

UNDERGROUND EASEMENT (RIGHT OF WAY) NO.

R-9207353-01

On NOVEMBER 6th, 1992, for the consideration of system betterment, Grantor grants to Grantee a permanent underground easement ("Right of Way") in, on and across a part

"Grantor" is:

Charter Township of Chesterfield, a Michigan Municipal Corporation, 47275 Sugarbush Road, Chesterfield Township, MI 48097

"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
Harron Cablevision, a Delaware Corporation, 55800 New Haven Rd, New Haven, MI 48048

"Grantor's Land" is in Chesterfield Township, Macomb County, described as: Part of the Southeast 1/4 of Section 19, T3N, R14E, Chesterfield Township, Macomb County, Michigan, being described as: Beginning on the North and South 1/4 line of Section 19 North 00 degrees 18 minutes 06 seconds East 50.00 feet from the South 1/4 Post of Section 19, said point being on the North right-of-way line of 22 Mile Road; thence continuing North 00 degrees 18 minutes 06 seconds East 250.00 feet along the North and South 1/4 line of Section 19; thence North 89 degrees 32 minutes 14 seconds East 200.0 feet; thence South 00 degrees 18 minutes 06 seconds West 250.0 feet to the North right-of-way line of 22 Mile Rd; thence South 89 degrees 32 minutes 14 seconds West 200.0 feet along the North right-of-way line of 22 Mile Road to the point of beginning. Containing 1.1478 acres, more or less.

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

A Six (6) foot wide easement as shown on drawing R-9207353 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.
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. 43928

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

CHARTER TOWNSHIP OF CHESTERFIELD a Michigan Municipal Corporation

x Shirley A. Geier
SHIRLEY A. GEIER

x Judi Marker
JUDI MARKER

James H. Pollard
BY: JAMES H. POLLARD
TOWNSHIP SUPERVISOR

Acknowledged before me in MACOMB County, Michigan, on NOVEMBER 6th, 1992 by JAMES H. POLLARD TOWNSHIP SUPERVISOR FOR THE TOWNSHIP OF CHESTERFIELD, A MICHIGAN MUNICIPAL CORPORATION FOR THE CORPORATION.

Notary's Stamp Donna D. Long Notary Public, Macomb County, MI
My Commission Expires 11-1-93 Notary's Signature
Donna D. Long Commission Expires 11-1-93
(Notary's name, county, and date commission expires)

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

RECORDED IN MACOMB COUNTY
RECORDS AT: 10157A
DEC - 3 1992

Edna Hill
CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

RECORDED RIGHT OF WAY NO. 43928

APPROVED AS TO FORM 11/12/92 DATE
LEGAL DEPARTMENT [Signature]

APPLICATION FOR RIGHT OF WAY

OR 963-0011 3-7488 (MS 80)

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

DATE 10-26-92

LOCATION S. 1/4 SECTION 19

APPLICATION NO. R-9207353-01R

CITY OR VILLAGE CHESTERFIELD

DEPT. ORDER NO. _____

TOWNSHIP CHESTERFIELD COUNTY MACOMB

O. F. W. NO. _____

DATE BY WHICH RIGHT OF WAY IS WANTED 11-18-92

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 CONDUCTORS ABOVE GROUND TRANSFORMERS

PURPOSE OF RIGHT OF WAY PROVIDE SERVICE PRESENT AND FUTURE

SIGNED Chad Mahff

OFFICE _____ DEPARTMENT _____

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

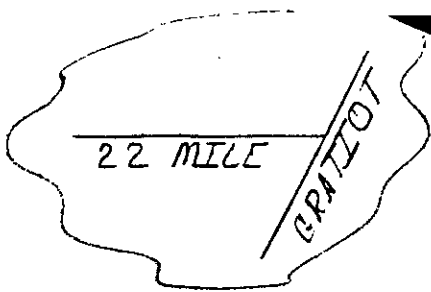
R/W secured as requested

RECORDED RIGHT OF WAY NO. 43928

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 1-14-92 SIGNED Michael Cole FRANCIS



