

**UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9300836-1MR**

On April 7, 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:**

Frazho Lane Condominiums Association, 22725 Greater Mack, St. Clair Shores, MI 48080

**"Grantee" is:**

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

**"Grantor's Land" is in City of Warren, Macomb County, Michigan described as:**

Part of the Southeast 1/4 of Section 24, T1N, R12E, commencing at the Southeast corner of Section 24, thence S86°41' West 1327.60 feet; thence N0°0'30" East 1775.33 feet to the point of beginning; thence S86°36'44" West 137.45 feet; thence N00°02'30" East 886.70 feet; thence N86°17'15" East 136.94 feet; thence S00°00'30" West 887.45 feet to the point of beginning.

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

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

93 APR 20 PM 2: 34

CARMELLA SABAUGH  
REGISTER OF DEEDS  
MACOMB COUNTY, MI

RECORDED RIGHT OF WAY NO.

44536

- 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.

**Witnesses:**(type or print name under signature)

**Grantor:**(type or print name under signature)

FRAZHO LANE CONDOMINIUMS ASSOCIATION

x *Emerson J. LaPointe*  
Emerson J. LaPointe

x *Ron W. Schult*  
Ron W. Schult

BY: *Jeffrey Hendricks*  
Jeffrey Hendricks, President

Acknowledged before me in Macomb County, Michigan, on 4/7, 1993 by JEFFREY HENDRICKS PRESIDENT OF FRAZHO LANE CONDOMINIUMS ASSOCIATION A MICHIGAN CORP. FOR THE CORPORATION

MARIE F. DIEHL  
Notary Public, Macomb County, MI  
My Commission Expires Nov. 21, 1995

Notary's Stamp Expires 11-21-95

Notary's Signature

*Marie F. Diehl*  
Marie F. Diehl

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

RECORDED RIGHT OF WAY NO. 44536

APPLICATION FOR RIGHT OF WAY  
DE FORM MS-90 5-74 55

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

DATE 3/8/93

LOCATION Frazho Lane CONDO.

APPLICATION NO. R-9300836-1MR

CITY OR VILLAGE Warren

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

TOWNSHIP \_\_\_\_\_ COUNTY MACOMB

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

DATE BY WHICH RIGHT OF WAY IS WANTED X 4-18-93

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 Obtain a 6ft wide recorded easement for Pri. Cable AS INSTALLED by Contractor.

PURPOSE OF RIGHT OF WAY Provide Service to New Warren way CONDO. project to the west of this location

SIGNED [Signature]

