

**Detroit
Edison**

LIBER 06244PG365

21-

FEB 10 1994

UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R9309445-01R

PROJECT NAME Brentwood Farms Subdivision No. 4 C032091

On February 14, 1994, 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:

M & C Limited of Utica, 46401 Romeo Plank, Mt Clemens Michigan 48044
First Federal of Michigan, 1001 Woodward Avenue, Detroit Michigan 48226-

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
Ameritech, a Michigan Corporation, 444 Michigan Avenue, Detroit, MI 48226
Comcast Cablevision, a Delaware Corporation, 6065 Wall Street, Sterling Heights, MI 48077

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

Part of the Northwest 1/4 of Section 29, T3N, R13E, Macomb Township, Macomb County, Michigan and being more particularly described as follows: Commencing at a point 1575.50 feet N 87°48'14" E along the North line of said Section 29 from the Northwest corner of said Section 29, said line also being the centerline of 22 Mile Road (120' R.O.W.); thence continuing along said line N 87°48'14" E 575.58 feet; thence along the westerly line of Brentwood Farms Sub. No. 2 the following courses and distances: S 02°11'46" E 261.69 feet, along the arc of a curve (R.=220.00 feet) concave to the West whose line chord bears S 01°19'29" W 27.02 feet and whose central angle is 07°02'29", S 04°50'43" W 103.08 feet, S 87°31'34" W 169.38 feet, 02°28'26" E 700.00 feet, N 87°31'34" E 190.43 feet, S 14°22'07" E 42.67 feet, along the arc of a curve (R.=220.00 feet) concave to the East whose long chord bears S 08°08'23" E 47.74 feet and whose central angle is 12°27'28", S 01°54'39" E 400.97 feet and N 87°31'34" E 39.04 feet; thence along the westerly and southerly lines of Brentwood Farms Sub. No. 3 the following courses and distances: S 02°28'26" E 124.10 feet, S 87°31'34" W 280.00 feet, S 02°28'26" E 355.90 feet, N 87°31'34" E 25.32 feet, S 02°28'26" E 120.00 feet, S 87°31'34" W 115.14 feet, S 15°38'26" E 65.22 feet, along the arc of a curve (R.=280.00 feet) concave to the West whose long chord bears S 09°03'26" E 64.20 feet and whose central angle is 13°10'00", S 02°28'26" E 52.71 feet, N 87°31'34" E 600.91 feet, S 01°54'39" E 31.45 feet and N 88°05'21" E 190.00 feet; thence S 01°54'39" E 277.53 feet along the West line of Valley Forge Sub. No. 2, as recorded in Liber 74, Pages 33-35, Macomb County Records, said line also being the North and South 1/4 line of said Section 29, to the center post of said Section 29; thence S 87°48'19" W 1069.31 feet along the North line of Valley Forge Subdivision as recorded in Liber 70, Pages 27-29, Macomb County Records, said line also being the East and West 1/4 line of said Section 29; thence N 02°28'26" W 2669.53 feet to the point of beginning.

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

Easements as shown on attached plat.

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

45205

94 MAR -1 PM 3: 51

CARMELLA SABAUGH
REGISTER OF DEEDS
MACOMB COUNTY, MI

1992

Witnesses:(type or print name below signature)

X Kathy Hamlin
Kathy Hamlin
X Barbara Stein
Barbara Stein

Grantor:(type or print name below signature)

M & C LIMITED OF UTICA
a Michigan Corporation

[Signature]
Michael A. Chirco, President

Acknowledged before me in Macomb County, Michigan, on February 14, 1994 by
Michael A. Chirco, President, M & C Limited of Utica, a Michigan Corporation, for the corporation.

NOTARY PUBLIC - OAKLAND COUNTY, MICH.
JANIS A. COLDEN
MY COMMISSION EXPIRES 03-05-95
Notary's Stamp (Notary's name, county, and date commission expires)
Acting in Macomb County

Notary's Signature Janis A. Colden
Janis A. Colden

Witnesses:(type or print name below signature)

X _____
X _____

Grantor:(type or print name below signature)

FIRST FEDERAL OF MICHIGAN
a Federal Corporation

[Signature]
Charles G. Rowe, Vice President

Acknowledged before me in _____ County, Michigan, on _____, 1994 by
Charles G. Rowe, Vice President, First Federal of Michigan, a Federal Corporation, for the corporation.

