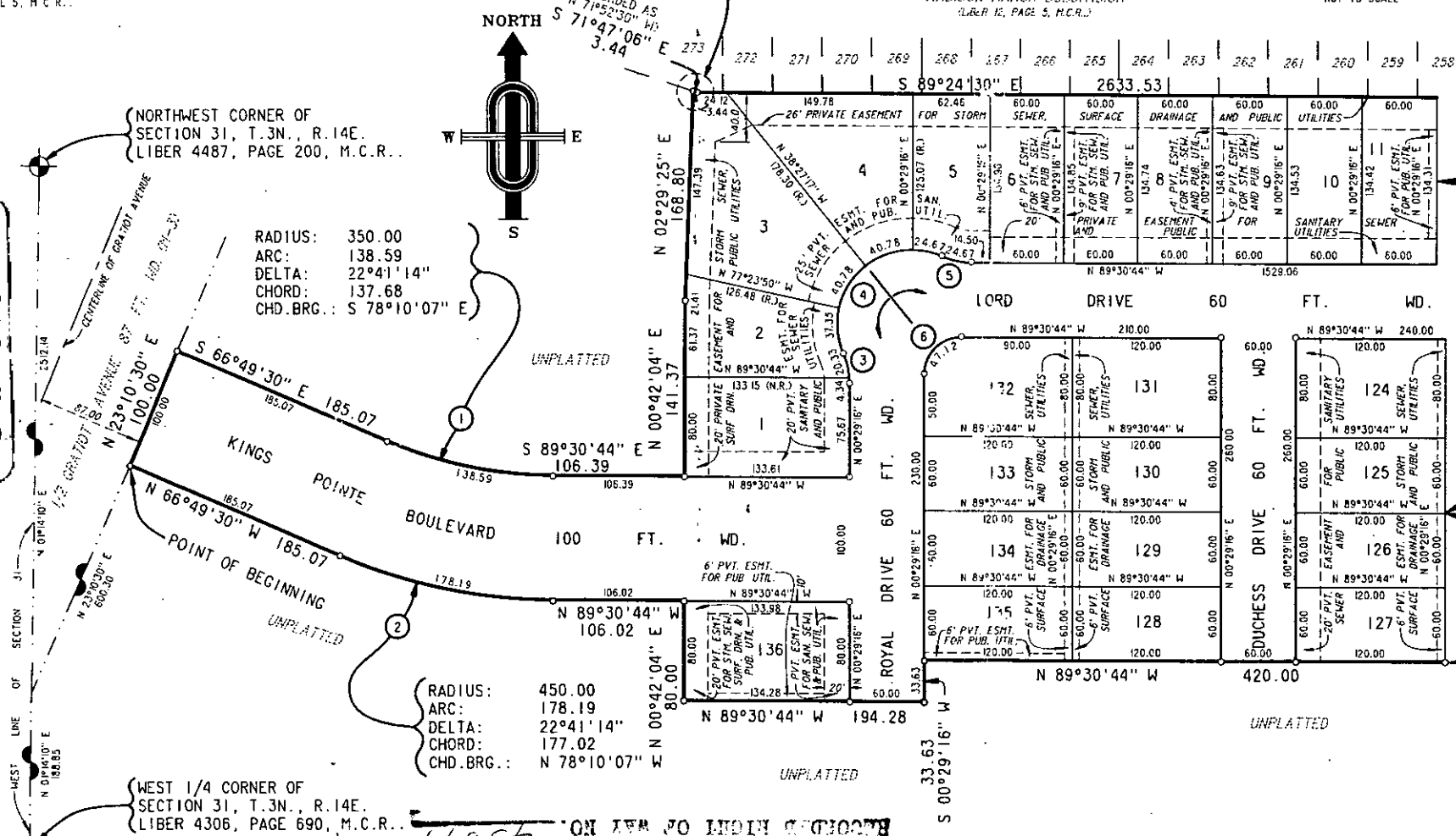
CURVE DATA

NO.	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
1	350.00	138.59	22°41'14"	137.68	S 78°10'07" E
2	450.00	178.19	22°41'14"	177.02	N 78°10'07" W
3	60.00	24.67	23°33'23"	24.49	N 11°17'26" W
4	60.00	143.58	137°06'46"	111.69	N 45°29'16" E
5	60.00	24.67	23°33'23"	24.49	N 77°44'02" W
6	30.00	47.12	90°00'00"	42.43	N 45°29'16" E



LOCATION MAP
NOT TO SCALE

"MADISON MANOR SUBDIVISION"
LIBER 12, PAGE 5, M.C.R.



