

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9302643-1MR

On 6/24, 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:

Charles S. and Jean Q. Tuesday, 9050 Shannon Drive, Sterling Heights, Michigan 48078
Robert and Barbara McNeil, 37735 Via Rosalie, Clinton Township, MI 48038

"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, Michigan 48078

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

A parcel of land located in the Southeast 1/4 of Section 31, Town 5 North, Range 12 East, Bruce Township, Macomb County, Michigan, and being more particularly described as follows: Commencing at the South 1/4 Corner of said Section 31; thence North 86 degrees 10 minutes 25 seconds East 1, 320.16 feet along the South line of Section 31; thence North 03 degrees 40 minutes 25 seconds West 1,959.46 feet to the point of beginning; thence extending North 03 degrees 40 minutes 25 seconds West 156.43 feet; thence South 86 degrees 10 minutes 25 seconds West 651.20 feet; thence South 03 degrees 35 minutes 43 seconds East 156.43 feet; thence North 86 degrees 10 minutes 25 seconds East 651.41 feet to the point of beginning.

RECORDED RIGHT OF WAY NO. 44760

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

A Ten (10) foot wide easement as shown on drawing R-9302643-1MR attached hereto.

93 JUL 26 AM 9:34

CARMEILLA SABAUGH
REGISTER OF DEEDS
MACOMB COUNTY, MI

- 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)

x Robert P. MacNeil
ROBERT P. MACNEIL

Charles S. Tuesday
Charles S. Tuesday

x Barbara A. MacNeil
BARBARA A. MACNEIL

Jean Q. Tuesday
Jean Q. Tuesday, wife

x Michael J. McCabe
MICHAEL J. McCABE

x Robert P. MacNeil
ROBERT P. MACNEIL

Theodore Provencier
THEODORE PROVENCIER

Barbara MacNeil
BARBARA MACNEIL, WIFE

Acknowledged before me in Macomb County, Michigan, on 6-24, 1993

ROBERT P. MACNEIL AND BARBARA MACNEIL HIS WIFE AND
CHARLES S. TUESDAY AND JEAN Q. TUESDAY, HIS WIFE.
MICHAEL J. McCABE

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

Notary's Stamp _____ Notary's Signature _____

Michael J. McCabe

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

RECORDED RIGHT OF WAY NO. 44760

APPROVED AS TO FORM 7/1/93 DATE
LEGAL DEPARTMENT DW/DA

APPLICATION FOR RIGHT OF WAY

DE 963-0611 5-7455 (MS 80)

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

DATE 6/4/93

LOCATION SOUTHEAST 1/4 OF SECTION 31, T.5N R.12E

APPLICATION NO. R-9302643-1MR

CITY OR VILLAGE _____

DEPT. ORDER NO. _____

TOWNSHIP BRUCE COUNTY MACOMB

O. F. W. NO. -

DATE BY WHICH RIGHT OF WAY IS WANTED 6/18/93

BUDGET ITEM NO. 3MS0A-MAB

THIS R/W IS _____ % 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 10A RECORDING LIG EASEMENT ON PRIVATE PROPERTY. SEE ATTACHED DRAWING

