

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. MC-M790

On 2-24-92, 1992, 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:

Lakeside Parkway Plaza, Inc., a Michigan Corporation, 18530 Mack Avenue, Grosse Pointe Farms, Michigan 48236

"Grantee" is:

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

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

Part of the Southwest 1/4 of Fractional Section 31, T3N, R13E, being described as: Commencing at the South 1/4 Post of Fractional Section 31; thence North 89° 40'38" West 208.00 feet along the South line of Fractional Section 31; thence North 00°08'14" West 285.01 feet; thence North 89°40'38" West 43.01 feet to the point of beginning; thence North 89°40'38" West 299.01 feet; thence North 00°08'14" West 374.99 feet to the South line of Huntcliff Village Condominiums; thence South 89°40'38" East 507.02 feet along the South line of Huntcliff Village Condominiums to the West right of way line of Tilch Road (86.00 feet wide); thence South 00°08'14" East 166.99 feet along the West right of way of Tilch Road; thence North 89°40'38" West 208.01 feet; thence South 00°08'14" East 208.00 feet to the point of beginning.

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

A 10 foot wide easement as shown on DECO Drawing #MC-M790 attached hereto and made a part hereof.

RECORDED RIGHT OF WAY NO. 1126887

RECORDED IN MACOMB COUNTY
RECORDS AT: 12:34P M.

MAR 16 1992

Edna H. 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)

LAKE SIDE PARKWAY PLAZA, INC.
a Michigan Corporation

Jerold B. Pollard

JEROLD B. POLLARD

Michael J. McCabe

MICHAEL J. McCABE

BY: *H. Stalburg*

H. STALBURG, V.P.

RECORDED RIGHT OF WAY NO. 42688

Acknowledged before me in MACOMB County, Michigan, on 224, 1992 by H. Stalburg the Vice President of Lakeside Parkway Plaza, Inc, a Michigan Corporation, for the Corporation.

MICHAEL J. McCABE
Notary Public, Macomb County, MI
My Commission Expires Mar. 9, 1992

Notary's Stamp _____

Notary's Signature _____

Michael J. McCabe

Prepared by and Return to:

Michael J. McCabe, 15600 19 Mile Road, Mt. Clemens, Michigan 48044

APPROVED AS TO FORM 2/26/92 DATE
LEGAL DEPARTMENT *[Signature]*

APPLICATION FOR RIGHT OF WAY

DE W3-0811 3-7485 (MS 80)

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

DATE December 17, 1990

LOCATION Hall & Tilch Rd.

APPLICATION NO. MC-M790

CITY OR VILLAGE Mt. Clemens

DEPT. ORDER NO. _____

TOWNSHIP Macomb COUNTY Macomb

O. F. W. NO. _____

BUDGET ITEM NO. OMBOB-MDB

DATE BY WHICH RIGHT OF WAY IS WANTED 12-28-90

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 underground distribution

PURPOSE OF RIGHT OF WAY to serve 15611-15835 Hall Rd. & others

RECORDED RIGHT OF WAY NO. 42688

SIGNED _____

Macomb Division Hdqtr.

