

11-
Sec. 08
W/205SW/4

Detroit Edison

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9504294-01

Edm

On Sept. 25, 1995, 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:

Lical Associates Limited Partnership, a Michigan Limited Partnership, 13325 East 14 Mile Road, Sterling Heights, Michigan 48312

"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

Comcast Cablevision, a Delaware Corporation, 6065 Wall Street, Sterling Heights, Michigan 48312

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

A parcel of land located in and being a part of the West 1/2 of the Southwest 1/4 of Section 28, and part of P.C. 611, Town 1 North, Range 13 East, City of Eastpointe, Macomb County, Michigan, being more particularly described as follows: All of Lot 58, Eastland Woods Subdivision No. 1 as recorded in Liber 35 of Plats, Page 8, Macomb County Records and all of Lot 576 and that part of Lot 575, Assessor's Plat No. 34, as recorded in Liber 41 of Plats, Page 12, Macomb County Records and described as: Beginning at the Northeast corner of said Lot 575; thence South 20 degrees 03 minutes 32 seconds West 251.58 feet along the East line of said Lot 575; thence North 00 degrees 17 minutes 00 seconds East 236.74 feet to a point on the North line of said Lot 575; thence along said North line South 89 degrees 43 minutes 00 seconds East 85.12 feet to the point of beginning. Sidwell # 02-14-28-353-038.

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

As shown on the attached R/W Drawing #R-9504294-01, dated 9-11-95. The width of the easement is ten (10) feet.

- 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)

Lical Associates Limited Partnership,
a Michigan Limited Partnership

Nica M. Rondina
NICA M. RONDINA

By: [Signature]
Donald G. Calcaterra

Geraldine Johnston
GERALDINE JOHNSTON

Its: General Partner

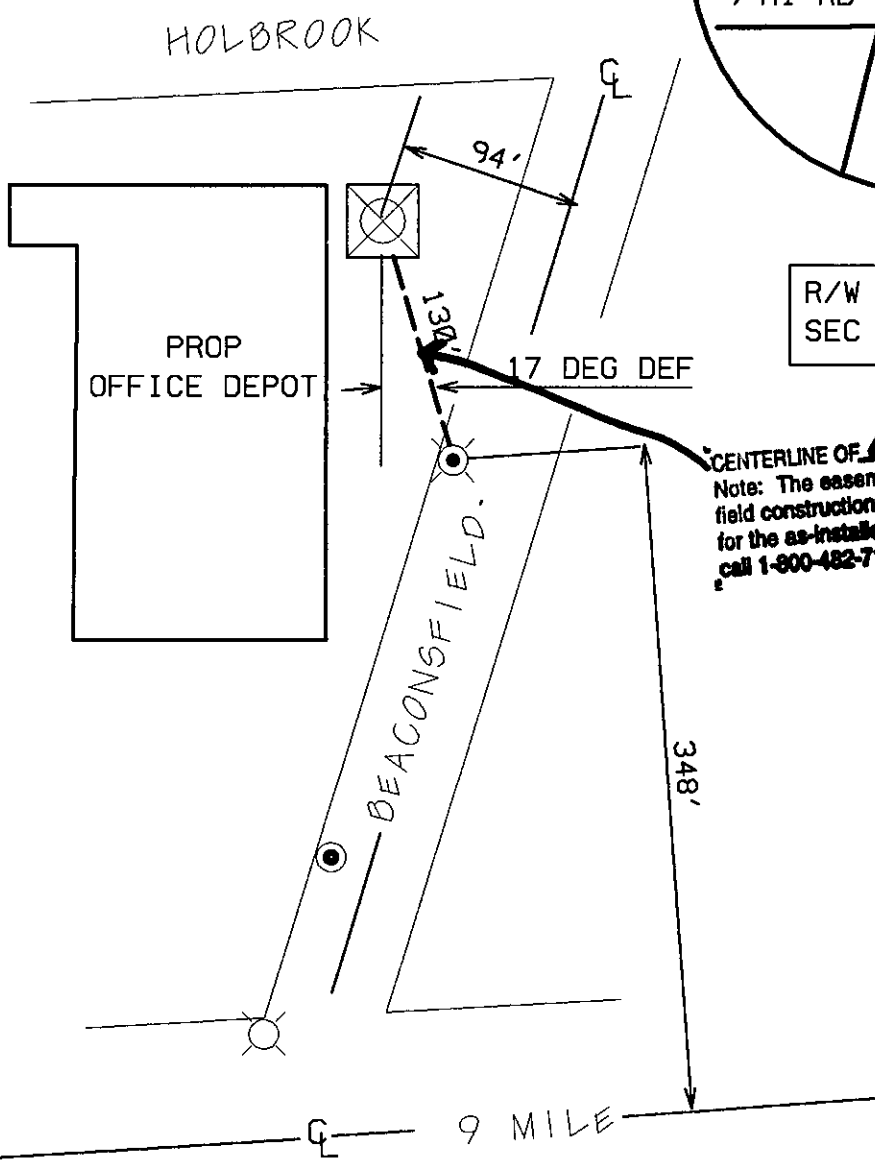
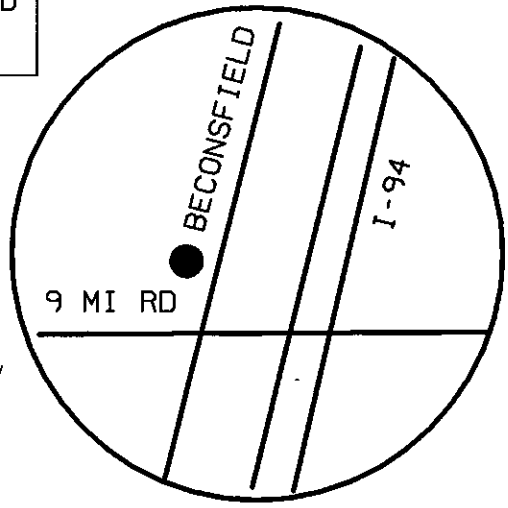
Acknowledged before me in Macomb County, Michigan, on 9-25, 1995 by Donald G. Calcaterra, General Partner, Lical Associates Limited Partnership, a Michigan Limited Partnership, for the Partnership.

