

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9302789-01R

On Sept 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"

MARION SARGENT, CLERK/REGISTER, ST. CLAIR COUNTY, RECEIVED FOR RECORD

"Grantor" is:

MALCOLM FAIRFIELD AND BRIDGET FAIRFIELD, HIS WIFE, 3776 KING RD, CHINA, MI. 48054

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226

OCT 13 1993 22

LIBER 1292 PAGE 897 FILE 115, Marion Sargent DEPUTY

"Grantor's Land" is in CHINA TOWNSHIP, ST. CLAIR County, described as:

A PARCEL OF LAND IN THE SE 1/4 SEC 11 T4N R16E CHINA TWP, ST. CLAIT CTY, MI. DESCRIBED AS: COM AT THE E 1/4 COR SEC 11, TH S 0 DEG 11 MIN 15 SEC W 165 FT ALONG THE E LINE OF SEC 11 TO THE P.O.B., TH CONT. S 0 DEG 11 MIN 15 SEC W 340.98 FT, TH S 89 DEG 51 MIN 10 SEC W 1352 FT TH N 0 DEG 7 MIN 35 SEC E 504.92 FT TO A POINT ON THE E & W 1/4 LINE OF SEC 11, TH ALONG SAID LINE N 89 DEG 48 MIN 29 SEC E 913.69 FT, TH S 0 DEG 11 MIN 15 SEC W 165 FT, TH N 89 DEG 48 MIN 29 SEC E 438.85 FT TO THE P.O.B. CONT. 14.029 A,

NOTE: THE ABOVE DESCRIPTIONS ARE SUBJECT TO THE RIGHTS OF THE PUBLIC & ANY GOV'T AG. IN ANY PART THEREOF TAKEN, USED, OR DEEDED FOR STREET, ROAD, OR HIGHWAY PURPOSES & ARE SUBJECT TO EASEMENTS & RESTRICTIONS OF RECORD

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

A TEN FT WIDE EASEMENT WHOSE C/L IS APPROXIMATELY 360 FT W & PARALLEL TO THE C/L OF KING RD

- 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 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.
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.

RECORDED RIGHT OF WAY NO. 44983

Witnesses:(type or print name below signature)

Deanne C. Beindit (signature and name)

Kimberly R. Pietz (signature and name)

Grantor:(type or print name below signature)

MALCOLM FAIRFIELD aka Malcolm G. Fairfield (signature and name)

BRIDGET FAIRFIELD, HIS WIFE aka Bridget B. Fairfield (signature and name)

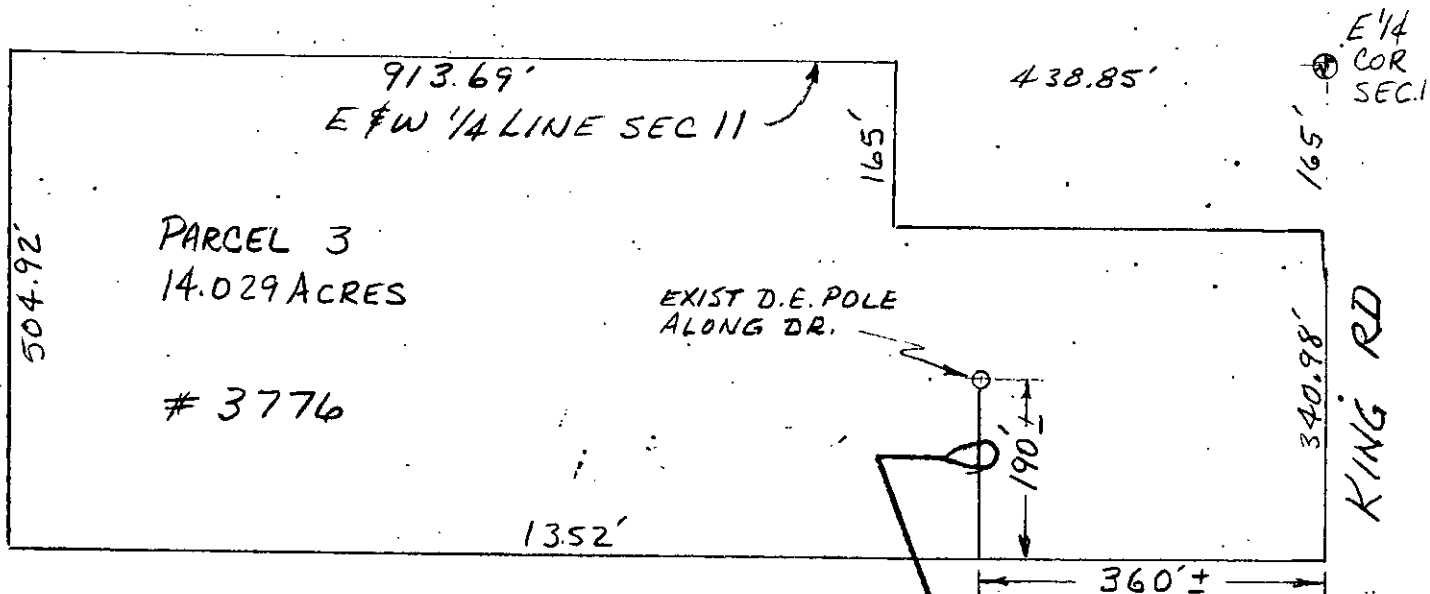
Acknowledged before me in St. Clair County, Michigan, on September 20, 1993 by MALCOLM FAIRFIELD AND BRIDGET FAIRFIELD, HIS WIFE, aka Malcolm G. & Bridget B. Fairfield

Notary's Stamp: Janice B. DiGiusto, Notary Public, St. Clair County, Michigan, Comm Exp: 8-19-95, Notary's Signature: Janice B. DiGiusto

APPROVED AS TO FORM 9/27/93 DATE
LEGAL DEPARTMENT [Signature]

UNDERGROUND R/W DRAWING NO. R-9302789-01R
 SERV. & PLANNER D. CA. R
 R/W FOR ADDRESS 3800 KING
 DATE 8-12-93 COUNTY ST CLAIR
 CHINA TWP.

LIBER 1292 898



REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH		PERMITS TO:	
BY <u>Phil Balon</u>		RECORD CENTER	<u>1</u>
DATE <u>9-20-3</u>		R/W FILES	<u> </u>
DATE WANTED		MBT	<u> </u>
DISTRICT FIELDMAN <u>Phil Balon</u>		ORIGINATOR	<u>1</u>
		TOTAL	<u>1</u>

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).