

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. A-79868

On 11/1/91, 1991, for the consideration of system betterment, Grantor grants to Grantee a ~~permanent~~ ^{permanent} easement, ~~underground~~ ^{permanent} easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".
CLERK-REGISTER
ST. CLAIR COUNTY
 Received For Record

"Grantor" is:

Blue Water Management, a Michigan Co-Partnership, 1898 Larchwood, Troy, MI 48083

"Grantee" is:

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

MAR 13 1992
 Lib 1264 Page 700 Time 11 AM
Marie Sargent
 DEPUTY

"Grantor's Land" is in Township of Fort Gratiot, St. Clair County, Michigan described as:

A part of the Northeast 1/4 of the Southeast 1/4 of Section 21, T7N-R17E described as: commencing at the East 1/4 corner of said Section 21; thence South 00°02'25" West 675.90 feet along the East line of Section 21 to the Point of Beginning; thence continuing South 00°02'25" West 360.00 feet; thence North 89°54'10" West 360.00 feet; thence North 00°02'25" East 360.00 feet; thence South 89°54'10" East 360.00 feet to the Point of Beginning.

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

Ten (10) foot easement per attached sketch for primary feeder. Drawing A-79868

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.

RECORDED RIGHT OF WAY NO. 42962

0636A000	03/13/92BEEED7	11.00
0003		
0636A000	03/13/92SSRE7	2.00
0003		

Witnesses:

X *Philip Windsor*
 Philip Windsor

X ~~_____~~

X *Barbara J. Bryson*
 Barbara J. Bryson

Grantor:

X *Robert D. Fox*
 Robert D. Fox, Pres. Bob Fox Inc.

X *John Damico*
 John Damico, Partner
 Blue Water Mangement, a Michigan
 Co-Partnership

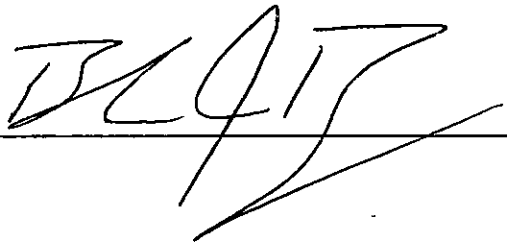
Acknowledged before me in St. Clair County, Michigan, on NOVEMBER 1, 1991

by John Damico, a general partner of Blue Water Management, a Michigan Co-Partnership,

for the partnership.

BARBARA J. BRYSON
Notary's Notary Public, Oakland County, MI
Stamp My Commission Expires April 2, 1994

Notary's
Signature



Acknowledged before me in St. Clair County, Michigan on nov 1, 1991

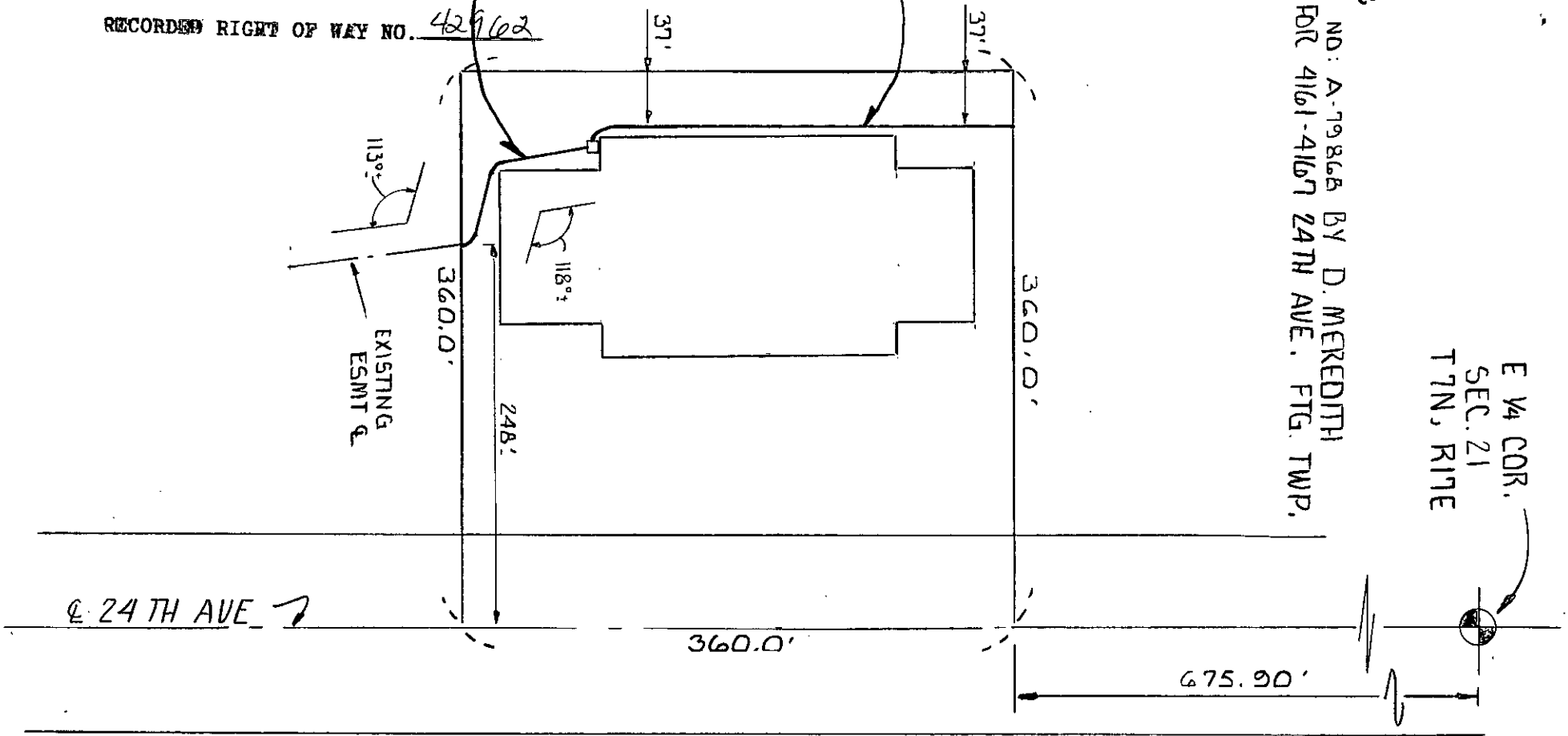
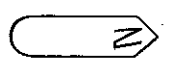
by Robert D. Fox

CENTERLINE OF 10' 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).

9-9-91;
DRWG. NO: A-7986A BY D. MEREDITH
R/W FOR 4161-4167 24TH AVE. FTG. TWP.

E 1/4 COR.
SEC. 21
T7N, R19E

LIBER 1264 PAGE 702



RECORDED RIGHT OF WAY NO. 42962

24TH AVE

360.0'

248'

118°

113°

EXISTING
ESMT

37'

37'

360.0'

360.0'

675.90'