

Detroit Edison

LIBER 06435 PG 19

(LIBER 06338 PG 300)

(C071750)

C113692

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9400849-01R

On 3-28, 1994 for 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:

Spring Valley Development Co., a Michigan corporation, 49636 Van Dyke, Utica, Michigan 48087

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226; ^{Huron Cablevision a Delaware Corp - 55800 New Haven Rd, New Haven, MI} Ameritech Corporation, a Michigan corporation, 555 Michigan Avenue, Detroit Michigan 48226

"Grantor's Land" is in **The Township of Washington, Macomb County, Michigan**

County, described as:

Beginning at the East 1/4 corner of Section 28, thence South 00 degrees, 35' 22" East, 175.35 feet along the East line of Section 28 which is the Centerline of Campground Road, thence South 89 degrees, 27' 09" West, 285.00 feet; thence South 31 degrees, 31' 18" West, 529.84 feet; thence, South 89 degrees, 27' 09" West, 1379.88 feet; thence North 00 degrees, 58' 28" West, 620.00 feet to a point of the East-West 1/4 line of Section 28; thence North 89 degrees 01' 32" East, 585.07 feet along the East-West 1/4 line of Section 28 which is the South line of "Carriage Hills Subdivision #4," as recorded in Liber 60, Pages 5, 6 and 7 of the Macomb County Records; thence North 00 degrees, 03' 17" West, 237.00 feet along the East line of "Carriage Hills Subdivision #4;" thence North 89 degrees 27' 09" East, 1079.43 feet; thence South 00 degrees 20' 43" East, 237.00 feet to a point of the East-West 1/4 line of Section 28; thence North 89 degrees, 27' 09" East 285.00 feet along the East-West 1/4 line of Section 28 to the Point of Beginning.

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

See attached sketch R-9400849-01R on the back of this document

- 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.
- 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.
- 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.
- 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)

[Signature]
 J. McEntyre

[Signature]
 SUSAN L. ALTHEIM

Grantor:(type or print name below signature)

Spring Valley Development Co.

By: [Signature] **AUG 26 PM 12: 18**

DALE WELLS **CARROLL S. BAUGH REGISTER OF DEEDS MACOMB COUNTY, MI**

Acknowledged before me in MACOMB County, Michigan, on March 28, 1994 by DALE WELLS the PRESIDENT of Spring Valley Development Co., a Michigan corporation

SUSAN L. ALTHEIM
 NOTARY PUBLIC-MACOMB COUNTY, MICH.
 MY COMMISSION EXPIRES 07-02-98

Notary's Stamp _____ Notary's Signature [Signature]

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

Prepared by and Return to: Marcia Romanski, 6301 23 Mile Road, Shelby Township, Michigan 48316

*Second recording necessary to correct sketch on back of document

94 MAY 23 PM 1: 51

CARROLL S. BAUGH
REGISTER OF DEEDS
MACOMB COUNTY, MI

RECORDED RIGHT OF WAY NO. 46070

UNDERGROUND R/W DRAWING R-9400849-01.
 R.J. BURCAR. 3-11-94.
 R/W FOR 7996 & 8800 GLACIER CLUB DR.
 WASHINGTON TWP. SEC-28



