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RIGHT OF WAY FILE #

R43071

GRANTOR NAME

[Empty grid for grantor name]

[Empty grid for grantor name]

STREET ADDRESS

[Empty grid for street address]

[Empty grid for street address]

ST

CITY/TOWN

[Empty grid for city/town]

ZIP CODE

[Empty grid for zip code]

EASEMENT DESCRIPTION

20

AGREEMENT DATE

[Empty grid for agreement date]

AGREEMENT TYPE

R P C

LIBER #

[Empty grid for liber #]

PAGE #

[Empty grid for page #]

DRAWING R/W #

[Empty grid for drawing r/w #]

PVT CL#

[Empty grid for pvt cl#]

SECTION

[Empty grid for section]

QUARTER SECTION 3

[Empty grid for quarter section 3]

1/4

1/2

QUARTER SECTION 2

[Empty grid for quarter section 2]

1/4

1/2

QUARTER SECTION 1

[Empty grid for quarter section 1]

1/4

1/2

TOWNSHIP

[Empty grid for township]

COUNTY

[Empty grid for county]

RTE OF LINE

[Empty grid for route of line]

TOWNSHIP RANGE

[Empty grid for township range]

DIVISION CODE

A D M O T W

SUBDIVISION NAME

[Empty grid for subdivision name]

OUT LOT

[Empty grid for out lot]

EAST OF

[Empty grid for east of]

BLOCK #1

[Empty grid for block #1]

WEST OF

[Empty grid for west of]

LOT #1

[Empty grid for lot #1]

NORTH OF

[Empty grid for north of]

BLOCK #2

[Empty grid for block #2]

SOUTH OF

[Empty grid for south of]

LOT #2

[Empty grid for lot #2]

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UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9201808-01

On 10-5, 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:

Samir A. & Mary Jane Danou, his wife, 1251 Fort Street, Trenton, Michigan 48183

"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 City of Utica, Macomb County, Michigan described as:

See "Appendix A" attached hereto.

RECORDED IN MACOMB COUNTY
RECORDS AT: 10:44 A.M.
NOV 18 1992

Edna Hill
CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

RECORDED RIGHT OF WAY NO. 43871

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

A ten (10) foot wide easement (starting point is at Utica Park Boulevard, going west from that point to the west point of the property line, then northwest five hundred (500) feet);

A fourteen (14) foot wide easement (the furthest east property line starting at the end of the Utica Limited Partnership parcel, and going north to the end of the property line); and

A twenty (20) foot wide easement (a section of the east west property abutting the Utica Limited Partnership parcel inside of the drain easement) as shown on drawing R-9201808-01 attached hereto.

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.

15

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.

8. See below.

Witnesses:(type or print name under signature)

Grantor:(type or print name under signature)

x Tracy Merida
TRACY MERIDA
x Barbara L. Olszewski
BARBARA L. OLSZEWSKI

Samir A. Danou
Mary Jane Danou, wife

RECORDED RIGHT OF WAY NO.

13871

Acknowledged before me in Oakland County, Michigan, on 10-5, ~~1991~~ ¹⁹⁹² by SAMIR A. DANOU AND MARY JANE DANOU, HIS WIFE

BARBARA L. OLSZEWSKI
NOTARY PUBLIC, Oakland County, MI
My Commission Expires May 1, 1993

Notary's Stamp Notary's Signature

[Handwritten Signature]

Prepared by and Return to: Michael J. McCabe, 15600 19 Mile Road, Mt. Clemens, MI 48044

8. Grantee hereby agrees to indemnify, defend and hold Grantor harmless from and against any claims of personal injuries or property damage related to Grantee's use, construction, maintenance or other activities on or in connection with this easement.

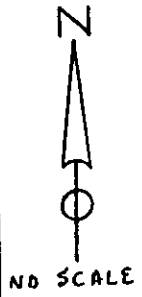
"APPENDIX A"

Part of Section 35, T3N, R12E., City of Utica, Macomb County, Michigan, more particularly described as follows:

Commencing at the Southwest corner of Section 35; thence along the South line of said Section 35, N 87° 34' 54" E, 1328.98 feet to the centerline of Delco Road; thence along said centerline, N 02° 25' 06" W, 252.80 feet, to the Point of Beginning, said point also being the North Right-of-Way of Hall Road (M-59); thence along said Right-of-Way, S 79° 49' 53" W, 110.49 feet; and N 15° 54' 07" W, 5.00 feet; and S 80° 20' 30" W, 131.40 feet; and S 81° 58' 21" W, 268.10 feet to a point on the Easterly line of the M-53 Freeway; thence N 38° 45' 09" W, 253.20 feet; and N 44° 20' 53" W, 590.90 feet; and N 33° 40' 03" W, 234.48 feet; and N 15° 00' 52" W, 234.48 feet; and N 04° 20' 27" W, 320.00 feet; and N 03° 04' 51" W, 1068.37 feet; thence N 88° 06' 58" E, 2288.50 feet; thence S 01° 30' 26" E, 1022.62 feet; thence N 47° 28' 24" W, 328.23 feet; thence S 87° 34' 54" W, 395.79 feet; thence N 47° 24' 59" W, 100.41 feet; thence S 87° 34' 54" W, 656.34 feet; thence S 02° 25' 06" E, 950.85 feet; to the beginning of a curve, concave Easterly, having a radius of 360.00 feet and a central angle of 36° 49' 35", thence Southerly along the arc of said curve to the left, 231.39 feet, said arc subtended by a chord which bears S 20° 49' 53" E, 227.42 feet to the curve's end; thence S 39° 14' 41" E, 317.28 feet; to the beginning of a curve, concave Westerly, having a radius of 350.00 feet and a central angle of 36° 49' 35" thence Southeasterly along the arc of said curve to the right, 224.96 feet, said arc subtended by a chord which bears S 20° 49' 53" E, 221.11 feet to the curve's end; thence S 02° 25' 06" E, 36.83 feet, to the point of beginning; Containing 70.902 acres of land, more or less.