Notary's Stamp _____
(Notary's name, county, and date commission expires)

Notary's Signature _____

RECORDED RIGHT OF MAY NO. 45205

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

APPROVED AS TO FORM AND DATE
LEGAL DEPARTMENT 2/22/94
[Signature]

Date: March 24, 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 Brentwood Farms Subdivision No. 4 located in part of the Northwest 1/4 of Section 29, Town 3 North, Range 13 East, Macomb Township, Macomb County, Michigan.**

Attached for Record Center is the executed Right of Way Agreement dated February 14, 1994, for the above named project.

Easement for this project was requested by Jerald B. Pollard, 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 Comcast Cablevision made this agreement with M & C Limited of Utica, Michael A. Chirco, President, the developers of Brentwood Farms Subdivision No. 4.

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

MJM/caw

Attachment

RECORDED RIGHT OF WAY NO. 45205

BRENTWOOD FARMS SUBDIVISION NO. 4

PART OF THE N.W. 1/4 OF SECTION 29, T.3N., R.13E., MACOMB TOWNSHIP, MACOMB COUNTY, MICHIGAN

NORTH 1/4 CORNER
SECTION 29,
T.3N., R.13E.
L.C.R.C.
L.3089, P.941
M.C.R.

118P 06244P 37

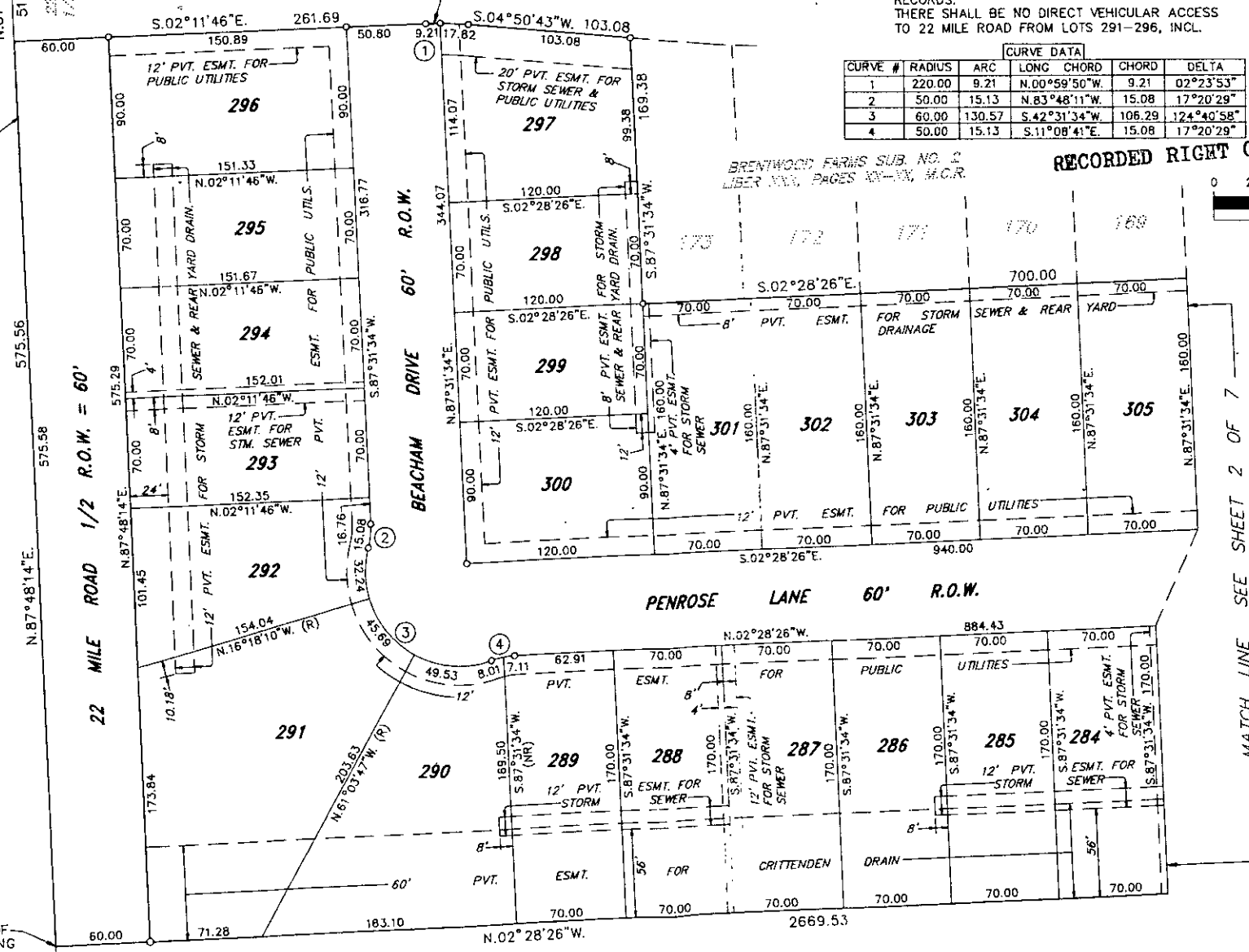
UNPLATTED

NORTHWEST CORNER
SECTION 29,
T.3N., R.13E.
L.C.R.C.
L.3089, P.941
M.C.R.

BRENTWOOD FARMS SUB. NO. 2
LIBER XXX, PAGES XX-XX, M.C.R.

R=220.00
ARC=27.04
 $\Delta = 07^{\circ}02'29''$
LONG CHD.= $S.01^{\circ}19'29''W.$
27.02

HUNTER DRIVE 60' R.O.W.



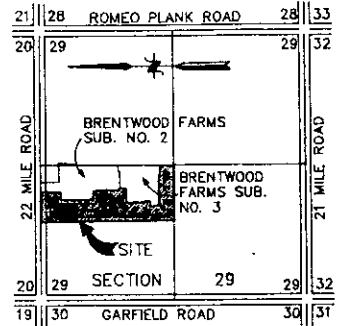
LEGEND

ALL DIMENSIONS ARE SHOWN IN FEET.
ALL CURVILINEAR DIMENSIONS ARE SHOWN
ALONG THE CHORD.
THE SYMBOL "o" INDICATES A 4" DIAMETER
36" LONG w/1/2" STEEL ROD CENTER
CONCRETE MONUMENT.
ALL LOT MARKERS ARE 1/2" STEEL RODS AND
ARE 18" LONG. (NO I.D. CAPS)
(R) INDICATES RADIAL LOT LINES.
(NR) INDICATES NOT RADIAL LOT LINES.
BEARINGS BASED ON THE WLY. LINE OF
BRENTWOOD FARMS SUB. NO. 2 AS RECORDED IN
LIBER , PAGES , INCL., MACOMB COUNTY
RECORDS.
THERE SHALL BE NO DIRECT VEHICULAR ACCESS
TO 22 MILE ROAD FROM LOTS 291-296, INCL.

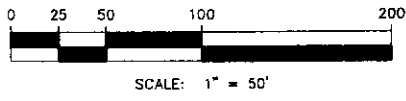
CURVE DATA				
CURVE #	RADIUS	ARC	LONG CHORD	DELTA
1	220.00	9.21	N.00°59'50"W.	9.21 02°23'53"
2	50.00	15.13	N.83°48'11"W.	15.08 17°20'29"
3	60.00	130.57	S.42°31'34"W.	106.29 124°40'58"
4	50.00	15.13	S.11°08'41"E.	15.08 17°20'29"

BRENTWOOD FARMS SUB. NO. 2
LIBER XXX, PAGES XX-XX, M.C.R.

