

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9304033-1MR

On 7-20, 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:

John L. Harkins, 11003 21 Mile Road, Utica, Michigan 48317

"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 Macomb Township, Macomb County, Michigan described as:

Lot 12 of Milano Industrial Subdivision No. 1, being part of the West 1/2 of the Southeast 1/4 of Section 18, Town 3 North, Range 13 East, as recorded in Liber 89 of plats, Pages 42, 43 and 44, of the Macomb County Records.

93 AUG -4 AM 10: 31

CARMELLA SABAUGH
REGISTER OF DEEDS
MACOMB COUNTY, MI

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

A Ten foot wide easement as shown on drawing #R-9304033-1MR attached hereto.

RECORDED RIGHT OF WAY NO. 44810

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, 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

John L. Harkins
John L. Harkins, a single man

x Steven C. Graham
STEVEN C. GRAHAM

Acknowledged before me in MACOMB County, Michigan, on 7/20, 1993 JOHN L. HARKINS, A SINGLE MAN

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

APPROVED AS TO FORM 7/22/93 DATE
LEGAL DEPARTMENT [Signature]

RECORDED RIGHT OF WAY NO. 44810

APPLICATION FOR RIGHT OF WAY

DE 91 0811 5-7485 (MS 80)

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

LOCATION 51057 Milano Dr.

CITY OR VILLAGE Macomb

TOWNSHIP Macomb COUNTY Macomb

DATE BY WHICH RIGHT OF WAY IS WANTED 7-20-93

THIS R/W IS 100 % OF TOTAL PROJECT NO. _____ ACCUM. _____ %.

NOTE: Identify on print or sketch the subdivisions as to section location and liber and page.

KIND AND DESCRIPTION OF RIGHT OF WAY REQUESTED underground distribution

PURPOSE OF RIGHT OF WAY to serve 51057 Milano Dr. & others

DATE 7-1-93

APPLICATION NO. R-9304033-1MR

DEPT. ORDER NO. A-74461

O. F. W. NO. _____

BUDGET ITEM NO. 3MBOB-MDB

INQUIRY NO. _____

JOINT RIGHT OF WAY REQUIRED YES NO

RECORDED RIGHT OF WAY NO. 44810

SIGNED Jerald B. Pollard
Mt. Clemens Service Center 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 1

DATE 8-19-93 SIGNED Michael M. Yule

OWNER JOHN HARKINS
 1106 21 MILE RD
 UTICA, MI 48317
 739-8404

LIBER 05960 PG 232



HAYES
 MILANOR
 23 MILE RD

N 89° 51' 49" E 286.16'

LOT 12 MILANO IND. PARK SUB #1
 AS RECORDED IN LIBER 89 PAGE 42 & 43 & 44
 MACOMB COUNTY RECORDS

CENTERLINE OF 10 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).

N 00° 08' 33" W 210.00'

S 00° 08' 11" E 209.17'

MILANO DR

RECORDED RIGHT OF WAY NO. 44810

S 89° 41' 49" W 286.14'

23 MILE RD

CENTERLINE OF 10 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).

Legend		The Detroit Edison Company - Service Planning				
	Foreign Pole	City or Township	County	Service Center	Comp. Code	Dept. Order No.
	Exist D.E. Co. Pole	MACOMB	MACOMB			
	Proposed Pole	Qtr. & Twp.	Sect No.	Town	Range	Tel Engr & Dist.
	Exist Anchor					Joint RAW Required
	Proposed Anchor					<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Tree	CATV Memo#	MBT Memo#			RAW No.
	120/240 Volt Line					R-9304033-1MR
	4800 Volt Line	Circuit	Reason			Atlas No.
	13,200 Volt Line	GRAY 8539	NEW BUSINESS			9304033
	40,000 Volt Line	Planner	Scale			O.F.W.
		J. POLLARD	VORZ			Budget Item No.
						3MB00-1MB
						Date
						6-28-93

Map Sect.