GERALDINE JOHNSTON
NOTARY PUBLIC - MACOMB COUNTY, MI
MY COMMISSION EXPIRES 01/22/99

Notary's Stamp _____ Notary's Signature Geraldine Johnston

(Notary's name, county and date commission expires)
Prepared by and Return to: Edward J. Jansen, Jr., 43230 Elizabeth Road, Clinton Township, Michigan 48036

CABLE POLE LOCT'N: LEAD W SIDE/BECONSFIELD
 3PN/NINE MI RD



R/W * R-9504294-01
 SEC 28 S/W 1/4

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).

1782H USE THIS TO VERIFY DISTANCE

JPL 9504294

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT			
CITY OR TWP. EASTPOINTE		COUNTY MACOMB	TWP SEC QTR 1N 13E NO
DEPT. ORDER NO. A-74500		R/W NO. R-9504294-01	
MAP SECT. 1-378-354		JOINT R/W REQ'D NO	
PROJECT NAME OFFICE DEPOT		MBT MEMO# N/A	
TOWNSHIP CLN	SERVICE CENTER MTC	COMP. CODE	MAILING CITY N/A
CIRCUIT 2509 SHORS 4.8KV		CATV MEMO# N/A	
REASON NEW BUSINESS		O.F.W.	
PLANNER P. J. BALICE		SCALE 1" = 100'	DATE 9/11/95
BUDGET ITEM NO. 5MBOB-MDB			

- LEGEND**
- EXIST. D.E.CO. POLE
 - PROPOSED POLE
 - FOREIGN POLE
 - ⊗ EXIST. ANCHOR
 - ⊕ PROPOSED ANCHOR
 - ☁ TREE
 - 120/240 V LINE
 - 4800 V LINE
 - 13,200 V LINE
 - 40,000 V LINE