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RIGHT OF WAY FILE #

R45662A

GRANTOR NAME

[Empty grid for Grantor Name]

[Empty grid for Grantor Name]

STREET ADDRESS

[Empty grid for Street Address]

[Empty grid for Street Address]

ST [Empty grid]

CITY/TOWN

[Empty grid for City/Town]

ZIP CODE

[Empty grid for Zip Code]

EASEMENT DESCRIPTION

6 [Empty grid]

AGREEMENT DATE

[Empty grid]

AGREEMENT TYPE

[Empty grid] R P C

LIBER #

[Empty grid]

PAGE #

[Empty grid]

DRAWING R/W #

[Empty grid]

PVT CL#

[Empty grid]

SECTION

[Empty grid]

QUARTER SECTION 3

[Empty grid] 1/4 1/2

QUARTER SECTION 2

[Empty grid] 1/4 1/2

QUARTER SECTION 1

[Empty grid] 1/4 1/2

TOWNSHIP

[Empty grid]

COUNTY

[Empty grid]

RTE OF LINE

[Empty grid] N/S E/W B

TOWNSHIP RANGE

[Empty grid]

DIVISION CODE

[Empty grid] A D M O T W

SUBDIVISION NAME

[Empty grid]

OUT LOT

[Empty grid]

EAST OF

[Empty grid]

BLOCK #1

[Empty grid]

WEST OF

[Empty grid]

LOT #1

[Empty grid]

NORTH OF

[Empty grid]

BLOCK #2

[Empty grid]

SOUTH OF

[Empty grid]

LOT #2

[Empty grid]

+

+

Detroit Edison

11-
06328PC01

C067012

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R9400829-01

On 3-18, 1994, 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:

F. F. Enterprises, Inc., 7777 16 Mile Road, Sterling Heights MI 48312

"Grantee" is:

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

Ameritech, a Michigan Corporation, 444 Michigan Ave., Detroit MI 48226

"Grantor's Land" is in City of New Baltimore, Macomb County, described as:

Part of Lot 256, Assessor's Plat No. 7, described as: Commencing at the Southeast corner of Lot 256; thence N 88°56' W 218.00 feet to the point of beginning; thence N 88°56' W 149.50 feet; thence N 00°15' W 560.43 feet; thence S 88°56' E 149.50 feet; thence S 00°15' E 560.46 feet to the point of beginning, said plat being located in New Baltimore, Macomb County, Michigan, except that portion deeded to the Michigan Department of Transportation in Liber 3535, Page 353.

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 R9400829-01 attached hereto.

- 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.

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

94 MAY 12 PM 3:46

X [Signature] CARMELLA SABAUGH
ANJIE CAPIZZI REGISTER OF DEEDS
MACOMB COUNTY, MI

X [Signature]
CHANTEELE DONZE

F. F. ENTERPRISES, INC.
a Michigan Corporation

BY: [Signature]

SICILIA BADALAMENTI
SECRETARY

Acknowledged before me in MACOMB County, Michigan, on 3-18, 1994

SICILIA BADALAMENTI, SECRETARY OF F.F. ENTERPRISES, a Michigan Corporation

Notary's Stamp **CHRISTIE LYNE O'NEIL**
Notary Public, Oakland County, MI
My Commission Expires Feb. 4, 1996
(Notary's name, county and date commission expires)

Notary's Signature [Signature]

RECORDED RIGHT OF WAY NO. 45662A

APPLICATION FOR RIGHT OF WAY

DR 943-0811 3-7489 (MS 80)

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

DATE 3-7-94

LOCATION NEW BALTIMORE

APPLICATION NO. R-9400829-01

DEPT. ORDER NO. _____

CITY OR VILLAGE NEW BALTIMORE

O. F. W. NO. _____

TOWNSHIP _____ COUNTY MICOMBS

BUDGET ITEM NO. _____

DATE BY WHICH RIGHT OF WAY IS WANTED 4-4-94

INQUIRY NO. _____

THIS R/W IS 100 % OF TOTAL PROJECT NO. _____ ACCUM. _____ %

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 UNDERGROUND CONDUITS AND CONDUCTORS, ABOVE GROUND TRANSFORMERS

PURPOSE OF RIGHT OF WAY PROVIDE SERVICE TO 35146 23 MILE RD. PRESENT AND FUTURE

SIGNED [Signature]

OFFICE _____ DEPARTMENT _____

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

R/W secured as requested

RECORDED RIGHT OF WAY NO. 451002

PERMITS IN RECORD CENTER 1 R.E. & R/W DEPT. FILE 1 GRANTOR 1

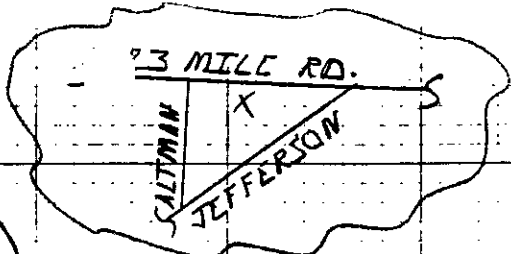
NO. OF PERMITS 1 NO. OF STRUCTURES _____ NO. OF MILES _____ PERMITS TO MBT 1

DATE 5-23-94 SIGNED Michael McCabe

Sec. 24 W/2

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).



23 MILE

149.50'
N. 88° 56' 00" E.

M-29

FIBER 06328PC088

CENTERLINE OF 6 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).

181'
324'

N. 00° 15' WEST 560.93'

CENTERLINE OF 4 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).

5.00° 15' 00" EAST 560.93'

R.W. CONTACT
ROSARIO BADALAMENTI
ITALIA BADALAMENTI (HIS WIFE)
AND
SALVATORE BADALAMENTI
STELLA BADALAMENTI (HIS WIFE)

F.F. ENTERPRISES INC.
7777 16 MILE ROAD
STERLING HEIGHTS, MI. 48312
(810) 795-3626

N. 88° 56' 00" W.
149.50'

N. 88° 56' 00" WEST 218'

P.O.B.

PROPERTY RIGHT OF WAY NO.

456020

9400829

PART OF LOT 256, ASSessor's PLAT NO. 7

R-9400829-01