NORTHWEST CORNER OF
SECTION 31, T.3N., R.14E.
LIBER 4487, PAGE 200, M.C.R.

RADIUS: 350.00
ARC: 138.59
DELTA: 22°41'14"
CHORD: 137.68
CHD. BRG.: S 78°10'07" E

RADIUS: 450.00
ARC: 178.19
DELTA: 22°41'14"
CHORD: 177.02
CHD. BRG.: N 78°10'07" W

WEST 1/4 CORNER OF
SECTION 31, T.3N., R.14E.
LIBER 4306, PAGE 690, M.C.R.

RECORDED AS N 71°52'30" W 3.44
RECORDED AS S 71°47'06" E 3.44

LIBER 06180M749

MATCH LINE ON SHEET 3 OF 7

MATCH LINE ON SHEET 2 OF 7

"KINGS POINTE SUB. NO. 1"

PART OF THE NORTHEAST 1/4 AND PART OF THE NORTHWEST 1/4
OF SECTION 31, T.3N., R.14E., CHESTERFIELD TWP.,
MACOMB COUNTY, MICHIGAN.

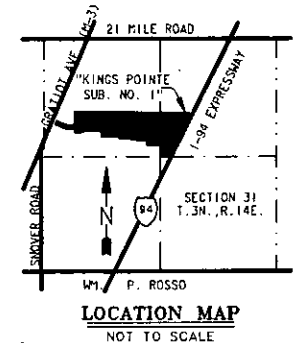
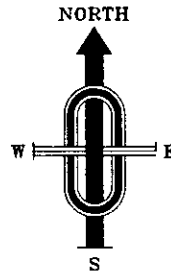


PLAT LEGEND

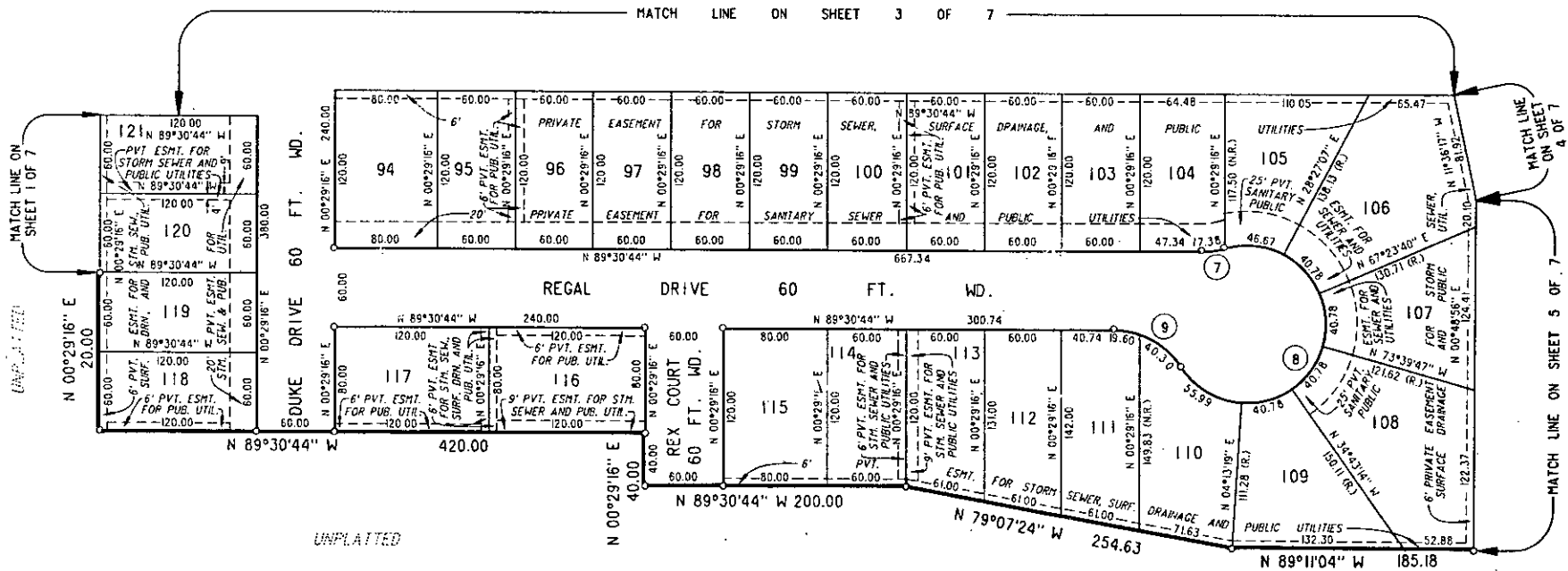
ALL DIMENSIONS ARE IN FEET.
ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC.
(P.) DENOTES RADIAL. (N.R.) DENOTES NOT RADIAL.
THE SYMBOL "Ø" INDICATES A MONUMENT WHICH IS A 1/2" DIAMETER
STEEL BAR 36" LONG, ENCASED IN 4" DIAMETER CONCRETE.
ALL LOT MARKERS ARE 1/2" IRON PIPES AND ARE 18" LONG. "NG I.D. CAPS"
ALL BEARINGS ARE IN RELATION TO THE BEARING OF THE SOUTH LINE OF
"MADISON MANOR SUBDIVISION" (PART OF SECTION 31), T.3N., R.14E.,
CHESTERFIELD TOWNSHIP, MACOMB COUNTY, MICHIGAN AS RECORDED IN LIBER 12,
PAGE 5, M.C.R.