LIBER 5518
PAGE 405
RECORDED NOV. 18, 1992

NORTH

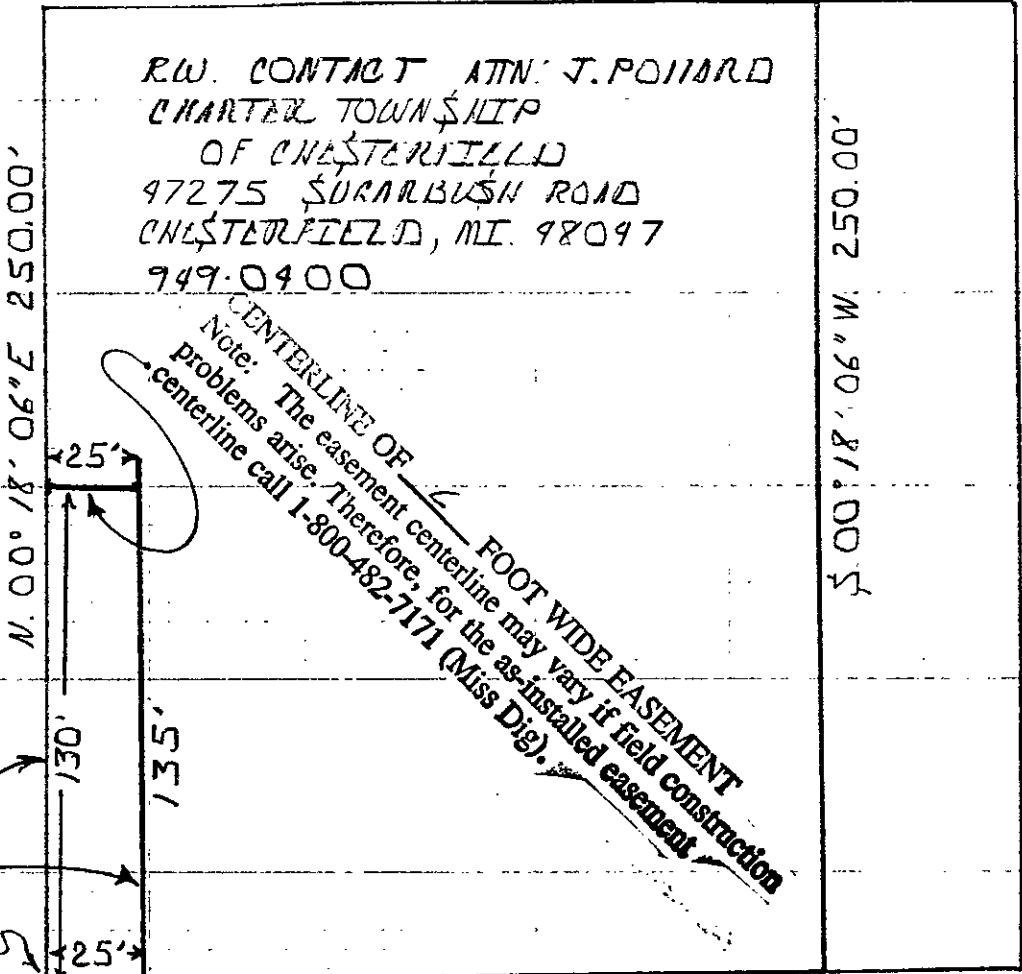
LIBER 056681630

CENTERLINE OF 6 FOOT WIDE EASEMENT
Note: The easement centerline may vary if field construction problems arise. Therefore, for the as-installed easement centerline call 1-800-482-7171 (Miss Dig).

NORTH-SOUTH QUARTER LINE OF SECTION 19

N. 89° 32' 14" E. 200.00' N. 89° 32' 14" E. 60.01'

R.W. CONTACT ATTN: J. POIARD
CHARTER TOWNSHIP
OF CHESTERFIELD
97275 SURREYBUSH ROAD
CHESTERFIELD, MI. 48097
949-0400



RECORDED RIGHT OF WAY NO.

43928

SOUTH QUARTER POST
SEC. 19 T. 3N, R. 14E.

SOUTH LINE OF 22 MILE

| 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 CHESTERFIELD | COUNTY MACOMB | QTR. & TWP. SECT. NO. 3/4 19 | DEPT. ORDER NO. |
| MAP SECT. | TOWN 3N | RANGE R 14E | JOINT R/W REQUIRED YES <input type="checkbox"/> NO <input type="checkbox"/> |
| PROJECT NAME CHESTERFIELD TWP. FIRE DEPT. | TEL. ENGR & DIST. | | R/W NO. R-9207353-01R |
| CIRCUIT | | | PROJ. OR PART NO. |
| REASON PROVIDE SERVICE PRESENT AND FUTURE | | | O.F.W. S.O. OR P.E. NO. |
| PLANNER C. MADDIX | SCALE N.T.S. | DATE 10-23-92 | BUDGET ITEM NO. |