

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9300515-1MR

On 7-8, 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:

Larry Maliskey and Barbara Maliskey, his wife, 25214 Gratiot Avenue, Roseville, MI

"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

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

Lot No. 34 of Assessor's Plat No. 8, being part of the West 1/2 of the Southwest 1/4 of Section 20, T1N, R13E, as recorded in Liber 18 of plats, Page 27, of the Macomb County Records, described as beginning at the Southwest corner of Lot 34; thence N27°20' East 56.88 feet; thence S83°45'30" East 170.57 feet; thence S03°11' West 52.30 feet; thence N84°00'22" West 193.83 feet to the point of beginning.

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

A Six (6) foot wide easement as shown on drawing No. R-9300515-1MR attached hereto.

93 AUG -4 AM 10: 31

CARMELLA 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.

RECORDED RIGHT OF WAY NO. 44784

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 *Terry Maliskey*
TERRY MALISKEY
x *Michael J. McCabe*
MICHAEL J. McCABE

x *Larry Maliskey*
LARRY MALISKEY
x *Barbara Maliskey*
Barbara Maliskey, wife

Acknowledged before me in Macomb County, Michigan, on 7-8, 1993 Larry Maliskey and Barbara Maliskey, 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 Twp, MI 48036

RECORDED RIGHT OF WAY NO. 44784

APPLICATION FOR RIGHT OF WAY

DE 963-0811 5-7455 (MS 80)

ERIN Twp
Sec 20; SW 1/4, W 1/2 of

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

LOCATION GRATIOT 700' ± NORTH OF 1/4

MILE RD -

CITY OR VILLAGE ROSEVILLE

TOWNSHIP _____ COUNTY MACOMB

DATE BY WHICH RIGHT OF WAY IS WANTED _____

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

DATE _____

APPLICATION NO. P. 9300515-1M/C

DEPT. ORDER NO. _____

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 6' EASEMENT FOR UG. PRIMARY SERVICE

PURPOSE OF RIGHT OF WAY TO PROVIDE SERVICE TO 25240 GRATIOT. - PIZZA HUT/DELCO.

SIGNED James M Kelly

OFFICE _____

DEPARTMENT _____

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

R/W secured as requested

RECORDED RIGHT OF WAY NO. 44784

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 8-19-93 SIGNED Michael J McCabe