

**UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9206787-01**

On October 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:**

NBD Bank, N.A., 611 Woodward Avenue, Detroit, Michigan 48226

**"Grantee" is:**

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

Michigan Bell Telephone Company, a Michigan corporation, 444 Michigan Avenue, Detroit, Michigan 48226

**"Grantor's Land" is in Chesterfield Twp, Macomb County, Michigan described as:** Land in the Township of Chesterfield, Macomb Company, Michigan, described as: A parcel of land located in and being a part of Section 20, T3N, R14E, and being more particularly described as follows: Commencing at a point 365.60 feet south 83 degrees 58 minutes 18 seconds East from the Northwest corner of said Section 20 and thence extending South 83 degrees 58 minutes 18 seconds East 395.52 feet along the North line of Section 20 also being the centerline of 23 Mile Road (120 foot future right of way); thence South 33 degrees 07 minutes 05 seconds West 293.82 feet; thence along a curve to the left (radius=60.0 feet) whose long chord bears South 77 degrees 10 minutes 15 seconds West 86.24 feet; thence North 88 degrees 46 minutes 10 seconds West 182.52 feet; thence North 06 degrees 21 minutes 42 seconds East 304.73 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 the attached drawing R-92-6787-01

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.

RECORDED IN MACOMB COUNTY RECORDS AT: 10:43A M.

NOV 18 1992

*Edna M. Hill*

CLERK - REGISTER OF DEEDS  
MACOMB COUNTY, MICHIGAN

RECORDED RIGHT OF WAY NO. 43814

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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 aides 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: Grantee shall restore any of Grantor's property disturbed by Grantee's work to a condition equal to or better than that which existed prior to such work. Grantee shall hold harmless and protect Grantor from and against any claims for injury or damage to person or property arising from Grantee's work.

7. Successors: The Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors, lessees, licensees and assigns.

Witnesses:

x *Diana Greenlee*  
Diana Greenlee  
*Brian Mioduszewski*  
Brian Mioduszewski

Grantors:

NBD BANK, N.A.

By: *William L. DeKraker*  
William L. DeKraker

Title: Vice President

RECORDED RIGHT OF WAY NO. 43814

Acknowledged before me in Oakland County, Michigan on October 14 , 1992 by William L. DeKraker, Vice President of NBD Bank, N.A.

AGATHA MARIE MOCERI  
Notary Public, Macomb County, MI  
My Commission Expires Aug. 17, 1994  
Notary's Stamp

Notary's Signature *Agatha Marie Moceri*

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

APPROVED AS TO FORM 10/21/92 DATE  
LEGAL DEPARTMENT *WMA*

APPLICATION FOR RIGHT OF WAY

DE 943-0811 8-7488 (MS 80)

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

DATE 9-24-92

LOCATION SECTION 20

APPLICATION NO. R-9206787-01

CITY OR VILLAGE CHASTOTFIELD

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

TOWNSHIP \_\_\_\_\_ COUNTY MALDEN

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

DATE BY WHICH RIGHT OF WAY IS WANTED 10-14-92

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

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

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

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 CONDUITS ABOVE  
GROUND TRANSFORMERS

PURPOSE OF RIGHT OF WAY PRESENT SERVICE AND FUTURE

SIGNED [Signature]

