

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R92000-01R
PROJECT NAME MAIN STREET APARTMENTS**

On April 16, 1992, 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:

Leonard G. and Victoria Schweiger, his wife, 74800 M-19, Richmond, Michigan 48062

"Grantee" is:

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

Harron Cablevision, a Delaware Corporation, 55800 New Haven Road, New Haven, MI 48048

"Grantor's Land" is in Village of Richmond, Macomb County, Michigan described as:

Lot 3 of Assessor's Plat No. 8 of part of the Southwest 1/4 of Section 1, T4N, R14E, as recorded in Liber 16 of plats, Page 47, of the Macomb County Records.

Lot 24 of "Supervisor's Plat No. 1", a subdivision of part of the Southeast 1/4 of Section 1, T4N, R14E, Lenox Township, as recorded in Liber 16 of plats, Page 44 of the Macomb County Records.

RECORDED IN MACOMB COUNTY

RECORDS AT: 3:09 p.m.

APR 29 1992

CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

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

A ten (10) foot easement whereby the exact location of underground equipment must be determined by the UTILITY COMPANIES. For exact location telephone MISS DIG at 1-800-482-7171. The exact location of underground equipment indicates the centerline of said Right of Way.

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.
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.

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- 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. **Ground Elevation:** Grantor must grade the Right of Way Area to within four inches of final grade before Grantee installs its facilities. Grantor must maintain this ground elevation after Grantee installs its facilities.
- 7. **Damages:** If Grantor, its agents, employees or contractors, damage Grantee's facilities, Grantee shall make repairs at Grantor's expense.
- 8. **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 below signature)

Grantor:(type or print name below signature)

x Terry Schweiger
 TERRY SCHWEIGER

x Lawrence Schweiger
 LAWRENCE SCHWEIGER

Leonard G. Schweiger
 Leonard G. Schweiger

Victoria Schweiger
 Victoria Schweiger, wife

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Acknowledged before me in MALCOMB County, Michigan, on 4-16, 1992 by Leonard G. Schweiger and Victoria Schweiger, his wife.

My Comm. exp. 1-9-96

Notary's Stamp

Notary's Signature

Prepared by and Return to:

Paul A. Cassidy
 PAUL A. CASSIDY
 MALCOMB COUNTY

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

Lenox Twp
Sec. 1; SW 1/4 of

**Detroit
Edison**

Date: May 27, 1992
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 Main Street Apartments, located in
part of the Southwest 1/4 of Section 1, T4N, R14E,
Village of Richmond, Macomb County, Michigan.

Attached for Record Center is the executed Right of Way
Agreement dated April 16, 1992 for the above named project.

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

Detroit Edison Company and Harron Cablevision made this
Agreement with Leonard and Victoria Schweiger, the developers
of Main Street Apartments.

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

MJM

Attachment

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