CURVE DATA

NO.	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
7	60.00	17.38	16°35'52"	17.32	N 82°11'20" E
8	60.00	265.78	253°48'02"	95.96	N 20°47'25" E
9	60.00	59.90	57°12'10"	57.45	N 60°54'39" W



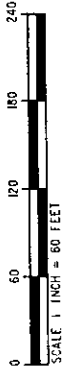
LIBER 06180P750



RECORDED RIGHT OF WAY NO. 4537

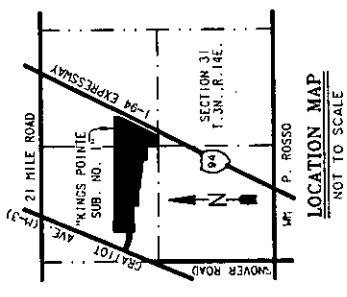
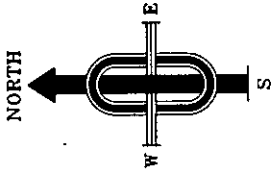
"KINGS POINTE SUB. NO. 1"

PART OF THE NORTHEAST 1/4 AND PART OF THE NORTHWEST 1/4 OF SECTION 31, T.3N., R.14E., CHESTERFIELD TWP., MACOMB COUNTY, MICHIGAN.



PLAT LEGEND

ALL DIMENSIONS ARE IN FEET.
 ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC.
 P) DENOTES RADIAL. (N.R.) DENOTES NOT RADIAL.
 THE SYMBOL "o" INDICATES A MONUMENT WHICH IS A 1 1/2" DIAMETER STEEL BAR 36" LONG, DRESSED IN 3/4" DIAMETER CORRELLE.
 ALL LOT MARKERS ARE 1/4" IRON PIPES AND ARE 18" LONG. "HC 1.0. CAPS"
 ALL BEARINGS ARE IN RELATION TO THE BEARING OF THE SOUTH 1/4 OF SECTION 31, T.3N., R.14E., CHESTERFIELD TWP., MACOMB COUNTY, MICHIGAN AS RECORDED IN LIBER 12, PAGE 5, M.C.R.



"MADISON HATCH SUBDIVISION"
 LIBER 12, PAGE 3, M.C.R.

258	257	256	255	254	253	252	251	250	249	248	247	246	245	244	243	242	241	240	239	238	237	236	235	234	233
S 89° 24' 30" E																									
2633.53																									
1529.00																									
60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00
FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.
12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37

N 89° 30' 44" W																									
60 FT. MD.																									
DUKE DRIVE																									
60 FT. MD.																									
N 00° 29' 16" E																									
60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00
FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.	FOR PUB. UTIL.
20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45

MATCH LINE ON SHEET 1 OF 7

MATCH LINE ON SHEET 2 OF 7

MATCH LINE ON SHEET 4 OF 7

45377

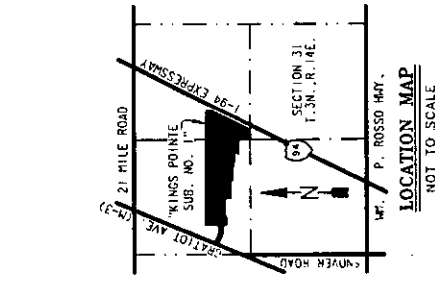
"KINGS POINTE SUB. NO. 1"

PART OF THE NORTHEAST 1/4 AND PART OF THE NORTHWEST 1/4 OF SECTION 31, T.3N., R.14E., CHESTERFIELD TWP., MACOMB COUNTY, MICHIGAN.