OFFICE \_\_\_\_\_ DEPARTMENT \_\_\_\_\_

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

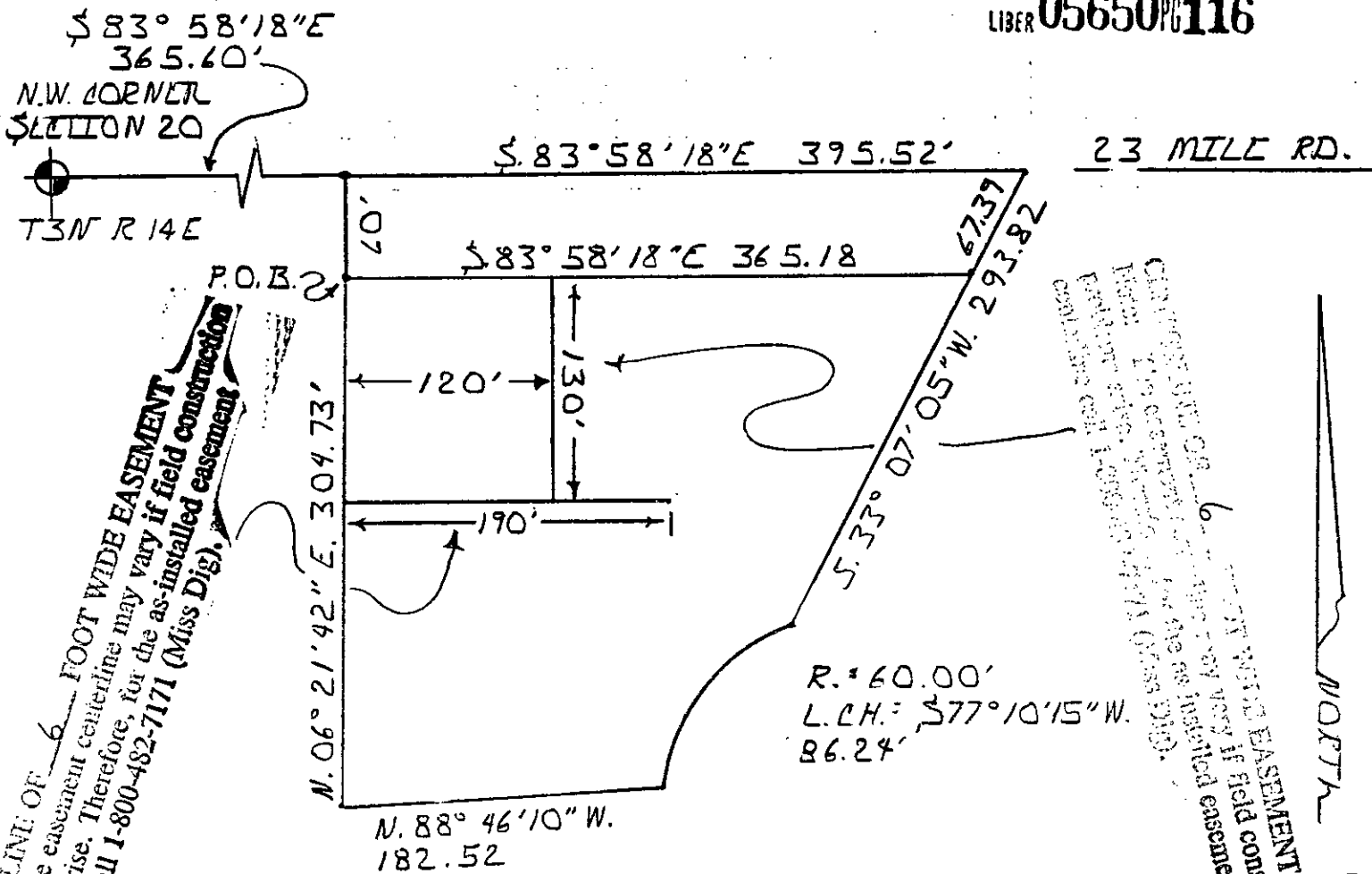
R/W secured as requested

RECORDED RIGHT OF WAY NO. 43814

PERMITS IN RECORD CENTER 1 R.E. & R/W DEPT. FILE 1 GRANTOR 1

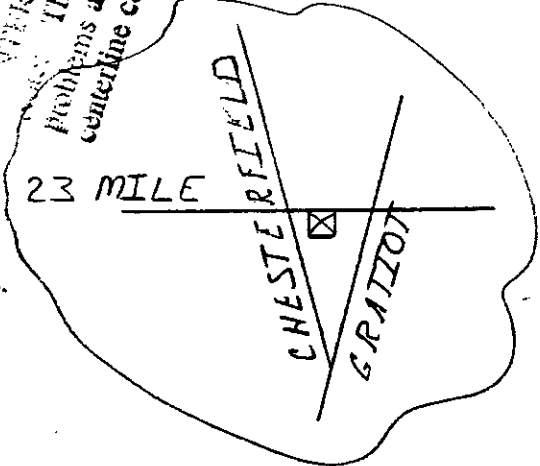
NO. OF PERMITS \_\_\_\_\_ NO. OF STRUCTURES \_\_\_\_\_ NO. OF MILES \_\_\_\_\_ PERMITS TO MBT 1

DATE 10-16-92 SIGNED Michael V. 'Bob'



**VERTICAL LINE OF 6 FOOT WIDE EASEMENT**  
 Problems arise. Therefore, for the as-installed easement centerline call 1-800-482-7171 (Miss Dig).

**DIAGONAL LINE OF 6 FOOT WIDE EASEMENT**  
 Problems arise. Therefore, for the as-installed easement centerline call 1-800-482-7171 (Miss Dig).



R.W. CONTACT  
 MR. BRIAN MIODUSZEWSKI  
 N.B.D. PROPERTY MANAGEMENT DEPT.  
 900 TOWER DRIVE SUITE 800  
 TROY, MI. 48098  
 828-6893

RECORDED RIGHT OF WAY NO. 43814

LEGEND		THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT			
	FOREIGN POLE	CITY OR TOWNSHIP	COUNTY	QTR. & TWP. SECT. NO.	DEPT. ORDER NO.
	EXIST D.E. CO. POLE	CHESAERFIELD	MACOMB	20	
	PROPOSED POLE	MAP SECT.	TOWN	RANGE	JOINT R/W REQUIRED
	EXIST ANCHOR	1-900-430			YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
	PROPOSED ANCHOR	PROJECT NAME	TEL. ENG'R & DIST.		R/W NO.
	TREE				R-9206787-1
	120/240 VOLT LINE	CIRCUIT			PROJ. OR PART NO.
	4800 VOLT LINE	CHST. 8299			O.F.W. S.O. OR P.E. NO.
	13,200 VOLT LINE	REASON			BUDGET ITEM NO.
	40,000 VOLT LINE	R.W. PRESENT AND FUTURE			
		PLANNER	SCALE	DATE	
		C. MADDEX	1"=100'	9-18-92	