

+

+

RIGHT OF WAY FILE #

R45743

GRANTOR NAME

[Empty grid for grantor name]

[Empty grid for grantor name]

STREET ADDRESS

[Empty grid for street address]

[Empty grid for street address]

ST [Empty grid]

CITY/TOWN

[Empty grid for city/town]

ZIP CODE

[Empty grid for zip code]

EASEMENT DESCRIPTION

[Empty grid for easement description]

AGREEMENT DATE

[Empty grid for agreement date]

AGREEMENT TYPE

R P C [Empty grid]

LIBER #

[Empty grid for liber #]

PAGE #

[Empty grid for page #]

DRAWING R/W #

[Empty grid for drawing r/w #]

PVT CL#

[Empty grid for pvt cl#]

SECTION

[Empty grid for section]

QUARTER SECTION 3

[Empty grid for quarter section 3]

QUARTER SECTION 2

[Empty grid for quarter section 2]

QUARTER SECTION 1

[Empty grid for quarter section 1]

TOWNSHIP

[Empty grid for township]

COUNTY

[Empty grid for county]

RTE OF LINE

[Empty grid for rte of line]

TOWNSHIP RANGE

[Empty grid for township range]

DIVISION CODE

A D M O Y W [Empty grid]

SUBDIVISION NAME

SPRINGHILL MEADOWS S

OUT LOT

[Empty grid for out lot]

EAST OF

[Empty grid for east of]

BLOCK #1

[Empty grid for block #1]

WEST OF

[Empty grid for west of]

LOT #1

[Empty grid for lot #1]

NORTH OF

[Empty grid for north of]

BLOCK #2

[Empty grid for block #2]

SOUTH OF

[Empty grid for south of]

LOT #2

[Empty grid for lot #2]

+

+

**Detroit Edison**

LIBER 06328PG100

13 -

C067017

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R9400930-01**

**PROJECT NAME Villa Rosa Subdivision No. 3**

On 4-19, 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:

Villa Rosa Development, Inc., 11845 Whispering Oaks Lane, Shelby Township MI 48315

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226  
Ameritech, a Michigan Corporation, 444 Michigan Ave., Detroit MI 48226  
Comcast Cablevision, a Delaware Corporation, 6065 Wall Street, Sterling Heights, Michigan 48312

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

Part of the Southeast 1/4 and the Southwest 1/4 of Section 7, T3N, R13E, Macomb Township, Macomb County, Michigan and being more particularly described as follows: Commencing at a point on the North-South 1/4 line of said Section 7, 1654.17 feet N 00°06'08" W from the South 1/4 corner of said Section 7 to the point of beginning; thence along the boundary of "Bayberry Place Subdivision No. 2" as recorded in Liber 94 Pages 48 thru 50 of the Macomb County Records N 00°06'08" W 76.79 feet; thence along the boundary of "Bayberry Place Subdivision No. 3" as recorded in Macomb County Records N 00°06'08" W 603.43 feet; thence S 88°44'11" E 978.35 feet; thence along the boundary of "Springhill Meadows Subdivision No. 2" as recorded in Liber 95 Pages 33 thru 36 of the Macomb County Records S 01°14'14" W 23.49 feet and S 00°00'24" W 598.55 feet; thence along the North boundary of "Villa Rosa Subdivision No. 2" as recorded in Liber 96 Pages 15 thru 18 of the Macomb County Records N 89°59'36" W 180.00 feet and S 00°00'24" W 24.03 feet and N 89°59'36" W 120.0 feet and S 00°00'24" W 8.03 feet and N 89°59'36" W 330.23 feet and N 89°53'52" W 166.10 feet and S 85°31'29" W 60.18 feet and S 89°53'52" W 120.0 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.

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

VILLA ROSA DEVELOPMENT INC.

Michigan Corporation

x Mary B. Smith  
Mary B. Smith

94 MAY 12 PM 3:47  
CARMELLA SABAUBY  
REGISTER OF DEEDS  
MACOMB COUNTY, MI

x Roxanne Reeder  
ROXANNE REEDER

Filippo Leone  
Filippo Leone, President

Acknowledged before me in Macomb County, Michigan, on April 19<sup>th</sup>, 1994 by

Filippo Leone, President of Villa Rosa Development, Inc., a Michigan Corp.

MARY B. SMITH

Notary Public, Macomb County MI

Notary's Stamp

My Commission Expires July 28, 1996  
(Notary's name, county, and date commission expires)

Notary's Signature

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

Mary B. Smith  
Mary B. Smith

RECORDED RIGHT OF WAY NO. 45743

CONFIDENTIAL

CONFIDENTIAL

4-1-94



CONFIDENTIAL

APPROVED AS TO FORM	5/2/94	DATE
LEGAL DEPARTMENT	<i>[Signature]</i>	

May 1992 Edition of Form 2000-1000

Date: June 2, 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 Villa Rosa  
Subdivision No. 3, located in part of the Southeast 1/4 and  
the Southwest 1/4 of Section 7, Town 3 North, Range 13  
East, Macomb Township, Macomb County, Michigan.**

Attached for Record Center is the executed Right of Way Agreement dated April 19, 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 Filippo Leone, President, the developers of Villa Rosa Subdivision No. 3.

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

MJM/caw

Attachment

RECORDED RIGHT OF WAY NO.