PLAT LEGEND

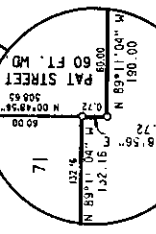
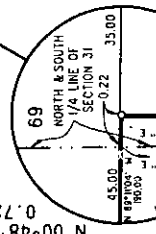
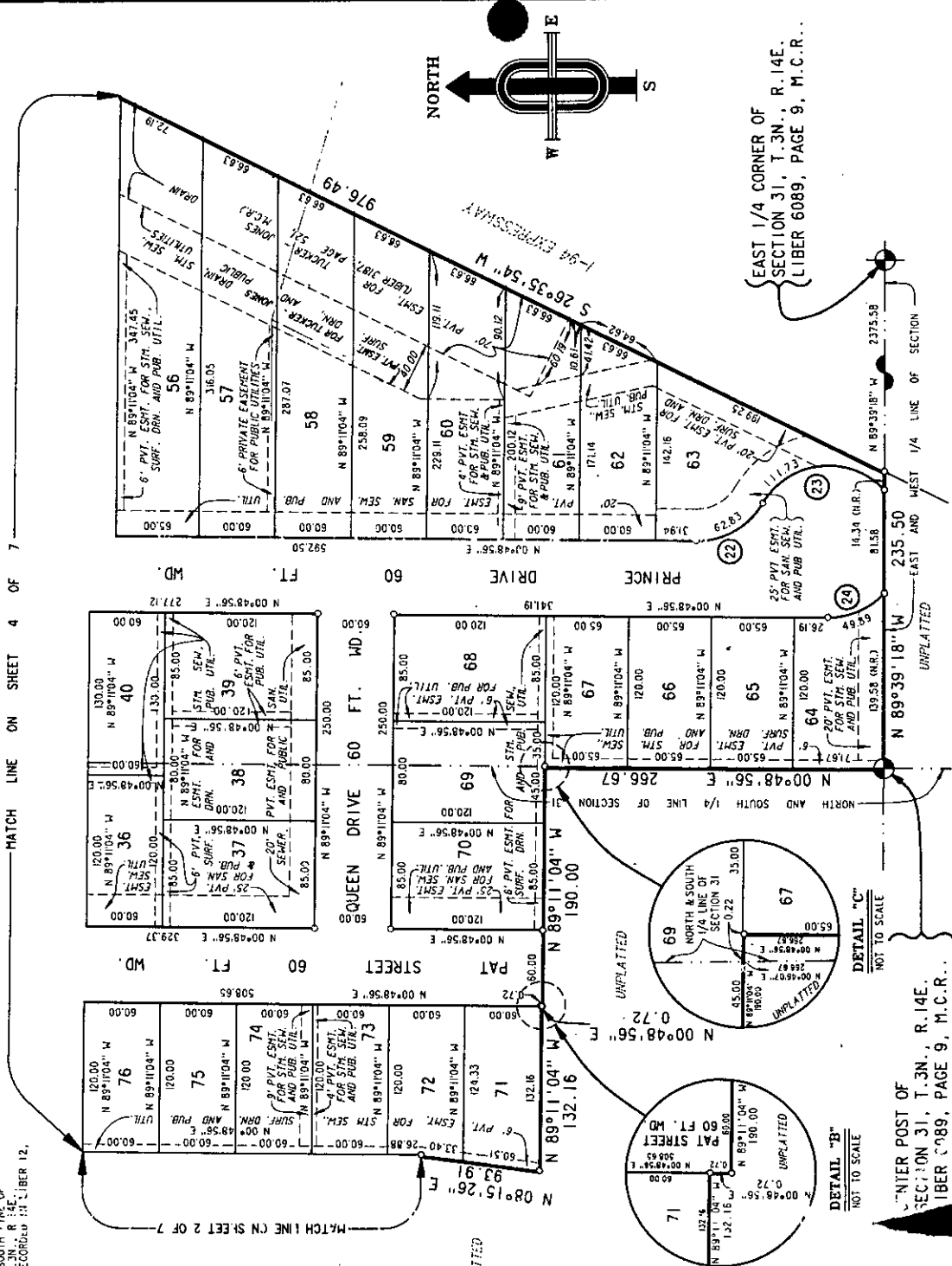
ALL DIMENSIONS ARE IN FEET.
 ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC.
 (R.) DENOTES RADIAL. (N.R.) DENOTES NOT RADIAL.
 THE SYMBOL \circ INDICATES A MONUMENT WHICH IS 1/2" DIAMETER STEEL BAR 36" LONG, ENCASED IN 4" DIAMETER CONCRETE.
 ALL LOT MARKERS ARE 1/2" IRON PIPES AND ARE 18" LONG. "NO I.D. CAPS"
 ALL BEARINGS ARE IN RELATION TO THE BEARING OF THE SOUTH LINE OF SECTION 31, T.3N., R.14E., CHESTERFIELD TWP., MACOMB COUNTY, MICHIGAN AS RECORDED IN LIBER 12, PAGE 5, M.C.R.