RECORDED RIGHT OF WAY NO.

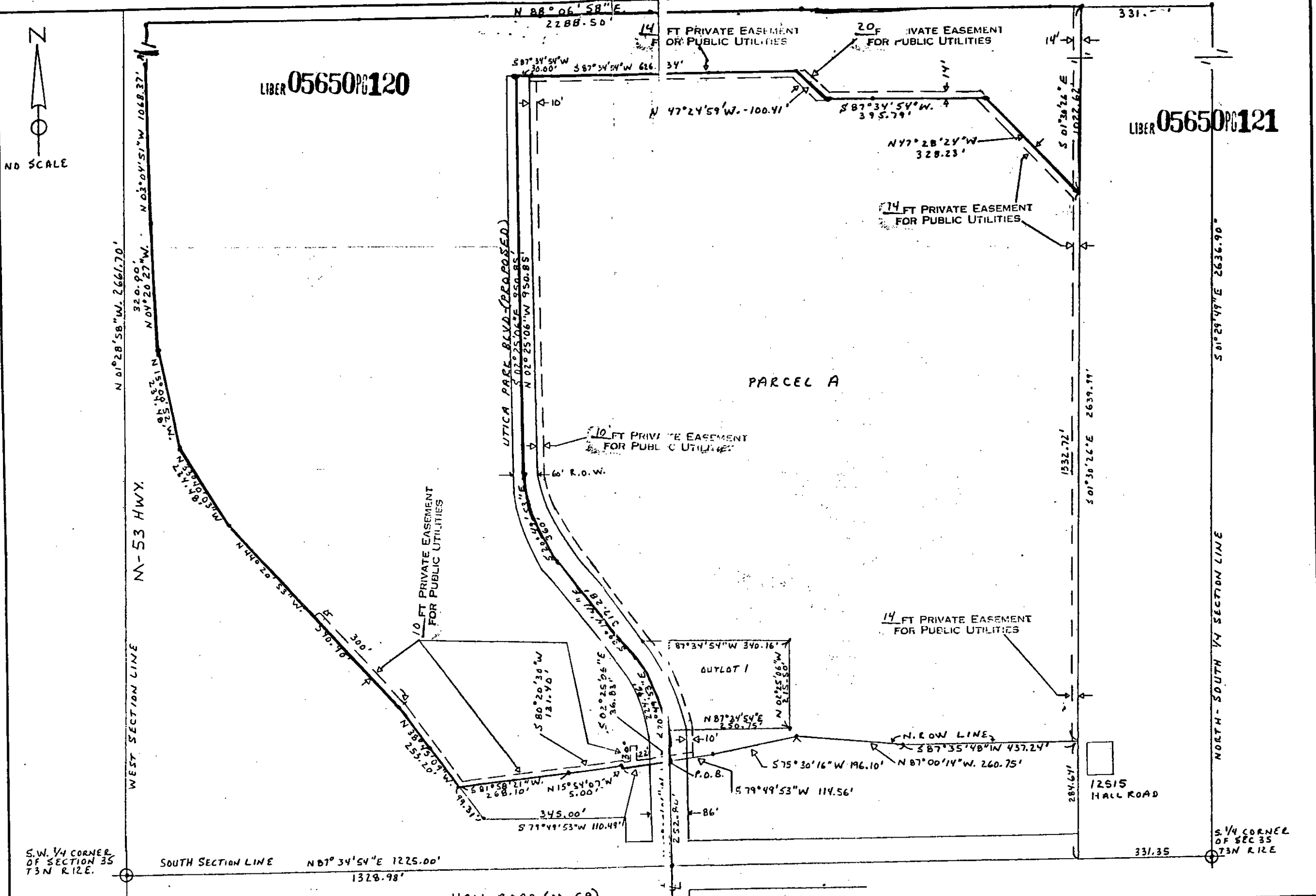
48871



LIBER 05650 PG 120

LIBER 05650 PG 121

PARCEL A



S.W. 1/4 CORNER OF SECTION 35 T3N R12E.

S. 1/4 CORNER OF SEC 35 T3N R12E

LEGEND		THE DETROIT EDISON COMPANY - SERVICE PLANNING DEPARTMENT			
○	FOREIGN POLE	CITY OR TWP.	COUNTY	QTR. & TWP. SECT. NO.	DEPT. ORDER NO.
○	EXIST. D.E. CO. POLE	UTICA	MACOMB	S.W. 1/4 SECT 35	A-
○	PROPOSED POLE	MAP SECT.	TOWN	RANGE	JOINT R/W REQUIRED
○	EXIST. ANCHOR	1-355-412	T3N	R12E	YES <input type="checkbox"/> NO <input type="checkbox"/>
○	PROPOSED ANCHOR	PROJECT NAME	UTICA PARK PLACE	BOB MEGANCK-MTC	PROJ. OR PART NO.
○	TREE	CIRCUIT	MALTA, 84B1A		D.F.W. E.O. OR F.E. NO.
—	120/240 V LINE	REASON	NEW BUILDINGS-UTICA PARK PLACE		BUDGET ITEM NO.
—	4100 V LINE	PLANNER	W. HERTZ		DATE
—	13,200 V LINE				8-11-92
—	40,000 V LINE				SCALE
					NONE

RECORDED RIGHT OF WAY NO. 113871