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LIBER 11874 PAGE 487
06/17/2002 12:23:10 P.M.
MACOMB COUNTY, MI
CARMELLA SABAUGH, REGISTER OF DEEDS

RECORDED R/W FILE NO. 71601

Detroit Edison Overhead Easement (Right of Way) No. 304490-2c

On 6-12-02, 2002, for the consideration of system betterment, Grantor grants to Grantee a permanent overhead easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area."

"Grantor" is:

Town Centers Development Co., Inc., a Michigan Corporation 23309 Quinn Rd., Clinton Township, MI. 48035

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
Ameritech 100 S. Main St. Mt. Clemens, MI. 48043
Comcast 6808 19 1/2 Mile Rd. Sterling Heights, MI. 48314
Ameritech New Media 7047 Murthum Warren, MI. 48092

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

shown on Appendix 'A' which is attached hereto and made apart hereof

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

a Ten (10) Foot wide overhead easement as shown on RFW No. 304490 drawing which is attached hereto and made apart hereof.

1. **Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain overhead utility line facilities consisting of poles, guys, anchors, wires, 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 are allowed in the Right of Way Area without Grantee's prior written consent.
4. **Excavation:** Under 1974 Public Act 53, you must call MISS DIG (1-800-482-7171) before excavating 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 will 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 and assigns.

(2) **Witnesses:** (Type or print name below signature)

Grantor: (Type or print name below signature)

X Daryl D. Gapshe
Daryl D. Gapshe
X Robert K. Bolton
Robert K. Bolton

Town Centers Development Co., Inc.
Vincent DiLorenzo
By: Vincent DiLorenzo, Vice President

Acknowledged before me in MACOMB County, Michigan, on 6-12-, 2002, by Vincent DiLorenzo, Vice President, for Town Centers Development Co., Inc.
Notary's Stamp: **MARY S. GAROFALO**
Notary Public, State of Michigan
Macomb County
Commission Expires June 27, ~~2002~~ 2002
Notary's Signature: Mary S. Garofalo
(Notary's name, county, and date commission expires)

Prepared by and Return to: Chris Cavanagh, Shelby Service Center, 6301 23 Mile Rd. Shelby, MI., CC

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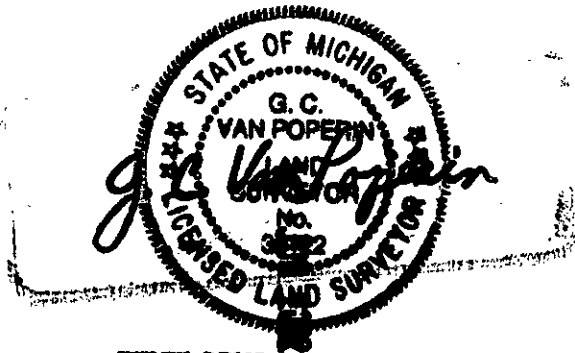
APPENDIX 'A'

LEGAL DESCRIPTION OF
TOWN CENTER PARCEL

A PARCEL OF LAND LOCATED IN SECTION 36, TOWN 3 NORTH,
RANGE 12 EAST, SHELBY TOWNSHIP, MACOMB COUNTY,
MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE THE SOUTH 1/4 CORNER OF SAID SECTION
36; THENCE N. 00°12'30" E. 285.00'; THENCE N. 89°18'48" W.
440.61' ALONG THE NORTH R.O.W. OF HALL ROAD (M-59);
THENCE N. 00°21'00" E. 899.44' TO THE POINT OF BEGINNING;
THENCE N. 89°18'50" W. 886.93'; THENCE N. 00°04'13" E.
1466.44'; THENCE N. 89°57'18" E. 1328.82'; THENCE N.
89°47'48" E. 657.86'; THENCE S. 00°06'00" W. 666.26'; THENCE
DUE WEST 119.42'; THENCE S. 00°06'00" W. 319.21'; THENCE N.
89°54'00" W. 650.33'; THENCE S. 45°06'00" W. 309.72'; THENCE
S. 00°06'00" W. 217.11'; THENCE N. 89°54'00" W. 110.00';
THENCE S. 00°21'00" W. 60.56' TO THE POINT OF BEGINNING
AND CONTAINING 55.566 ACRES OF LAND.
SUBJECT TO ANY ALL EASEMENTS OR RECORD.