RECORDED RIGHT OF WAY NO. 45605



LOCATION MAP
NOT TO SCALE

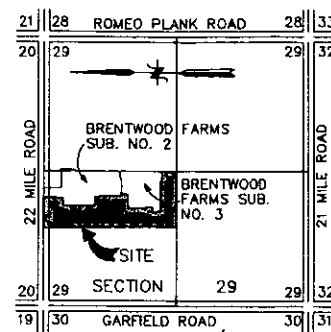


MATCH LINE SEE SHEET 2 OF 7

ROBERT L. SMITH

BRENTWOOD FARMS SUBDIVISION NO. 4

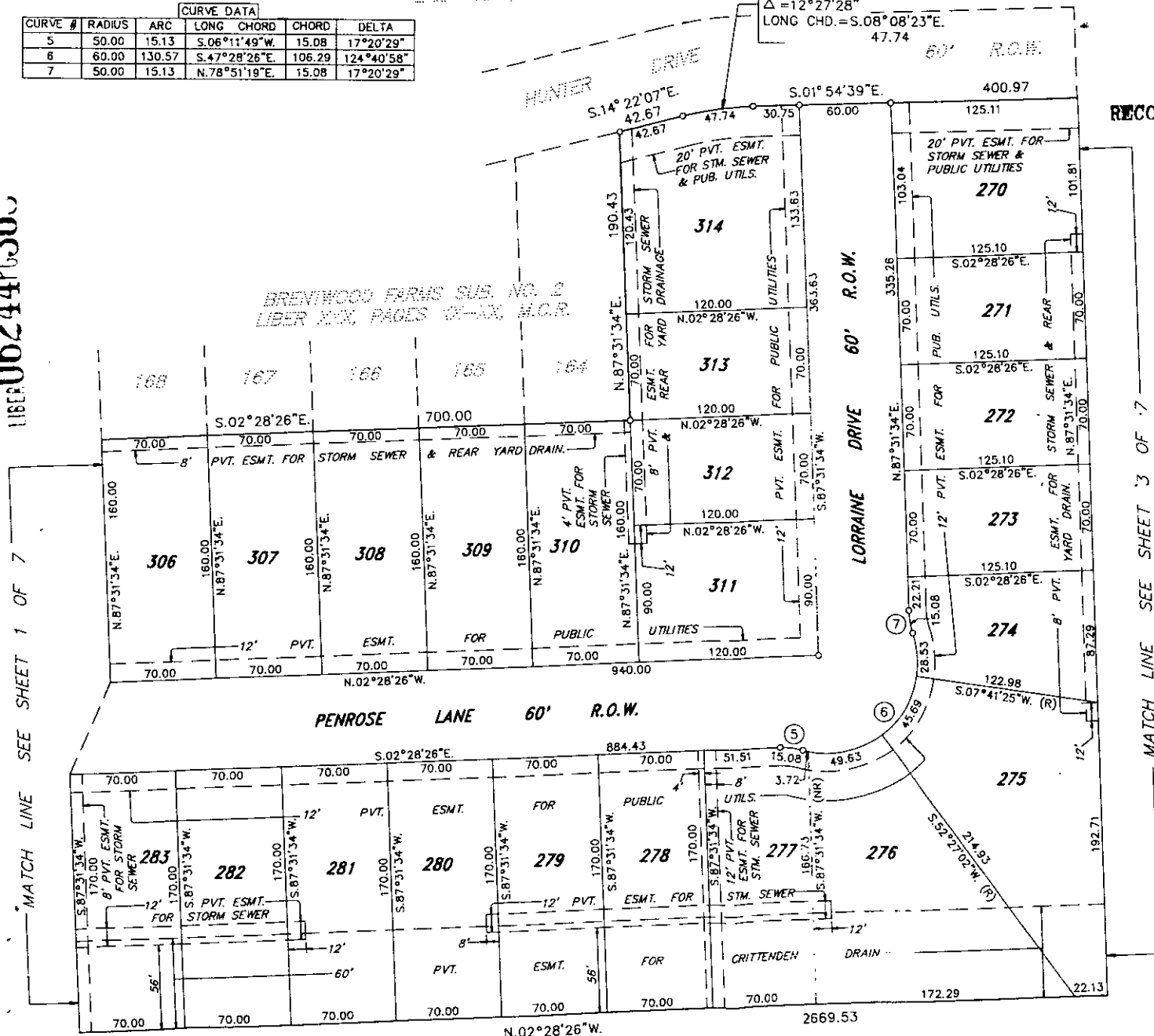
PART OF THE N.W. 1/4 OF SECTION 29, T.3N., R.13E.,
MACOMB TOWNSHIP, MACOMB COUNTY, MICHIGAN



CURVE DATA					
CURVE #	RADIUS	ARC	LONG CHORD	CHORD BEARING	DELTA
5	50.00	15.13	S.06°11'49"W.	15.08	17°20'29"
6	60.00	130.57	S.47°28'26"E.	106.29	124°40'58"
7	50.00	15.13	N.78°51'19"E.	15.08	17°20'29"

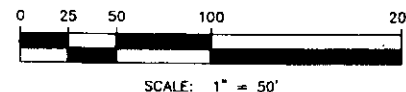
BRENTWOOD FARMS SUB. NO. 2
LIBER XXX, PAGES XX-XX, M.C.P.

R=220.00
ARC=47.83
Δ=12°27'28"
LONG CHD.=S.08°08'23"E.
47.74



RECORDED RIGHT OF WAY NO. 45605

LOCATION MAP NOT TO SCALE



LEGEND

ALL DIMENSIONS ARE SHOWN IN FEET.
ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE CHORD.
THE SYMBOL "o" INDICATES A 4" DIAMETER 36" LONG w/1/2" STEEL ROD CENTER CONCRETE MONUMENT.
ALL LOT MARKERS ARE 1/2" STEEL RODS AND ARE 18" LONG. (NO I.D. CAPS)
(R) INDICATES RADIAL LOT LINES.
(NR) INDICATES NOT RADIAL LOT LINES.
BEARINGS BASED ON THE W'LY. LINE OF BRENTWOOD FARMS SUB. NO. 2 AS RECORDED IN LIBER , PAGES , INCL., MACOMB COUNTY RECORDS.
THERE SHALL BE NO DIRECT VEHICULAR ACCESS TO 22 MILE ROAD FROM LOTS 291-296, INCL.

