

APPLICATION FOR RIGHT OF WAY

DE 963-0811 5-7455 (MS 80)

Washington Twp
Sec. 18

Michael J. McCabe

MAR 25 1992

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

LOCATION 66660 & 66300 Autumn Hollow Lane

Parcels 3 & 4 of Autumn Hollow Estates

CITY OR VILLAGE _____

TOWNSHIP Washington COUNTY Macomb

DATE BY WHICH RIGHT OF WAY IS WANTED April 20, 1992

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

DATE March 23, 1992

APPLICATION NO. R-9000724-01R

DEPT. ORDER NO. A-73790

O. F. W. NO. _____

BUDGET ITEM NO. _____

INQUIRY NO. _____

JOINT RIGHT OF WAY REQUIRED YES NO

NOTE: Identify on print or sketch the subdivisions as to section location and fiber and page.

KIND AND DESCRIPTION OF RIGHT OF WAY REQUESTED recorded underground 12Ft. easement

PURPOSE OF RIGHT OF WAY to provide for future UG requirements

RECORDED RIGHT OF WAY NO. 42885

SIGNED [Signature]

Shelby Service Center
OFFICE

Service Planning
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 7

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

DATE 5-27-92 SIGNED [Signature]

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9000724-01R

On 4/2, 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:

Peter P. & Nancy Caruso and Ronald J. & Gail Palmieri, 62324 Van Dyke, Washington, MI 48094
M-G-M Associates, 62324 Van Dyke, Washington, MI 48094

"Grantee" is:

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

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

Part of the North 1/2 of Section 10, T4N, R12E, described as follows: Beginning at a point on the North line of said Section 10, distant due East 653.74 feet from the Northwest corner of said Section 10; thence continuing along said line, due East 470.26 feet; thence South 440.00 feet; thence East 297.00 feet; thence North 440.00 feet to the North line of said Section 10; thence East along said line 167.89 feet; thence South 0 degrees 24 minutes 28 seconds West 2648.96 feet; thence South 89 degrees 14 minutes 14 seconds West 935.13 feet; thence North 0 degrees 24 minutes 28 seconds West 2661.41 feet to the point of beginning.

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

A 12 foot easement as shown on DECO sketch #R-9000724-01R attached hereto and made a part hereof.

RECORDED RIGHT OF WAY NO. 42885

RECORDED IN MACOMB COUNTY
RECORDS AT: 10:41A M.
MAY - 1 1992

Edna

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)

M-G-M Associates
a Registered Michigan Co-Partnership

x Theresa M Blackmore
Theresa M. Blackmore

BY: John F. Monahan
John F. Monahan, GEN PARTNER

x Linda D. Wagner
Linda D. Wagner

Peter P. Caruso

x Michael J. McCabe
MICHAEL J. MCCABE

Nancy Caruso, wife

x Bruce Amo
BRUCE AMO

Ronald J. Palmieri

Gail Palmieri, wife

RECORDED RIGHT OF WAY NO. 42885

Acknowledged before me in Macomb County, Michigan, on 4-2, 1992 by Peter P. Caruso and Nancy Caruso, his wife and Ronald J. Palmieri and Gail Palmieri, his wife.

LINDA D. WAGNER
Notary Public, Lapeer County, MI
My Commission Expires May 26, 1998
Acting in Macomb County, MI

Notary's Stamp _____ Notary's Signature Linda D. Wagner

Prepared by and Return to:

Acknowledged before me in Macomb County, Michigan, on 4-1, 1992 by JOHN F. MONAHAN, GENERAL PARTNER FOR MGM ASSOCIATES, A REGISTERED MICHIGAN CO-PARTNERSHIP

Michael J. McCabe
MICHAEL J. MCCABE
NOTARY PUBLIC MACOMB COUNTY MI
MY COMMISSION EXPIRES 2-4-96

APPROVED AS TO FORM 4/13/92 DATE
LEGAL DEPARTMENT [Signature]

PROJECT DEPARTMENT

