

PROJECT NAME UKRAINIAN CONDOMINIUMS B619220

UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. MC-P619

On 9-13, 1991, 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:

Ukrainian Condominiums Association, a Michigan Non-Profit Corporation, 46748 Warner, Warren, Michigan

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
Michigan Bell Telephone Co, a Michigan Corp, 444 Michigan Ave, Detroit, MI 48226
Comcast Cablevision, a Delaware Corporation, 6065 Wall St, Sterling Heights, MI
Consumers Power Company, a Michigan Corp, 212 West Michigan Ave, Jackson, MI

City of

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

A parcel of land located in and being a part of the Northeast 1/4 of Section 19, T1N, R12E, and being more particularly described as follows: Commencing at a point 807.60 feet South 01°46'00" West and 362.60 feet North 88°37'00" West of the Northeast corner of said Section 19; thence extending North 88°37'00" West 298.46 feet; thence North 01°20'00" East 343.79 feet; thence South 88°59'48" East 301.08 feet; thence ~~SXXXX~~ South 01°46'00" West 345.79 feet to the point of beginning.

RECORDED IN MACOMB COUNTY RECORDS AT: 2:41 P. M.

SEP 25 1991

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

Edna Miller

The exact location of underground equipment must be determined by the REGISTER OF DEEDS UTILITY COMPANIES. For exact location, telephone MISS DIG at 1-800-482-7171, MACOMB COUNTY, MICHIGAN. The exact location of underground equipment indicates the centerline of said Right of Way.

RECORDED RIGHT OF WAY NO. 42205

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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.

- 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.

Witnesses:

Grantor:

x Michael J. McCabe
 MICHAEL J. McCABE

UKRAINIAN CONDOMINIUM ASSOCIATION
 a Michigan Non-Profit Corporation

x Susan A. Putrycus
 SUSAN A. PUTRYCUS

BY:
Michael Minowski PRESIDENT
 MICHAEL MINOWSKI
Myron Treshnewsky V.P.
 MYRON TRESHNEWSKY
 46748 Warner
 Warren, Michigan

Prepared by and Return to:
 Michael J. McCabe
 15600 19 Mile Road
 Mt. Clemens, MI 48044

Acknowledged before me in Macomb County, Michigan, on Sept - 13, 1991
 by MICHAEL MINOWSKI & MYRON TRESHNEWSKY the PRESIDENT & VICE PRESIDENT
 of UKRAINIAN CONDOMINIUM ASSOCIATION, a Michigan Non-Profit Corporation.

Notary Stamp
 MARTHA M. TARNAWSKI
 Notary Public, Macomb County, MI
 My Commission Expires June 16, 1992

Signature Martha M. Tarnawski

RECORDED RIGHT OF WAY NO. 42205

Date: October 11, 1991

To: Record Center

From: Michael J. McCabe *MJM*
Sr. Real Estate & Right of Way Rep
Macomb Division

Subject: Right of Way Agreement for Underground Residential
Distribution for Ukranian Condominiums, located
in part of the Northeast 1/4 of Section 19, Town
1 North, Range 12 East, City of Warren, Macomb
County, Michigan.

Attached for Record Center is the executed Right of Way
Agreement dated September 13, 1991 for the above named project.

Easement for this project was requested by William Hertz,
Service Planning, Macomb Division. The Agreement was
negotiated by Michael J. McCabe, Representative, Real
Estate and Rights of Way, Macomb Division.

Detroit Edison Company, Comcast Cablevision, Consumers Power
Company and Michigan Bell Telephone Company made this agreement
with Ukranian Condominiums, Michael Ninowski, President, the
developer of Ukranian Condominiums.

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

MJM

Attachment

RECORDED RIGHT OF WAY NO. 42205