NO.	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
22	60.00	62.83	60°00'00"	60.00	N 29°11'04" W
23	60.00	111.73	106°41'46"	96.27	N 05°50'11" W
24	60.00	49.89	47°38'14"	48.46	N 23°00'11" W

CURVE DATA

NO.	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
22	60.00	62.83	60°00'00"	60.00	N 29°11'04" W
23	60.00	111.73	106°41'46"	96.27	N 05°50'11" W
24	60.00	49.89	47°38'14"	48.46	N 23°00'11" W



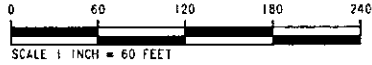
RECORDED RIGHT OF WAY NO. 45377

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

LIBER 06180PG753

"KINGS POINTE SUB. NO. 1"

PART OF THE NORTHEAST 1/4 AND PART OF THE NORTHWEST 1/4
OF SECTION 31, T.3N., R.14E., CHESTERFIELD TWP.,
MACOMB COUNTY, MICHIGAN.



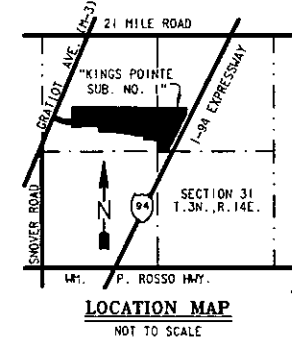
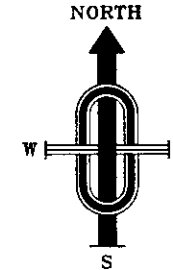
PLAT LEGEND

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THE SYMBOL "Ø" INDICATES A POINT WHICH IS A 1/2" DIAMETER
STEEL BAR 36" LONG, ENCASED IN 4" DIAMETER CONCRETE.
ALL LOT MARKERS ARE 1/2" IRON PIPES AND ARE 18" LONG "NO. 1 D. CAPS"
ALL BEARINGS ARE IN RELATION TO THE BEARING OF THE SOUTH LINE OF
"MADISON MANOR SUBDIVISION" (PART OF SECTION 31, T.3N., R.14E.,
CHESTERFIELD TOWNSHIP, MACOMB COUNTY, MICHIGAN AS RECORDED IN LIBER 12,
PAGE 5, M.C.R.).

NORTH 1/4 CORNER OF
SECTION 31, T.3N., R.14E.
LIBER 3055, PAGE 838, M.C.R..

CURVE DATA

NO.	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
10	120.00	17.51	08°21'46"	17.50	N 66°18'23" E
11	180.00	26.27	08°21'46"	26.25	N 86°18'23" F
12	270.00	36.87	07°49'30"	36.85	N 03°57'45" W
13	330.00	45.07	07°49'30"	45.03	N 03°57'45" W
14	270.00	40.95	08°41'26"	40.91	N 03°31'47" W
15	330.00	50.05	08°41'26"	50.01	N 03°31'47" W
16	60.00	24.67	23°33'23"	24.49	N 10°57'46" W
17	60.00	118.68	113°19'57"	100.26	N 33°55'31" E
18	60.00	24.67	23°33'23"	24.49	N 78°48'48" E
19	60.00	270.04	257°52'16"	93.34	N 15°58'15" E
20	60.00	56.88	54°18'53"	54.77	N 62°15'04" E
21	30.00	47.01	89°46'34"	42.34	N 45°42'13" E

