

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. O-1461

On 10-31, 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:

Underwood Associates, Inc., a Michigan Corporation, James W. Isaacs Jr. and Sandra K. Isaacs, husband and wife and Lynda Carto, as Tenants in Common, 6228 Bedford Avenue, Flint, Michigan 48507

"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 Springfield, Oakland County, described as:

Part of SW 1/4, Sec. 22, T4N, R8E, beg at pt dist N 00°09'39" W 1537.70 ft & N 00°08'25" W 289.25 ft & S 64°16'17" E 937 ft from SW sec cor, th S 64°16'17" E 200 ft, th S 24°18'39" W 521.26 ft, th W 356.50 ft, th N 100 ft, th N 39°11'12" E 475.46 ft, th N 44°07'14" E 130 ft to beg 4 acres. Sidwell No: 07-22-351-024

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

As shown on attached R/W Drawing No. O1461, dated 9-25-91. The width of easement is as shown on the attached R/W drawing.

- 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:(type or print name below signature)

Grantor:(type or print name below signature)

Charles W. Underwood
CHARLES W. UNDERWOOD

Mary Louise Clark
MARY LOUISE CLARK

Underwood Associates, Inc., a Michigan Corporation

By: Glenn R. Underwood
Glenn R. Underwood
Its: President

James W. Isaacs Jr.
James W. Isaacs Jr.

Sandra K. Isaacs
Sandra K. Isaacs

Lynda Carto
Lynda Carto

RECORDED RIGHT OF WAY NO. 42879

RW #O-1461

Acknowledged before me in OAKLAND County, Michigan, on 10-31, 1991 by Glenn R. Underwood, President of Underwood Associates, Inc., a Michigan corporation, for the corporation.

Notary's Stamp EXPIRES 6-27-94 Notary's Signature Mary Louise Clark

Acknowledged before me in OAKLAND County, Michigan, on 10-31, 1991 by James W. Isaacs Jr. and Sandra K. Isaacs, husband and wife, and Lynda Carto, as Tenants in Common.

Notary's Stamp EXPIRES 6-27-94 Notary's Signature Mary Louise Clark

Prepared by and Return to: James D. McDonald, 30400 Telegraph Rd., Suite 277, Birmingham, MI 48025

RECORDED RIGHT OF WAY NO. 42879

