

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9303790-1A

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".

"Grantor" is:

VIRGINIA HILL, 3430 SUSSEX CT., ANN ARBOR, MICHIGAN 48104

"Grantee" is:

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

"Grantor's Land" is in Scio Township, Washtenaw County, described as:

COM AT E 1/4 POST OF SEC 17; TH S 89°35'52" W 333.00 FT; TH N 01°11'40" W 27.55 FT FOR A POINT OF BEGINNING; TH N 85°40'50" W 200.88 FT; TH N 01°13'20" W 570.74 FT; TH N 88°46'34" E 200.23 FT; TH S 01°11'40" E 590.14 FT TO THE POINT OF BEGINNING. PL NE 1/4 SEC 17, T2S, R5E, 2.67 AC.

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

All in accordance with Detroit Edison Drawing R-9303790-1A, which is attached hereto and made a part hereof. The width of Right of Way is twenty (20) feet.

- 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 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.
- *8.** This agreement is being re-recorded to show Attachment "B".

RECORDED RIGHT OF WAY NO. 45115

Witnesses: (type or print name below signature)

Grantor: (type or print name below signature)

Kenneth A. Voight
KENNETH A. VOIGHT

Virginia Hill
VIRGINIA HILL

Joyce DeMaggio
JOYCE DE MAGGIO (ASSISTING IN WASHTENAW)

Acknowledged before me in Washtenaw County, Michigan, on SEPTEMBER 20th, 1993 by Virginia Hill.

Notary's Stamp
KENNETH A. VOIGHT
Notary Public, Wayne County, MI
My Commission Expires Sept. 9, 1997

Notary's Signature Kenneth A. Voight

Prepared by and Return to: Kenneth A. Voight, Detroit Edison, 425 S. Main, Suite 328, P. O. Box 8602, Ann Arbor, Michigan 48107/maf

2017-0828

TOP SECRET

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

Detroit Edison

Ann Arbor Division
425 South Main Street
Post Office Box 8602
Ann Arbor, Michigan 48107
(313) 761-8716

ATTACHMENT 'B'

January 25, 1994

Mike Rohde
The Michigan Group Realtors
555 Briarwood Circle, Suite 100
Ann Arbor, MI

Re: Septic Line and Driveway Encroachment of
Detroit Edison Easement (Recorded Liber 2860
Pages 725 and 726) Washtenaw County Records,
Washtenaw County Michigan, Property Known as
Tax Code: 81-08-17-100-007

To Whom it May Concern;

Detroit Edison has no objection to the proposed septic line and driveway encroachment crossing our easement provided the following is kept in mind.

Detroit Edison has underground facilities in this easement. Therefore, please be advised that the proposed installation and maintenance will be at the property owners sole risk and any damages or repairs to Detroit Edison or by Detroit Edison in the maintenance of its facilities, caused by this installation, will be the property owners responsibility.

Detroit Edison should be contacted, to safely and effectively coordinate, before any installation of work is done.

Sincerely,
Debbie J. Moore
Debbie Moore
Service Planning Supervisor
Ann Arbor Service Center

DM/jd

P.S. This letter to be recorded with Liber 2860 Pages 725 and 726.

RECORDED
WASHTENAW COUNTY, MI
FEB 3 1 56 PM '94
PEGGY H. HAINES
COUNTY CLERK/REGISTRAR
8333 0 23003 1885

RECORDED RIGHT OF WAY NO. 45115

RECORDED
WASHTENAW COUNTY, MI

FEB 3 1 56 PM '94

PEGGY M. HAINES
COUNTY CLERK/REGISTER

LIBER 2880

copy

*177
Hofert
(no work)*

DEED NUMB 307
8333 0333003 7982 1:52PM 2/03/94
11.00

SSRF
8333 0333003 7982 1:52PM 2/03/94
2.00

RECORDED WITH ORIGINAL

To Whom It May Concern:

Detroit Edison has no objection to the proposed easement line and driveway encroachment crossing our easement provided the following is kept in mind.

Detroit Edison has underground facilities in this easement. Therefore, please be advised that the proposed installation and maintenance will be at the property owners sole risk and any damages or repairs to Detroit Edison or by Detroit Edison in the maintenance of its facilities, caused by this installation, will be the property owners responsibility.

Detroit Edison should be contacted, for safety and site/visually coordination, before any installation of work is done.