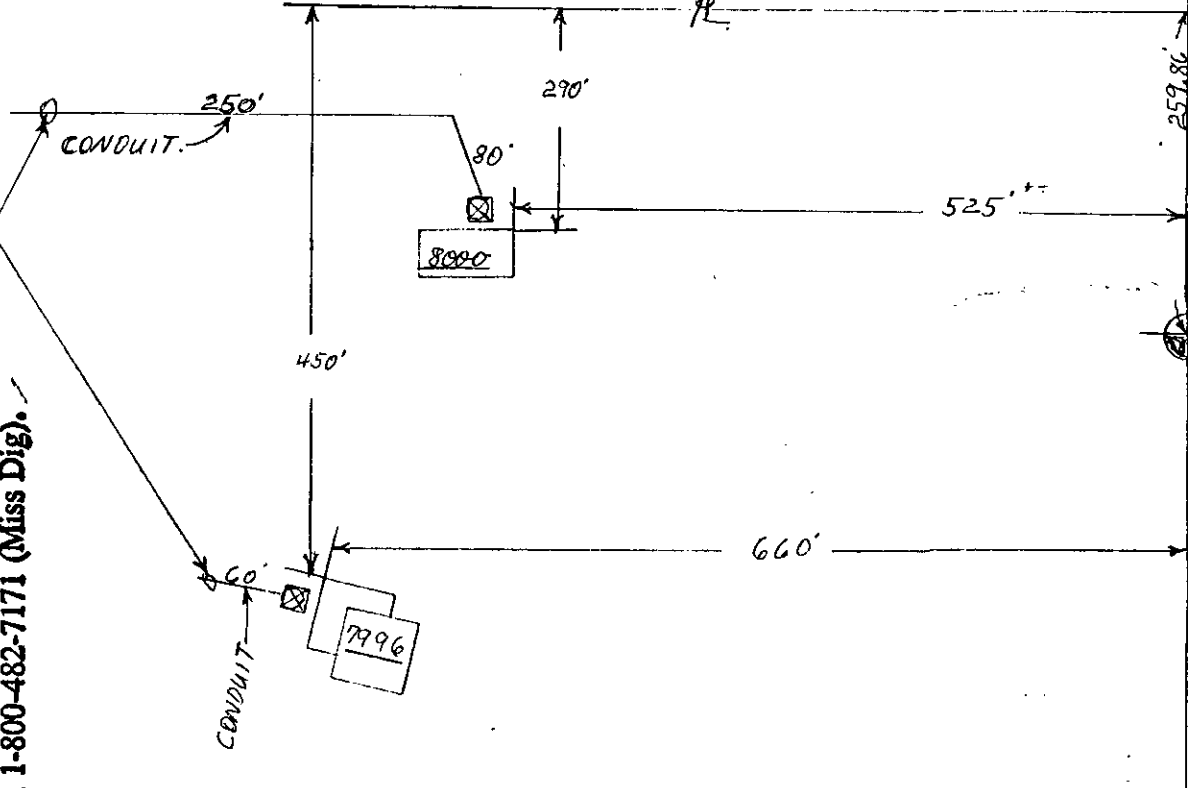
RIGHTS-OF-WAY REPORT R/W SECURED AS INDICATED ON THIS SKETCH.	PERMITS TO:
BY _____	RECORD CENTER _____
DATE _____	R/W FILES _____
DATE WANTED _____	MBT _____
SENIOR REPRESENTATIVE _____	ORIGINATOR _____
	TOTAL _____

118ER 06338PC301

118ER 06435PC520

CENTERLINE OF 12 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).



