

APPLICATION FOR RIGHT OF WAY

DE 963-0811 5-7455 (MS 80)

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

LOCATION PARCEL A,B,C,E'E ON  
BAKER RD.  
 CITY OR VILLAGE CHESTERFIELD  
 TOWNSHIP \_\_\_\_\_ COUNTY MACOMB  
 DATE BY WHICH RIGHT OF WAY IS WANTED \_\_\_\_\_  
 THIS R/W IS 100 % OF TOTAL PROJECT NO. \_\_\_\_\_ ACCUM. \_\_\_\_\_ %.

DATE JAN 11-93  
 APPLICATION NO. R-930004-1MC  
 DEPT. ORDER NO. A-74375  
 O. F. W. NO. \_\_\_\_\_  
 BUDGET ITEM NO. 3MB08-MDB  
 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 EASEMENT FOR UNDERGROUND CABLE AND CONDUIT AS SHOWN ON SKETCH

PURPOSE OF RIGHT OF WAY TO CONSTRUCT AND MAINTAIN U.G. FACILITIES AND ALLOW FOR FUTURE EXTENSIONS

SIGNED P. MROZ  
MT. S.C. S/P  
OFFICE DEPARTMENT

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

*R/W secured as requested*

RECORDED RIGHT OF WAY NO. 44288-44240

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 3-17-93 SIGNED Michael Wilcox

**UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-930004-1M**

On FEBRUARY 9, 1993 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:**

Blaire Meadows Venture, 2911 Pontiac Lake Road, Suite A, Waterford Township, MI 48329

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

**"Grantor's Land" is in Chesterfield Township, Macomb County, Michigan described as:**

See Appendix "A" attached hereto

93 FEB 22 AM 11:13

CARMELLA SABAUGH  
REGISTER OF DEEDS  
MACOMB COUNTY, MI

RECORDED RIGHT OF WAY NO. 44438

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

The East Six (6) feet of the above described property.

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.

11

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.

Witnesses:(type or print name under signature)

Grantor:(type or print name under signature)

x Kathleen A. Mascia  
KATHLEEN A. MASCIA

BLAIRE MEADOWS VENTURE  
a Michigan Partnership  
BY: [Signature]  
WILLIAM G. KROFF, PARTNER

x [Signature]  
WILLIAM E. KROFF

Acknowledged before me in Oakland County, Michigan, on 2-9, 1993 WILLIAM G. KROFF PARTNER  
FOR BLAIRE MEADOWS VENTURE, a Michigan Partnership, For The Partnership

KATHLEEN A. MASCIA  
Notary Public, Oakland County, MI  
My Commission Expires Sept. 4, 1994

Notary's Stamp \_\_\_\_\_ Notary's Signature Kathleen A. Mascia

Prepared by and Return to: Michael J. McCabe, 43230 Elizabeth Rd, Clinton Twp, MI 48036

RECORDED RIGHT OF WAY NO. 44238

## APPENDIX "A"

## PARCEL C

Part of Lot 10 and Watkins Road (50 feet wide) of "Supervisor's Hooker Farm Subdivision" of part of Fractional Section 14, T3N R14E, Chesterfield Township, Macomb County, Michigan, as recorded in Liber 23 of plats on Page 5, Macomb County Records, described as:

Commencing at the Southwest corner of said Lot 10 thence N.00°41'00" East along the East line of Baker Road (66 feet wide) 301.19 feet to the point of beginning; thence N.00°41'00" East along the East line of said Baker Road 75.00 feet; thence S.89°19'00" East 185.00 feet; thence S.00°41'00" West 75.00 feet; thence N.89°19'00" West 185.00 feet to the point of beginning.

## PARCEL E

Part of Lot 9 and Watkins Road (50 feet wide) of Supervisor's Hooker Farm Subdivision of part of Fractional Section 14, T3N, R14E, Chesterfield Township, Macomb County, Michigan, as recorded in Liber 23 of plats on Page 5, Macomb County Records, described as:

Commencing at the Southwest corner of Lot 9; thence N0°41' East along East line of Baker Road (66 feet wide) 64.14 feet to the point of beginning, thence N0°41' East along East line of Baker Road 101.67 feet; thence S74°01'31" East 259.52 feet; thence S33°57'56" West 10.21 feet; thence S21°55'58" West 26.50 feet; thence N89°19' West 235.12 feet to the point of beginning.

RECORDED RIGHT OF WAY NO. 44238