LIBER 06244PC36

MATCH LINE SEE SHEET 1 OF 7

MATCH LINE SEE SHEET 3 OF 7

ROBERT L. SMITH

UNPLATTED

BRENTWOOD FARMS SUBDIVISION NO. 4

PART OF THE N.W. 1/4 OF SECTION 29, T.3N., R.13E.,
MACOMB TOWNSHIP, MACOMB COUNTY, MICHIGAN

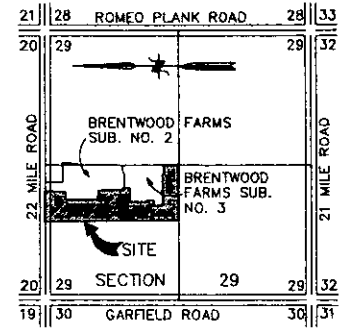
BRENTWOOD FARMS
SUB. NO. 2
LIBER XXX, PAGES XX-XX, M.C.R.

BRENTWOOD FARMS SUB. NO. 3
LIBER XXX, PAGES XX-XX, M.C.R.

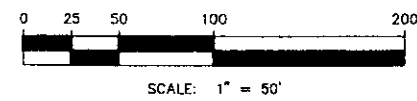
BRENTWOOD FARMS SUB. NO. 3
LIBER XXX, PAGES XX-XX, M.C.R.

LEGEND

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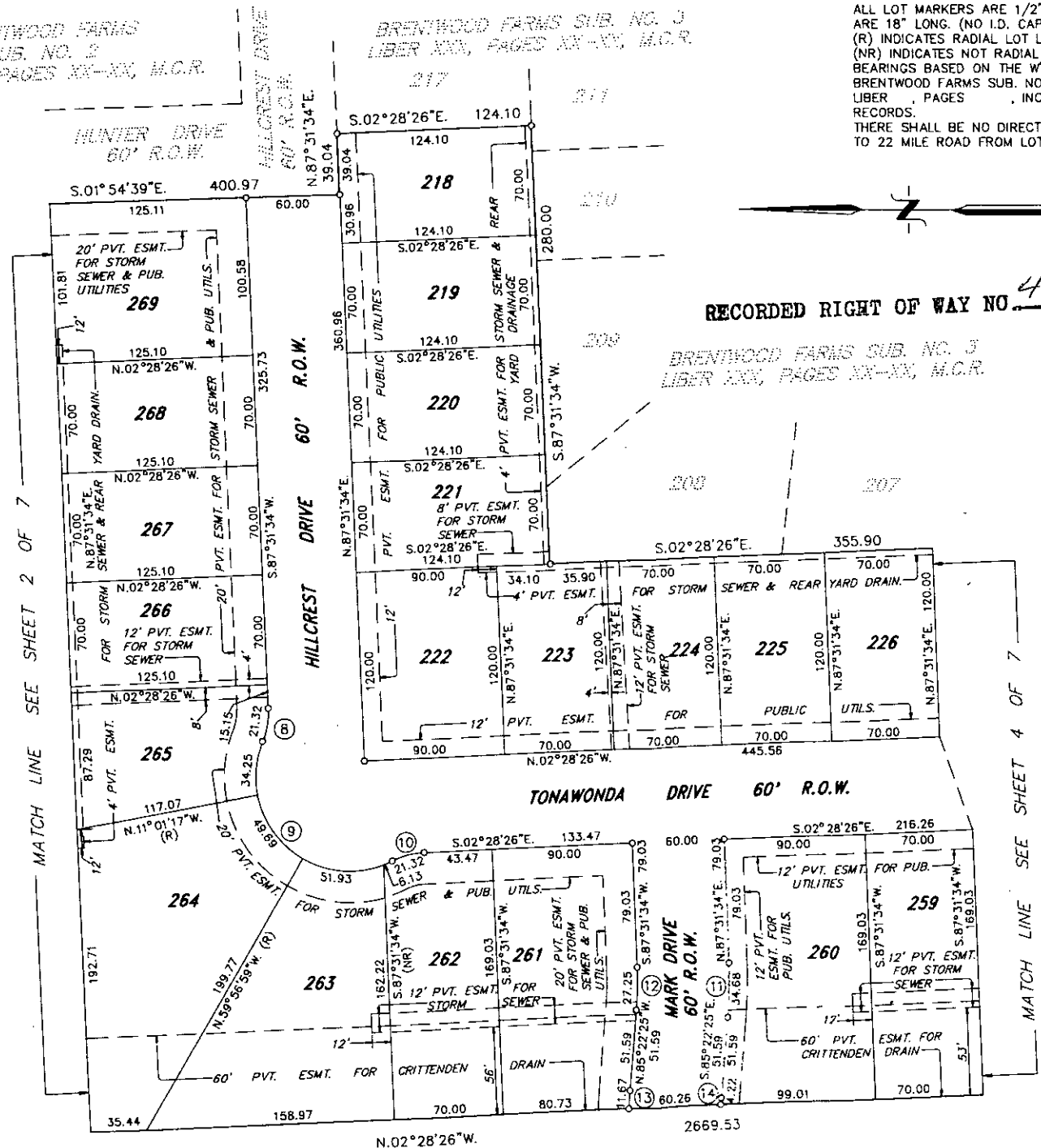


