

Detroit Edison

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**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R9308352-01
PROJECT NAME 23 East-Townhouse**

On 7-21, 1994, for the consideration of system betterment, Grantor grants to Grantee a permanent underground distribution easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

"Grantor" is:

George Fonville & Donna Fonville, wife, 8280 Chateau Rouge, Sterling Heights, MI 48078

"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; Harron Cablevision, a Delaware Corporation, 55800 New Haven Rd., Chesterfield, MI 48051

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

Part of the northwest 1/4 of Section 21, T3N, R14E, commencing at the northwest corner of Section 21, thence S. 0° 36' west 322.78' to the point of beginning; thence N. 89° 55' east 322.78'; thence S. 0° 36' west 1028.59'; thence N. 89° 27' west 322.76'; thence N. 0° 36' east 1025.02' to the point of beginning. Also commencing at the northwest corner of Section 21; thence N. 89° 55' 00" east 646.65'; thence S. 00° 36' 00" west 306.0' to the point of beginning; thence extending S. 00° 36' 00" west 1048.90'; thence N. 89° 27' 00" west 321.85'; thence N. 00° 36' 00" east 1045.37'; thence N. 89° 55' 00" east 321.87' 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 94A-74258 attached hereto.

- 1. Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain 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. Ground Elevation:** Grantor must grade the Right of Way Area to within four inches of final grade before Grantee installs its facilities. Grantor must maintain this ground elevation after Grantee installs its facilities.
- 7. Damages:** If Grantor, its agents, employees or contractors damage Grantee's facilities, Grantee shall make repairs at Grantor's expense.
- 8. 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 Jacqueline Hepp
 Jacqueline Hepp

x Darlene Felkey
 Darlene Felkey

George Fonville
 George Fonville

Donna Fonville
 Donna Fonville, wife

94 SEP -6 PM 1:46

JOAN PETERS
REGISTRAR OF DEEDS
MACOMB COUNTY, MI

Acknowledged before me in Macomb County, Michigan, on 7-21, 1994 by

George Fonville + Donna Fonville His wife
 My Commission Expires: 1-23-96

Notary Public, Genesee County, MI
 Notary's Stamp Commission Expires Jan. 23, 1996
 Notary's Signature Joan Peters

Prepared by and Return to: Michael J. McCabe. 43230 Elizabeth Rd., Clinton Township MI 48036
 JOAN PETERS
 ACTING IN MACOMB CTY.

RECORDED RIGHT OF WAY NO. 46012



Mt. Clemens Service Center
43230 Elizabeth Road
Clinton Twp., Michigan 48036-1101

Date: September 20, 1994
To: Record Center
From: Edward J. Jansen *EJJ*
Facilitator - Right of Way
Mt. Clemens Service Center
Subject: Right of Way Agreement
Re: Underground Residential Distribution for 23 East
Townhouse, Part of the N/W 1/4 of Section 21,
Town 3 North, Range 14 East, Chesterfield Township,
Macomb County, Michigan.

Attached for the Record Center is the executed Right of Way Agreement dated July 21, 1994, for the above named project.

Easement for this project was requested by Charles Maddix, Planner, Mt. Clemens Service Center. The agreement was negotiated by Michael J. McCabe, Sr. Representative, Real Estate and Rights of Way, Mt. Clemens Service Center.

Detroit Edison Company, Ameritech and Harron Cablevision made this agreement with George Fonville and Donna Fonville, husband and wife.

Please make the attached papers a part of recorded Right of Way file.

