

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. O-1227

On 4/22, 1991, 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".

A#36 REG/DEEDS PAID
0001 SEP.25'91 12:35PM
2287 MISC 9.00

"Grantor" is:

Thomas J. St Dennis, Jr. and Julia L. St Dennis, husband and wife, 4404 Lamson, Drayton Plains, Michigan 48020

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
Michigan Bell Telephone Company, a Michigan corporation, 444 Michigan Avenue, Detroit, Michigan 48226

"Grantor's Land" is in the Township of Independence, Oakland County, Michigan described as:

Part of SE 1/4, Sec. 2, T4N., R9E., beg at pt dist S 00° 42'43" W 921.11 ft from E 1/4 cor, th S 00° 42'43" W 413.58 ft, th N 89° 30'27" W 283 ft, th N 00° 42'43" E 376.87 ft, th N 83° 06'16" E 285.51 ft to beginning. 2.57 acres, Sidwell No: 08-02-426-023

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

The southerly ten (10) feet of the northerly 70 feet of the westerly 252.51 feet of the above described property.

Pt of 08-02-426-023 Repeat

- 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:

Linda M. Rodriguez
LINDA M. RODRIGUEZ
Marilyn F. Weber
MARILYN F. WEBER

Grantor:

Thomas J. St Dennis, Jr.
Thomas J. St Dennis, Jr.
Julia L. St. Dennis
Julia L. St Dennis

A#36 REG/DEEDS PAID
0001 SEP.25'91 12:35PM
2287 RMT FEE 2.00

Prepared by and Return to:

Omer V. Racine, 30400 Telegraph Rd., Suite 277, Birmingham, MI 48010

APPROVED AS TO FORM 5/9/91 DATE
LEGAL DEPARTMENT [Signature]

O.K. - LMAS
per date
9:00
2:00 PM
[Signature]

RECORDED RIGHT OF WAY NO. 72149

7-18-52

RECEIVED
JUL 18 1952
DETROIT

RECEIVED
JUL 18 1952
DETROIT

RETURN TO
J. D. McDONALD
THE DETROIT EDISON COMPANY
30400 TELEGRAPH ROAD, 277 OAKDH
BIRMINGHAM, MICHIGAN 48010

ST. LOUIS
AT 6:50
Gerry H. [unclear]

MAIL SERVICE
APPROVED FOR FORM _____
DATE _____

RW #O-1227

Acknowledged before me in Oakland County, Michigan, on April 22, , 1991

by THOMAS J. ST DENNIS, JR. AND JULIA L. ST DENNIS, HUSBAND AND WIFE.

Notary's Stamp Christine M. Longefeld, my
commission expires June 6, 1993
Macomb County
acting in Oakland

Notary's Signature Christine M. Longefeld

RECORDED RIGHT OF WAY NO. 42149

AR
AR

7 11 1945

RETURN TO
J. D. McDONALD COMPANY
30400 TELEGRAPH ROAD, 277 OAKDHI
BIRMINGHAM, MICHIGAN 48010