

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9110699-01

On 9-2, 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:

Richard W. Spier, 20870 Moxon Dr, Mt. Clemens, Michigan 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 Clinton Township, Macomb County, Michigan described as:

See "APPENDIX A" attached

RECORDED IN MACOMB COUNTY
RECORDS AT: 2:44 P.M.
SEP 17 1992

Edna Hill

CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

RECORDED RIGHT OF WAY NO. 43647

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

A eight (8) foot wide easement the centerline being 14 feet North of the South property line. (See attached drawing No. R-9110699-01)

- 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. 13647

Witnesses:(type or print name under signature)

Grantor:(type or print name under signature)

x Michael J. McCabe
MICHAEL J. McCABE
x Larry D. Simms
LARRY D. SIMMS

Richard W. Spier
Richard W. Spier, a single man

Acknowledged before me in Macomb County, Michigan, on 9-2, 1997 by RICHARD W. SPIER, A SINGLE MAN

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 Clinton Township, MI 48038.

Richard W. Spier

"APPENDIX A"

PARCEL 2: Town 2 North, Range 13 East, Private Claim 137, described as: Commencing at the intersection of the centerline of Cady Road or Moravian Drive and Harrington Road; thence North 0 degrees 40 minutes West 498.93 feet along the centerline of Moravian Drive; thence North 87 degrees 46 minutes East 570.90 feet; thence North 0 degrees 35 minutes West 1286.76 feet; thence South 89 degrees 53 minutes East 232.90 feet to the point of beginning; thence North 89 degrees 53 minutes East 111.75 feet along the North line of "Frederick Estates Subdivision; thence North 04 degrees 15 minutes East 417.50 feet; thence North 80 degrees 36 minutes West 92.65 feet along the South sideline of Private Drive; thence South 10 degrees 12 minutes West 237.10 feet; thence North 89 degrees 31 minutes West 8.30 feet; thence South 0 degrees 15 minutes West 198.10 feet to the point of beginning.

RECORDED RIGHT OF WAY NO. 43647*Richard Loring*

APPLICATION FOR RIGHT OF WAY

DE 963-0811 5-7485 (MS 80)

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

DATE 8-7-92

LOCATION PARCELS 2, 3 & 4 PC137 MACOMB Co.

APPLICATION NO. R-9110699-01R

ADDRESS 20900 MOXOM RD

DEPT. ORDER NO. _____

CITY OR VILLAGE CLINTON TWP

O. F. W. NO. _____

TOWNSHIP CLINTON TWP COUNTY MACOMB

BUDGET ITEM NO. _____

DATE BY WHICH RIGHT OF WAY IS WANTED 8-20-92

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 8 FT WIDE EASEMENT FOR UNDERGROUND: ALONG THE FIRST 8 FT NTH OF THE SOUTH PROPERTY LINE OF PARCEL 2, & 3, ALSO ALONG THE WEST PROPERTY LINE OF PARCEL 4, 280' N 21° 37' 30" E AN 8 FT EASEMENT

PURPOSE OF RIGHT OF WAY PROVIDE UNDERGROUND SERVICE TO PARCEL #4 PC 137

SIGNED Larry R. Sumner
MACOMB OFFICE SERVICE PLANNING DEPARTMENT

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

R/W secured as requested

RECORDED RIGHT OF WAY NO.

