

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9304255-1A

On Nov 9, 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:

DONALD E. BUTCHER, TRUSTEE OF THE DONALD E. BUTCHER TRUST IN ACCORDANCE WITH A TRUST AGREEMENT DATED MAY 11, 1983, 725 W. ELLSWORTH, ANN ARBOR, MI 48104

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
General Telephone Company, a Michigan corporation, 455 E. Ellis Road, P.O. Box 149, Muskegon, Michigan 49443

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

SEE REVERSE SIDE FOR LEGAL DESCRIPTION

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

ALL IN ACCORDANCE WITH DETROIT EDISON DRAWING R-9304255-1A, WHICH IS ATTACHED HERE TO AND MADE A PART HERE OF. THE WIDTH OF RIGHT OF WAY IS TWELVE (12) 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 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.

Witnesses: (type of print name below signature)

Grantor: (type of print name below signature)

Judith A. Murphy
Judith A. Murphy

Donald E. Butcher
DONALD E. BUTCHER, TRUSTEE

Carole A. Scaturro
Carole A. Scaturro

Acknowledged before me in Washteanw County, Michigan, on November 9, 1993 by DONALD E. BUTCHER, TRUSTEE OF THE DONALD E. BUTCHER TRUST.

Notary's Stamp: CAROLE A. SCATURRO, NOTARY PUBLIC, WASHTENAW COUNTY, STATE OF MICHIGAN, MY COMMISSION EXPIRES 1-29-97
Notary's Signature: Carole A. Scaturro

RECORDED RIGHT OF WAY NO. 45311

DESCRIPTION - PARCEL "F"

BEGINNING at the West 1/4 corner of Section 33, T3S, R5E, Lodi Township, Washtenaw County, Michigan; thence N88°03'10"E 1310.48 feet along the East and West 1/4 line of said Section 33 and the centerline of Saline Waterworks Road; thence S01°27'20"E 2653.15 feet along the East line of the West 1/2 of the Southwest 1/4 of said Section 33; thence S87°58'50"W 1326.50 feet along the South line of said Section 33 to the Southwest corner of said Section; thence S87°20'25"W 360.97 feet along the South line of Section 32, T3S, R5E, Lodi Township, Washtenaw County, Michigan to the Northeast corner of Section 5, T4S, R5E, Saline Township, Washtenaw County, Michigan; thence N06°36'05"E 2689.12 feet along the centerline of Grass Road to the Point of Beginning. Being the West 1/2 of the Southwest 1/4 of Section 33 and a part of the East 1/2 of the Southeast 1/4 of Section 32, T3S, R5E, Lodi Township, Washtenaw County, Michigan and containing 91.33 acres of land more or less. Being subject to the rights of the public over the Southerly 33 feet of Saline Waterworks Road and the Easterly 33 feet of Grass Road. Also being subject to easements and restrictions of record, if any.

|                     |                    |      |
|---------------------|--------------------|------|
| APPROVED AS TO FORM | 11/19/93           | DATE |
| LEGAL DEPARTMENT    | <i>[Signature]</i> |      |

|  |                        |                                       |                  |
|--|------------------------|---------------------------------------|------------------|
| To (Supervisor, RE & R/W)<br><b>RICHARD LONGWISH</b> | For RE & R/W Dept. Use | Date Received                         | DE/Bell/C.P. No. |
| Division<br><b>ANN ARBOR</b>                         | Date<br><b>9/29/93</b> | Application No<br><b>R-9304255-1A</b> |                  |

We have included the following necessary material and information:

**Material:**

- A. Proposed Subdivision  
 1. copy of complete final proposed plat - All pages  
 or  
 B. Other than proposed subdivision (condo., apts. mobile home park — other)  
 1. Property description.  
 2. Site plan.  
 3. title information (deed, title commitment, contract with title commitment, or title search).

Customer Tracking Number 9304255

Note: Do not submit application for URD easements until all above material has been acquired.