ejj

Attachment

RECORDED RIGHT OF WAY NO. 46012



HBR# 06442PC177

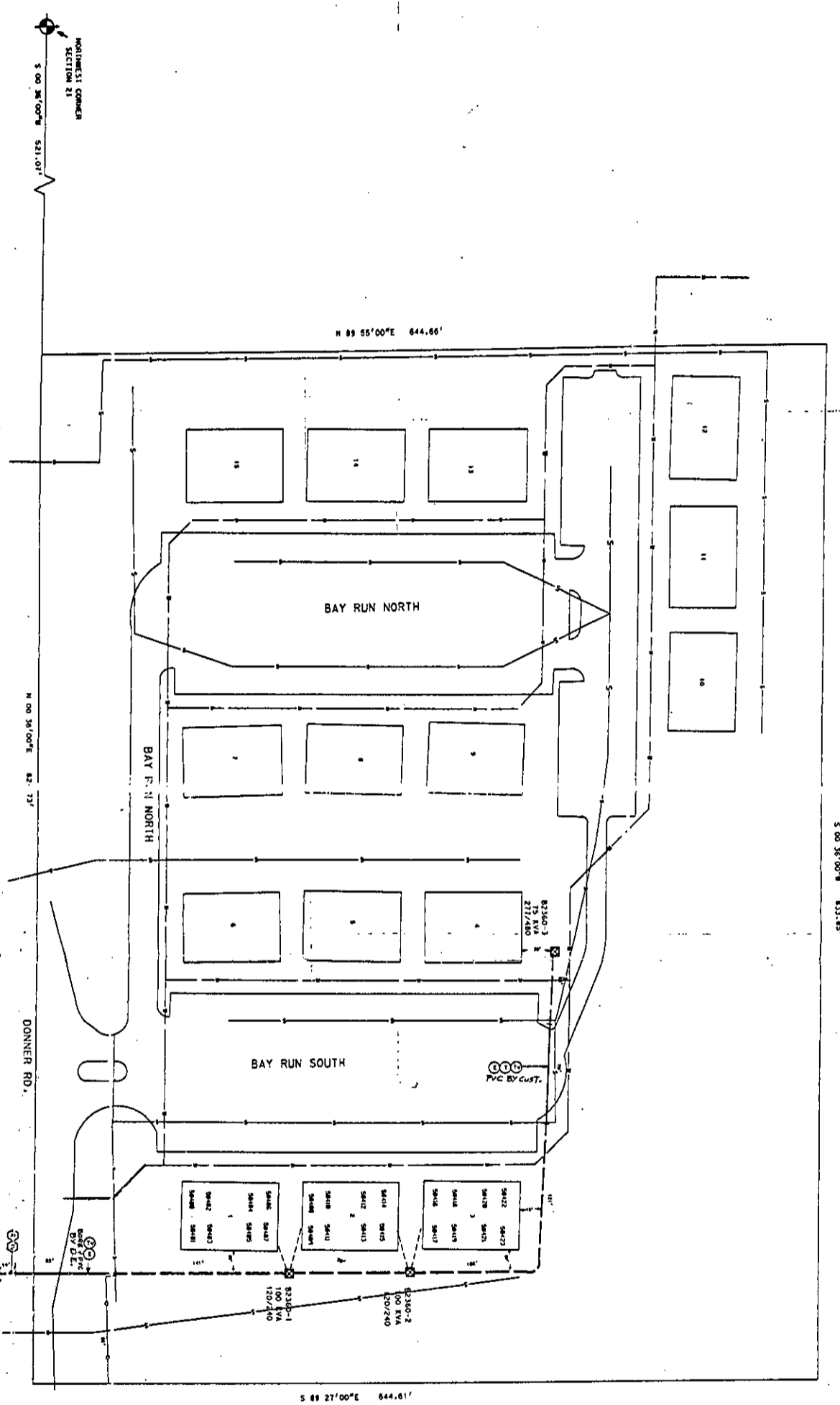
HBR# 06442PC178

LOCATION SECTION
MAP SEC. NO. 1-58-228



TRANSFORMER DATA

T.A.T. NO.	TYPE	HP. SER. NO.
B2360-2	100	65-1153
B2360-3	75	64-1005



SEE DRAWING PAGE 2 FOR DIMENSIONS OF STRUCTURE

PRODUCTS REQUIRED

DECO	WFI	CAVY	CAS CO
X	X	X	X
X	X	X	X
X	X	X	X
X	X	X	X

GENERAL NOTES

1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

2. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY.

3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.

4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.

5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.

6. THE CONTRACTOR SHALL MAINTAIN A RECORD OF ALL WORK DONE AND SUBMIT IT TO THE ENGINEER UPON COMPLETION.

TRENCH SUMMARY

DATE: 11/20/11
 TIME: 11:30 AM - 4:30 PM
 LOCATION: 23 EAST CHEST

CABLE SUMMARY

DATE: 11/20/11
 TIME: 11:30 AM - 4:30 PM
 LOCATION: 23 EAST CHEST

CODE

○ TELEPHONE SERVICE POINT

○ TELEPHONE SERVICE POINT

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NO.	DESCRIPTION	DATE	BY
1	PREPARED BY ENGINEER	11/20/11	J. J. [Signature]
2	CHECKED BY ENGINEER	11/20/11	J. J. [Signature]
3	APPROVED BY ENGINEER	11/20/11	J. J. [Signature]
4	REVISION		
5	REVISION		
6	REVISION		
7	REVISION		
8	REVISION		
9	REVISION		
10	REVISION		

23 EAST CHEST
 PART OF SECTION 21, 1-S-M-R-1-16-C
 CHESTERFIELD TWP
 MACOMB CO. 94A7A258