LOCATION MAP
NOT TO SCALE



RECORDED RIGHT OF WAY NO. **45605**

CURVE DATA					
CURVE #	RADIUS	ARC	LONG CHORD	CHORD	DELTA
8	50.00	21.48	N.80°09'50"W.	21.32	24°37'12"
9	60.00	145.81	S.42°31'34"E.	112.49	139°14'24"
10	50.00	21.48	S.14°47'02"E.	21.32	24°37'12"
11	280.00	37.40	N.88°55'26"W.	34.68	07°06'01"
12	220.00	27.26	S.88°55'26"E.	27.25	07°06'01"
13	280.00	11.67	N.86°34'05"W.	11.67	02°23'18"
14	220.00	4.22	S.85°55'24"E.	4.22	01°05'57"



06244PC369

MATCH LINE SEE SHEET 2 OF 7

MATCH LINE SEE SHEET 4 OF 7

(UNPLATTED)

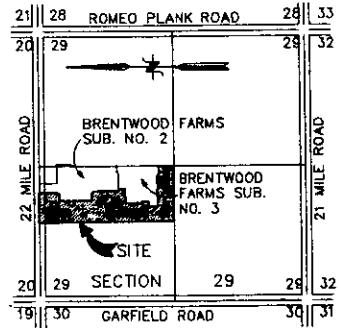
ROBERT L. SMITH

BRENTWOOD FARMS SUBDIVISION NO. 4

PART OF THE N.W. 1/4 OF SECTION 29, T.3N., R.13E.,
MACOMB TOWNSHIP, MACOMB COUNTY, MICHIGAN

LEGEND

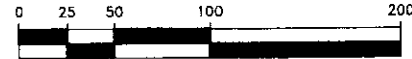
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LIBER . . . PAGES . . . INCL., MACOMB COUNTY
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THERE SHALL BE NO DIRECT VEHICULAR ACCESS
TO 22 MILE ROAD FROM LOTS 291-296, INCL.



