

AUG 29 1991

LIBER 1256 PAGE 502 TIME 1:00 PM
Marion Sargent
DEPUTY

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. A-79819

On 4-23-91, 1991, for the 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:

Atlantic Development - Frank Reaume, 316 N. Clubview Drive, Ypsilanti, Michigan 48197

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226

"Grantor's Land" is in Township of Cottrellville, St. Clair County, Michigan described as:

Part of Lot 15, Block 4 and part of Lots 1,3,4,5,6,7 and 8 and vacated street and alley adjacent thereto, Block 5, Parker and Lester Addition, according to the plat thereof as recorded in Liber 1 of Plats, page 3, St. Clair County Register of Deeds Office, described as: Beginning at a point distant South 150.0' from the intersection of the North line of Parker and Lester Addition, and the Westerly line of Parker Street; th S. 89 deg. 25 min. W. 125.0' thence North 50.0' thence S. 89 deg. 25 min. W. 151.17' along the Northerly line of vacated St. Clair Ave., as platted; thence S. 02 deg. 55 min. W. 280.65' along the Easterly line of the Port Huron and Detroit RR (P.H.&D.RR); thence N. 89 deg. 25 min. E. 90.38' along the Northerly line of vacated Jefferson St. as platted; thence North 130.0'; thence North 89 deg. 25 min. E. 200.0'; thence North 100.0' along the Westerly 2.00 line of Parker Street to the point of beginning. ****0003****

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

Per attached Detroit Edison sketch no. A-79819.

1933A000 08/29/91 NEEDY 15.00
****0003****

The right of way is 10 feet in width.

1. **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.
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.

RECORDED RIGHT OF WAY NO. 42023

- OVER -

APPROVED AS TO FORM 7/29/91 DATE
LEGAL DEPARTMENT GRAC

6. 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.

7. Successors: This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors, lessees, licensees and assigns.

Witnesses:

Grantor:

Cheryl Teall Dunn

CHERYL TEALL DUNN

Philip J Balon

PHILIP J BALON

Frank H. Reaume

FRANK H. REAUME
FRANK H REAUME

Acknowledged before me in St. Clair County, Michigan, on April 24, 1991

by FRANK H. REAUME the AGENT

of ATLANTIC DEVELOPEMENT CORPORATION OF PENNSYLVANIA a Michigan corporation, for the corporation.

Notary's
Stamp

CHERYL TEALL DUNN
Notary Public, Washtenaw County, MI
My Commission Expires Oct. 11, 1993

Notary's
Signature

Cheryl Teall Dunn

CHERYL TEALL DUNN
Notary Public, Washtenaw County, MI
My Commission Expires Oct. 11, 1993

Prepared by and Return to:

Philip J. Balon, Representative, 600 Grand River, Port Huron, MI 48060

MEO, OT 2A 00

FRANK H. REAUME

Real Estate
Investments
Construction

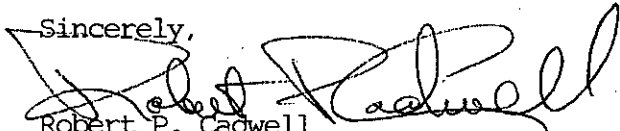
316 N. Clubview Dr. • Ypsilanti, MI 48197 • 313/434-6862

5-7-91

To Whom it May Concern:

I authorize Frank Reaume to sign the documents necessary to execute easement agreements on my behalf for Detroit Edison to install electric service to my Pizza Hut located at 260 S. Parker, Marine City, Michigan

Sincerely,



Robert P. Cadwell
Atlantic Development (dba Pizza Hut)

atlantic enterprises

410 Severn - Suite 216
Annapolis, MD 21403
301-268-7843

3839 Liberty Street
Erie, PA 16509
814-854-3015

1445 N. Rock Road - Suite 125
Wichita, KS 67208
315-889-8032

6-26-91

DETROIT EDISON CO.
2700 PINE GROVE
PORT HURON, MICHIGAN
48060

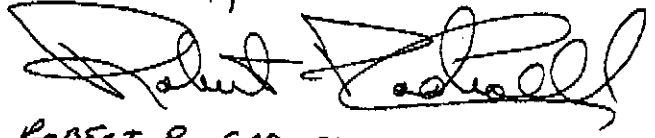
ATTN: PHIL BALLON

DEAR MR. BALLON,

I AUTHORIZE FRANK REAUME TO SIGN THE NECESSARY
DOCUMENTS FOR APPLICABLE RIGHTS OF WAY AT 260 S. PARKER
IN MARINE CITY.

THANK YOU FOR YOUR ATTENTION IN THIS MATTER.

CORDIALLY,



ROBERT P. CADWELL
PRESIDENT

RECORDED HIGHWAY NO. 42023

REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH

BY: *Thy Bala*

DATE: 4-26-91

DATE WANTED: 4-19-91

DISTRICT FIELDMAN

PERMITS TO:

ORDER _____

FILE _____

R/W FILES _____

MBT _____

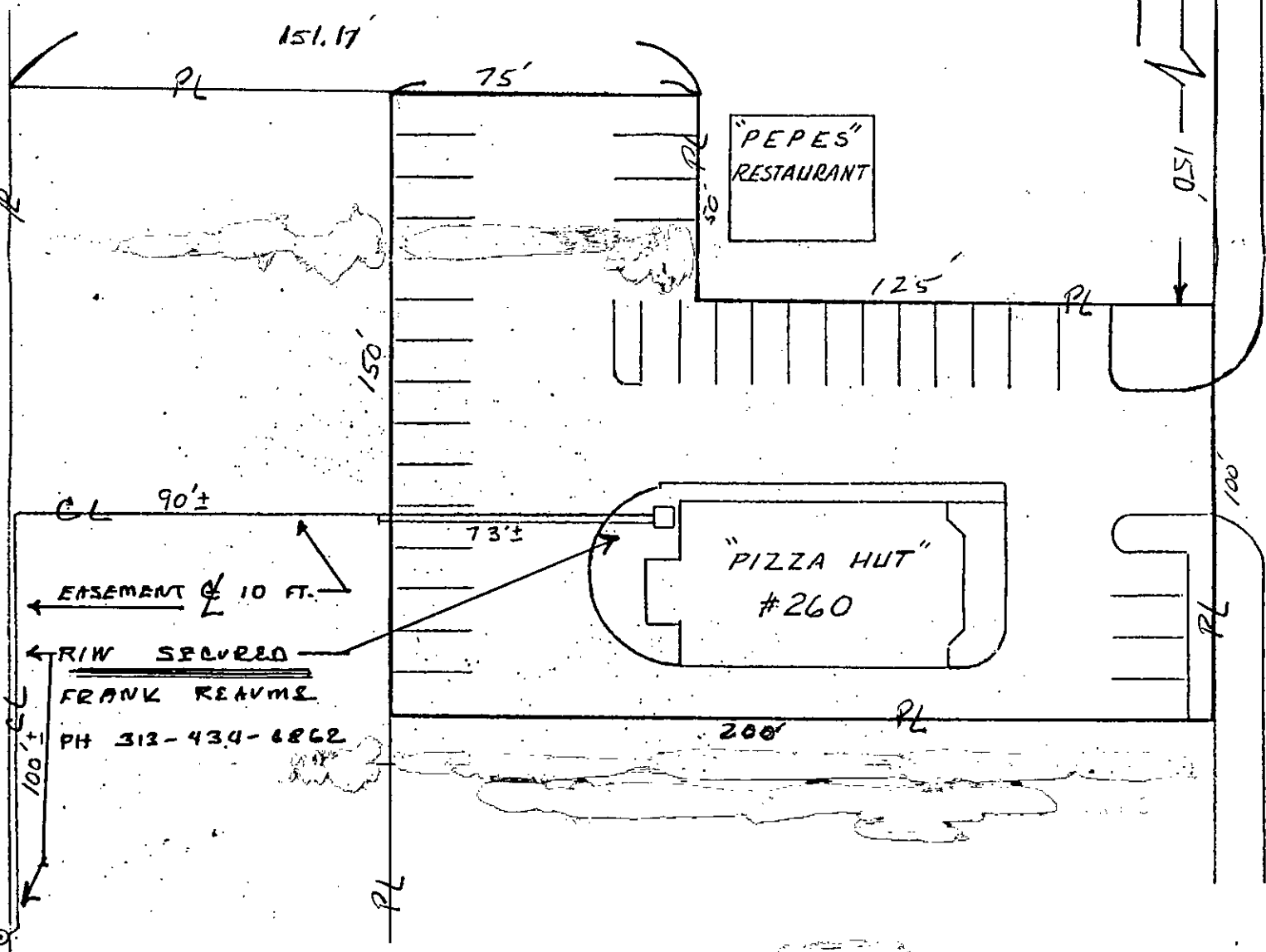
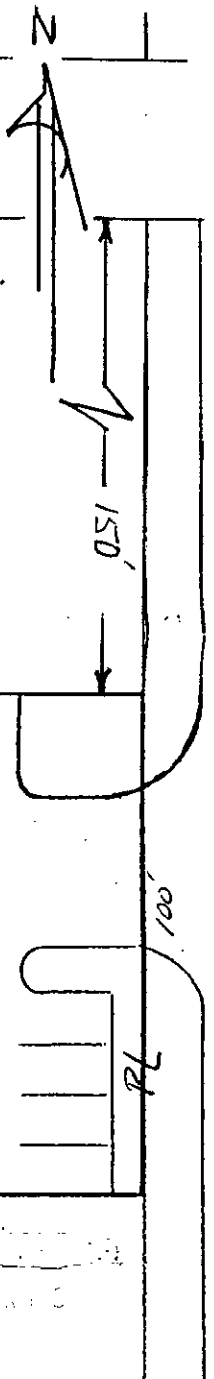
ORIGINATOR _____

TOTAL _____

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PARKER & LESTER ADDITION

NORTH LINE



LEGEND

- FOREIGN POLE
- EXIST D.E. CO. POLE
- PROPOSED POLE
- EXIST ANCHOR
- PROPOSED ANCHOR
- TREE
- 120/240 VOLT LINE
- 4800 VOLT LINE
- 13,200 VOLT LINE
- 40,000 VOLT LINE

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT			
CITY OR TOWNSHIP MARINE City	COUNTY ST. CLAIR	QTR. & TWP. SECT. NO.	DEPT. ORDER NO. A-79819
MAP SECT. 2-430-476	TOWN RANGE	JOINT R/W REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	R/W NO.
PROJECT NAME PIZZA HUT	TEL. ENGR & DIST.	PROJ. OR PART NO.	
CIRCUIT 300 MARIN 4.8 KV	O.F.W. S.O. OR P.E. NO.		
REASON 1	BUDGET ITEM NO.		
PLANNER D. CARR	SCALE	DATE	

SP 11880A

DE FORM 963-2237 1-A0

ATLANTIC DEVELOPMENT

AGENT: FRANK H. REAUME
316 N. CLUBVIEW DR.
YPSILANTI MI 48197
PH 434-6862 CAR 590-8076

RECORDED RIGHTS OF WAY NO. 42023