LIBER 05650M103

# UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO.

PROJECT NAME VINEYARD PARC NORTH CONDOMINIUMS, PHASE 2

, 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 Агса.

### "Grantor" is:

Sterling Ryan Partners, a Michigan Co-Partnership, 12741 S. Saginaw, Grand Blanc, MI 48439

#### "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 Hgts, MI 48077

"Grantor's Land" is in Sterling Heights, Macomb

County, Michigan described as:

See Appendix "A" attached hereto.

RECORDED IN MACOMB COUNTY RECORDS AT: 10:41A

NOV 18 1992

CLERK - REGISTER OF DEEDS MACOMB COUNTY, MICHIGAN RECORDED IN MACOMB. COUL RECORDS AT:

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.

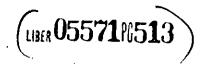
1. Purpose: The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain utility line facilities consisting of poles, guys, anchors, wires, manholes, conduits, pipes, cables, transformers and accessories.

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) STERLING RYAN PARTNERS a Michigan Co-Partnership	CORDED
* Michael J. McCABE	Dominie J. Moceri, PARTNER	RICHY OF
x Susan A. Putrycus Susan A. Putrycus	<del></del>	EAY 0.
		75
Acknowledged before me in MCONB County, Michig FOR STERLING RYPN PARTNERS	an, on 8/26, 1992 by Doyinic J. MOCERI PA S, a MicHigan CO-PARAMERSHIP, FOR THE CO	RETWER
MICHAEL J. McCABE  Hotary Public, Macomb County, Mi My Commission Expires Feb. 4, 1996  Notary's Stamp  Prepared by and Return to:  Michael J. McCa	Notary's Signature Musikus Mile Road, Clinton Township, MI 4	8038



Date:

October 16, 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 Vineyard Parc North, Phase II, located in part of the Southwest 1/4 of Section 5, Town 2 North, Range 12 East, City of Sterling Heights, Macomb County,

Michigan.

Attached for Record Center is the executed Right of Way Agreement dated August 26, 1992 for the above named project.

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

Detroit Edison Company, Comcast Cablevision and Michigan Bell Telephone made this agreement with Sterling Ryan Partners, Dominic Moceri, Partner, the developer of Vineyard Parc North, Phase II.

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

MJM

Attachment