LOCATION MAP
NOT TO SCALE

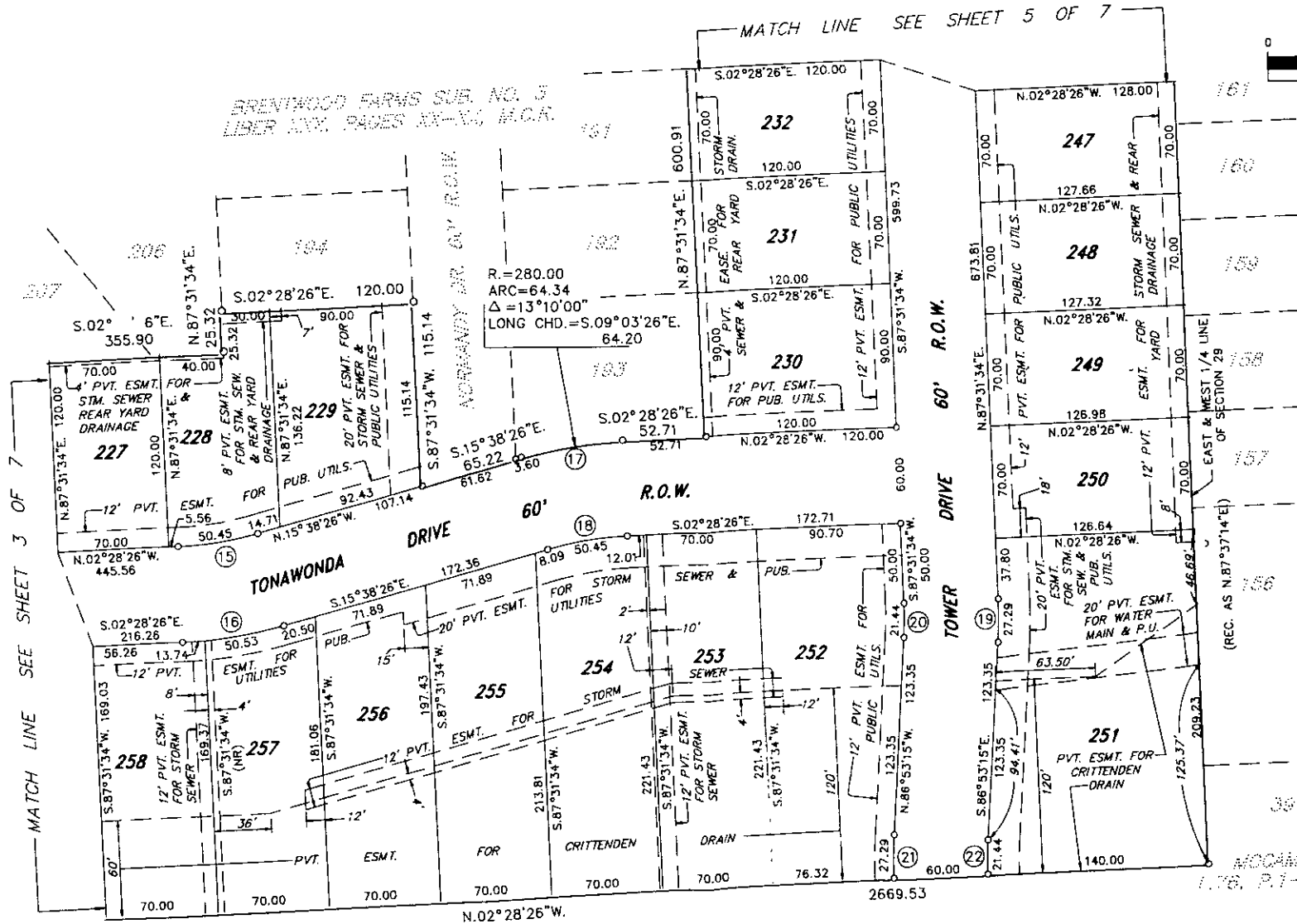
CURVE DATA					
CURVE #	RADIUS	ARC	LONG CHORD	CHORD	DELTA
15	220.00	50.56	S.09°03'26"E.	50.45	13°10'00"
16	280.00	64.34	N.09°03'26"W.	64.20	13°10'00"
17	280.00	64.34	S.09°03'26"E.	64.20	13°10'00"
18	220.00	50.56	N.09°03'26"W.	50.45	13°10'00"
19	280.00	27.30	S.89°40'50"E.	27.29	05°35'11"
20	220.00	21.45	N.89°40'50"W.	21.44	05°35'11"
21	280.00	27.30	N.89°40'50"W.	27.29	05°35'11"
22	220.00	21.45	S.89°40'50"E.	21.44	05°35'11"

RECORDED RIGHT OF WAY NO. 45705



SCALE: 1" = 50'

LIBER 06244P370



VALLEY FORCE SUB. LIBER 770 PAGES 27-28, M.C.R.

ROBERT L. SMITH

MCCAN SUB. 176, P.1-3, M.C.R.

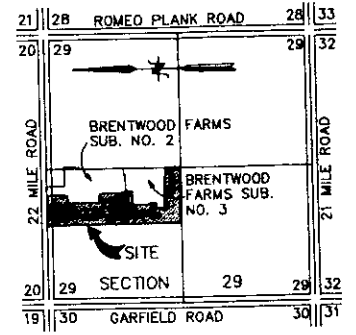
UNPLATTED

BRENTWOOD FARMS SUBDIVISION NO. 4

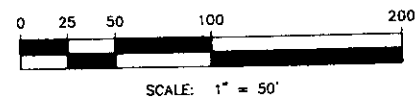
PART OF THE N.W. 1/4 OF SECTION 29, T.3N., R.13E.,
MACOMB TOWNSHIP, MACOMB COUNTY, MICHIGAN

