

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9204081-01R

B#92 REG/DEEDS PAID

On October 5, 1992, 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:

Dennis K. Bostick and Brenda Bostick, Husband and Wife, 296 Randolph, Rochester, Michigan 48309

"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
United Artist of Oakland County, Inc., a Michigan corporation, 4500 Delemere, Royal Oak, Michigan 48073

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

Section 33, T4N, R11E, part of Southwest 1/4 beginning at Southwest section corner, thence North 12°45'25" West 2725.50 feet, thence South 84°26'00" East 458.14 feet, thence South 12°28'44" East 2653.09 feet, thence South 86°52'16" West 428.06 feet to beginning. 26.47 Acres - Sidwell No: 10-33-301-002. Relocation - Grantee will release this easement and relocate its equipment if Grantor pays for the relocation and gives Grantee an alternate easement agreeable to Grantee.

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

A 10 foot wide easement for underground facilities across part of the Southwest 1/4 of Section 33, Town 4 North, Range 11 East, Oakland Township, Oakland County, Michigan, further described by its centerline as: commencing at the Southwest corner of said Section 33; thence North 86°52'16" East 72.13 feet along the South line of said Section 33, also being the centerline of Dutton Road (66 feet wide); thence North 20°52'16" East 36.7 feet to the point of beginning; thence North 20°52'16" East 119.3 feet; thence North 37°07'44" West 330.00 feet to the point of ending. The right of way is 10 feet in width.

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 ~~pipes, gups, and hoses~~ 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, *HOWEVER ROADWAYS ARE PERMITTED IN R/W AREA*
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.

O.K. - LM

Witnesses:(type or print name below signature)

Rosemary Charron
Rosemary Charron
John C Greenlee
JOHN C GREENLEE

Grantor:(type or print name below signature)

Dennis K Bostick
Dennis K. Bostick
Brenda Bostick
Brenda Bostick

RECORDED RIGHT OF WAY NO. 44169

Acknowledged before me in OAKLAND County, Michigan, on October 5, 1992 by Dennis K. Bostick and Brenda Bostick, Husband and Wife.

B#92 REG/DEEDS PAID
0001 JAN 05 '93 11:11AM
4702 RMT FEE 2.00

Notary Public, Macomb County, MI.
My Commission Expires Dec. 30, 1998
Acting in OAKLAND

Notary's Stamp _____ Notary's Signature DW E Business

(Notary's name, county and date commission expires)

Prepared by ~~and Return to~~ John C. Greenlee, 1970 Orchard Lake Road, Sylvan Lake, Michigan 48320/avm.

Return on Back

Ret. g
Attn: Terry L. Benedict
THE DETROIT EDISON COMPANY
1970 ORCHARD LAKE ROAD
SYLVAN LAKE, MI 48320
PSC clerk

APPROVED AS TO FORM _____ DATE _____
LEGAL DEPARTMENT _____

