

**APPLICATION FOR RIGHT OF WAY**

DE 963-0811 (5-74) (MS 80)

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

DATE 7-10-92

LOCATION Chesterfield Township

APPLICATION NO. R-9203025-01

T3.N., R14E.

DEPT. ORDER NO. \_\_\_\_\_

CITY OR VILLAGE Chesterfield

O. F. W. NO. \_\_\_\_\_

TOWNSHIP Chesterfield COUNTY Macomb

BUDGET ITEM NO. \_\_\_\_\_

DATE BY WHICH RIGHT OF WAY IS WANTED 7-27-92

INQUIRY NO. \_\_\_\_\_

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

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 Underground conduits and conductors above ground transformers and pedestals -

PURPOSE OF RIGHT OF WAY Provide service to Sugarbush and Cotton Rd's.

SIGNED *Chris McKelvey*  
Mt. Clemens Service Ctr. Service Planning  
OFFICE DEPARTMENT

RECORDED RIGHT OF WAY NO. 43395

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 1

NO. OF PERMITS 1 NO. OF STRUCTURES \_\_\_\_\_ NO. OF MILES \_\_\_\_\_ PERMITS TO MBT 1

DATE 9-23-92 SIGNED *Michael McCabe*

**B761045**

**UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9203025-01**

On 8-4, 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:**

John C. and Deborah L. Kraft, husband and wife, 45634 Private Shore Drive, Mt. Clemens, 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, Detroit, MI 48226

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

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

Supervisors Plat No. 12, being part of P.C. 193, T3N, R14E, described as: Commencing at the Southwest corner of Lot 23, said point being also the Northeast corner of Cotton and Sugarbush Roads; thence North 27 degrees 14 Minutes East 135.96 feet along the Easterly line of Sugarbush Road to the point of beginning; thence continuing North 27 degrees 19 minutes East along the Easterly line of Sugarbush Road 87.02 feet; thence South 39 degrees 31 minutes East 247.63 feet; thence South 50 degrees 09 minutes 40 seconds West 80.00 feet; thence North 39 degrees 31 minutes West 213.85 feet to the point of beginning, being part of Lot 23 of Supervisor's Plat No. 12, as recorded in Liber 18, Page 34 of plats, Macomb County Records.

RECORDED RIGHT OF WAY NO. 43396

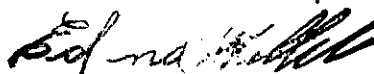
**The "Right of Way Area" is a part of Grantor's Land described as:**

A ten (10) foot wide easement as shown on DECO drawing No. R-9203025-01 attached hereto.

RECORDED IN MACOMB COUNTY

RECORDS AT: 2:42p H.

AUG 31 1992



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)

x Leon Karpinski  
LEON KARPINSKI

John C. Kraft  
John C. Kraft

x Brian Brandenburg  
BRIAN BRANDENBERG

Deborah L. Kraft  
Deborah L. Kraft, his wife

RECORDED RIGHT OF WAY NO.

43395

Acknowledged before me in Macomb County, Michigan, on 8-4, 1992 by JOHN C. KRAFT AND DEBORAH L. KRAFT, HIS WIFE

JANICE FAYE GIESE  
Notary Public, Macomb County, Mich.  
My Commission Expires Dec. 14, 1994

