

Detroit Edison

LIBER 1279 8

CLERK/REGISTER
ST. CLAIR COUNTY
RECORDS & RECORDS

FEB 11 1993

1279 PAGE 82 TIME 9:30 AM
MARVALYN BROWN DEPUTY

OVERHEAD AND UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9204546-01E

On Jan 29, 1993, for the consideration of system betterment, Grantor grants to Grantee a permanent overhead and underground easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

"Grantor" is: JOSEPH BROWN SR AND MARVALYN BROWN, HIS WIFE, 19400 PREVOST, DETROIT, MI. 48235
6066A000 02/11/93DEFD7 7.00
0001

"Grantee" is: The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
6066A000 02/11/93SSRF7 2.00

"Grantor's Land" is in CASCO TOWNSHIP, ST. CLAIR County, described as:
BEG AT E 1/4 COR, TH S 88 DEG 58 MIN W 1363 FT, TH N 2 DEG 3 MIN W 51.4 FT, TH N 0 DEG 8 MIN E 320 FT, TH E 1364.17 FT, TH S 347 FT TO BEG SEC 9 T4N R15E

The "Right of Way Area" is a part of Grantor's Land and is described as:
A 12 FOOT WIDE OVERHEAD EASEMENT WHOSE CENTERLINE IS APPROXIMATELY 25 FT N OF THE S PROPERTY LINE & ALSO A 10 FOOT WIDE UNDERGROUND EASEMENT WHOSE CENTERLINE RUNS APPROXIMATELY 333 FT W OF & PARALLEL WITH THE CENTERLINE OF MELDRUM RD

- 1. Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain overhead and 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.

2 Witnesses:(type or print name below signature)
x Patrice Renfro
Patrice Renfro
x Karla McCallum
Karla McCallum

Grantor:(type or print name below signature)
Joseph C. Brown, Sr.
JOSEPH C BROWN, SR.
Marvalyn Brown
MARVALYN BROWN, HIS WIFE

Acknowledged before me in January 29, 1993 County, Michigan, on 11/10/11/13, 1993 by Joseph C. BROWN SR AND MARVALYN BROWN, HIS WIFE

Notary's Stamp: **SUZANNE K. RICHARDSON**
Notary Public, Macomb County, MI
My Commission Expires April 17, 1998
Notary's Signature: Suzanne K. Richardson

Prepared by and Return to: PHILIP J. BALON, R/W REPRESENTATIVE, 3223 RAVENSWOOD RD, MARYSVILLE, MI. 48040, 313-364-2029/DST

RECORDED RIGHT OF WAY NO. 14236

22 1/2

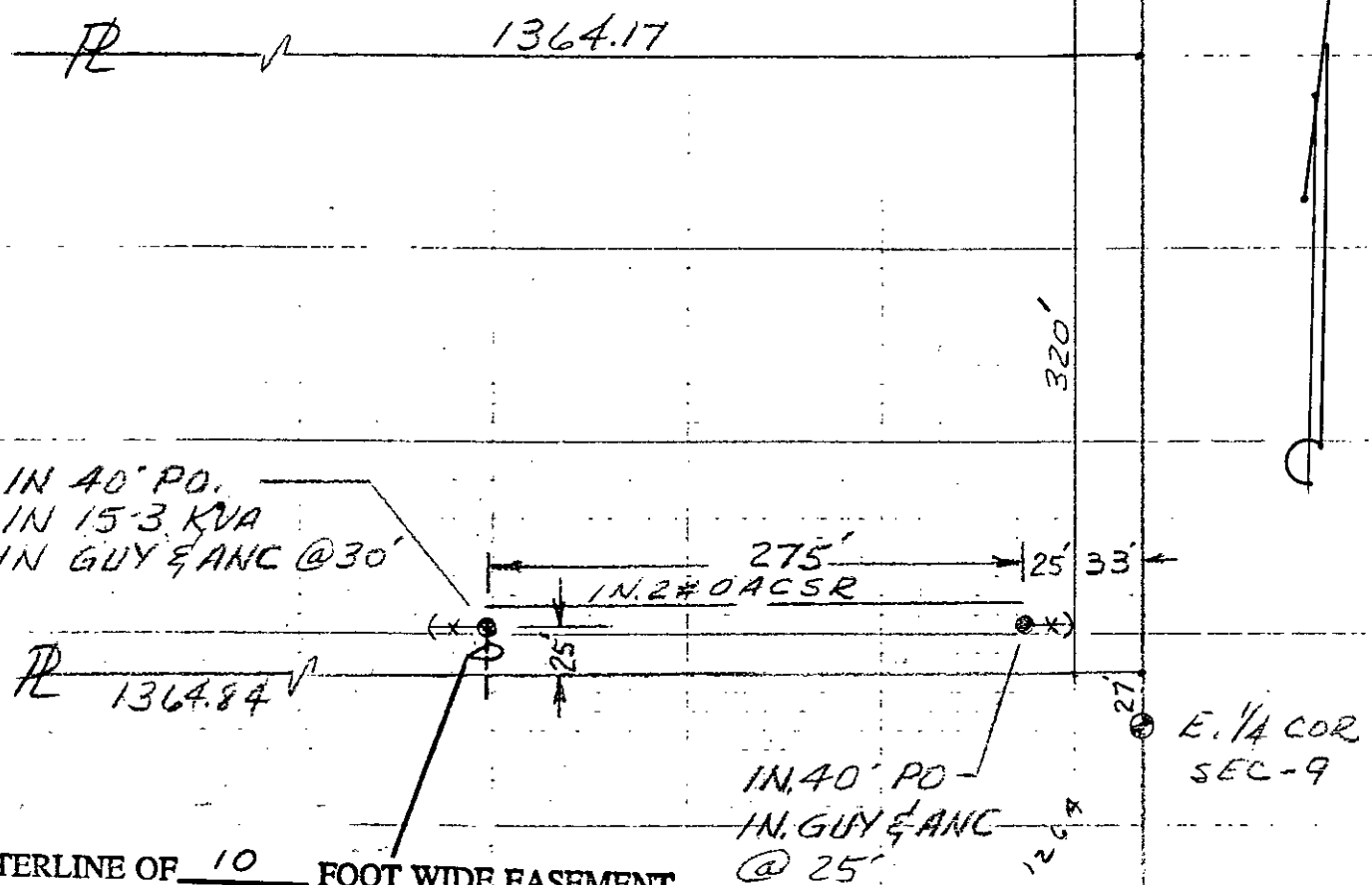
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APPROVED AS TO FORM 2/8/93 DATE
LEGAL DEPARTMENT [Signature]

REPORT OF FIELD FILE AND RIGHTS ON ANY DISCREPANCY R/W SECURED AS INDICATED ON THE SKETCH	RESERVE TO:
BY <u>Phil Balon</u>	RECORD CENTER <u>1</u>
DATE <u>2-2-93</u>	R/W FILES <u> </u>
DATE WANTED <u>2-19-93</u>	AGT <u> </u>
DISTRICT FIELDMAN <u>Phil Balon</u>	ORIGINATOR <u>1</u>
	TOTAL <u>1</u>



CENTERLINE OF 10 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).

CASCO TWP ST. CLAIL CO.
 R/W R-9204546-01R 1-12-93
 NE 1/4 SEC 9 CASCO
 D. CARR

RECORDED RIGHT OF WAY NO. 44336