45743

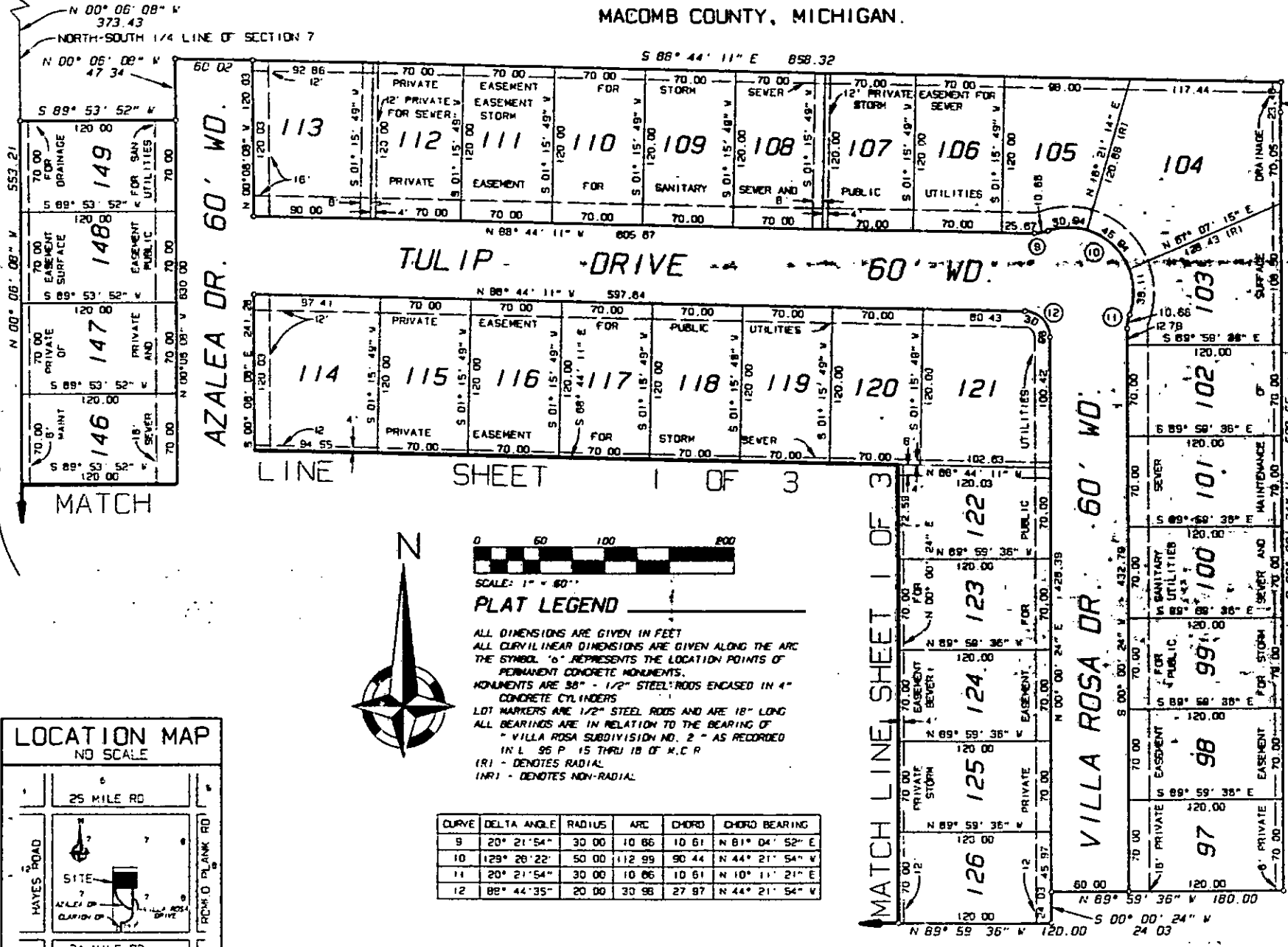


# VILLA ROSA SUBDIVISION NO. 3

PART OF THE S.E. 1/4 OF SECTION 7, T. 3 N., R. 13 E., MACOMB TOWNSHIP,  
MACOMB COUNTY, MICHIGAN.

CENTER POST  
T. 3 N., R. 13 E.  
4608 P. 36 M.C.R.

REC-063-991102



LINE SHEET 1 OF 3

MATCH LINE SHEET 1 OF 3

VILLA ROSA DR. 60' WD.

MATCH

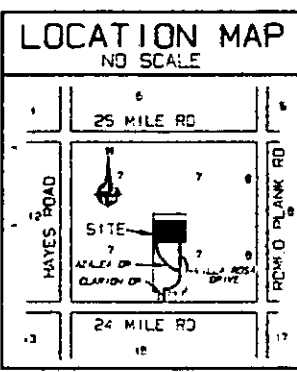


SCALE: 1" = 60'

### PLAT LEGEND

ALL DIMENSIONS ARE GIVEN IN FEET  
ALL CURVILINEAR DIMENSIONS ARE GIVEN ALONG THE ARC  
THE SYMBOL "o" REPRESENTS THE LOCATION POINTS OF  
PERMANENT CONCRETE MONUMENTS.  
MONUMENTS ARE 3/8" - 1/2" STEEL RODS ENCASED IN 4"  
CONCRETE CYLINDERS  
LOT MARKERS ARE 1/2" STEEL RODS AND ARE 18" LONG  
ALL BEARINGS ARE IN RELATION TO THE BEARING OF  
"VILLA ROSA SUBDIVISION NO. 2" AS RECORDED  
IN L 96 P. 15 THRU 18 OF M.C.R.  
IRI - DENOTES RADIAL  
INRI - DENOTES NON-RADIAL

CURVE	DELTA ANGLE	RADIUS	ARC	CHORD	CHORD BEARING
9	20° 21' 54"	30.00	10.86	10.61	N 61° 04' 52" E
10	129° 26' 22"	50.00	112.99	90.44	N 44° 21' 54" V
11	20° 21' 54"	30.00	10.86	10.61	N 10° 11' 21" E
12	88° 44' 35"	20.00	30.98	27.97	N 44° 21' 54" V



3877