PERMITS IN RECORD CENTER 2 R.E. & R/W DEPT. FILE 2 GRANTOR 2

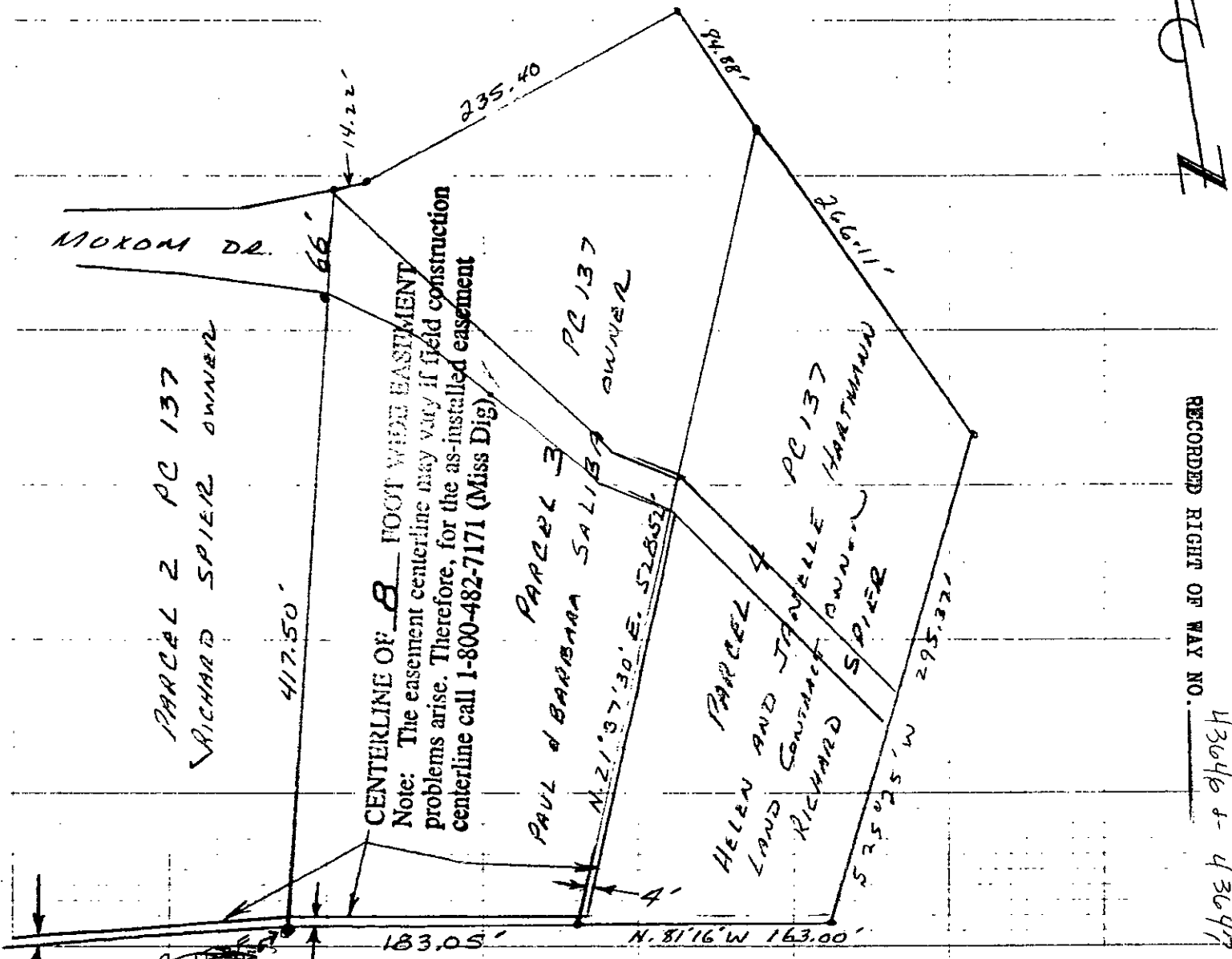
NO. OF PERMITS 2 NO. OF STRUCTURES _____ NO. OF MILES _____ PERMITS TO MBT 2

DATE 10-12-92 SIGNED Michael M. Cab Concret 2

43646
43647

DRAWING # 110699-01R-BY LARA SIMMS
 R/W FOR PARCEL 2.394 PC 137 CLN TWP
 LIBER 1132 PG 475 & LIBER 2636 PG. 970
 MACOMB COUNTY RECORDS

LIBER 05571 PG 535



RECORDED RIGHT OF WAY NO. 43646 + 43647

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF MORAVIAN & HARRINGTON ROAD: THENCE N 0° 40' W. 498.93'; THENCE N 87° 46' E 570.90'; THENCE N. 0° 35' W. 1286.76'; THENCE S. 89° 23' E 344.65' TO POINT OF BEGINNING.

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 CLN TW	COUNTY MACOMB	QTR. & TWP. SECT. NO.	DEPT. ORDER NO.
MAP SECT. 1-382-400	TOWN MACOMB	RANGE	R/W NO.
PROJECT NAME	TEL ENGR' & DIST.	JOINT R/W REQUIRED YES <input type="checkbox"/> NO <input type="checkbox"/>	PROJ. OR PART NO.
CIRCUIT			O.F.W. S.O. OR P.E. NO.
REASON R/W REQUEST			BUDGET ITEM NO.
PLANNER LARRY SIMMS		SCALE 1"=100'±	DATE 8-6-92