

**UNDERGROUND EASEMENT (RIGHT OF WAY) NO. MC-P884**

On 11-21, 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:**

The Tremonti Family Partnership, 10250 West Nine Mile Road, Oak Park, Mi 48237

**"Grantee" is:**

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226  
Michigan Bell Telephone Company, a Michigan Corp, 444 Michigan Avenue, Detroit, MI 48226

**"Grantor's Land" is in Clinton Township, Macomb County, Michigan described as:**

A parcel of land in Section 27, Town 2 North, Range 13 East, described as follows: Beginning at a point on the West line of the East 1/2 of the Northeast 1/4 of said Section; said point being South 00 degrees 03 minutes East 1237.91 feet from the North line of said Section; thence South 84.34 feet; thence East a distance of 498.06 feet to the centerline of Gratiot Avenue; thence Northeasterly along the centerline of Gratiot Avenue 92.04 feet; thence South 89 degrees 57 minutes West 534.09 feet recorded, 533.09 feet measured, to the point of beginning.

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

A 6 foot easement as shown on DECO Drawing No. MC-P884 attached hereto and made a part hereof.

RECORDED RIGHT OF WAY NO. 43659

RECORDED IN MACOMB COUNTY  
RECORDS AT: 12:36 P M.

MAR 16 1992

*Edna M. Hill*  
CLERK - REGISTER OF DEEDS  
MACOMB COUNTY, MICHIGAN

- 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.

Witnesses:(type or print name under signature)

Grantor:(type or print name under signature)

x *Rachel Bieszak*  
RACHEL BIESZAK

The Tremonti Family Partnership  
a Michigan Co-Partnership  
BY: *John Tremonti*  
John Tremonti, General Partner

x *Frances A. Jones*  
FRANCES A. JONES

Acknowledged before me in Oakland County, Michigan, on 11/29, 1991 by JOHN TREMONTI, GENERAL PARTNER FOR THE TREMONTI FAMILY PARTNERSHIP, FOR THE PARTNERSHIP

RACHEL BIESZAK  
Notary Public, Oakland County, Michigan  
My Commission Expires December 11, 1993

Notary's Stamp

Notary's Signature

*Rachel Bieszak*

Prepared by and Return to:

MICHAEL J. MCCABE, 15600 19 MILE RD, MT CLEMENS, MI 48043

RECORDED RIGHT OF WAY NO.

49059

APPROVED AS TO FORM 2/5/92 DATE  
LEGAL DEPARTMENT *[Signature]*

**APPLICATION FOR RIGHT OF WAY**

DE 963-0811 5-7455 (MS 80)

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

DATE October 11, 1991

LOCATION Part of the N.E. 1/4 of Sect. 27, T.2N., R.13E

APPLICATION NO. MC-P884

DEPT. ORDER NO. A73794

CITY OR VILLAGE \_\_\_\_\_

O. F. W. NO. \_\_\_\_\_

TOWNSHIP Clinton COUNTY Macomb

BUDGET ITEM NO. 1M80B-MDB

DATE BY WHICH RIGHT OF WAY IS WANTED 10-27-91

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 Request 6' wide easement in a Northeasterly across 36565 Gratiot Ave.

