

AUG 29 1991

LIBER 1256 PAGE 507 TIME 1:00 PM
A-79839
DEPUTY

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. A-79839

On JUNE 22, 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:

Delbert Arnold and Mary Ann Arnold, husband and wife, 1018 S. 10th Street, St. Clair, Michigan 48079

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
Michigan Bell Telephone Company, a Michigan corporation, 502 Beech, Flint, Michigan 48502
Harron Cable, 2780 Beach Road, Port Huron, Michigan 48060

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

Lot 53 and North 120 feet of East 150 feet of Lot 52 Assessors Plat of part of five acre Lots 107, 110 & 111 and part of Outlots 10 and 11 of Sub'd of part of PC 304 and 305. LIBER 50 PAGE 37

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

A three (3) foot easement whose centerline is ten (10) feet South and parallel to the North property line.

- 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.
- 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.

1933A000 08/29/91DEED# 11.0
1933A000 08/29/91SSRE# 2.0
0003

Witnesses:

Grantor:

Brenda Warshefski

BRENDA WARSHEFSKI

Delbert Arnold

Delbert Arnold aka DELBERT L. ARNOLD

Brenda Warshefski

BRENDA WARSHEFSKI

Mary Ann Arnold

Mary Ann Arnold, his wife

Prepared by and Return to: Philip J. Balon, Representative, 600 Grand River, Port Huron, MI 48060 (313)984-6731

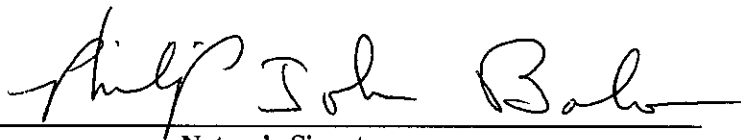
RECORDED AS TO FORM 8/22/91 DATE
9/27/91

RECORDED RIGHT OF WAY NO. 42050

Acknowledged before me in St. Clair County, Michigan, on JUNE 25, _____, 1991

by DELBERT ARNOLD aka DELBERT L. ARNOLD and MARY ANN ARNOLD his wife

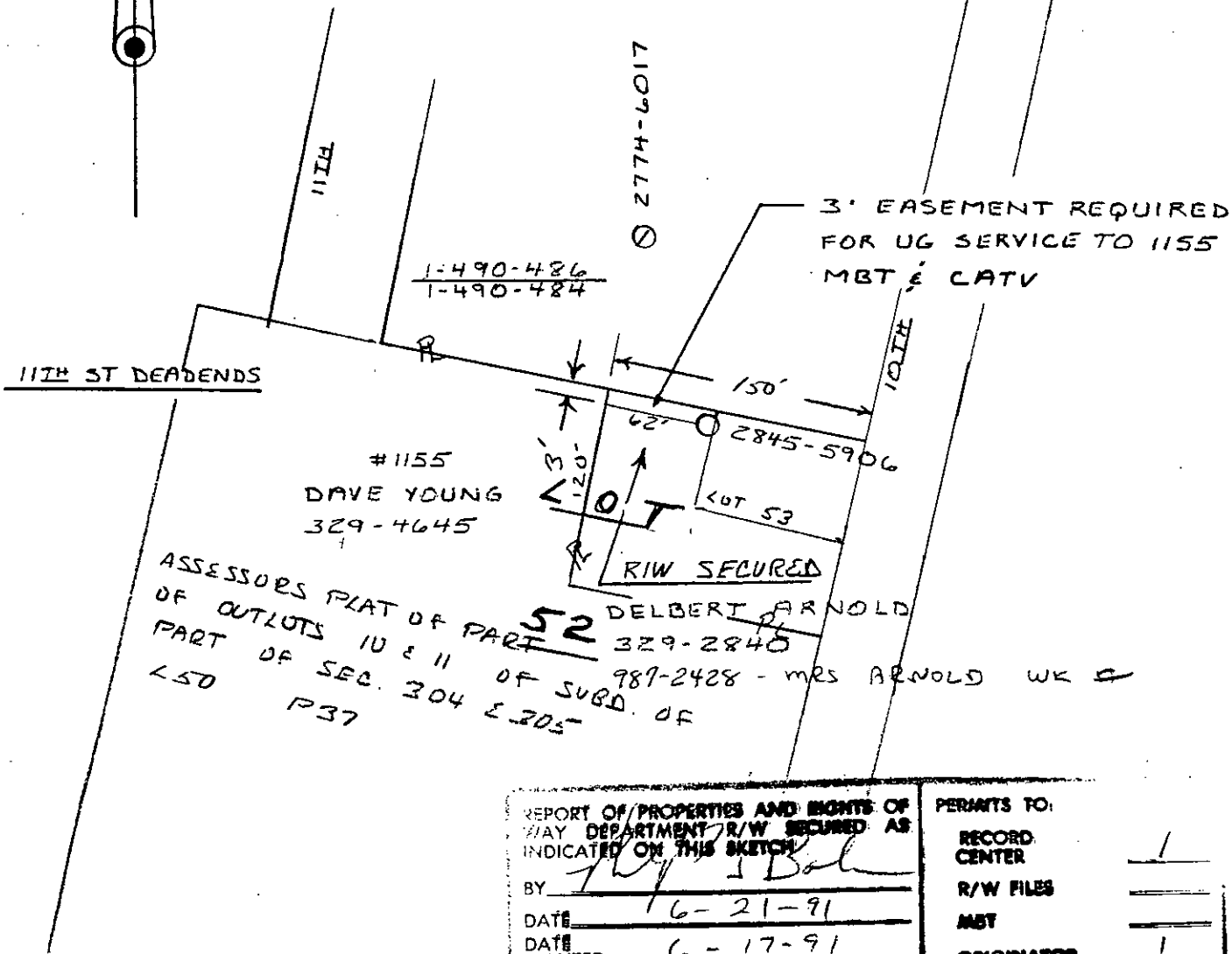
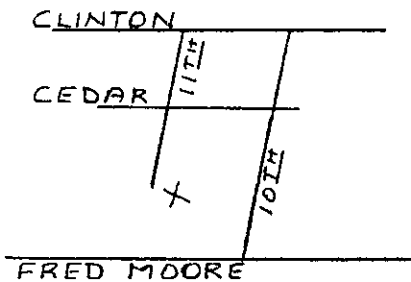
PHILIP JOHN BALON
Notary Public, St. Clair County, MI
My Commission Expires Aug. 23, 1993



Notary's Stamp

Notary's Signature





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

BY: *Thy J. Boh*

DATE: 6-21-91

DATE WANTED: 6-17-91

DISTRICT FIELDMAN

PERMITS TO:

RECORD CENTER	1
R/W FILES	
MBT	
ORIGINATOR	1
TOTAL	1

RECORDED RIGHT OF WAY NO. 42080

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 ST. CLAIR	COUNTY ST. CLAIR	QTR. & TWP. SECT. NO.	DEPT. ORDER NO. A-79839
MAP SECT. 1-490-484	TOWN 5N	RANGE 17E	JOINT R/W REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
PROJECT NAME DALE MACLANE FLT.	TEL ENGR & DIST.	PROJ. OR PART NO.	
CIRCUIT DC 304 ST. CLAIR	REASON NEW HOME - 1155	PLANNER B. IITTEL	SCALE 1" = 100'
			DATE 6-4-91