

UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO.

PROJECT NAME MEADOW LANE CONDOMINIUMS

On 8-19, 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:

George D. Fonville and Donna Jean Fonville, his wife, 8280 Chateau Rouge, Sterling Hgts, MI

"Grantee" is:

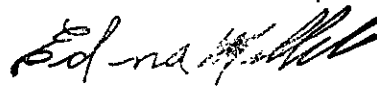
The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226

Michigan Bell Telephone Company, a Michigan Corporation, 444 Michigan Ave, Detroit, MI 48226
Continental Cablevision, a Michigan Corporation, 21900 Melrose, Suite 10, Southfield, MI 48025

"Grantor's Land" is in City of Roseville, Macomb **County, Michigan described as:**

See "Appendix A" attached

RECORDED IN MACOMB COUNTY
RECORDS AT: 2:44 PM
AUG 31 1992



CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

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

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.

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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)

x Darlene A. Pelkey
Darlene Pelkey

George D. Fonville
George D. Fonville

x Sandra Mulville
Sandra Mulville

Donna Jean Fonville
Donna Jean Fonville, wife

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Acknowledged before me in Macomb County, Michigan, on 8/19, 1992 by George D. Fonville and Donna J. Fonville, HIS WIFE

Notary's Stamp JACQUELINE L. STUMKAT
Notary Public, Macomb County, MI
My Commission Expires May 26, 1998

Notary's Signature Jacqueline L. Stumkat

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

"APPENDIX A"

Part of the Southwest 1/4 of Section 3, T1N, R13E., City of Roseville, Macomb County, Michigan, also being a part of Lot 30 of Supervisor's Plat of Gratiot Gardens", Liber 19, Page 18, Macomb County Records, being particularly described as follows:

Commencing at the center of said Section 3, thence S.89°-59'-06" W. 1520.59 ft. along the East-West 1/4 line of said Section 3; thence S.26°-53'-48" W. 645.64 ft. along the Easterly Right-of-Way line of Interstate 94 Highway to the point of beginning; thence from said point of beginning S.63°-06'-12" E. 6.14 ft.; thence 502.82 ft. along the arc of a curve to the left, said curve having a radius of 508.90 ft.; central angle 56°-36'-42", chord 482.62 ft. and a chord bears S.01°24'33"E.; thence S. 29°-42'-54" E. 169.62 ft.; thence 25.23 ft. along the arc of a curve to the right, said curve having a radius of 206.51 ft., central angle 06°-59'-56", chord 25.21 ft. and a chord bearing S.26°-12'-56".; thence 44.53 ft. along the arc of a curve to the right said curve having a radius of 40.00 ft. central angle 63°-46'-56", chord 42.26 ft. and a chord bearing S.09°-11'-30" W.; thence 83.38 ft. along the arc of a curve to the left, said curve having a radius of 50.00 ft. central angle 95°-33'-02", chord 74.05 ft. and a chord bearing S.06°42'-35".; thence 41.72 ft. along the arc of a curve to the right, said curve having a radius of 44.98 ft. central angle 53°08'-45", chord 40.24 ft. and a chord bearing S.27°-54'-44" E.; thence S.01°-20'-21" E. 279.75 ft.; thence N.89°09'39" W. 23.00 ft.; thence N.01°-20'-21" W. 310.56 ft. (recorded) 308.22 ft. (measured) along the West line of said Lot 30; thence N.89°-26'-21" W. 353.88 ft. (recorded and measured) to a point on the Easterly Right-of-Way line of Interstate 94 Highway; thence the following four (4) courses along said Easterly Right-of-Way line N.00°-12'-26" E. 199.88 ft. (recorded and measured); N.17°-19'-42" E. 223.61 ft. (recorded), 222.49 ft. (measured); N.25°-38'-12" E. 249.27 ft. (recorded and measured); N.26°-53'-48" E. 153.34 ft. to the point of beginning.

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ERINTwp
SEC. 3

**Detroit
Edison**

Date: September 30, 1992
To: Record Center
From: Michael J. McCabe *MJM*
Sr. Real Estate & Right of Way Rep
Macomb Division
Subject: Right of Way Agreement for Underground Residential
Distribution for Meadow Lane Condominiums, located
in part of the Southwest 1/4 of Section 3, Town 1
North, Range 13 East, City of Roseville, Macomb
County, Michigan.

Attached for Record Center is the executed Right of Way Agreement dated August 19, 1992 for the above named project.

Easement for this project was requested by Larry Simms, Service Planning, Macomb Division. The Agreement was negotiated by Michael J. McCabe, Representative, Real Estate and Right of Way, Macomb Division.

The Detroit Edison Company, Continental Cablevision and Michigan Bell Telephone Company made this agreement with George and Donna Jean Forville, the developers of Meadow Lane Condominiums.

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

MJM

Attachment

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