

UNDERGROUND EASEMENT (RIGHT OF WAY) NO.
R-9207339-01

On 12-23, 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:

C. Marie Beaufait, 25255 Joy Blvd, Mt. Clemens, Michigan

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226

"Grantor's Land" is in Harrison Township, Macomb County, described as:

See Appendix "A" attached hereto

RECORDED IN MACOMB COUNTY
RECORDS AT: 1:07P M.

FEB - 1 1993

A 743

Larnelle A. ...
CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

RECORDED RIGHT OF WAY NO. 44283

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

MM CMB SIX (6) An Eight (8) foot wide easement as shown on drawing R-9207339-01 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. * *MM CMB*
- 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.

13

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

X Michael J. McCabe
MICHAEL J. McCABE

C. Marie Beaufait
C. Marie Beaufait

X Ralph L. Beaufait
RALPH L. BEAUFAIT

Acknowledged before me in MACOMB County, Michigan, on 12-23, 1992 by C. MARIE BEAUFAIT

MICHAEL J. McCABE
Notary Public, Macomb County, MI
My Commission Expires Feb. 4, 1996

Notary's Stamp Michael J. McCabe
(Notary's name, county and date commission expires)

Notary's Signature

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

MHE
CMB * -- DETROIT EDISON SHALL NOT REMOVE ANY EXISTING STRUCTURES OR FENCES.

RECORDED RIGHT OF WAY NO. 44983

APPLICATION FOR RIGHT OF WAY

DE 963-0811 8-7425 (MS 80)

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

DATE 11-16-92

LOCATION NORTH OF HENRY B JOY &
EAST OF I 94 R/W

CITY OR VILLAGE HARRISON TWP.

TOWNSHIP HARRISON COUNTY MACOMB

DATE BY WHICH RIGHT OF WAY IS WANTED 12-15-92

THIS R/W IS 100 % OF TOTAL PROJECT NO. _____ ACCUM. _____ %.

APPLICATION NO. R-9207339-01

DEPT. ORDER NO. A-74323

O. F. W. NO. _____

BUDGET ITEM NO. _____

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 8 FT WIRE EASEMENT,
CENTERLINE OF WITCH IS OVER CONDUIT
INSTALLED BY CUSTOMERS CONTRACTOR

PURPOSE OF RIGHT OF WAY TO PROVIDE ELECTRIC SERVICE
TO 4 SIGNS.

SIGNED [Signature]
MSC OFFICE SWAN PING DEPARTMENT

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

R/W secured as requested

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 _____

DATE 3-10-93 SIGNED [Signature]

RECORDED RIGHT OF WAY NO. 44283

APPENDIX "A"

PROPERTY DESCRIPTION 17-12-06-300-008

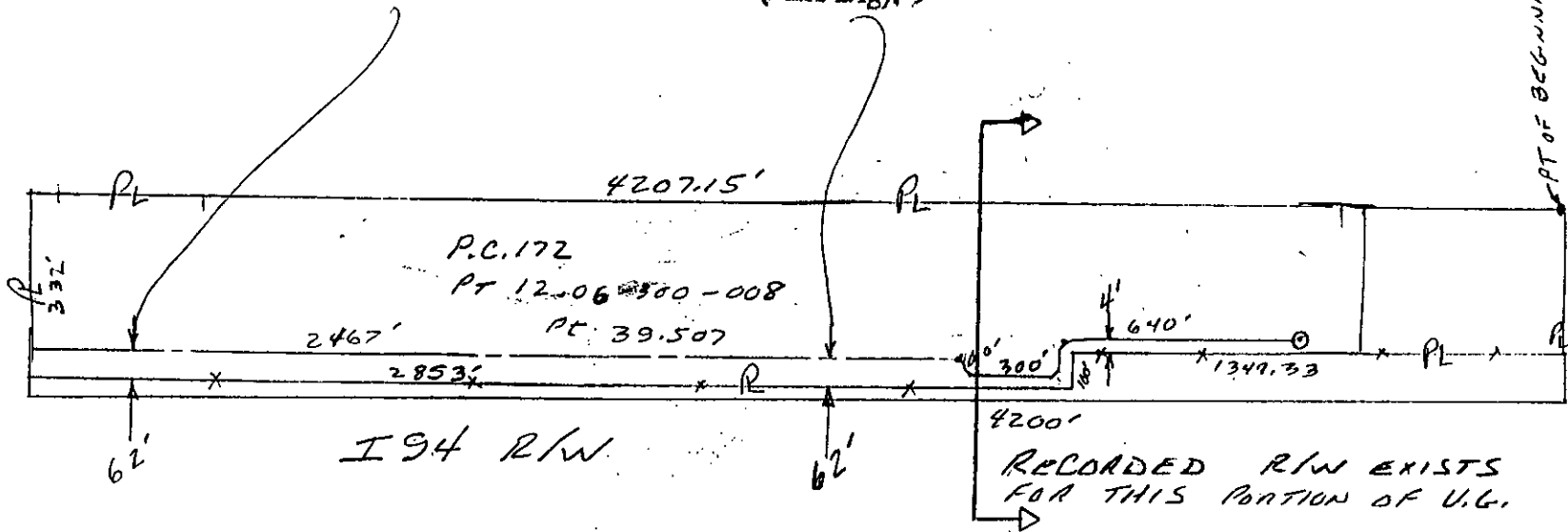
A parcel of land in Town 2 North, Range 14 East, Private Claim 172, Harrison Township, Macomb County, Michigan, being more particularly described as follows:

Commencing at the intersection of centerline Joy Boulevard with east line of Private Claim 172; thence west 615.20 feet along centerline of Joy Boulevard; thence north 02 degrees 45 minutes east 70 feet to the north line of Joy Boulevard and point of beginning; thence west 382.58 feet along north line of Joy Boulevard; thence north 02 degrees 51 minutes 48 seconds east 1349.33 feet; thence north 87 degrees 08 minutes 12 seconds west 100 feet; thence north 02 degrees 51 minutes 48 seconds east 1676.72 feet to a curve concave to east with radius of 5626.65 feet; thence along said curve 1178.43 feet whose long chord bears north 08 degrees 51 minutes 48 seconds east 1176.28 feet to north line of Private Claim 172; thence south 87 degrees 22 minutes 47 seconds east 332.0 feet; thence south 02 degrees 34 minutes west 4207.15 feet to point of beginning; except Selfridge Field Railroad Right-of-Way, also except commencing at intersection of centerline Joy Boulevard with east line of Private Claim 172; thence north 88 degrees 27 minutes west 613.1 feet along the centerline of Joy Boulevard; thence north 06 degrees 39 minutes 20 seconds east 619.20 feet to the point of beginning; said point being on north line of Selfridge Field Railroad right-of-way Spur; thence north 82 degrees 04 minutes 40 seconds west 385 feet; thence north 06 degrees 39 minutes 20 seconds east 10.0 feet; thence north 89 degrees 37 minutes 20 seconds east 387.82 feet; thence south 06 degrees 39 minutes 20 seconds west 66 feet to point of beginning, containing 39.507 acres of land, more or less.

RECORDED RIGHT OF WAY NO. 44283

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).



DRAWING NUMBER A-2207339-01

BY Ln 24 A SIMIS

USER 05738434

R/W FOR 25255 HENRY B. JOY BLVD.

I 94 R/W

RECORDED R/W EXISTS FOR THIS PORTION OF U.G.

PT OF BEGINNING
615.20'
128+39.258-20
JOY BLVD WITH EAST LINE OF PRIV. CLAIM 172
HENRY B. JOY BLVD.