REPORT OF REAL ESTATE AND RIGHTS  
 C. DEPARTMENT R/W SECURED AS  
 INDICATED ON THIS SKETCH  
 BY K.A. Vaughn  
 DATE 11-15-93  
 DRAWN Richard Longwish

PERMITS TO:

|            |          |
|------------|----------|
| RECORD     | <u>2</u> |
| CENTER     | <u>0</u> |
| R/W FILES  | <u>0</u> |
| MBT        | <u>2</u> |
| ORIGINATOR | <u>2</u> |
| TOTAL      | <u>2</u> |

**Information**

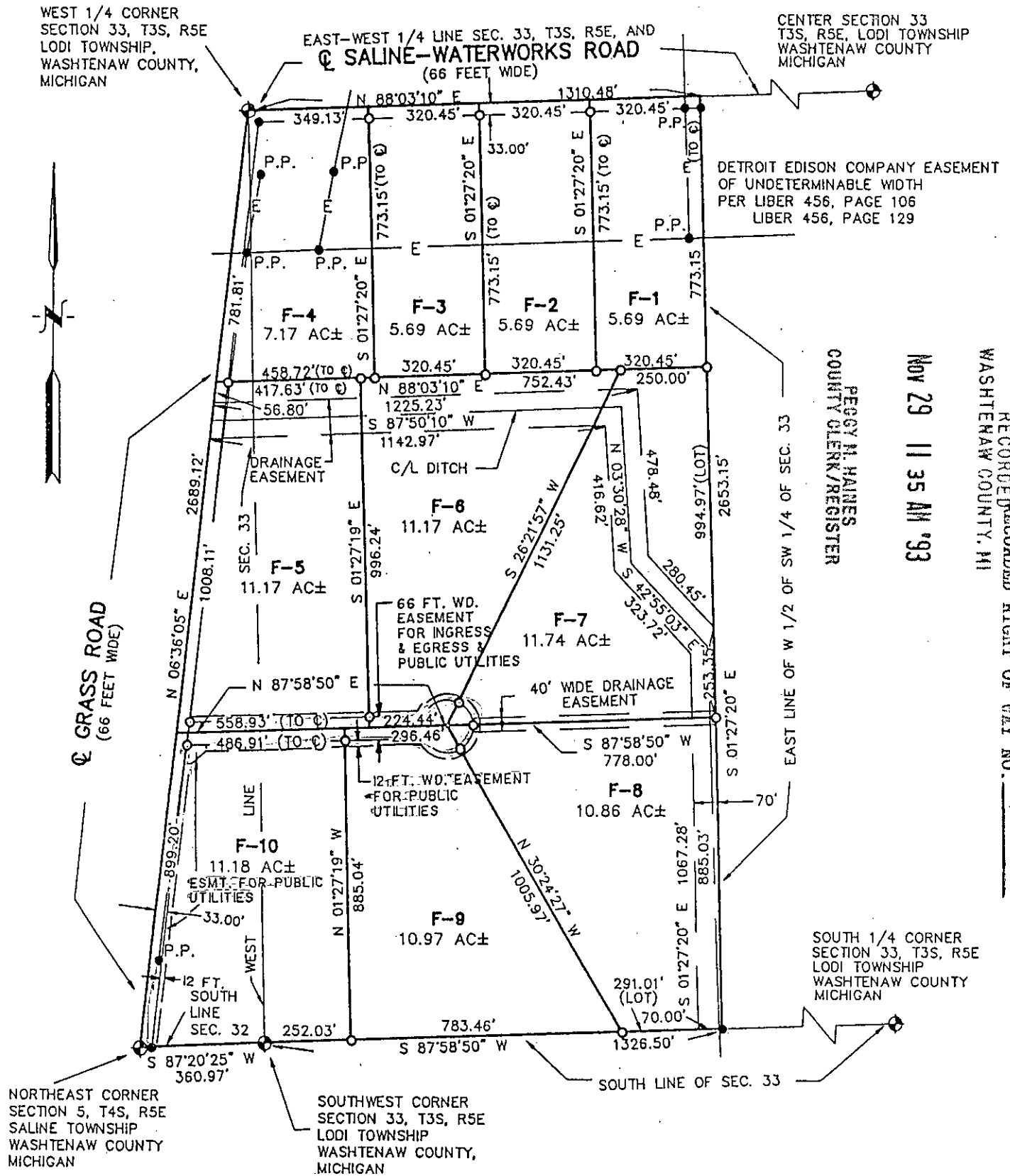
|   |   |                                    |
|---|---|------------------------------------|
| 1. Project Name<br><b>SUNRISE CT. PARCELS</b>   | City/Township/Village<br><b>LODI TWP.</b>   | Section No.<br><b>32 &amp; 33</b>  |
| Type of Development<br><input type="checkbox"/> Proposed Subdivision<br><input type="checkbox"/> Subdivision<br><input type="checkbox"/> Apartment Complex<br><input type="checkbox"/> Mobile Home Park<br><input checked="" type="checkbox"/> Condominium<br><input checked="" type="checkbox"/> Other | 2. Name of Owner<br><b>DONALD E. BUTCHER</b>  | Phone No.<br><b>769-6781</b>       |
| Address<br><b>96 SANDERS CONSULTING<br/>PO BOX 637, CLINTON MI. 49236</b>   | Owner's Representative<br><b>MIKE SANDERS</b>   | Phone No.<br><b>(517) 456-6020</b> |
| Date Service is Wanted<br><b>10-24-93</b>   | 4. Entire Project will be developed at one time ..... <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br>5. Joint easements required — Michigan Bell Telephone ..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>— Consumers Power ..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |                                    |
| a. Name of Other Utilities If Not Michigan Bell Telephone or Consumers Power<br><b>GTE - ADRIAN</b>   | b. Other Utility Engineer Names<br><b>DAVE JERNAS</b>   |                                    |
| Addresses   | Phone Numbers<br><b>(517) 265-0648</b>  |                                    |

