

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9304066-1M

On 9/1, 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:

Gregory T. & Linda L. Fennell, 37720 Samantha, Sterling Heights, Michigan 48310

"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
Harron Cablevision, a Delaware Corporation, 55800 New Haven Road, New Haven, Michigan 48048

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

A parcel of land located in and being a part of the Southeast 1/4 of Section 16, Town 4 North, Range 12 East, Washington Township, Macomb County, Michigan, and being more particularly described as follows: Commencing at a point 330.0 feet due North along the centerline of Campground Road from the Southeast corner of said Section 16, and thence extending North 89 degrees 51 minutes 00 seconds West 480.00 feet; thence due North 127.06 feet; thence North 89 degrees 47 minutes 56 seconds East 480.00 feet to the centerline of Campground Road; thence due South 130.00 feet along the centerline of Campground Road to the point of beginning.

RECORDED RIGHT OF WAY NO. 45038

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

A Twelve (12) foot wide easement as shown on drawing #R-9304066-1M attached hereto.

93 SEP 21 AM 9: 57

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.

- 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 Lisa A. Howell

Lisa A. Howell

Gregory T. Fennell

Gregory T. Fennell

Linda L. Fennell

Linda L. Fennell, wife

x Michael J. Scenga

Acknowledged before me in Macomb County, Michigan, on 9/11, 1993 By Gregory T. Fennell AND LINDA L. FENNELLS WIFE

KRISTINE D. AMADORI Notary Public, Macomb County, MI My Commission Expires April 8, 1996

Kristine D. Amadori

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

APPROVED AS TO FORM 9/10/93 DATE LEGAL DEPARTMENT

RECORDED RIGHT OF WAY NO. 45036

APPLICATION FOR RIGHT OF WAY

DE 963-0811 8-7456 (MS 80)

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

DATE 6-29-93

LOCATION 63161 CAMP GROUND RD

APPLICATION NO. R-9304066-1M

CITY OR VILLAGE _____

O. F. W. NO. _____

TOWNSHIP WASHINGTON COUNTY MACOMBS

BUDGET ITEM NO. _____

DATE BY WHICH RIGHT OF WAY IS WANTED 7-14-93

INQUIRY NO. _____

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

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 RECORDED 12 FT. EASEMENT FOR CABLE & TRANSFORMER

PURPOSE OF RIGHT OF WAY TO PROVIDE SERVICE TO 63161 CAMP GROUND AND FUTURE CUSTOMERS TO THE SOUTH

RECORDED RIGHT OF WAY NO. 45038

SIGNED R. J. Burrell

MACOMBS DIVISION
OFFICE

SERVICE PLANNING
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

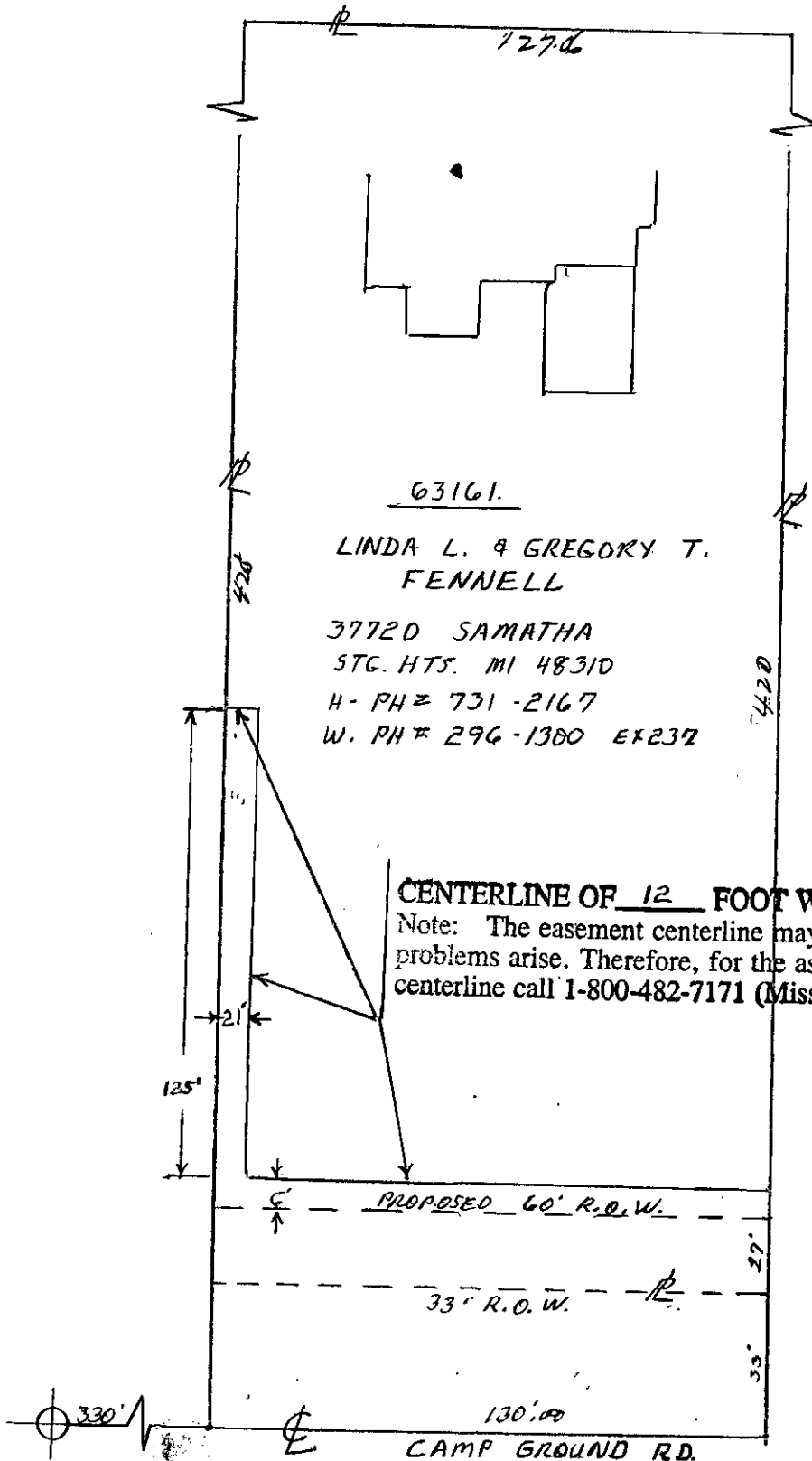
DATE 10-21-93 SIGNED Michael M. [Signature]

JUNE 29, 1993

DRAWING NO. R-9304066-1M

R/W FOR 63161 CAMP GROUND RD.

LIBER 30191322



CENTERLINE OF 12 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).

RECORDED RIGHT OF WAY NO. 45038

S.E. CORNER
SECTION 16
T.4N R.12E