

Date: July 21, 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 Manors at
Knollwood, Phase IV, located in part of the Southeast 1/4
of Section 5, Town 2 North, Clinton Township, Macomb
County, Michigan.**

Attached for Record Center is the executed Right of Way Agreement dated May 2, 1994, for the above named project.

Easement for this project was requested by Larry R. Simms, 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 made this agreement with Knollwood Associates, Michael A. Chirco, Partner, Ventura Associates, Michael A. Chirco, Partner and Dominic Mocerri and Frances Mocerri, his wife, Michael A. Chirco and Mary G. Chirco, his wife, the developers of Manors at Knollwood, Phase IV.

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

MJM/caw

Attachment

RECORDED RIGHT OF WAY NO. 45820

UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R9307241-01

PROJECT NAME Manors at Knollwood, Phase IV

On 5-2, 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:

- Knollwood Associates, 46401 Romeo Plank Road, Macomb, Michigan 48044
- Ventura Associates, 46401 Romeo Plank Road, Macomb, Michigan 48044
- Dominic and Frances Mocerri and Michael A. and Mary G. Chirco, 46401 Romeo Plank Road, Macomb, Michigan 48044

"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 Clinton Township, Macomb County, described as:

Part of the Southeast 1/4 of Section 5, T2N, R13E, Clinton Township, Macomb County, Michigan being described as: Beginning at the Southeast corner of Section 5; thence S 89°27'49" W 984.50 feet along the South line of Section 5; thence N 00°32'11" W 230.02 feet; thence N 10°25'00" W 76.11 feet; thence N 00°32'11" W 63.91 feet; thence N 89°27'49" E 208.52 feet; thence easterly along a tangent curve concave to the south having a central angle of 26°35'46", a radius of 5.0 feet, an arc length of 2.32 feet and whose chord is S 77°14'18" E 2.30 feet; thence easterly along a tangent curve concave to the north having a central angle 26°35'46", a radius of 32.0 feet, an arc distance of 14.85 feet and whose chord is S 77°14'18" E 14.72 feet; thence N 89°27'49" E 92.17 feet; thence easterly along a tangent curve concave to the north having a central angle of 31°04'58", a radius of 32.0 feet, an arc length of 17.36 feet and whose chord is N 73°55'20" E 17.15 feet; thence easterly along a tangent curve concave to the south having a central angle of 68°22'56", a radius of 15.0 feet, an arc length of 17.90 feet and whose chord is S 87°25'41" E 16.86 feet; thence easterly along a tangent curve concave to the north having a central angle of 37°17'58", a radius of 62.0 feet, an arc length of 40.36 feet and whose chord is S 71°53'12" E 39.65 feet; thence N 89°27'49" E 20.54 feet; thence northeasterly along a tangent curve concave to the north having a central angle of 50°56'11", a radius of 62.0 feet, an arc length of 55.12 feet and whose chord is N 63°59'43" E 53.32 feet; thence N 38°31'38" E 182.60 feet; thence northeasterly along a tangent curve concave to the south having a central angle of 50°29'35", a radius of 88.0 feet, an arc length of 77.55 feet and whose chord is N 63°46'25" E 75.07 feet; thence N 89°01'13" E 103.69 feet; thence easterly along a nontangent curve concave to the north having a central angel of 34°01'12", a radius of 39.0 feet, an arc length of 23.16 feet and whose chord is N 72°00'36" E 22.82 feet; thence easterly along a tangent curve concave to the south hving a central angle of 64°29'14", a radius of 20.0 feet, an arc length of 22.51 feet and whose chord is N 87°14'37" E 21.34 feet; thence N 89°01'13" E 206.85 feet to the east line of Section 5; thence S 00°58'47" E 563.34 feet along the east line of Section 5 to the point of beginning.

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

A ten (10) foot wide easement as shown on drawing 94A74661

- 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.

RECORDED RIGHT OF WAY NO. 45890

94 JUL -7 AM 10: 56

CARMELL A SABAUGH
REGISTER OF DEEDS
MACOMB COUNTY, MI

15+✓

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

KNOLLWOOD ASSOCIATES
a Michigan Co-Partnership

BY: [Signature]
Michael A. Chirco, Partner

X [Signature]
Charles Thomas
X [Signature]
Barbara Stein

Acknowledged before me in Macomb County, Michigan, on May 2, 1994 by

Michael A. Chirco, partner in Knollwood Associates, a Michigan Co-Partnership

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

Notary's Signature [Signature]

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

VENTURA ASSOCIATES
a Michigan Co-Partnership

BY: [Signature]
Michael A. Chirco, Partner

X [Signature]
Charles Thomas
X [Signature]
Barbara Stein

Acknowledged before me in Macomb County, Michigan, on May 2, 1994 by

Michael A. Chirco, partner in Ventura Associates, a Michigan Co-Partnership

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

Notary's Signature [Signature]

