

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9205210-01

On 7-23, 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:

Christopher & Associates, a Michigan Co-Partnership, 24385 Halstead, Suite 203, Farmington Hills, Michigan 48331

"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

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

Part of the Southeast 1/4 of Section 36, T3N, R13E, beginning at a point North 01 degrees 43 minutes East 2162.65 feet from the Southeast corner of Section 36; thence North 80 degrees 35 minutes West 270.01 feet to the East side line of Gratiot Avenue; thence North 23 degrees 39 minutes East 200 feet; thence South 80 degrees 35 minutes East 194.8 feet; thence South 01 degrees 43 minutes West 195.7 feet to the point of beginning.

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

A six (6) foot wide easement as shown on attached drawing No. R-9205210-01

RECORDED IN MACOMB COUNTY
RECORDS AT: 12:28 P.M.
AUG 14 1992

Edna M. Hill
CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

RECORDED RIGHT OF WAY NO. 43478

- 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)

[Handwritten Signature]

 x *JULIE JONES*

CHRISTOPHER & ASSOCIATES
 a Michigan Co-Partnership

 BY: *[Handwritten Signature]* *AKAM*

Managing Partner

[Handwritten Signature]

MICHAEL J. McCABE

Acknowledged before me in Oakland County, Michigan, on 7-13, 1991 by Anwaar Habba Managing Partner of Christopher & Associates, a Michigan Co-Partnership, for the Restoration.

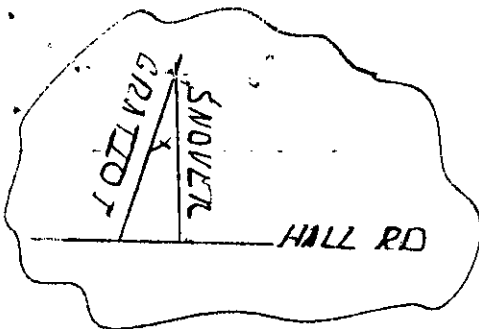
ANWAAR HABBA
 Notary Public, Oakland County, MI
 My Commission Expires Nov. 28, 1992

Notary's Stamp _____ Notary's Signature *[Handwritten Signature]*

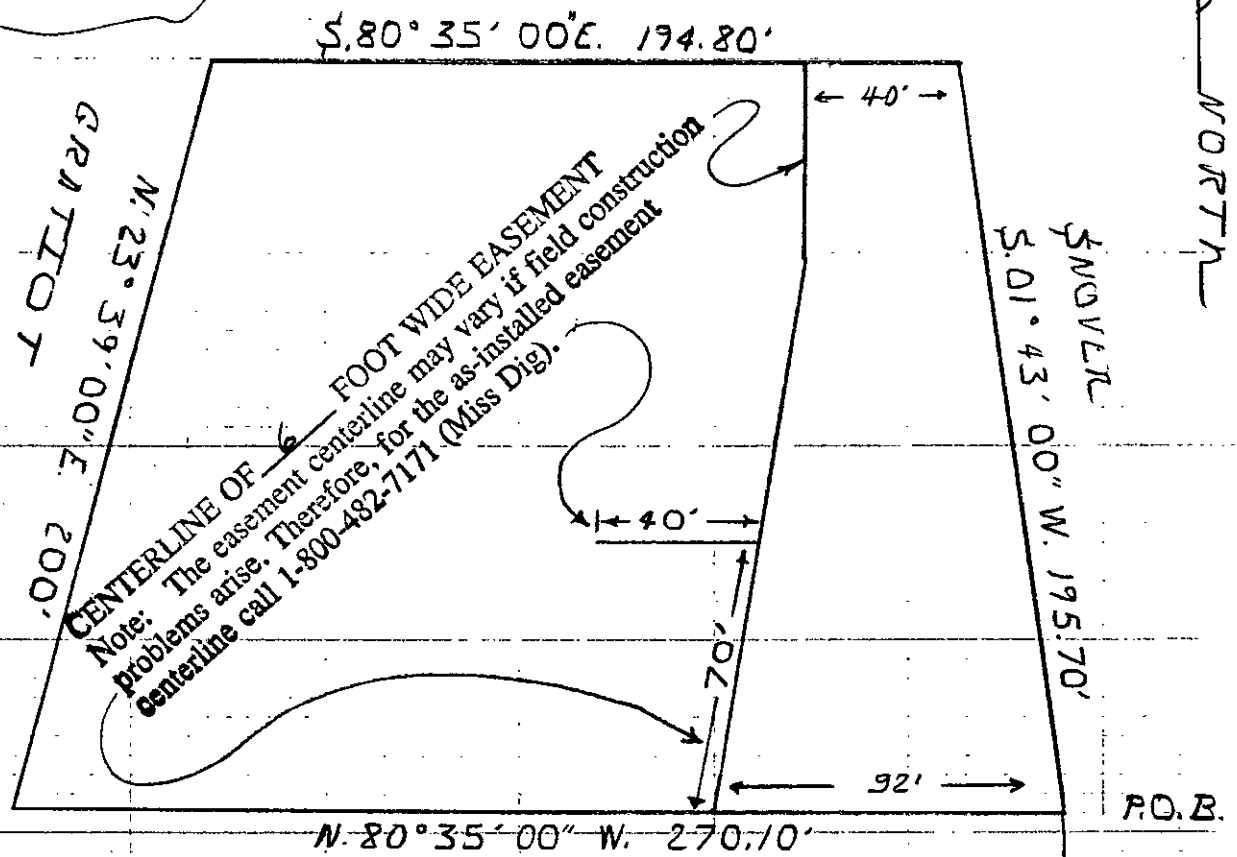
Prepared by and Return to: Michael J. McCabe, 15600 19 Mile Road, Clinton Township, MI 48038