PURPOSE OF RIGHT OF WAY FOR FUTURE DETROIT EDISON LIG FACILITIES

RECORDED RIGHT OF WAY NO. 44760

SIGNED Robert Hornley
MACOMB DIVISION HEADS SERVICE PLANNING
OFFICE DEPARTMENT

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

R/W secured as requested

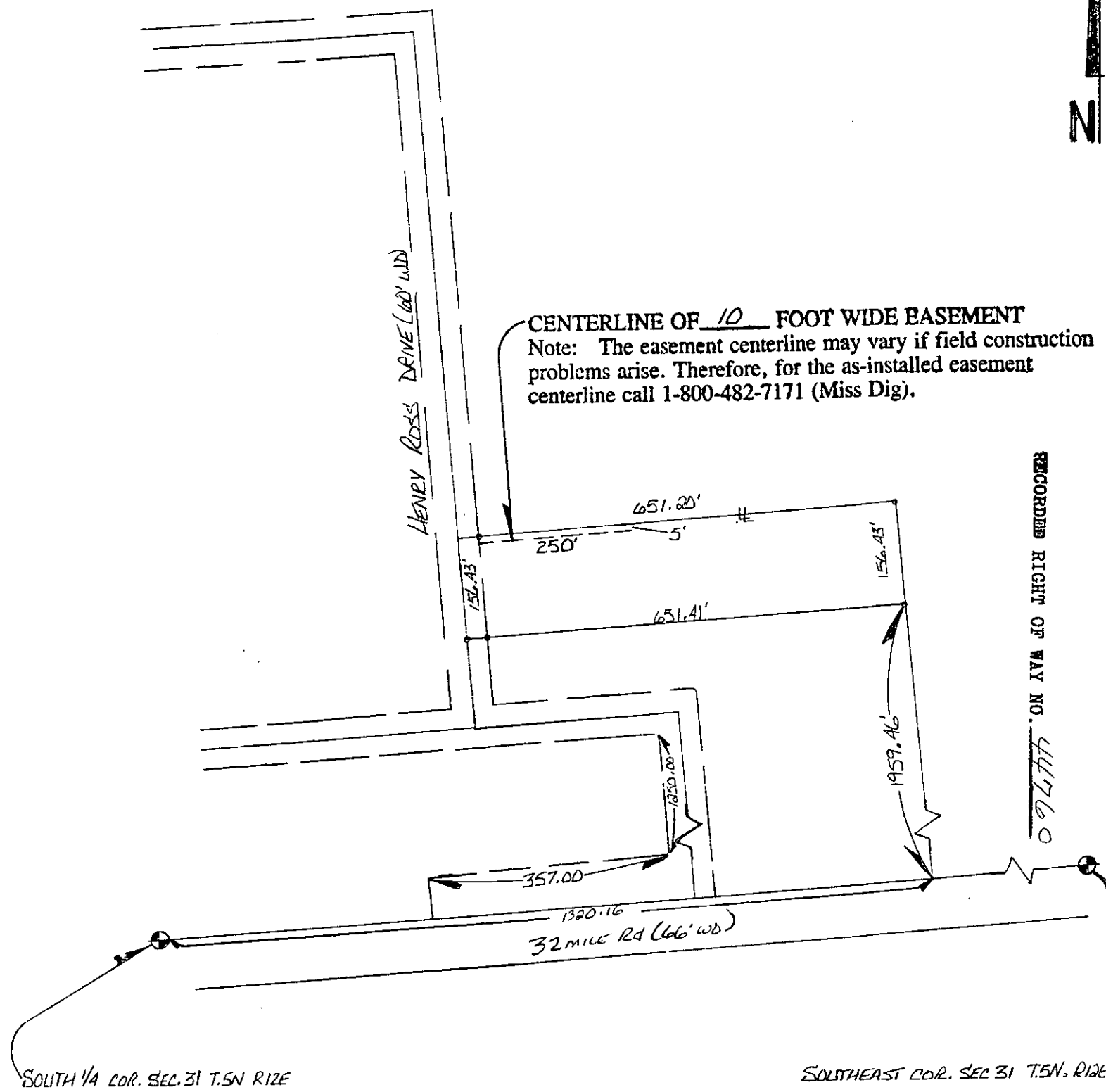
PERMITS IN RECORD CENTER 1 R.E. & R/W DEPT. FILE 1 GRANTOR 1

NO. OF PERMITS 1 NO. OF STRUCTURES _____ NO. OF MILES _____ PERMITS TO MBT 2

DATE 8-4-93 SIGNED Michael J. Cable

5-20-93

DRAWING NO. R-9302643-1MR BY R.J. HORJBY
R/W FOR 69736 HENRY ROSS DR



RECORDED RIGHT OF WAY NO. 44760