

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. M-9302581-1MR

On 6-25, 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:

Michael & Marianne Gajewski, 20440 Oneida, Clinton Township, Michigan 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
Comcast Cablevision, a Delaware Corporation, 6065 Wall Street, Sterling Heights, MI 48077

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

Lot 624 of Rivergate Subdivision No. 7, being part of P.C. 610, as recorded in Liber 83 of plats, Pages 37 thru 41, of the Macomb County Records.
T2N, R13E

93 JUL 26 AM 9:34

CARMELLA SABAUGH
REGISTER OF DEEDS
MACOMB COUNTY, MI

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

A Six (6) foot wide easement as shown on drawing M-9302581-1MR attached hereto.

The Detroit Edison Company does not object to the installation of a shed within said easement. Service wires in said easement to be installed in conduit.

MH
MAL The Homeowners Do NOT want The oak tree in the South East corner of the Lot to Be Removed.

- 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.

RECORDED RIGHT OF WAY NO.

44974

- 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 Michael J. McCabe
MICHAEL J. McCABE

x Larry R. Simms
LARRY R. SIMMS

Michael A. Gajewski
Michael Gajewski

Marianne Gajewski
Marianne Gajewski, wife

RECORDED RIGHT OF WAY NO.

Acknowledged before me in MACOMB County, Michigan, on 6-25, 1993 by MICHAEL GAJEWSKI AND MARIANNE GAJEWSKI, 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 Rd, Clinton Township, MI 48036.

44774

APPLICATION FOR RIGHT OF WAY

DE 963-0811 5-74SS (MS 80)

PLEASE SECURE RIGHT OF WAY AS FOLLOWS.

DATE 5-6-93

LOCATION LOT 11-09-400-026 CLN TWP.

APPLICATION NO. R-9302581-1MR

CITY OR VILLAGE CLN. TWP

DEPT. ORDER NO. _____

TOWNSHIP CLINTON COUNTY MACOMB

O F W. NO _____

DATE BY WHICH RIGHT OF WAY IS WANTED 6-1-93

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 8' WIDE EASEMENT - SEE ATTACHED SKETCH

PURPOSE OF RIGHT OF WAY PROVIDE UNDER GROUND SERVICE TO NEW HOME LOCATED AT 20470 ONEIDA, CLN TWP. LOT # 11-09-400-025

SIGNED [Signature]
MT CLNS S.C. SERVICE PLANNING
OFFICE DEPARTMENT

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

R/W secured as requested

RECORDED RIGHT OF WAY NO. 14974

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 8-4-93 SIGNED [Signature] CABLE

LIBER 05948PG648

PC 610 (400)