APPROVED AS TO FORM 7/30/92 DATE
 LEGAL DEPARTMENT [Signature]

RECORDED RIGHT OF WAY NO. 43478



LIBER 05535PG407



RECORDED RIGHT OF WAY NO. 43478

R/W CONTACT
 CHRISTOPHER AND ASSOCIATES
 24385 HALSTEAD SUITE 203
 FARMINGTON HILLS, MI. 48331
 ATTN: MR. ARKIN JONNA

N01°43'00"E
 2162.50'
 SE CORNER
 SECT. 36
 T.3M. R.13E

9205210

| LEGEND | | | |
|--------|---------------------|--|--|
| | FOREIGN POLE | | |
| | EXIST D.E. CO. POLE | | |
| | PROPOSED POLE | | |
| | EXIST ANCHOR | | |
| | PROPOSED ANCHOR | | |
| | TREE | | |
| | 120/240 VOLT LINE | | |
| | 4800 VOLT LINE | | |
| | 13,200 VOLT LINE | | |
| | 40,000 VOLT LINE | | |

| THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT | | | |
|--|-------------------------|--|--------------------------------|
| CITY OR TOWNSHIP MACOMB | COUNTY MACOMB | QTR. & TWP. SECT. NO. 36 | DEPT. ORDER NO. |
| MAP SECT. 1-397-916 | TOWN RANGE | JOINT R/W REQUIRED YES <input type="checkbox"/> NO <input type="checkbox"/> | R/W NO. R-9205210-01 |
| PROJECT NAME | TEL. ENGR & DIST. | PROJ. OR PART NO. | |
| CIRCUIT CHEST 8453 | | | O.F.W. S.O. OR P.E. NO. |
| REASON R/W PRESENT AND FUTURE | | | BUDGET ITEM NO. |
| PLANNER C. MADATX | SCALE | DATE 7-16-92 | |

APPLICATION FOR RIGHT OF WAY

DE 962-0811 5-7455 (MS 80)

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

DATE July 16, 1992

LOCATION S.E. corner Section 36

APPLICATION NO. R9205210-01

CITY OR VILLAGE _____

DEPT. ORDER NO. _____

TOWNSHIP Macomb COUNTY Macomb

O. F. W. NO. _____

BUDGET ITEM NO. _____

DATE BY WHICH RIGHT OF WAY IS WANTED _____

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 pads and pedestals

PURPOSE OF RIGHT OF WAY Provide service present and future

SIGNED *[Signature]*

OFFICE _____

DEPARTMENT _____

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

R/W secured as requested

RECORDED RIGHT OF WAY NO. 43478

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 9-9-92 SIGNED *[Signature]*