6. Additional Information or Comments

Note: Trenching letter  attached  will be submitted later

|                                    |   |
|------------------------------------|---|
| Service Planner<br><b>Bob Hall</b> | Signed (Service Planning Supervisor)<br><b>Robert C. Hall</b> |
| Phone No.<br><b>185-4053</b>       | Address   |

RECORDED RIGHT OF WAY NO. 45310 + 45311



LEGEND

- = SET IRON PIPE WITH CAP LS # 33971
- = FOUND IRON
- P.P. = POWER POLE

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE LAND HEREIN PLATTED AND/OR DESCRIBED ON MARCH 17, 1993 AND THAT THE RATIO OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS 1/10,000 OR BETTER, AND THAT ALL OF THE REQUIREMENTS OF ACT NO. 132, P.A. 1970 (AS AMENDED) HAVE BEEN COMPLIED WITH.  
 NOTE: BEARINGS ARE BASED ON WASHTENAW ENGINEERING CO. SURVEY JOB 21550, FILE NO. R-5763

CLIENT: DONALD BUTCHER

SCALE 1 INCH = 400 FEET

SECTION 33 TOWN 3 SOUTH RANGE 5 EAST  
 LODI TOWNSHIP  
 WASHTENAW COUNTY • MICHIGAN

LICENSED SURVEYOR NO. 33971



7011 W. GRAND RIVER AVE.  
 BRIGHTON, MICHIGAN 48116  
 (313) 227-9533

OCT 20 1993

OCT 20 1993

DATE: 03-17-1993

REV:

JOB NO: 5573

FC:

FB: PG:

DRAWN: TDS

DWG NO: 2-13-33-5573

SHEET 1 OF 9

AS DATED  
12/5/93

SSRF 2.00  
B333 0333003 4336 11:07AM 11/29/93  
MISC 11.00  
B333 0333003 4336 11:07AM 11/29/93

REGISTRY CLERK/REGISTER  
PEGGY M. HAINES

NOV 29 11 35 AM '93

RECORDED  
WASHTENAW COUNTY, MI

11/29/93  
P. G.

11/29/93