RECORDED RIGHT OF WAY NO. 45820

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

X *John L. Warren*
John L. Warren

X *Lynda E. Shea*
Lynda E. Shea

X *Charles Thomas*
Charles Thomas

X *Barbara Stein*
Barbara Stein

Dominic Mocerri
Dominic Mocerri

Frances Mocerri
Frances Mocerri, wife

Michael A. Chirco
Michael A. Chirco

Mary G. Chirco
Mary G. Chirco, wife

Acknowledged before me in Macomb County, Michigan, on May 2, 1994 by

Dominic Mocerri, Frances Mocerri, Michael A. Chirco and Mary G. Chirco

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

Notary's Signature *Janis A. Golden*

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

X _____

X _____

Acknowledged before me in _____ County, Michigan, on _____, 1994 by

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

Notary's Signature _____

RECORDED
RIGHT OF WAY NO.

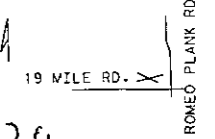
45820
00857

06386PC565

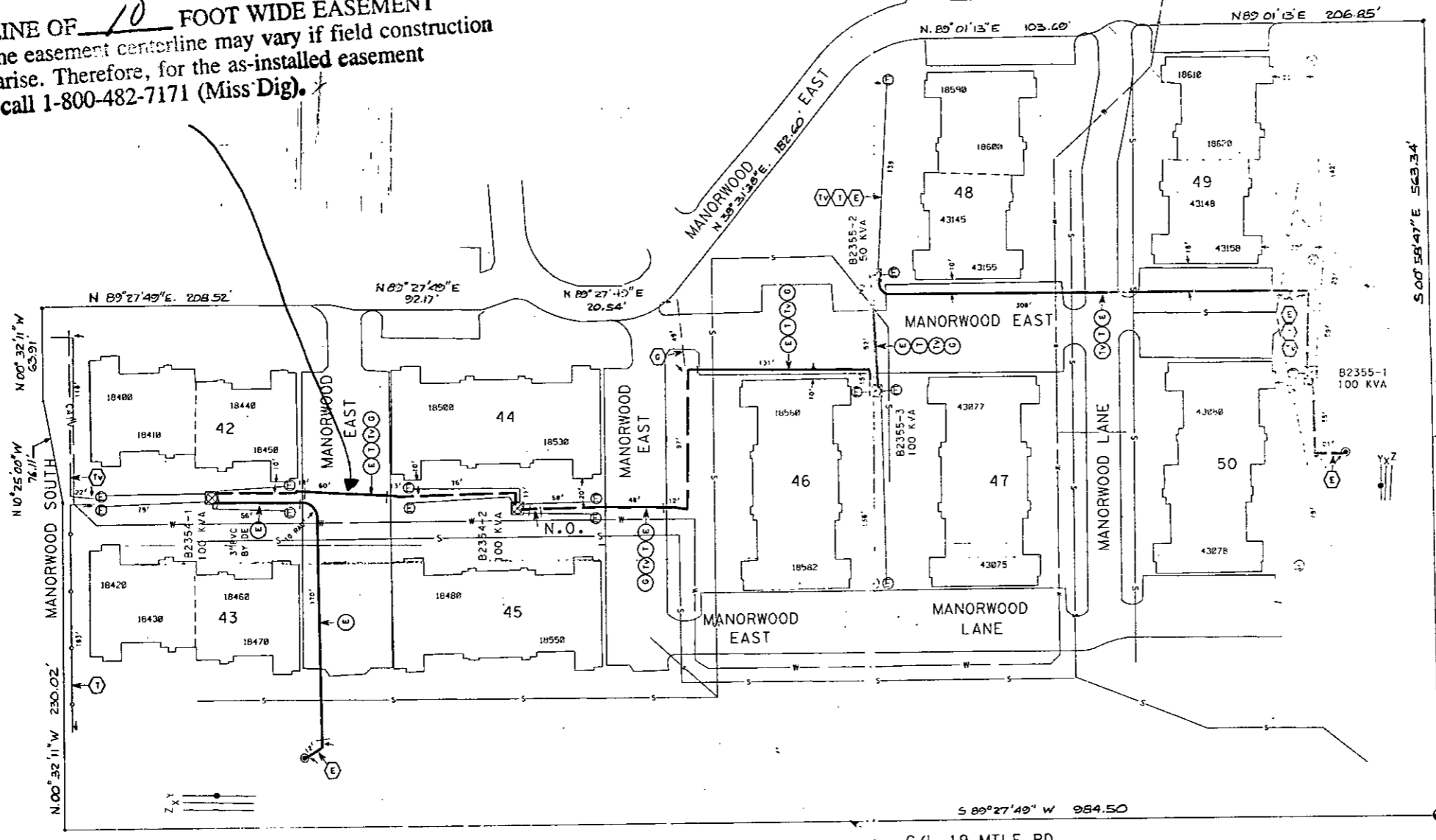


06386PC564

LOCATION SKETCH
MAP SEC. NOS. 1-376-408



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).