PURPOSE OF RIGHT OF WAY Future U.G. construction

RECORDED RIGHT OF WAY NO. 42659

SIGNED PW Howard / MC

Macomb Division Hdq. OFFICE

Service Planning DEPARTMENT

**REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.**

R/W secured as requested as requested

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 3-25-92 SIGNED M-M'Cap

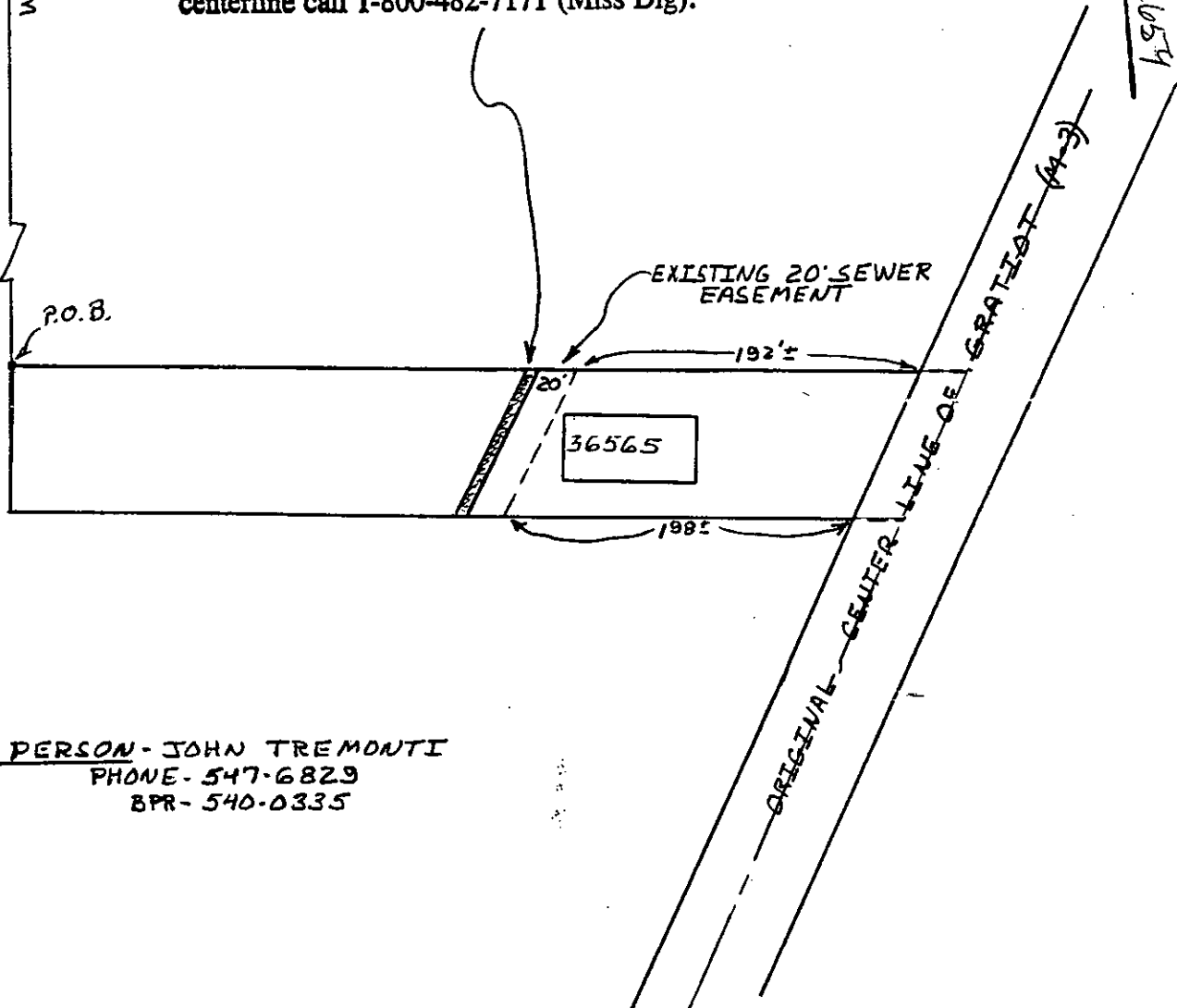


N.E. COR. SEC. 27  
T. 2N. R. 13E.  
CLN. TWP.  
MAC. CO.

DUE SOUTH 1237.91  
W. LINE OF E 1/2 OF N.E. 1/4 SEC. 27

RECORDED RIGHT OF WAY NO. 42654

**CENTERLINE OF 6' 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).



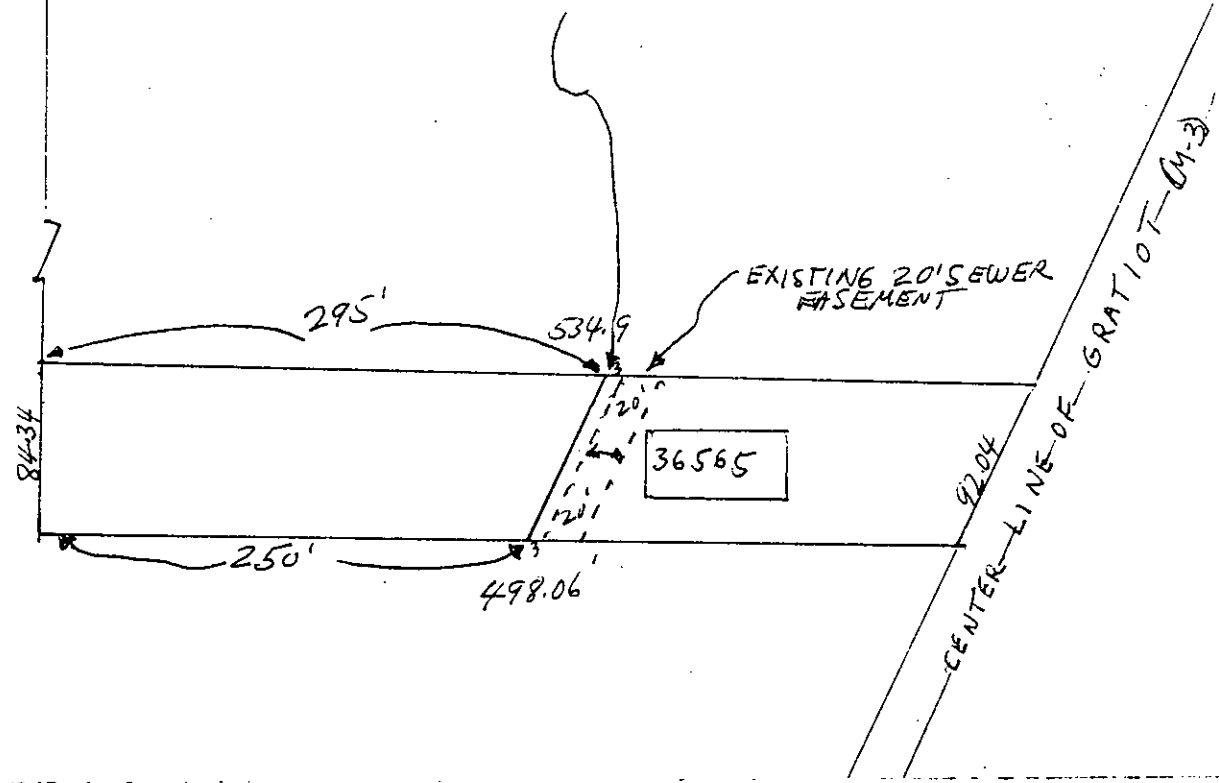
CONTACT PERSON - JOHN TREMONTI  
PHONE - 547-6829  
BPR - 540-0335

N.E. COR. SEC 27  
T. 2N. R. 13E.  
CLU TWP  
MAC. CO.

DUE SOUTH 1237.91  
W LINE OF E 1/2 OF NE 1/4 SEC 27

CENTERLINE OF 6 FOOT WIDE EASEMENT

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RECORDED RIGHT OF WAY NO. 42657