Notary's Stamp

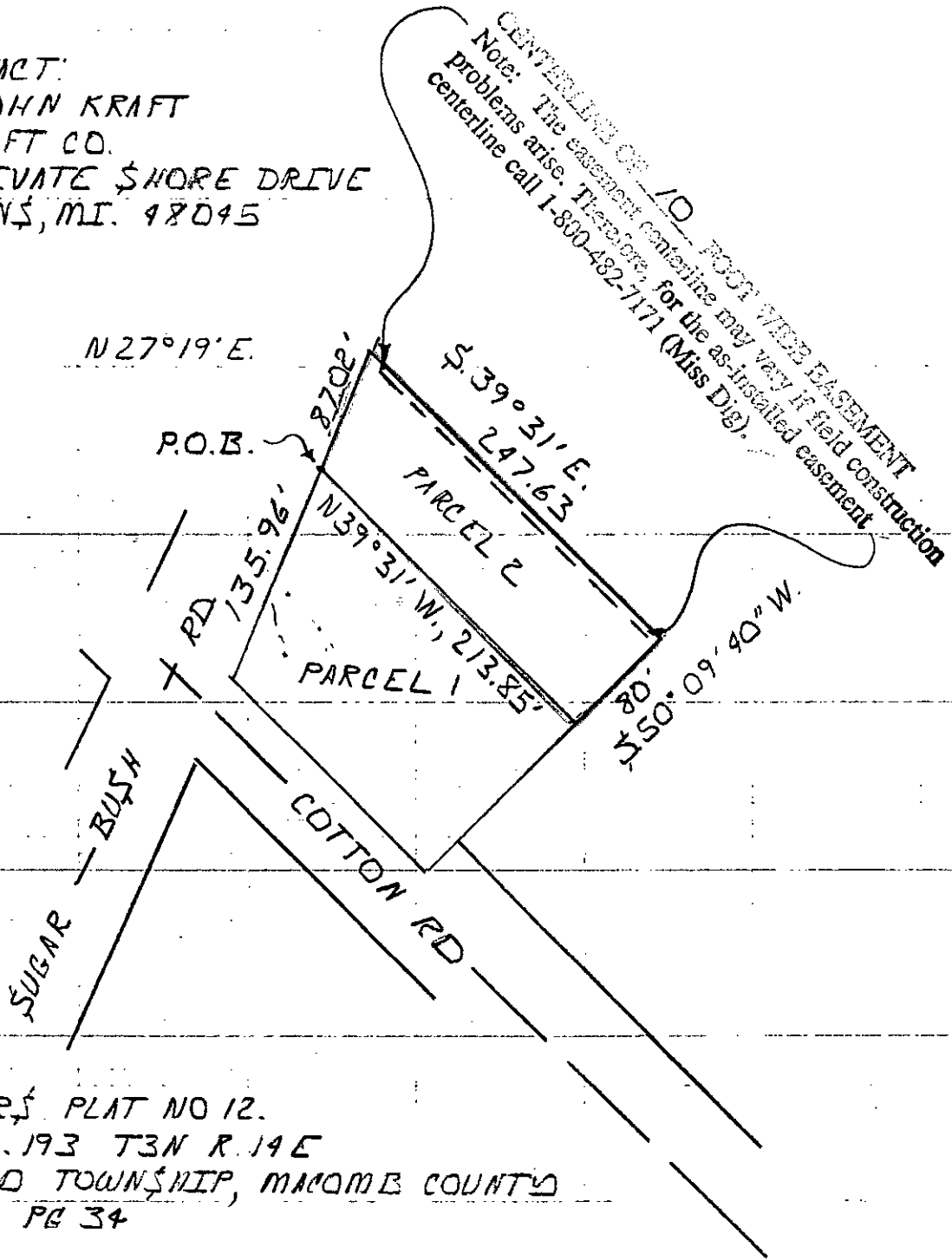
Notary's Signature

Janice Faye Giese

Prepared by and Return to: Michael J. McCabe, 15600 19 Mile Road, Clinton Township, MI 48038

APPROVED AS TO FORM 8/20/92 DATE  
LEGAL DEPARTMENT JWA

R.W. CONTACT:  
 MR. JOHN KRAFT  
 JOHN KRAFT CO.  
 45634 PRIVATE SHORE DRIVE  
 MT. CLEMENS, MI. 48045  
 949-3820



NORTH

RECORDED RIGHT OF WAY NO. 43395

SUPERVISOR'S PLAT NO 12.  
 PART OF PC. 193 T3N R. 14 E  
 CHESTERFIELD TOWNSHIP, MACOMB COUNTY  
 LIBER 18 PG 34

9203025

| THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT |                                  |  |                                |
|--|----------------------------------|--|--------------------------------|
| CITY OR TOWNSHIP<br><b>CHESTERFIELD</b>                | COUNTY<br><b>MACOMB</b>          | QTR. & TWP. SECT. NO.  | DEPT. ORDER NO.                |
| MAP SECT.  | TOWN<br><b>RANGE</b>             | JOINT R/W REQUIRED<br>YES <input type="checkbox"/> NO <input type="checkbox"/> | R/W NO.<br><b>R-9203025-01</b> |
| PROJECT NAME   | TEL. ENG'R & DIST.               | PROJ. OR PART NO.  |                                |
| CIRCUIT<br><b>CHEST. 8417</b>                          | REASON<br><b>PROVIDE SERVICE</b> |  | O.F.W. S.O. OR P.E. NO.        |
| PLANNER<br><b>C. MADDIX</b>                            | SCALE<br><b>1"=100'</b>          | DATE<br><b>7-2-72</b>  |                                |
| LEGEND   |                                  | BUDGET ITEM NO.  |                                |
| ○  | FOREIGN POLE                     |  |                                |
| ○  | EXIST D.E. CO. POLE              |  |                                |
| ●  | PROPOSED POLE                    |  |                                |
| Y  | EXIST ANCHOR                     |  |                                |
| Y  | PROPOSED ANCHOR                  |  |                                |
| ○  | TREE                             |  |                                |
| ---  | 120/240 VOLT LINE                |  |                                |
| ---  | 4800 VOLT LINE                   |  |                                |
| ---  | 13,200 VOLT LINE                 |  |                                |
| ---  | 40,000 VOLT LINE                 |  |                                |