

UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R-9301197-1MR
PROJECT NAME CLINTON OAKS OFFICE PLAZA

On June 20, 1993 for the consideration of system betterment, Grantor grants to Grantee a permanent underground distribution easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

"Grantor" is:

Maves Development, 42100 Garfield Road, Clinton Township, Michigan 48038
Ruby Finley, 2537 W. Grand Blvd, Detroit, Michigan 48235

"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 48235

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

A parcel of land located in and being a part of the Northeast 1/4 of Section 7, Town 2 North, Range 13 East, Clinton Township, Macomb County, Michigan, and being more particularly described as follows: Commencing at a point 918.95 feet South 1 degree 43 minutes East of the Northeast corner of said Section 7; thence extending South 1 degree 43 minutes East 262.90 feet; thence South 88 degrees 16 minutes West 662.80 feet; thence North 1 degree 47 minutes West 262.90 feet; thence North 88 degrees 16 minutes East 663.11 feet to the point of beginning and containing 4.0 acres of land.

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CARMELLA SABAUGH
REGISTER OF DEEDS
MACOMB COUNTY, MI

RECORDED RIGHT OF WAY NO. 44796

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

The exact location of underground equipment must be determined by the UTILITY COMPANIES. For exact location, telephone MISS DIG at 1-800-482-7171. The exact location of underground equipment indicates the centerline of said Right of Way.

(See attached sketch)

- Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain utility line facilities consisting of poles, guys, anchors, wires, manholes, conduits, pipes, cables, transformers and accessories.
- Access:** Grantee has the right of access to and from the Right of Way Area.
- 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. Ground Elevation: Grantor must grade the Right of Way Area to within four inches of final grade before Grantee installs its facilities. Grantor must maintain this ground elevation after Grantee installs its facilities.
- 7. Damages: If Grantor, its agents, employees or contractors, damage Grantee's facilities, Grantee shall make repairs at Grantor's expense.
- 8. 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 below signature)

Grantor:(type or print name below signature)

x Dolores C. Reyes
 Dolores C. Reyes

x Diana Skowronek
 Diana Skowronek

MAVES DEVELOPMENT
 a Michigan Corporation

John Vesper
 John Vesper, President

RECORDED RIGHT OF WAY NO

9/26/93

Acknowledged before me in Macomb County, Michigan, on 6-22, 1993 by JOHN VESPER, PRESIDENT of MAVES DEVELOPMENT, a MICHIGAN CORPORATION, FOR THE CORPORATION

JANE M. WRUBEL
 Notary Public - Macomb County - Michigan
 My Commission Expires Aug. 24, 1993

Notary's Stamp _____ Notary's Signature Jane M. Wrubel

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

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

x

Gail L. Huffman
Gail L. Huffman

x

Ronald W. Cooley
Ronald W. Cooley

Ruby Finley
Ruby Finley

RECORDED RIGHT OF WAY NO.

44776

Acknowledged before me in St. Clair County, Michigan, on June 28, 1993 by RUBY FINLEY

RONALD W. COOLEY
Notary Public, St. Clair County, MI
My Commission Expires Feb. 21, 1994

Notary's Stamp

Notary's Signature

Ronald W. Cooley

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

Date: August 20, 1993

To: Record Center

From: Michael J. McCabe *MSM*
Sr. Real Estate and Right of Way Representative
Macomb Division

Subject: Right of Way Agreement

Re: **Underground Residential Distribution for Clinton Oaks
Office Plaza , located in part of the Northeast 1/4 of
Section 7, Town 2 North, Range 13 East, Clinton
Township, Macomb County, Michigan.**

Attached for Record Center is the executed Right of Way Agreement dated June 22, 1993 for the above named project.

Easement for this project was requested by Larry Simms, Service Planning, Macomb Division. The Agreement was negotiated by Michael J. McCabe, Representative, Real Estate and Right of Way, Macomb Division.

Detroit Edison Company and Michigan Bell Telephone Company made this agreement with Maves Development, John Vesper, the developer of Clinton Oakes Office Plaza.

Please make the attached papers a part of recorded Right of Way file.

MJM/rlg

attachment

RECORDED RIGHT OF WAY NO.

44776