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LIBER 12021 PAGE 554
08/01/2002 08:37:00 A.M.
MACOMB COUNTY, MI
CARMELLA SABAUGH, REGISTER OF DEEDS

RECORDED R/W FILE NO. 71627

Detroit Edison Underground Easement (Right of Way) No. 414214-5

On July 19, 2002, 2002, 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:

City of Mount Clemens, a Michigan Municipal Corporation, 1 Crocker Boulevard, Mount Clemens, Michigan 48042

"Grantee" is:

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

"Grantor's Land" is in the City of Mt. Clemens, Macomb County, Michigan described as:

A parcel of land located in and being a part of Private Claim 626, Town 2 North, Range 13 East, City of Mt. Clemens, Macomb County, Michigan and being more particularly described as follows: Part of Lots 41, 42, all of Lot 43 and Parts of Lots 44 through 48, inclusive, including the adjoining 1/2 of the vacated public alley at the rear thereof and Clemens Street adjacent, Assessor's Plat No. 34, according to the plat thereof as recorded in liber 15, page(s) 32 of Plats, Macomb County Records, described as follows: beginning at the Northeast corner of Lot 46; thence North 53 degrees 10 minutes 00 seconds East 25.25 feet; thence South 36 degrees 50 minutes 00 seconds East 120.00 feet; thence South 53 degrees 10 minutes 00 seconds East 490.00 feet; thence North 36 degrees 50 minutes 00 seconds East 464.75 feet to the point of beginning. 11-12-359-003

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

As shown on the attached Right of Way Drawing No. 414214-5, dated 6/3/2002. The easement is six feet (6') wide.

- 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 are allowed in the Right of Way Area without Grantee's prior written consent.
- Excavation:** Under 1974 Public Act 53, you must call MISS DIG (1-800-482-7171) before excavating 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 can 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 will 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 will 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 and assigns.

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

Grantor: (Type or print name below signature)

CITY OF MOUNT CLEMENS
A Michigan Municipal Corporation

By: Earl C. Rickman
Earl C. Rickman, Director
Mt. Clemens Housing Commission

Mary M. Primeau
Mary M. Primeau

Acknowledged before me in Macomb County, Michigan, on July 19, 2002, 2002, by Earl C. Rickman, Director, Mt. Clemens Housing Commission, City of Mount Clemens, a Michigan Municipal Corporation for the corporation.

Theresa L. Hipple
Notary Public-Macomb County
Commission expires: 11-30-02

Notary's Stamp

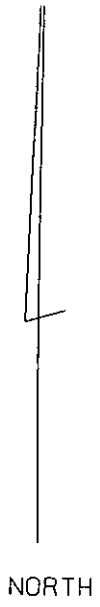
Notary's Signature

Theresa L. Hipple
Theresa L. Hipple, Macomb County

Prepared by and Return to: Ann Smithmier, Mt. Clemens S.C., 43230 Elizabeth Road, Clinton Twp., MI 48036
My Commission expires: 11/30/02

2/9

11'



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BROADWAY
464.75'
N 53 10 00 E

11-12-359-003

490'
S 53 10 00 E

N 36 50 00 W
120'

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).

CLEMENS
S 36 50 00 E
120'

6' EASEMENT FOR UNDERGROUND EQUIPMENT

PART OF LOTS 41, 42, ALL OF 43, AND PART OF LOTS 44 THROUGH 48, INCLUSIVE, INCLUDING PART OF THE VACATED ALLEY AND CLEMENS STREET

RECORDED R/W FILE NO. **7 1627**

RFW Description 180 BROADWAY, MOUNT CLEMENS				PD 23	SRW 24	PH 0	PLC 0	Conj. Group C	RFW Number 414214				
Circuit #1 DC 1637 SUTTN		Circuit #2		Service Center #1 Mt Clemens		Service Center #2 Shelby		COH 0	COS 0	CUG 37	CUL 34	CUT 0	CUS 0
Worksite City MOUNT CLEMENS				Worksite Twp. CLINTON (MACOMB COUNTY)				Worksite County					
Town	Range	Sect	Qtr	Planner Name Mroz, Richard J			Commit Date 05/21/2002		Scale	Plot Date 6/ 3/2002			