Dorothy Moore
Dorothy Moore
Service Planning Supervisor
Ann Arbor Service Center

DM/jb

This letter to be recorded with Liber 2880 pages 718 and 719

8

RECORDED
WASHTENAW COUNTY, MI

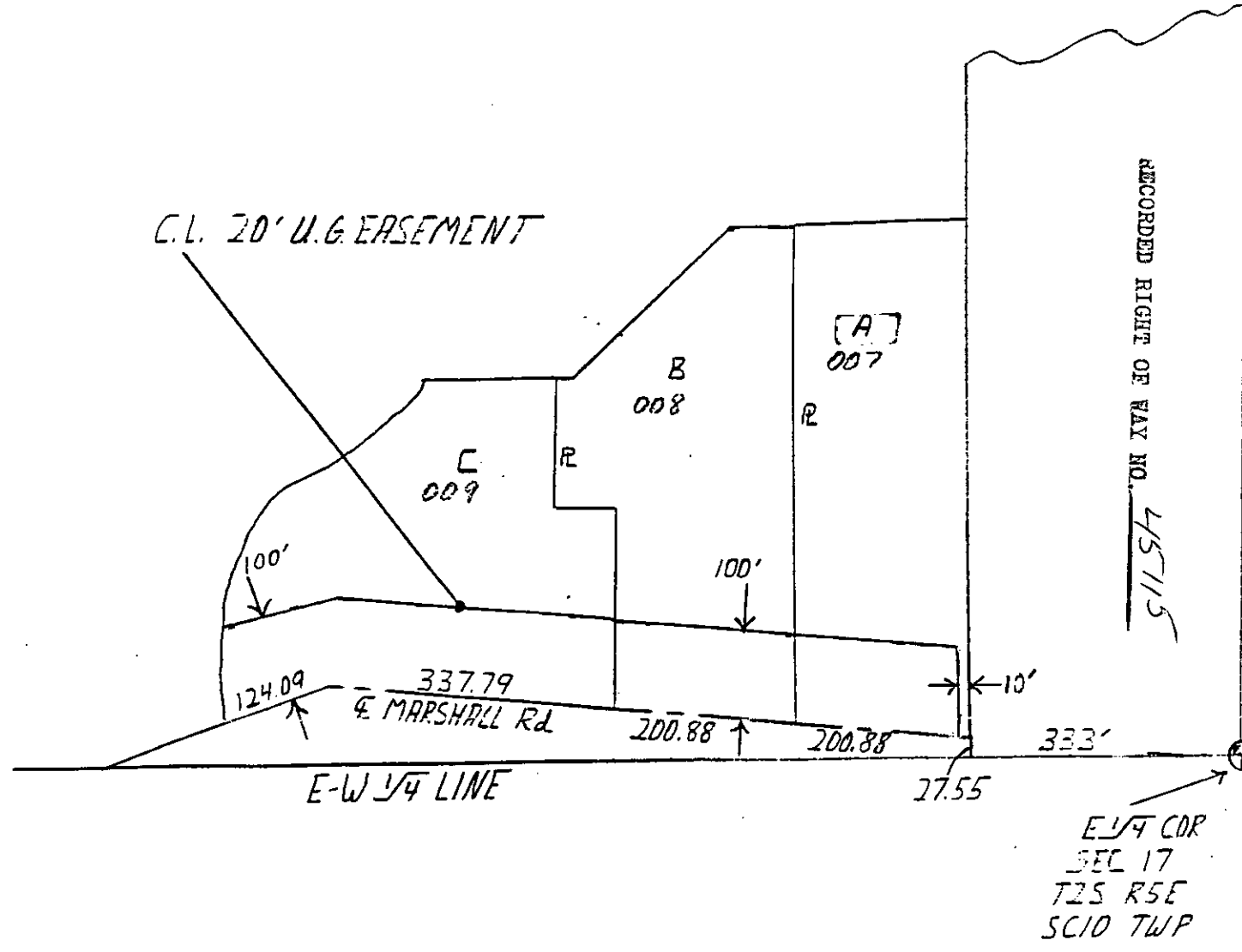
SEP 28 1 07 PM '93

PEGGY H. HAINES
COUNTY CLERK/REGISTRAR

— OWNER —

PARC A & C VIRGINIA HILL
3430 SUSSEX CT
ANN ARBOR MI 48104
PH 971-6519

PARC B LOUIS & LISA SCARPELLI



D. DANIELS

SERVICE TO 6684 MARSHALL

R/W # R-9303790-1.

2

RECORDS

1957-11-1985

RECORDED
WASHTENAW COUNTY, MI

SEP 28 1 07 PM '93

PEGGY M. HAINES
COUNTY CLERK/REGISTER

part 1
Drayton

NUMB 306
DEED
8333 0333003 1297 12:55PM 9/28/93 9.00

SSRF
8333 0333003 1297 12:55PM 9/28/93 2.00