

**UNDERGROUND EASEMENT (RIGHT OF WAY) NO.  
R-9209571-1MR**

On 12-1, 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:**

Philip A. Lauwers and Mary Anne Lauwers, 53925 Oakview Drive, Shelby Township, MI 48315  
Thomas C. Endres and Pamela S. Endres, 3433 Foxhollow Court, Romeo, MI 48065

**"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, Michigan 48226

**"Grantor's Land" is in Bruce Township, Macomb**

**County, described as:** Part of the SW 1/4 of Sec 9, T5N, R12E, Bruce Township, Macomb County, Michigan. Being more particularly described as commencing at the Southwest corner of said Section 9; thence South 87°00'00" East 1692.93 feet along the South line of said Section 9 to a point; thence North 02°20'13" East 1877.22 feet to a point; thence North 86°45'05" West 330.00 feet to the point of beginning; thence proceeding North 86°45'05" West 330.00 feet to a point; thence North 04°34'10" West 630.29 feet to a point on the East-West 1/4 line of said Section 9; thence South 86°45'05" East 367.80 feet along the East-West line of said Section 9 to a point; thence South 01°08'29" East 626.27 feet to the point of beginning.

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

A Ten (10) foot wide easement as shown on drawing R-9209571-1MR 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. 44029

11

RECORDED IN MACOMB COUNTY  
RECORDS AT: 10:37A M.

JAN - 8 1993

*Lornella Assump*  
CLERK - REGISTER OF DEEDS  
MACOMB COUNTY, MICHIGAN

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

x *Michael J. McCabe*  
MICHAEL J. McCABE

*Philip A. Lauwers*  
Philip A. Lauwers

x *John J. Elias*  
JOHN J. ELIAS

*Mary Anne Lauwers*  
Mary Anne Lauwers, wife

x *Michael J. McCabe*  
MICHAEL J. McCABE

*Thomas C. Endres*  
Thomas C. Endres

x *Bernadette A. Drehmer*  
BERNADETTE A. DREHMER

*Pamela S. Endres*  
Pamela S. Endres, wife

RECORDED RIGHT OF TALK NO. 44099

Acknowledged before me in MACOMB County, Michigan, on 12/1, 1992 by

December 1, 1992 Philip A. Lauwers and Mary Anne Lauwers <sup>WIFE</sup> appeared before me.

*Dennis L. Clynick*  
DENNIS L. CLYNICK  
Notary Public, Oakland County, Michigan  
Acting in Macomb County, Michigan  
My Commission Expires November 7, 1994

Notary's Stamp

Notary's Signature

Prepared by and Return to:

Michael J. McCabe, 15600 19 Mile Road, Clinton Twp, MI 48038

November 30, 1992 Thomas C. Endres and Pamela S. Endres <sup>WIFE</sup> appeared before me.

*Dennis L. Clynick*  
DENNIS L. CLYNICK  
Notary Public, Oakland County, Michigan  
Acting in Macomb County, Michigan  
My Commission Expires November 7, 1994

*Karen Tuck*  
KAREN TUCK  
Notary Public, Macomb County, Michigan  
My Commission Expires August 9, 1995



**APPLICATION FOR RIGHT OF WAY**

DE 963-0811 6-7475 (MS 80)

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

DATE 11-12-92

LOCATION N. OF FOXRIDGE LN.

APPLICATION NO. R 9209571-1MR

CITY OR VILLAGE \_\_\_\_\_

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

TOWNSHIP BRUCE COUNTY MACOMBA

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

DATE BY WHICH RIGHT OF WAY IS WANTED 11-24-92

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 10 FT. RECORDED U.G. EASEMENT ON PRIVATE PROPERTY PARALLELING THE W. PROPERTY LINE OF PARCEL M. SEE ATT. DRAWINGS

