

UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO.

R9300769-2T

PROJECT NAME WESTLAND PROPERTIES

On 10-4-93, 1993, for the consideration of system betterment, Grantor grants to Grantee a permanent underground distribution easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

"Grantor" is:

WESTLAND PROPERTIES, A MICHIGAN PARTNERSHIP, 206 S OUTER DR., BAD AXE, MICH., 48413

"Grantee" is:

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

"Grantor's Land" is in COLFAX TOWNSHIP, HURON County, described as:

COMMENCING AT THE W 1/4 COR OF SEC 24, T16N-R12E, COLFAX TWP., HURON COUNTY, MICH; TH S 0 DEG 16 MIN W ALONG THE W LINE OF SAID SEC 24, 771.60 FT TO THE P.O.B. OF THIS DESC., TH S 89 DEG 34 MIN E ALONG THE NLY R/W LINE OF THE BISSET CO. DRAIN, 668.93 FT, TH S 0 DEG 22 MIN W ALONG THE WLY LINE OF GALLOWAY'S SUB'D, 403.50 FT, TH N 89 DEG 34 MIN W, 667.93 FT, TH N 0 DEG 16 MIN E ALONG THE W LINE OF SAID SEC 24, 403.50 FT TO P.O.B.

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

AS PER ATTACHED DETROIT EDISON DRAWING R-9300769-2T

- 1. Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain 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 buldings 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. Ground Elevation:** Grantor must grade the Right of Way Area to within four inches of final grade before Grantee installs its facilities. Grantor must maintain this ground elevation after Grantee installs its facilities.
- 7. Damages:** If Grantor, its agents, employees or contractors, damage Grantee's facilities, Grantee shall make repairs at Grantor's expense.
- 8. 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. 467053

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

[Signature]
Thomas P. Collon

RECORDED

BY: *Millard A. Deering*
MILLARD A. DEERING

Donna G. Pavlichek
Donna G. Pavlichek

OCT 10 10 20 AM '93

IT'S: *Managing Partner*
FOR WESTLAND PROPERTIES, A MI. PARTNERSHIP

Acknowledged before me in Huron County, Michigan, on October 4, 1993 by

Millard A. Deering REGISTER OF DEEDS HURON COUNTY MICHIGAN FOR WESTLAND PROPERTIES A MICHIGAN PARTNERSHIP

Notary's Stamp _____ Notary's Signature *Donna G. Pavlichek*
(Notary's name, county, and date conmission expires) Donna G. Pavlichek

Prepared by and Return to: PHILIP J BALON, R/W REPRESENTATIVE, 3223 RAVENSWOOD ROAD, MARYSVILLE, MICHIGAN, 48040, 313-364-2029/CS

10/13/93

OFFICE OF THE ATTORNEY GENERAL

STATE OF CALIFORNIA



APPROVED AS TO FORM 10/13/93 DATE
LEGAL DEPARTMENT *[Signature]*

10/13/93

W 1/4 COR. SEC 24

COLFAX TWP. HURON CD

AMBER DR CONDOMINIUMS

SW 1/4 SEC 24

STEVE HARMON S.P.

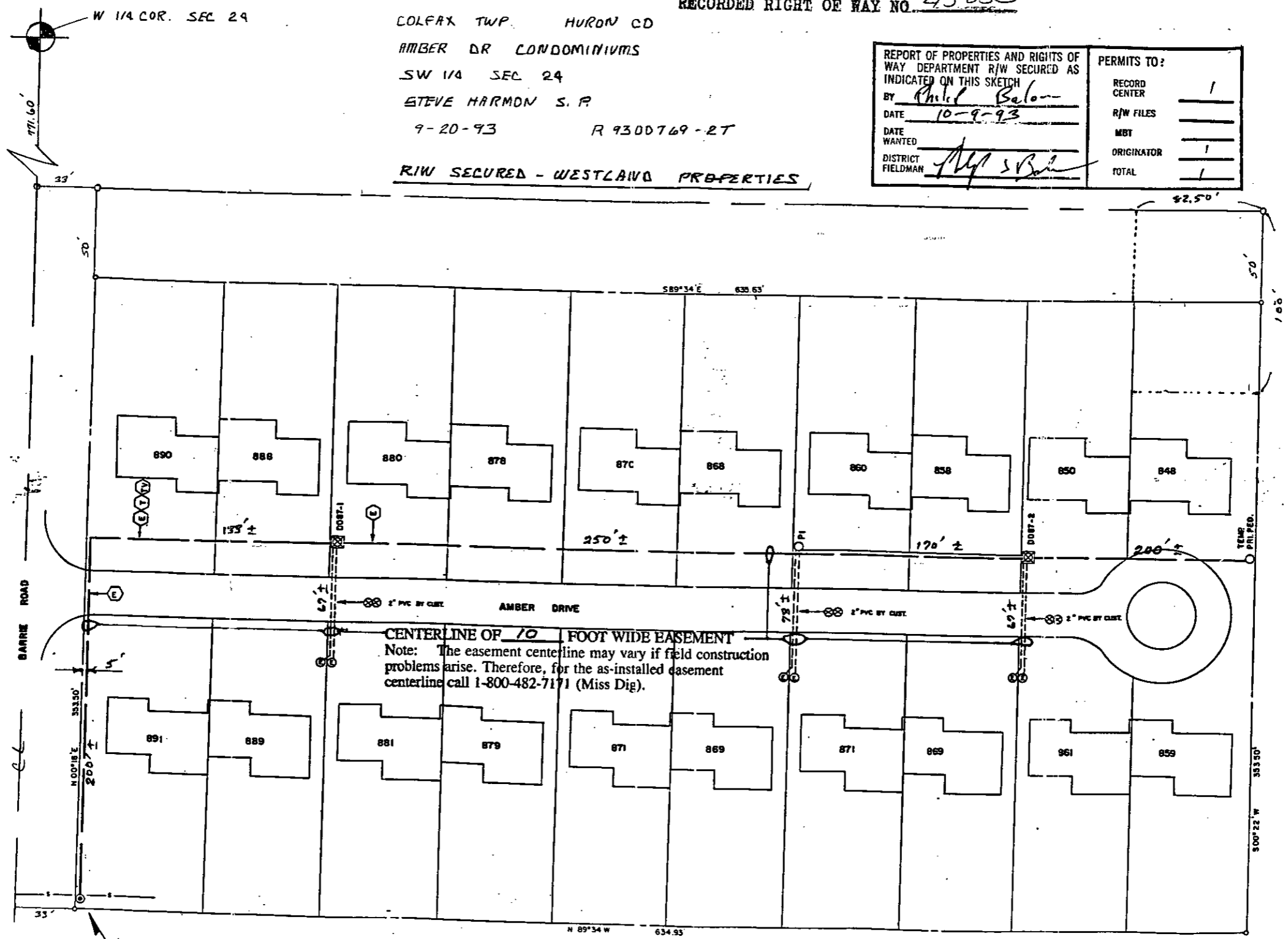
9-20-93

R 9300769-2T

RECORDED RIGHT OF WAY NO. 45053

R/W SECURED - WESTLAND PROPERTIES

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>10-9-93</u>	R/W FILES	<u> </u>
DATE WANTED	<u> </u>	MBT	<u> </u>
DISTRICT FIELDMAN	<u>Phil Balon</u>	ORIGINATOR	<u>1</u>
		TOTAL	<u>1</u>



INSTALLED

9005 1 6 001

1018930946JUNE	23950ROW	\$9.00
1018930946JUNE	23950M. S. S. R.	\$2.00