

1297 PAGE 963 TIME 1:06  
MARION SAUGET  
DEPUTY

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9201990-1TR

On Aug 12, 1992, 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: GARY, JAMES, RUTH FUNDARO  
21226 BON HEUR  
ST. CLAIR SHORES MI 48081

"Grantee" is: 8802A000 10/28/93DEED\* 11.00  
The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226

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

E 1/2 of E 1/2 of NW 1/4 EXC E 283 ft & INCL W 21 ft of S 694 ft of E 1/2 of NW 1/4  
EXC W 337 ft of E 620 ft of S 345 ft of N 720 ft of NW 1/4. SEC 21 T6N,R16E

The "Right of Way Area" is a part of Grantor's Land described as: 8802A000 10/28/93SSRE\* 2.00  
AS: 02\*\*

Per Detroit Edison drawing R-9201990-1TR dated 7-16-92.

- 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.

RECORDED RIGHT OF WAY NO. 452077

Witnesses:

David A. Porter

Brian L. Loren

Grantor: James Fundaro

Gary Fundaro - a single man

Ruth Fundaro wife of James

Prepared by and Return to:  
PHIL BALON 600 GRAND RIVER  
PORT HURON MI 48060 PH 984-6731

Acknowledged before me in St. Clair County, Michigan, on August 12, 1992

by Gary Fundaro, James Fundaro and Ruth Fundaro husband and wife

DEAN A. GAMBLE  
Notary Public, St. Clair County, MI  
My commission expires March 4, 1996

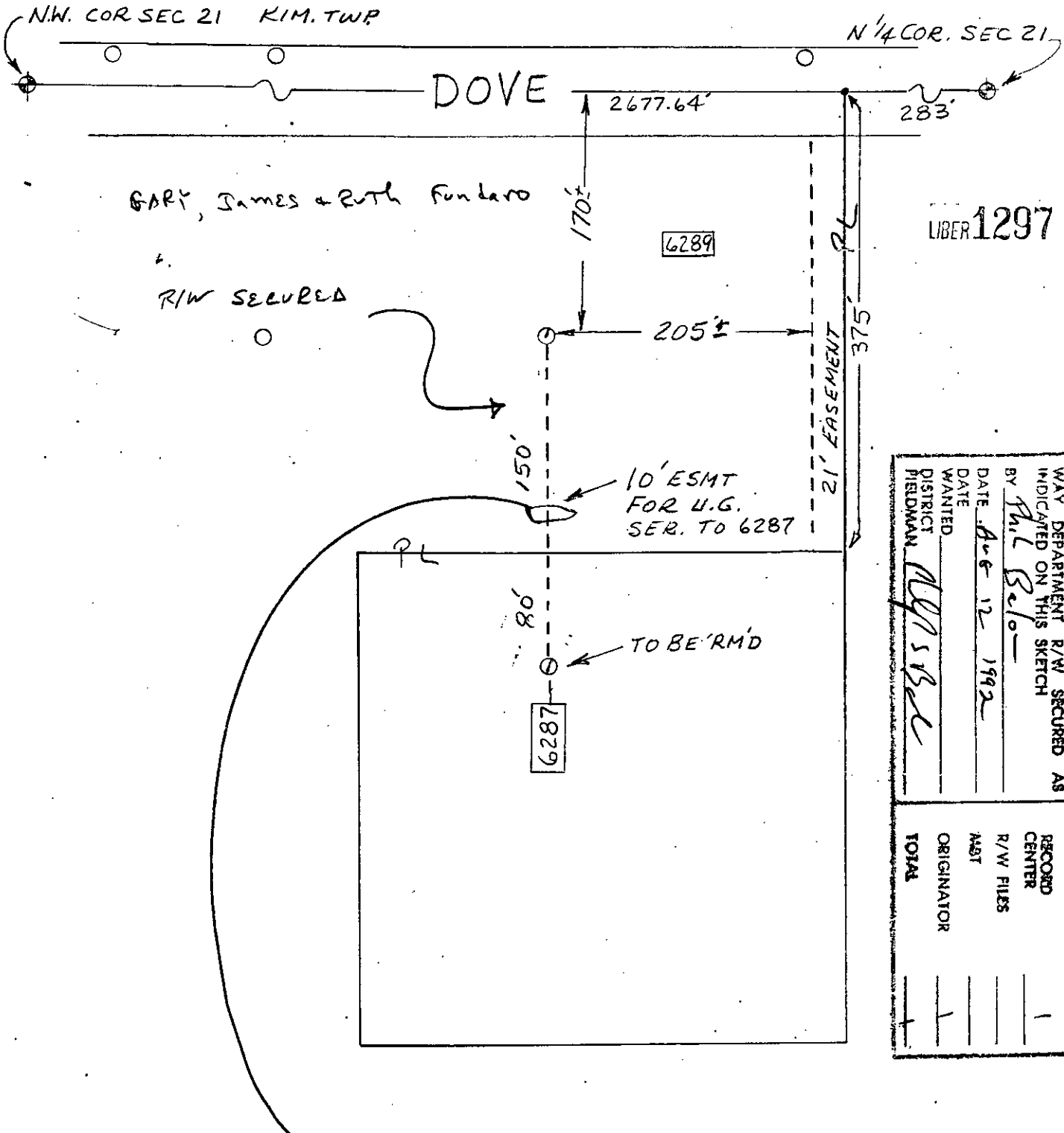
Notary's Stamp

*Dean Gamble*

Notary's Signature

APPROVED AS TO FORM 10/21/92 DATE  
LEGAL DEPARTMENT GMA

UNDERGROUND R/W DRAWING NO. R-9201990-1TR  
 SERVICE PLANNER D. CAN?  
 R/W FOR ADDRESS 6287 DOVE RD  
 DATE 7-16-92 COUNTY ST. CLAIR



LIBER 1297 963

REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH	
BY	Phil Bello
DATE	Aug 12 1992
DATE WANTED	
DISTRICT FIELDMAN	MSB
PERMITS TO RECORD CENTER R/W FILES	1
ORIGINATOR	1
TOTAL	1

**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).

RECORDED RIGHT OF WAY NO. 45077