OFFICE \_\_\_\_\_

DEPARTMENT \_\_\_\_\_

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

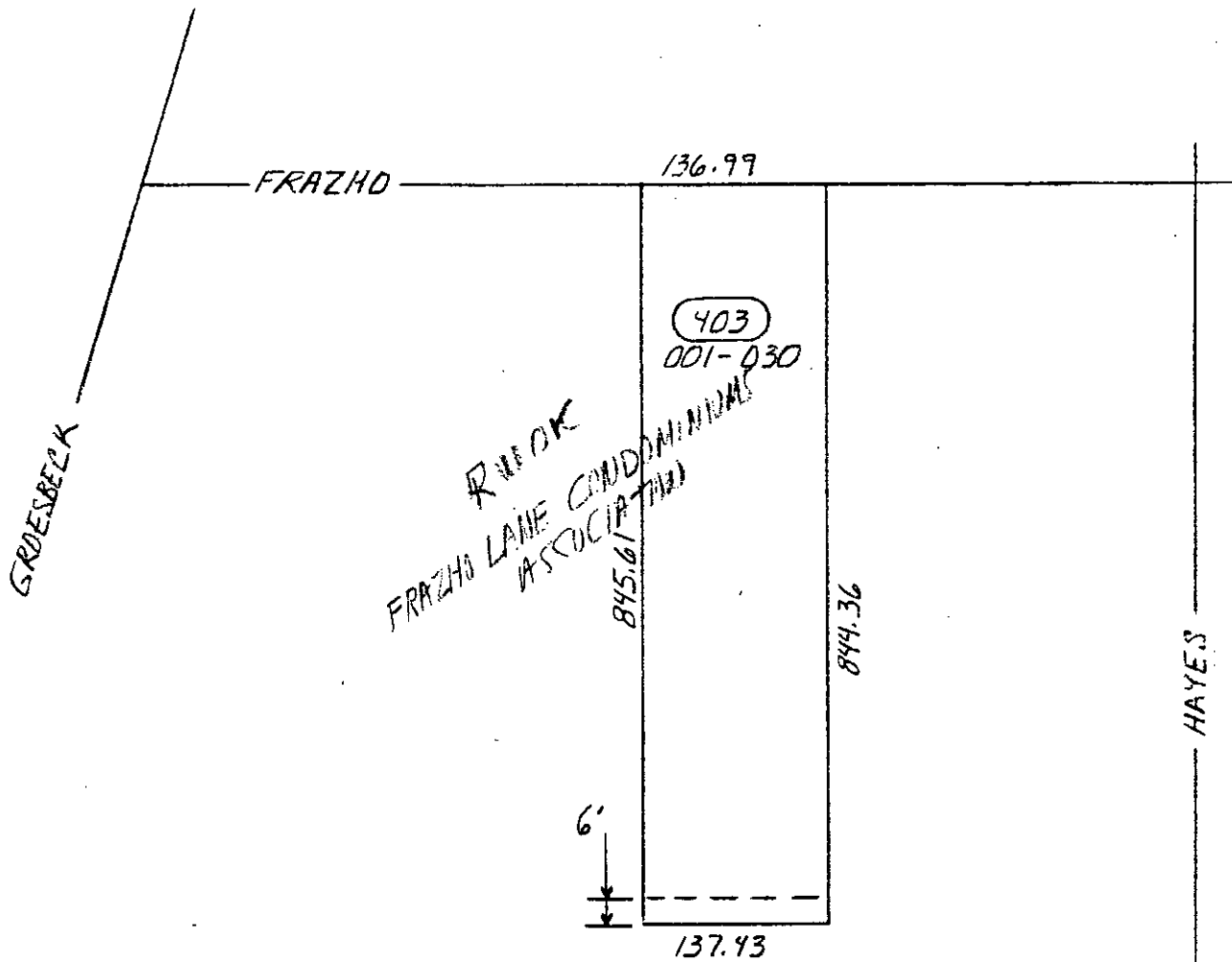
R/W secured as requested

RECORDED RIGHT OF WAY NO. 44536

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

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

DATE 5-10-93 SIGNED [Signature]



FRAZHO LANE CONDO. #333  
 MICHIGAN CONDO. MANAGEMENT  
 22725 GREATER MACK  
 ST. CLAIR SHORES MI. 48080  
 ATT. MR. La POINTE  
 # 775-5757

10 MILE

ORDERED RIGHT OF WAY NO.

44536

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 <b>WARREN</b>	COUNTY <b>MAC</b>	QTR. & TWP. SECT. NO.	DEPT ORDER NO.
MAP SECT. <b>1-364 &amp; 367-362 1N</b>	TOWN <b>12E</b>	RANGE <b>12E</b>	JOINT R/W REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
PROJECT NAME <b>FRAZHO LANE CONDO</b>	TEL. ENGR & DIST.	R/W NO. <b>R-9300936-1MR</b>	
CIRCUIT <b>BUNRT 8404</b>	PROJ. OR PART NO.		
REASON <b>SERV. WARREN WAY CONDO.</b>	O.F.W. S.O. OR P.E. NO.		
PLANNER <b>W. ROJANE</b>	BUDGET ITEM NO.		
	SCALE <b>NONE</b>	DATE <b>3-8-93</b>	