

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R-9201911-01R**  
**PROJECT NAME**

QUAIL RUN MOBILE PK PHASE 2

On May 21, 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:**

Quail Run Limited Partnership, a Michigan Limited Partnership, 1100 ~~XX~~ Woodward, Suite 134, ~~XXXXXXX XXXXXXXXXX XXXXXXXXXX~~ Bloomfield Hills, Michigan 48304.

**"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, Detroit, MI 48226  
 Harron Cablevision, a Delaware Corporation, 55800 New Haven Road, New Haven, MI 48048

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

All that part of the Southeast 1/4 of Section 34, T4N, R14E, Lenox Township, Macomb County, Michigan, described as: Beginning at a point on the North and South 1/4 line of said Section 34, distant N. 0°15'30" West 421.00 feet from the South 1/4 corner of said Section 34; thence continuing along said North and South 1/4 line N. 0°15'30" West 2301.27 feet to the center 1/4 post of said Section 34; thence along the East and West 1/4 line of Section 34 N. 89°51'20" East 1007.92 feet; thence S. 01°07'23" East 2304.24 feet; thence S. 28°39'37" West 479.77 feet; thence along the South line of said Section 34 Due West 141.50 feet; thence N. 0°03'00" West 421.00 feet; thence Due West 670.73 feet to the point of beginning.

RECORDED RIGHT OF WAY NO. 43112

**RECORDED IN MACOMB COUNTY**  
**RECORDS AT: 11:59A.**  
 JUN 12 1992.

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

*Edna [Signature]*

CLERK - REGISTER OF DEEDS  
 MACOMB COUNTY, MICHIGAN

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.

- 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)

QUAIL RUN LIMITED PARTNERSHIP  
a Michigan Limited Partnership

x *Anne M. Madigan*  
Anne M. Madigan

BY: Quail Run Associates, Inc.

x *James R. Bennage*  
James R. Bennage

BY: *James P. McLennan*  
James P. McLennan, President

RECORDED RIGHT OF WAY NO. 43112

Acknowledged before me in Oakland County, Michigan, on 5/27, 1992 by JAMES P. McLENNAN THE PRESIDENT OF QUAIL RUN LIMITED PARTNERSHIP, a MICHIGAN LIMITED PARTNERSHIP FOR THE PARTNERSHIP

ANNE M. MADIGAN  
NOTARY PUBLIC - MACOMB COUNTY, MICH.  
MY COMMISSION EXPIRES 3-26-94

Notary's Stamp

Notary's Signature

*Anne M. Madigan*

Prepared by and Return to: Michael J. McCabe, 15600 19 Mile Road, Mt. Clemens, MI 48044

Date: July 22, 1992

To: Record Center

From: Michael J. McCabe *MSM*  
Sr. Real Estate and Right of Way Rep  
Macomb Division

Subject: Right of Way Agreement for Underground Residential  
Distribution for Quail Run Mobile Park, Phase 2, located  
in part of the Southeast 1/4 of Section 34, Town 4 North,  
Range 14 East, Lenox Township, Macomb County, Michigan.

Attached for Record Center is the executed Right of Way Agreement dated May 21, 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 Rights of Way, Macomb Division.

Detroit Edison Company, Harron Cablevision and Michigan Bell Telephone Company made this agreement with Quail Run Limited Partnership, James P. McLennan, President, the developer of Quail Run Mobile Park, Phase 2.

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

MJM

Attachment

RECORDED RIGHT OF WAY NO. 43112