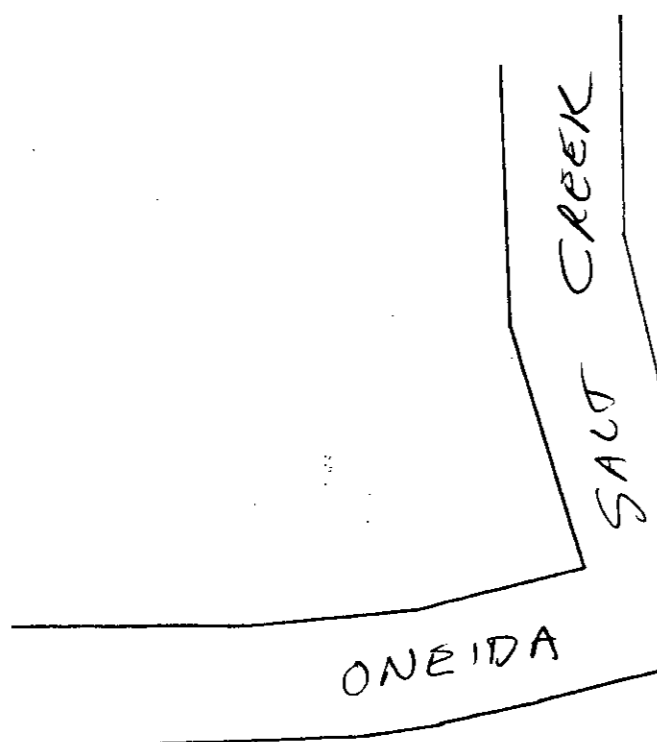
LIBER 05948PG649

SERVICE PLANNER

LARRY SIMMS RECORDED RIGHT OF WAY NO. 44774

DRAWING # M-9302581-1MR
LOT 11-09-400-026
CLN. TWP. MI. MACOMB COUNTY

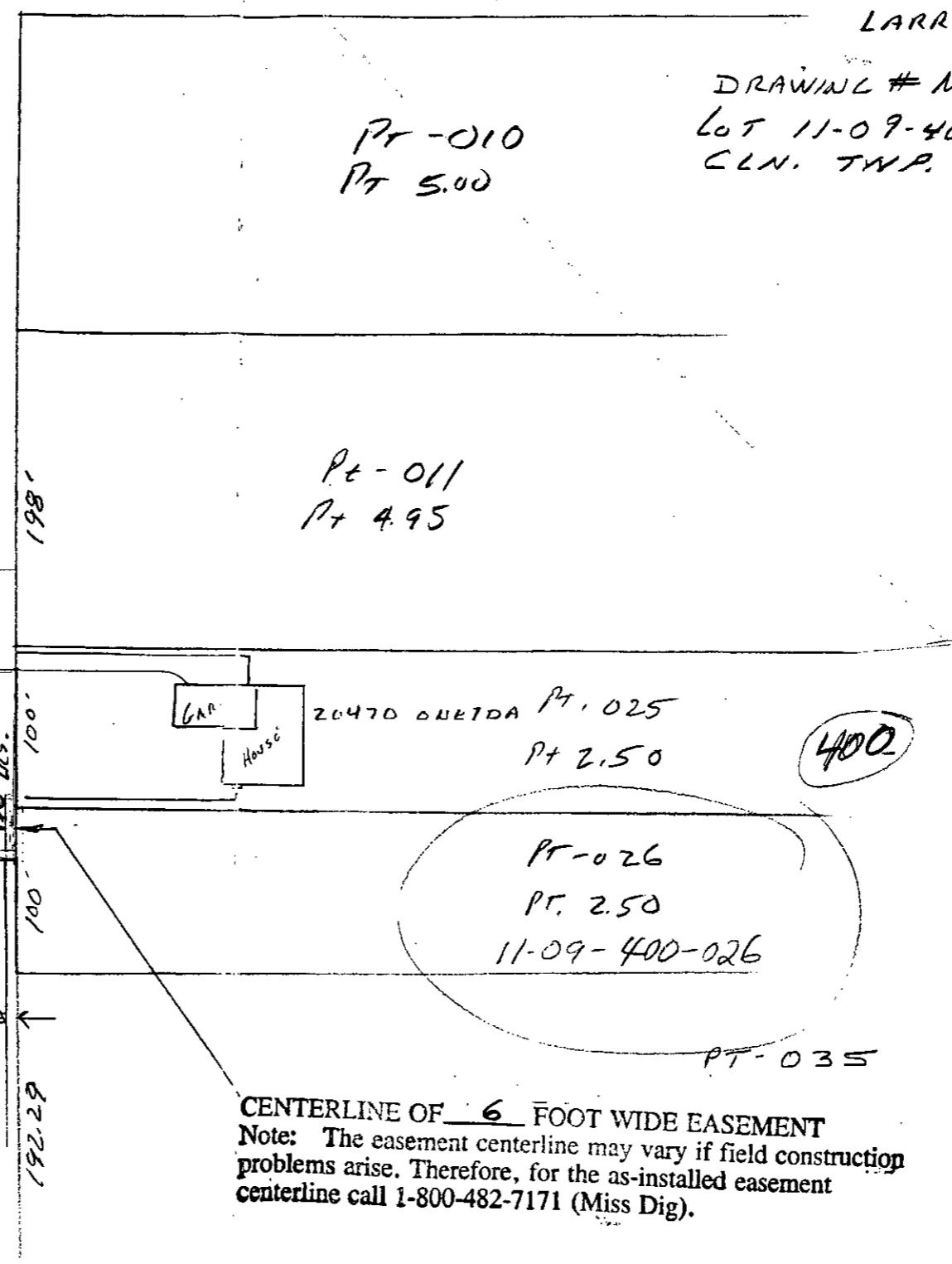
RECORDED RIGHT OF WAY NO.



RIVERGATE SUB # 7

(452)

(453)



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).

11-46 CLN TWP.
P.C. 610-7 2N.R. 13E