

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. MC-P607

On 4-22, 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:

David Heniff and Kathy Heniff, 50315 Hunters Creek Trail, Shelby Township, MI

"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
Comcast Cablevision, a Delaware Corporation, 6065 Wall Street, Sterling Hgts, MI 48077

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

Lot 28 of Hunters Creek Subdivision, being part of the Northeast 1/4 of Section 22, Town 3 North, Range 12 East, as recorded in Liber 91 of plats, Pages 10 thru 14, of the Macomb County Records.

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

The North 7 feet of the above described property.

RECORDED IN MACOMB COUNTY
RECORDS AT: 3:13p. M.

APR 29 1992



CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

RECORDED RIGHT OF WAY NO. 128723

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.

9

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 Michael J. McCabe
MICHAEL J. McCABE

David Heniff
David Heniff

x Susan A. Putrycus
SUSAN A. PUTRYCUS

Kathy Heniff
Kathy Heniff, wife

Acknowledged before me in Macomb County, Michigan, on 4/22, 1992 by David Heniff and Kathy Heniff, his wife,

MICHAEL J. McCABE
Notary Public, Macomb County, MI
My Commission Expires Feb. 4, 1996

Notary's Stamp _____ Notary's Signature Michael J. McCabe

Prepared by and Return to:

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

RECORDED RIGHT OF WAY NO. 42873

APPLICATION FOR RIGHT OF WAY

DE 963-0811 5-7456 (MS 80)

Shelby Twp
Sec. 22

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

DATE August 6, 1991

LOCATION Hunters Creek Trail & Oakridge

APPLICATION NO. MC-P607

CITY OR VILLAGE

DEPT. ORDER NO.

TOWNSHIP Shelby COUNTY Macomb

O. F. W. NO.

DATE BY WHICH RIGHT OF WAY IS WANTED 8-20-91

BUDGET ITEM NO.

THIS R/W IS 100 % OF TOTAL PROJECT NO. ACCUM. %.

INQUIRY NO.

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 7' ease along N.4. & 10' ease along rear p of Lot 28.

10' ease along rear R of Lot 29. 10' ease along rear R of Lot 355. See sketch.

PURPOSE OF RIGHT OF WAY To provide underground service to Lots 355 & 356 of Vinyard's

Timberline Meadows & remove overhead wires, pole, transformer & anchor on Lot 355.

SIGNED *RE Pagels JR*

Macomb Division Hdqtr. OFFICE

Service Planning DEPARTMENT

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

R/W secured as requested

RECORDED RIGHT OF WAY NO. 42878 & 42877

PERMITS IN RECORD CENTER 2 R.E. & R/W DEPT. FILE 2 GRANTOR 2

NO. OF PERMITS 2 NO. OF STRUCTURES NO. OF MILES PERMITS TO MBT 2

DATE 4-24-92 5-27-92 SIGNED *Michael DiCato* Council 2