CAMP GROUND RD

E. 1/4 CORNER
 SEC. 29. T4N R12E

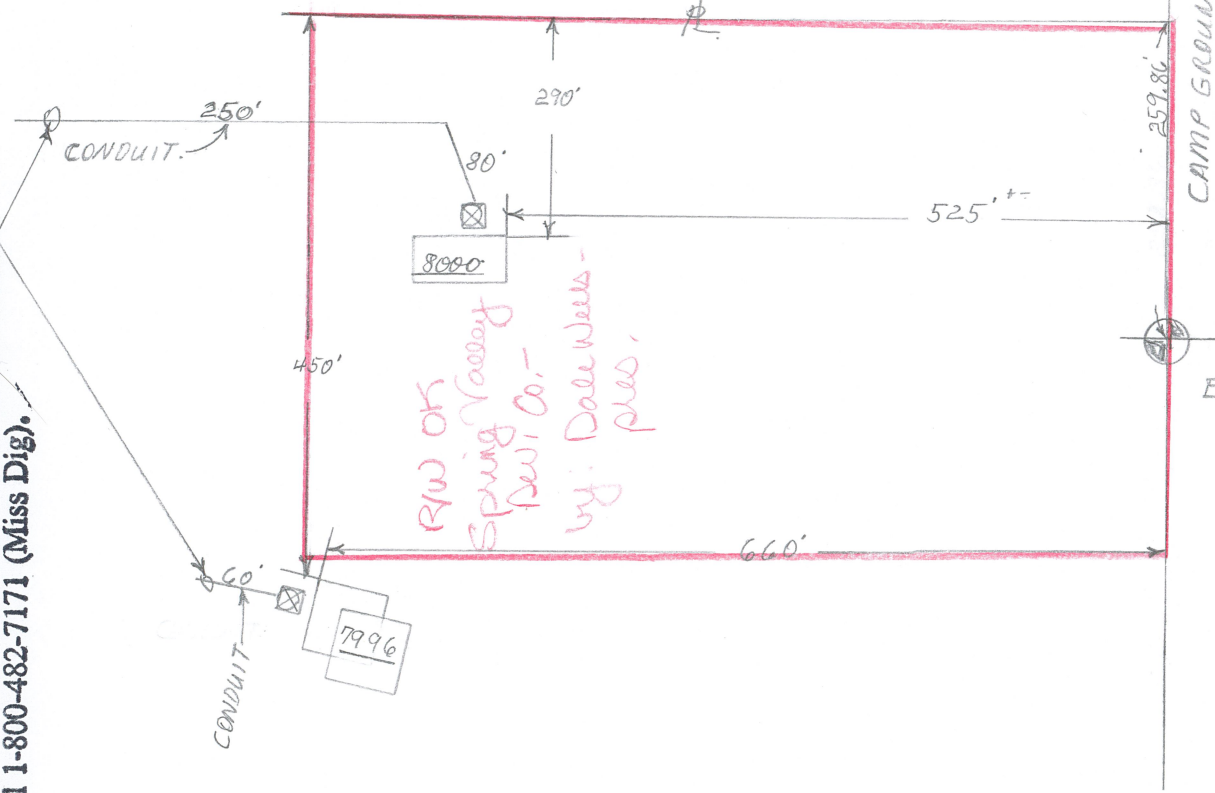
APPROVED AS TO FORM 4/5/94 DATE
 LEGAL DEPARTMENT

UNDERGROUND RIW DRAWING R-9400849-01.
 R.J. BURCAR. 3-11-94.
 RIW FOR 7996 & 8000 GLACIER CLUB DR.
 WASHINGTON TWP SEC-29.



RIGHTS-OF-WAY REPORT RIW SECURED AS INDICATED ON THIS SKETCH.	PERMITS TO:
BY _____	RECORD CENTER _____
DATE _____	RIW FILES _____
DATE WANTED _____	MBT _____
_____ SUPERVISOR	ORIGINATOR _____
_____ REPRESENTATIVE	TOTAL _____

CENTERLINE OF 12 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).



CAMP GROUND RD

E. 1/4 CORNER.
 SEC. 29. T4N R12E



Macomb Division
Shelby Service Center
6301 - 23 Mile Road
Shelby Twp., MI 48316
(313) 228-4104
(313) 228-4286 (FAX)

September 9, 1994

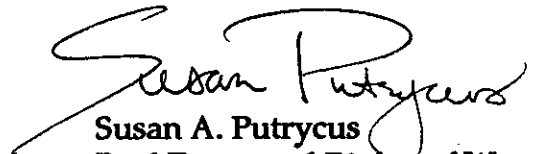
Mr. Dale Wells
59969 Campground
Washington Township, Michigan 48094

Re: 7996 & 8000 Glacier Club Drive
Township of Washington, Macomb County, Michigan

Dear Mr. Wells:

Enclosed is a fully executed copy of your Underground Easement 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. 46070

WASH

ORIGINAL

1877

R-9400849-D1

D.E. Memo No.

Other Utility No.

, Michigan

City

5-23-94

Date

To: AMERITECH

SUE KUNERT

100 S MAIN STREET

MT. CLEMENS

The attached sketch shows the proposed Detroit Edison ~~overhead~~ / underground construction located as follows:

525 FT W. OF CENTER LINE OF CHAMP GROUND RD.
THENCE N.W. 25 FT THENCE 250 FT WEST.

In connection with the provisions of the Administrative Practices - Rights of Way, regarding construction of lines suitable for joint use and obtaining joint right-of-way, will you please indicate on the sketch whether or not you are interested in this line and, if so, what portions.

