

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. O-1249

On 7/30/91, 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".

"Grantor" is:

C. Truman Dudley and Martha A. Dudley, husband and wife, 1533 Walton Blvd., Rochester Hills, Michigan 48063

"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
Fanch Cablevision of Michigan/DBA/ Concord Telecommunications, a Michigan corporation, 121 S. Washington St., Oxford, Michigan 48051

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

Part of NW 1/4, Sec. 34, T5N., R11E., beg at pt dist N 00° 09'00" W 1175.20 ft from W 1/4 cor. of Sec. 34, T5N., R11E., 09° 02'00" W 350 ft, th S 89° 58'18" E 622.30 ft, th S 00° 09'00" E 350.06 ft, th N 89° 58'00" W 622.30 ft to beginning of Sec. 34, T5N., R11E., 05-34-101-014 Sidwell No: 05-34-101-014

REG/DEEDS PAID
0001 OCT.30 '91 02:28PM
9529 RMT FEE 2.00

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

The southerly 10 feet of the above described property.

- 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.
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:

Grantor:

O.K. - LM

Kathy L. Stange
Kathy L. Stange
Lorna J. Houlton
Lorna J. Houlton

C. Truman Dudley
C. Truman Dudley
Martha A. Dudley
Martha A. Dudley

Prepared by and Return to:

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

APPROVED AS TO FORM 9/10/91 DATE
LEGAL DEPARTMENT JAP

RECORDED RIGHT OF WAY NO. 42217

111561 10 11 1

111561

APPROVED AS TO FORM
DATE _____
FEDERAL DEPARTMENT

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

RW #O-1249

Oscoda

Acknowledged before me in ~~Oakland~~ County, Michigan, on 7/30, 19 91

by C. TRUMAN DUDLEY AND MARTHA A. DUDLEY, HUSBAND AND WIFE.

Kathy L. Stange
Notary's Signature

Oscoda County, Michigan

Notary's Stamp

My Commission Expires 2/11/95

KATHY L. STANGE

RECORDED RIGHT OF WAY NO. 42212

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