

**Detroit Edison**

LIBER 0632 0089

C067013

**UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R9304289-01R**

On 5-11, 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:

Gerald Shovan and Catherine M. Shovan, husband and wife, 47344 Forton, New Baltimore, Michigan 48047 **MAY 12 PM 3:46**

"Grantee" is:

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

Ameritech, a Michigan Corporation, 444 Michigan Avenue, Detroit, Michigan 48226

Harron Cablevision, a Delaware Corporation, 55800 New Haven Road, Chesterfield, Michigan 48051

CARMELLA SABAUGH  
REGISTER OF DEEDS  
MACOMB COUNTY, MI

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

Part of Lot 15 of "Supervisor's Plat No. 2" being a part of P.C. 193, T3N, R14E, Chesterfield Township, Macomb County, Michigan as recorded in Liber 16, Page 39, Macomb County Records, and being more particularly described as follows: Commencing at the Northwest corner of said Lot 15, thence extending N 50°08' E 60.0 feet along the Southerly Right-of-Way of Forton Road, thence S 40°02' E 100.0 feet, thence S 50°08' W 14.0 feet, thence S 27°29'48" E 27.64 feet, S 40°06'50" E 173.02 feet to the face of a steel seawall, thence S 44°48'13" W 40.0 feet along the seawall, thence N 40°06'35" W 303.74 feet along the Westerly line of Lot 15 to the point of beginning.

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

A ten (10) foot wide easement as shown on drawing R9304289-01 attached hereto.

- 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.
- Access:** Grantee has the right of access to and from the Right of Way Area.
- 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.
- 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.
- 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.
- 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.
- 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 below signature)

Grantor:(type or print name below signature)

X Lynita Andrews  
Lynita Andrews

Gerald Shovan  
Gerald Shovan

X Kathleen Trombley  
Kathleen Trombley

Catherine M. Shovan  
Catherine M. Shovan, wife

Acknowledged before me in Macomb County, Michigan, on May 11, 1993 by

Gerald Shovan and Catherine M. Shovan, wife.  
JAMES A. ARMOUR  
Notary Public Macomb County, MI  
My Commission Expires Jan. 17, 1996

Notary's Stamp \_\_\_\_\_ Notary's Signature James A. Armour

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

RECORDED RIGHT OF WAY NO. 45681a

APPLICATION FOR RIGHT OF WAY

DE 963-0811 9-7458 (MS 83)

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

LOCATION FORTON N.E. OF COTTON, E. OF  
JEFFERSON

CITY OR VILLAGE \_\_\_\_\_

TOWNSHIP CHESTERFIELD COUNTY MACOMB

DATE BY WHICH RIGHT OF WAY IS WANTED \_\_\_\_\_

THIS R/W IS \_\_\_\_\_ % OF TOTAL PROJECT NO. \_\_\_\_\_ ACCUM. \_\_\_\_\_ %.

DATE 11-30-93

APPLICATION NO. R-9304289-01

DEPT. ORDER NO. \_\_\_\_\_

O. F. W. NO. \_\_\_\_\_

BUDGET ITEM NO. 369B54J393

INQUIRY NO. \_\_\_\_\_

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 98' X 10' EASEMENT FOR SERVICE TO  
47344 FORTON AS INDICATED ON SKETCH.

PURPOSE OF RIGHT OF WAY \_\_\_\_\_

SIGNED S. GRAHAM

MTC SC  
OFFICE

SER. 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

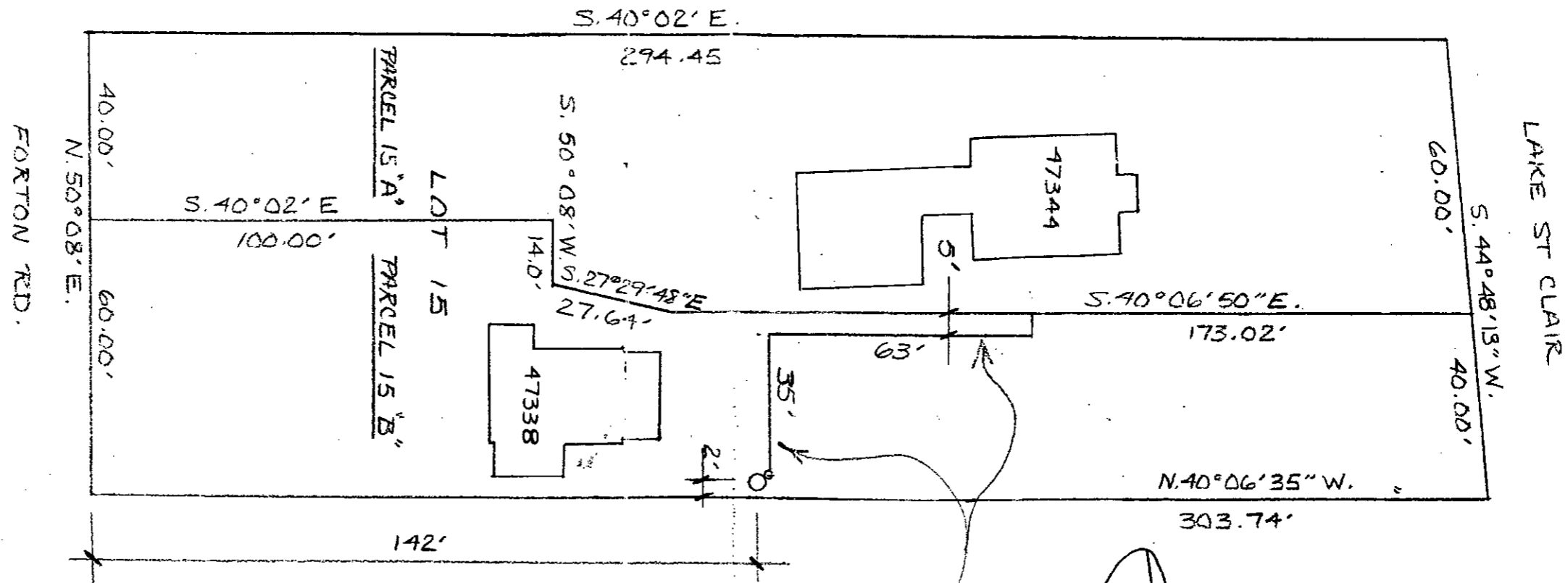
DATE 5-23-94 SIGNED Michael M. Lake CABLE 1

RECORDED RIGHTS OF WAY NO. 45266101

LIBER 06328PC090

LIBER 06328PC091

PART OF LOT 15 OF SUPERVISOR'S PLAT NO. 2 BEING A PART OF T.C. 193, T. 3N., R. 14E., CHESTERFIELD TOWNSHIP MACOMB COUNTY, MICHIGAN, AS RECORDED IN LIBER 16, PAGE 39.



**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).