If you desire to use all, or a portion, of this line, please furnish sufficient information regarding your present and ultimate requirements to enable The Detroit Edison Company to design the line for joint use and secure necessary rights of way for both companies. This information should include type of wire, contact heights, ground clearances, etc.

Return one signed copy of this memo along with a copy of the sketch that indicates your requirements prior to MAY 23, 1994. If the memo is not returned by the specified date or if The Detroit Edison Company is not otherwise notified, our records will show that Joint Construction will not be required.

Robert J. Bureau
Detroit Edison Service Planner Representative

Verbally agreed that Joint Rights of Way:
 is agreed is not agreed

By Sue Kunert
Other Utility Representative

Detroit Edison Service Planning Representative

Report: Please indicate necessary information on the attached sketch and return with signed memo.

Date 5-23-94

Signed Sue Kunert
Other Utility Representative

RECORDED RIGHT OF WAY NO.

**Future Joint Use
Joint Use Memo**

R-9400849-02

D.E. Memo No.

Other Utility No.

, Michigan

City

Date

5-23-94

To: HARRON CABLE TV.
RICK JEROLUE
55800 NEW HAVEN RD
NEW HAVEN MI 48048

The attached sketch shows the proposed Detroit Edison ~~overhead~~ / underground construction located as follows:
525 FT W. OF CENTER LINE OF CAMP GROUND RD.
THENCE N.W. 80 FT THENCE 260 FT. WEST.

In connection with the provisions of the Administrative Practices - Rights of Way, regarding construction of lines suitable for joint use and obtaining joint right-of-way, will you please indicate on the sketch whether or not you are interested in this line and, if so, what portions.

If you desire to use all, or a portion, of this line, please furnish sufficient information regarding your present and ultimate requirements to enable The Detroit Edison Company to design the line for joint use and secure necessary rights of way for both companies. This information should include type of wire, contact heights, ground clearances, etc.

Return one signed copy of this memo along with a copy of the sketch that indicates your requirements prior to MAY 23, 1994. If the memo is not returned by the specified date or if The Detroit Edison Company is not otherwise notified, our records will show that Joint Construction will not be required.

Robert J. Berman
Detroit Edison Service Planner Representative

RECORDS RIGHT OF WAY NO. 46070

Verbally agreed that Joint Rights of Way:

is agreed is not agreed

By RICHARD J JEROLUE & [Signature]
Other Utility Representative Detroit Edison Service Planning Representative

Report: Please indicate necessary information on the attached sketch and return with signed memo.

Date 4-8-94 Signed Richard Jerolue
Other Utility Representative

APPLICATION FOR RIGHT OF WAY

DE 963-0811 5-7455 (MS 80)

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

DATE 3-10-94

LOCATION 7996 & 8000 GLACIER CLUB DR.

APPLICATION NO. R-9400849-01

DEPT. ORDER NO. A-73525

CITY OR VILLAGE _____

O. F. W. NO. _____

TOWNSHIP WASHINGTON COUNTY MACOMBE

BUDGET ITEM NO. _____

DATE BY WHICH RIGHT OF WAY IS WANTED 4-8-94

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 12 FT. RECORDED EASEMENT

PURPOSE OF RIGHT OF WAY PROVIDE SERVICE TO 7996 & 8000 GLACIER CLUB DR PAVILION & CLUB HOUSE

SIGNED _____

OFFICE _____ DEPARTMENT _____

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

R/W secured as requested.

RECORDED RIGHT OF WAY NO.

46070

PERMITS IN RECORD CENTER 1 R.E. & R/W DEPT. FILE 1 GRANTOR 1

NO. OF PERMITS 1 NO. OF STRUCTURES _____ NO. OF MILES _____ PERMITS TO MBT 1

DATE 9/9/94 SIGNED Susan Ferguson

Detroit
Edison

Date: September 9, 1994

To: Records Center
2310 WCB

From: Susan Putrycus^{sp}
Shelby Service Center

Subject: R-9400849-01R
Southeast 1/4 Section 28
Township of Washington, 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. 46070