

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9003583-02

On 8/14, 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:

Alberto and Teresina DeLuca, husband & wife, 46670 Plum Grove, Mt. Clemens, MI 48043

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

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

Lot No. 4 of "Penzien Subdivision No. 1", a Subdivision located in the Southwest 1/4 of Section 8, T3N, R13E, Macomb County, Michigan, as recorded in Liber 93 of plats, Page 48, of the Macomb County Records.

RECORDED IN MACOMB COUNTY
RECORDS AT: 2:41p.
AUG 31 1992

Edna
CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

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

The ~~South~~ West ten (10) feet of the Above described property:
F.A.

- 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.

RECORDED RIGHT OF WAY NO. 43476

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 Frank Agrusa
FRANK AGRUSA

Alberto De Luca
Alberto De Luca

x Antonio De Luca
Antonio De Luca

Teresina De Luca
Teresina De Luca, wife

RECORDED RIGHT OF WAY NO.

43476

Acknowledged before me in MACOMB County, Michigan, on 8/14, 1992 by Alberto De Luca and Teresina De Luca, 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 48043

APPROVED AS TO FORM 8/21/92 DATE
LEGAL DEPARTMENT [Signature]

APPLICATION FOR RIGHT OF WAY

DE 963-0811 5-7455 (MS 80)

Macomb Twp
Sec. 8 SW 1/4 of

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

DATE 7-28-92

LOCATION ROMEO PLANK & 28 MILLER RD

APPLICATION NO. R-9003583-021

CITY OR VILLAGE MT CLEMENS

DEPT. ORDER NO. _____

TOWNSHIP MACOMB COUNTY MACOMB

O. F. W. NO. _____

BUDGET ITEM NO. 2MBOB-MDB

DATE BY WHICH RIGHT OF WAY IS WANTED 8-10-92

INQUIRY NO. _____

THIS R/W IS 25 % 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 DISTRIBUTION

PURPOSE OF RIGHT OF WAY TO SERVE PENZIEN SUB #1

SIGNED J.B. Pawan

OFFICE _____

DEPARTMENT _____

RECORDED RIGHT OF WAY NO. 43476

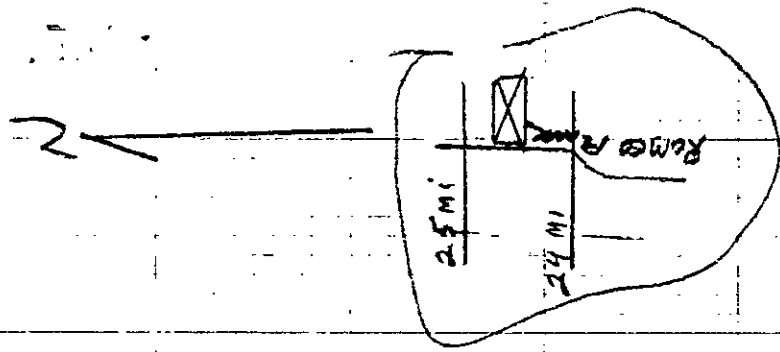
REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

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



RECORDED RIGHT OF WAY NO. 43476

OWNER
ALBERTO DELUCA
46670 PLUMGROVE
MT-CLEMENS, MI 48044

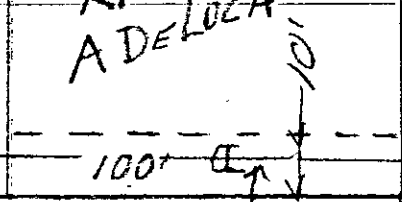
PH. 263-9626

LOT #4

PENZINE SUB #1

MACOMB TWP
S 1/4 CORNE
SEC #8
T 3N R 13E

R/W OK
A DELUCA



ROMED PLANK 1/2 ROW 60'

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).

SW CORNER
SEC #8
T 3N R 13E
MACOMB TWP

E-900358302