CURVE DATA						
CURVE #	RADIUS	ARC	LONG	CHORD	CHORD	DELTA
23	50.00	21.48	S.80°09'50"E	21.32	24°37'12"	
24	60.00	145.22	N.42°48'27"E	112.28	138°40'37"	
25	50.00	21.48	N.14°13'15"W	21.32	24°37'12"	

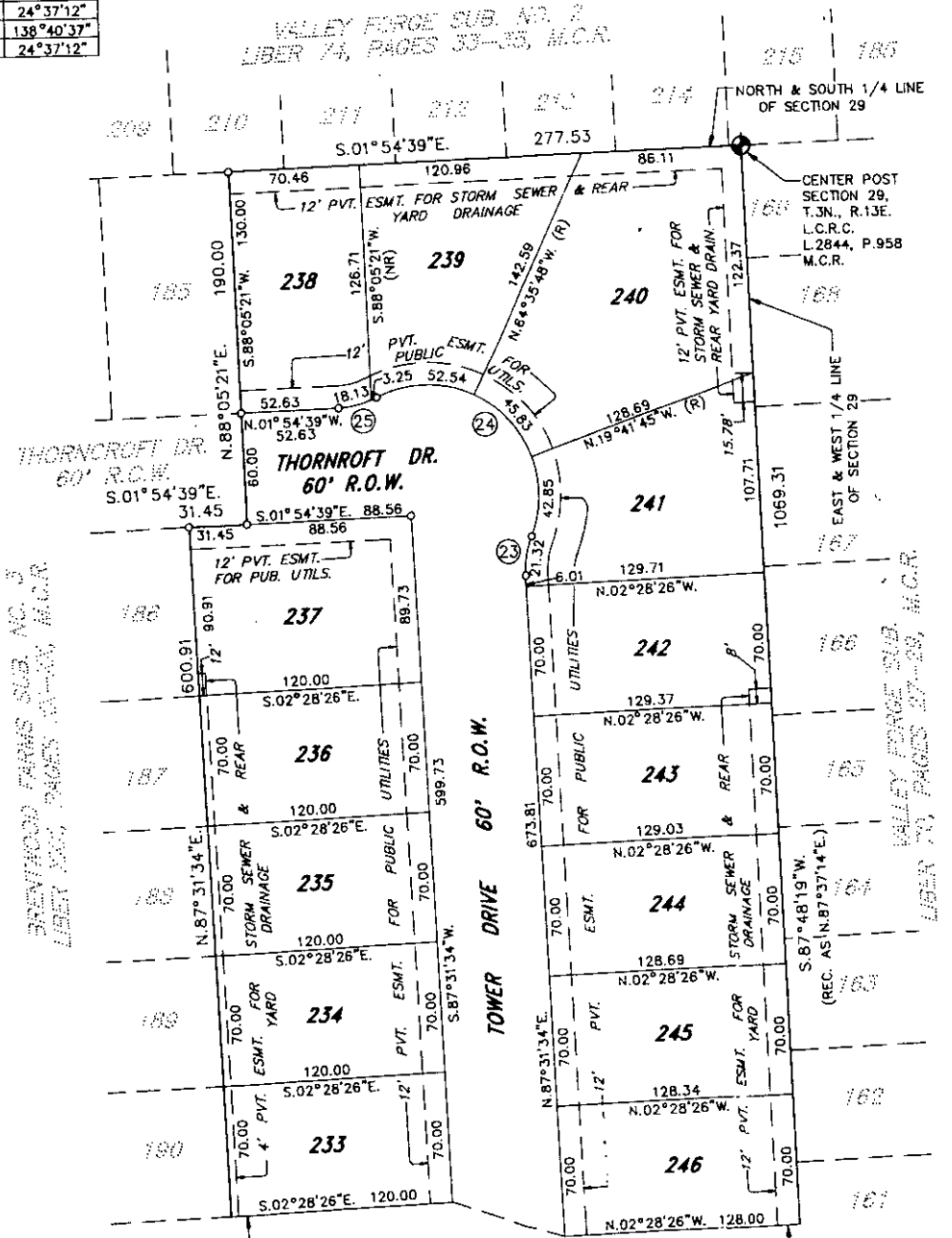
RECORDED RIGHT OF WAY NO. 45605



LOCATION MAP
NOT TO SCALE



118P2 06244P371



LEGEND

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ROBERT L. SMITH