TRANSFORMER DATA

U.D.T. NO.	SIZE	ED. STK. NO.
B2354-1	100	661-1153
B2354-2	100	661-1153
B2355-1	100	661-1153
B2355-2	50	661-1152
B2355-3	100	661-1153

TRANSFORMER SPECS. 1-17-261
 PEDESTAL AMOUNT _____ SPEC.
 TEMPORARY CABLE MARKER AMOUNT 18 SPEC.
 SECONDARY CONNECTION BOX AMOUNT _____ SPEC.

CODE

- ⊕ TEMPORARY SECONDARY PEDESTAL/TEMPORARY CABLE MARKER
- ⊖ DFT (DEAD FRONT TYPE)
- ⊕ DFT (NON-SWITCHING - LIVE FRONT TYPE)
- ⊖ DFT (SWITCHING - LIVE FRONT TYPE)
- ➔ DIRECTION OF TRANSFORMER DOOR OPENING
- ⊕ SECONDARY PEDESTAL
- ⊖ SECONDARY CONNECTION BOX
- ⊕ CABLE POLE
- ⊖ PRIMARY SWITCH CABINET
- BURIED PRIMARY CABLE - ALL VOLTAGES
- BURIED SECONDARY CABLE
- BURIED SECONDARY SERVICE CABLE
- DETROIT EDISON TRENCH ONLY
- TELEPHONE TRENCH ONLY
- SEWER
- WATER
- GAS
- CATV
- CABLE TV
- PROPOSED CONDUIT
- SEP CONN CABINET

NOTE:

METER SHALL BE LOCATED IN SHADED AREA CLOSEST TO D.E.CO. SOURCE

INSTALLED	CABLE SUMMARY	ESTIMATED
ITEM # 2CU X 1		713-3074= 1660'
ITEM # 350M		713-0537= 1925'
ITEM #		713-

TRENCH SUMMARY

JOINT USE 1250'	E-T-TV=450
D.E. ONLY 206'	
TEL. ONLY 183'	
GAS ONLY 49'	
CATV ONLY 138'	
OTHERS	
TOTAL 2276'	
SITE SUPT. STEVE NEPPER	PHONE NO. 263-1203

GENERAL NOTES

TRENCHING TO BE DONE BY: DE.CO.
 TRENCH AND CABLE LENGTHS ARE APPROXIMATE
 SEE SECTION 56 UG LINE CONSTRUCTION STANDARDS FOR TRANS. MAT. DETAILS
 SEE PAGE 3-2-11 S.I.W. DETAIL " " FOR ENTRANCE POINT DETAILS (CAPTS. ONLY)
 SEE SECTION 43 UG LINE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES, TRANSFORMERS AND PEDESTALS (SUB'DS ONLY)
 D.E. SERVICE PLANNER: L.SIMMS 228-4121
 TEL. CO.: L.DELEEUW 465-1040
 GAS CO.: D.POLLACK 433-5724
 CATV CO.: H.POSTL 978-3530
 OTHERS:
 EASEMENTS INDICATED BY OUR CENTERLINE ARE IN WIDTH UNLESS OTHERWISE NOTED.

PERMITS REQUIRED	DECO	MBT	CATV	GAS	CO
SOIL EROSION	X	X	X	X	
COUNTY ROAD	X				
COUNTY DRAIN					
CITY/TOWNSHIP	X	X	X	X	
STATE					

PFB 2354,S.E.QUAD
 DET.2021F,Y-PHASE
 FUSE 65K
 LOC.N.S.OF 19 MILE
 7PW OF ROMEO PLANK

S.E. CORNER OF SEC. 5
 T.2N, R.13E
 P.O.B.

NOTE: ALL CONDUIT TO BE 3" PVC BY CUSTOMER UNLESS NOTED

D	C	B	A	REFERENCE	NAME	DATE	JOB TITLE	THE DETROIT EDISON COMPANY SERVICE PLANNING	
				URD CLN-217	R. PIPER	2/15/07	MANORS AT KNOLLWOOD PH-IV	SCALE	NUMBER OF SHEETS
					L. SIMMS	2/15/07	PART OF THE S.E. 1/4 OF SECTION 5	1" = 50'	367B19J179
					R. PAGELS	2/15/07	T2N, R13E.	LATEST REVISION/DISTRIBUTION CIRCUIT	
								8510 MACOMB 13.2	
								DEPT. ORDER NUMBER	
								94A74661	
									SHEET OF SHEETS