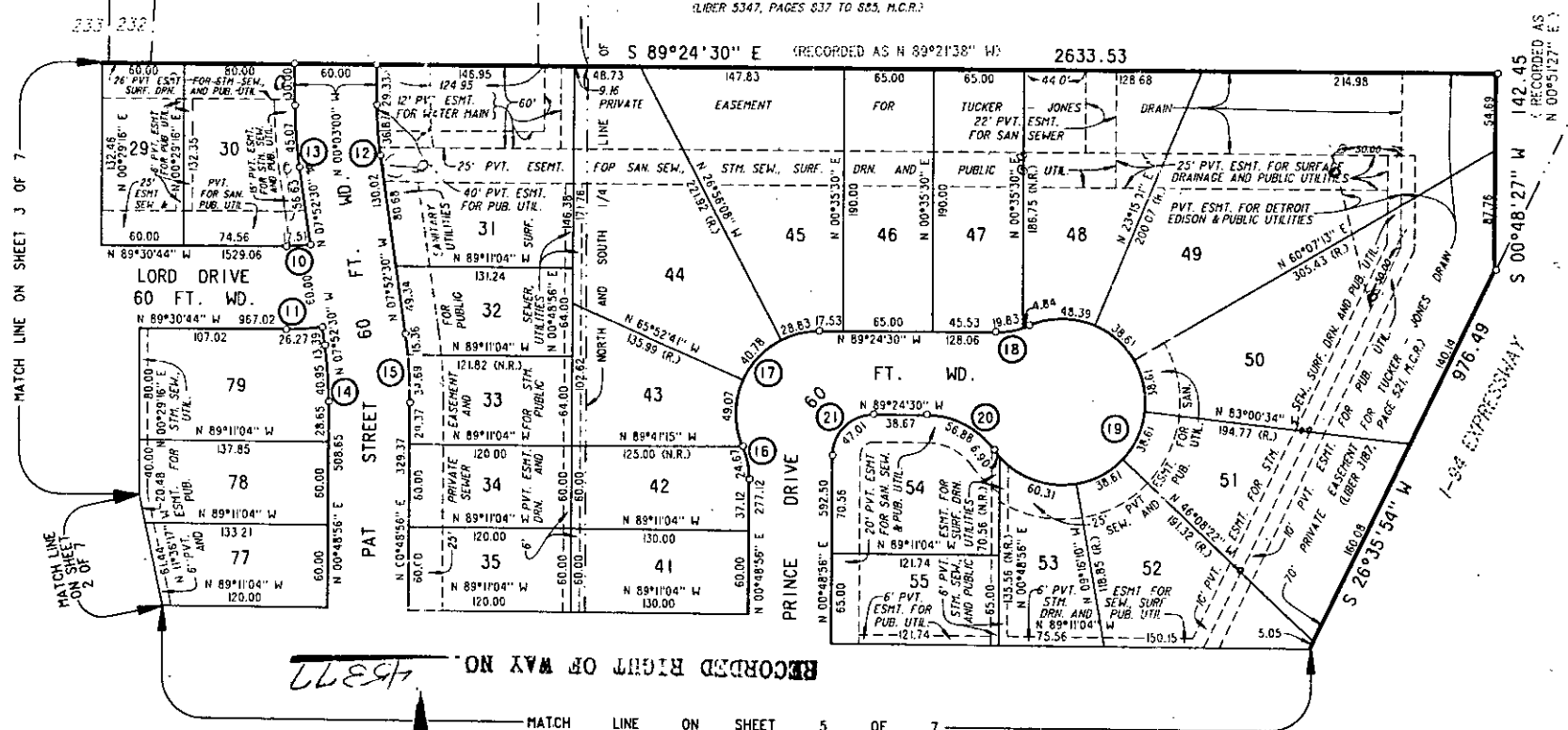


MADISON MANOR
SUBDIVISION
PAGE 5, M.C.R.

UNPLATTED

"BRIAR TOWNE CONDOMINIUM"
(PLAN NO. 401)
LIBER 5347, PAGES 837 TO 853, M.C.R.

LIBER 06180/P/752



RECORDED RIGHT OF WAY NO. 45377

MATCH LINE ON SHEET 5 OF 7