

RE-RECORD

93 Dbrn Twp sec 13; NE 1/4 of

Detroit Edison

93301808
94066212

LI 27030 PA 357

OVERHEAD AND UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9302292-1DR

LI 27246 PA 104

On September 22, 1993, for the consideration of system betterment, Grantor grants to Grantee a permanent overhead and underground easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

"Grantor" is:

Edward J. Russell, Inc., a Michigan Corporation, 20 South Gratiot, Suite 120, Mount Clemens, Michigan 48043

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
Michigan Bell Telephone Company, a Michigan Corporation, 444 Michigan Avenue, Detroit, Michigan 48226
Michigan Consolidated Gas Company, a Michigan Corporation, 500 Griswald Street, Detroit, Michigan 48226

"Grantor's Land" is in City of Dearborn, Wayne County, described as:

Lot 9 of "Shops at Fairlane Meadows", a Subdivision of part of the NE 1/4 of fractional Section 13, T2S, R10E, City of Dearborn, Wayne County, Michigan Liber 104, Page 90, Wayne County Plats.

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

As described on attached exhibit "A"

- Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain overhead and underground 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.
- 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.
- 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.
- 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.
- 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)

Edward J. Russell, Inc.

By: Edward J. Russell, III
Edward J. Russell, III

Its: Secretary-Treasurer

Shirley M. Deacon
Shirley M. Deacon

Linda Hingst
Linda Hingst

Acknowledged before me in Macomb County, Michigan, on September 22, 1993, by Edward J. Russell, III, the Secretary-Treasurer, of Edward J. Russell, Inc., a Michigan Corporation, for the Corporation.

SHIRLEY M. DEACON
Notary Public, Macomb County, MI
My Commission Expires Dec. 23, 1996

Notary's Stamp _____
(Notary's name, county and date commission expires)

Notary's Signature Shirley M. Deacon

Prepared by & Return to:
George H. Hathaway
2000 Second Avenue
Detroit, MI 48226

FOREST E. YOUNGBLOOD
REGISTER OF DEEDS
MACOMB COUNTY, MI

94 MAR 18 AM 10: 04

94066212

93301808

94 MAR 18 AM 10: 04

93 SEC 13

RECORDED RIGHT OF WAY NO.

44920
2621

Re-record to add S.P. #s of Sub.

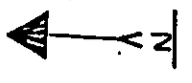
Do not
Record this
side of sheet

APPROVED AS TO FORM 9/28/93 DATE
LEGAL DEPARTMENT G/WHOR

RECORDED RIGHT OF WAY NO. 44920

LI27030 PA 359

LI27246 PA 106



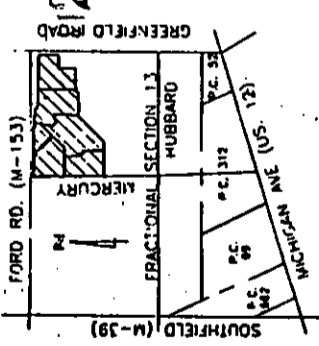
RE-RECORD

Exhibit A

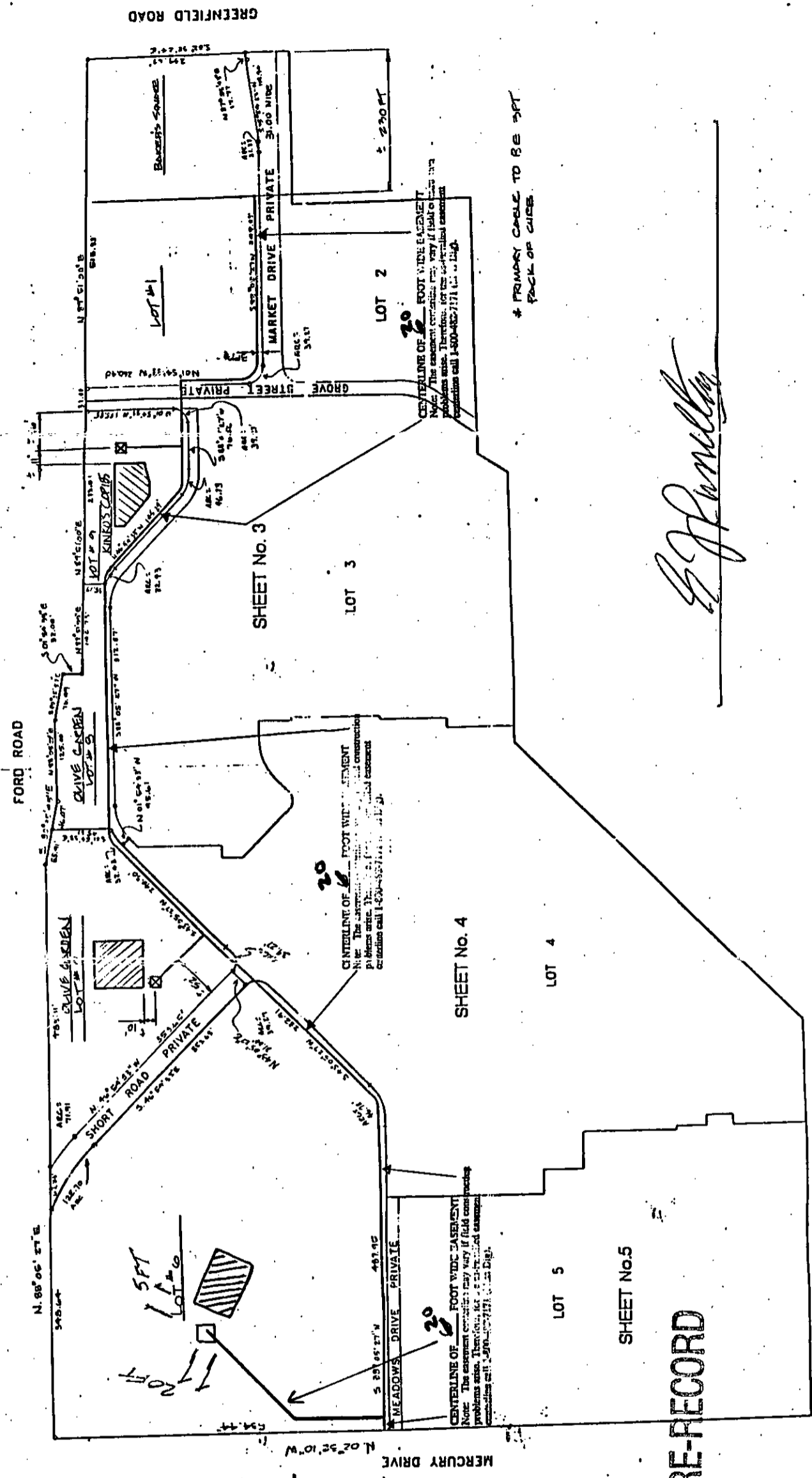
SHOPS AT FAIRLANE MEADOWS
A SUBDIVISION OF PART OF THE N.E. 1/4
OF FRACTIONAL SEC. 13, T2S., R.10E.
CITY OF DEARBORN
WAYNE COUNTY, MICHIGAN

LI27030 PA 358

LI27246 PA 105



VICINITY MAP



* PRIMARY CABLE TO BE 5FT
BACK OF CURB.

Signature

RE-RECORD

9301161

RE-RECORD

12/13/93 35564 REMO FEE 2.00
12/13/93 35564 MORTG 17.00

RE-RECORD

03/18/94 15826 REMO FEE 2.00

03/18/94 15826 MORTG 17.00