PURPOSE OF RIGHT OF WAY FOR PROPOSED & FUTURE PUBLIC UTILITIES

SIGNED R. J. Curran  
M. D. H. Q.  
OFFICE

SERV. PLAN  
DEPARTMENT

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

R/W secured as requested

RECORDED RIGHT OF WAY NO. 44097

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

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

DATE 2-24-93 SIGNED Michael J. Col

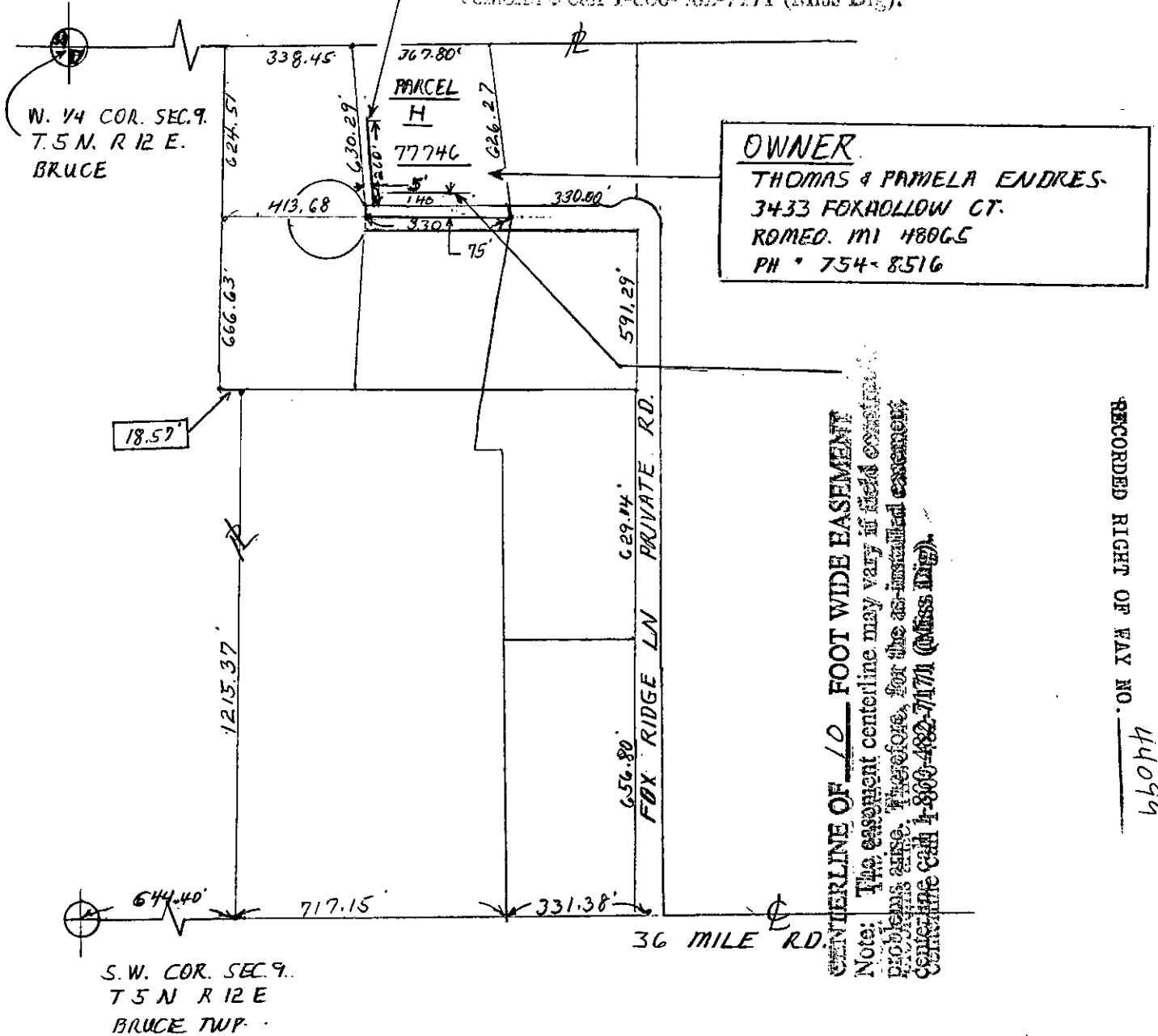
11-13-92

DRAWING NO. R-9209571-1MR BY R.J. BURCAR  
R/W FOR. 77746, FOX RIDGE LN. PARCEL-H



**CENTERLINE OF 10 FOOT WIDE EASEMENT**

Note: The easement centerline may vary if field conditions  
problems arise. Therefore, for the as-installed easement  
centerline call 1-800-462-7171 (Miss Dig).



RECORDED RIGHT OF FAX NO. 44099