71601
RECORDED R/W FILE NO.

Parcel ID No. 07-36-300-071



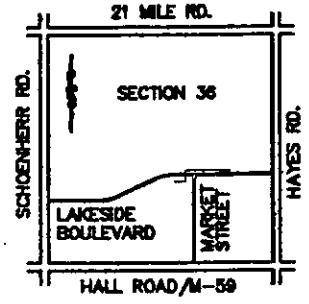
DEVELOPMENT ENGINEERING CO.
CIVIL ENGINEERS & LAND SURVEYORS
15399 CANAL
CLINTON TWP., MI 48038

RECORDED R/W FILE NO.

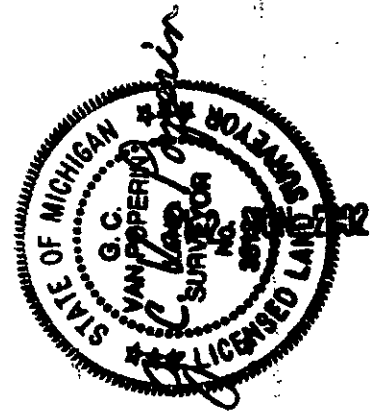
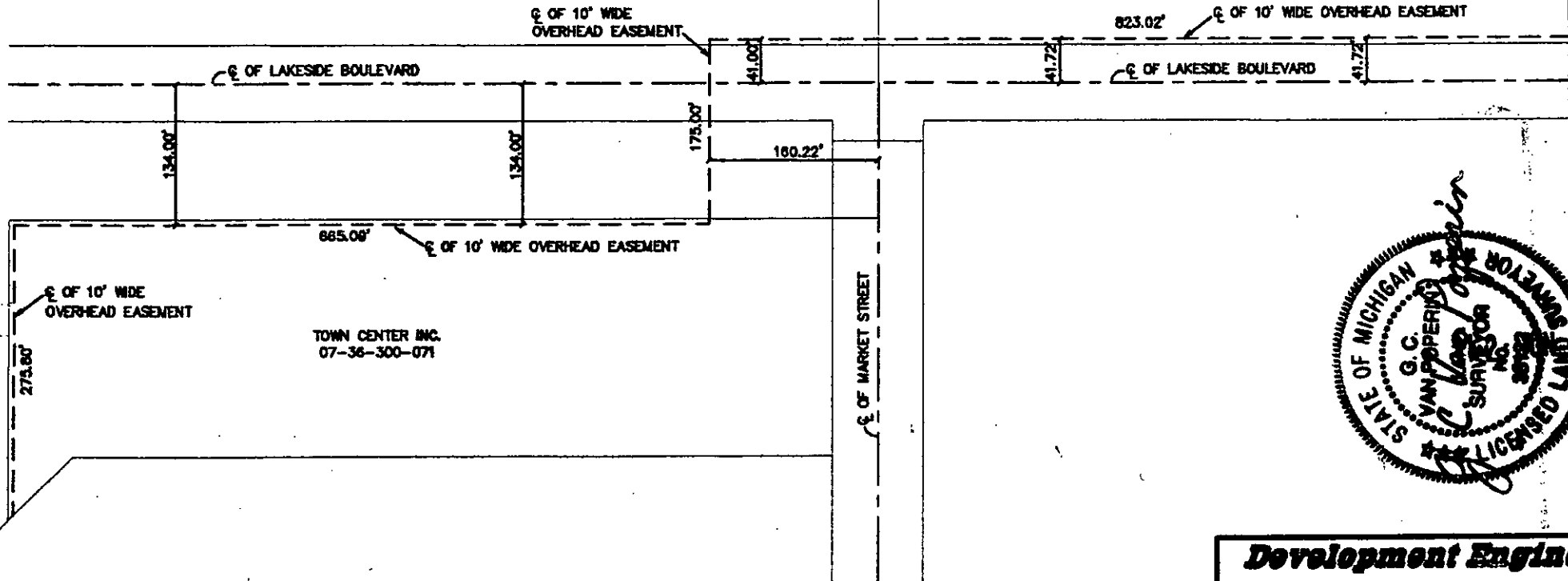
71601

TOWN CENTER INC.
07-36-300-071

D & T PARCEL
07-036-053-20



EASTERLY R.
OF D&T PARCEL



Development Engineering
 CIVIL ENGINEERS & LAND SURVEYORS
 15399 CANAL ROAD
 CLINTON TWP., MICHIGAN 48038
 (586) 228-1100
 FAX (586) 228-2650

DETROIT EDISON
 OVERHEAD R.O.W. #304490