Service Planning

OFFICE

DEPARTMENT

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

R/W secured as requested

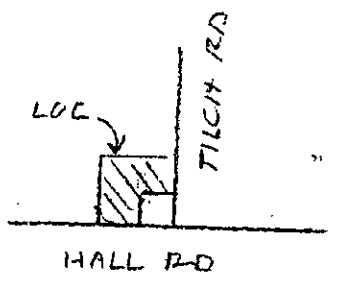
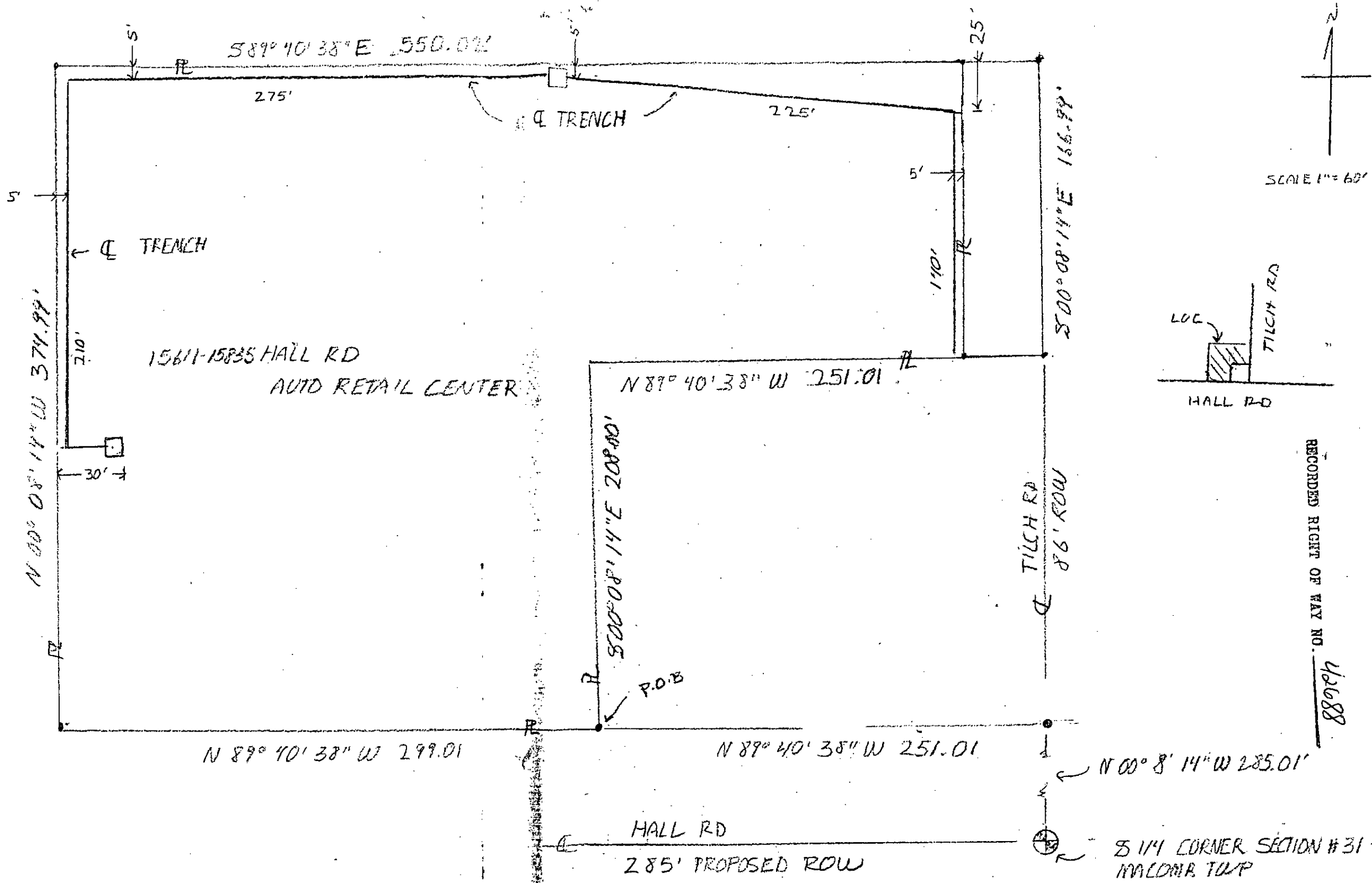
PERMITS IN RECORD CENTER 1 R.E. & R/W DEPT. FILE 1 GRANTOR 1

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

DATE 3-25-92 SIGNED M. M. Cole

R/W AGENT SECURE
10' EASEMENT 5' EACH
SIDE OF C OF TRENCH

OWNER
THOMAS C. & DENISE E. MILLER
31201 CHICAGO RD STE A201
WARREN, MI 48093
977-2140



SCALE 1" = 60'

RECORDED RIGHT OF WAY NO. 42688

THE DETROIT EDISON COMPANY - SERVICE PLANNING DEPARTMENT			
CITY OR TWP. MACOMB TWP	COUNTY MACOMB	QTR. & TWP. SECT. NO. 3/4 MACOMB 31	DEPT. ORDER NO.
MAP SECT. 1-367-112	TOWN RANGE 3N 13E	JOINT R/W REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	R/W NO. MC M790
PROJECT NAME AUTO RETAIL CENTER	TEL. ENG'R. & DIST. LEW DELEEUW	MTC	PROJ. OR PART NO.
CIRCUIT DC 8652 MALTA	REASON NEW BUSINESS	PLANNER J. POLLARD	O.F.W. S.O. OR P.E. NO.
LEGEND	SCALE 1" = 60'	DATE 12-14-90	BUDGET ITEM NO. OM BOB-MDB