

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9108024-02

On 10/23, 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:

Richard P. Thalmann and Maureen Thalmann, Husband and Wife, 3240 Lake George Road, Oakland, Michigan 48363

"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 20, T4N, R11E, part of Northeast 1/4 beginning at point dist South 02°23'00" West 1072 feet from Northeast section corner, thence South 02°23'00" West 150 feet, thence North 88°07'00" West 460.03 feet, thence North 02°23'00" East 150 feet, thence South 88°07'00" East 460.03 feet to beginning. 1.58 Acres - Sidwell No: 10-20-226-021

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

The North 10 feet of the East 265 feet of Grantor's Land. 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 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.

RECORDED RIGHT OF WAY NO. 44417

RPT 8/6/92 MR.

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

Sandra J. Gordon
SANDRA J. GORDON
Jerry M. Danowski
Jerry M. Danowski

Richard P. Thalmann
Richard P. Thalmann
Maureen Thalmann
Maureen Thalmann

Acknowledged before me in OAKLAND County, Michigan, on OCTOBER 23, 1992 by Richard P. Thalmann and Maureen Thalmann, Husband and Wife.

0001 MAR 16 93 12:35PM
0792 RISC 7.00

JOHN C. GREENLEE
Notary Public, Oakland County, MI
My Commission Expires Sept. 19, 1993

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

Notary's Signature: John C. Greenlee

Prepared by and Return to: John C. Greenlee, 30400 Telegraph Road, Suite 222, Birmingham, Michigan 48025/avm.

O.K. - TS

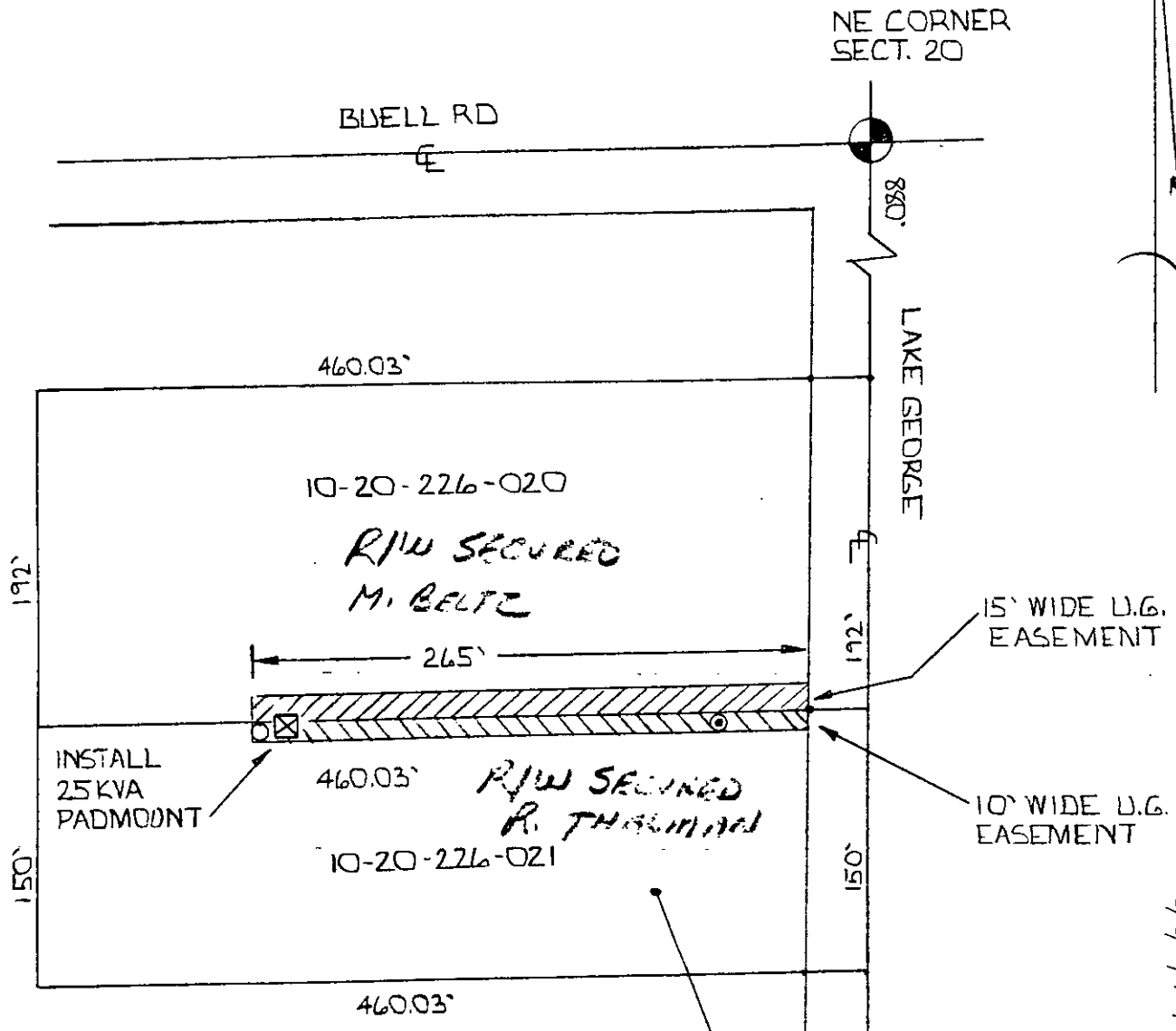
Return-over

7.00
2.00 RMB

RETURN TO:
TERRY L. BENEDICT
THE DETROIT EDISON COMPANY
1970 ORCHARD LAKE ROAD
SYLVAN LAKE, MI 48320

RETURN TO
JOHN C. GREENLEE
THE DETROIT EDISON COMPANY
1970 ORCHARD LAKE RD.
SYLVAN LAKE, MI 48320

APPROVED AS TO FORM 11/25/92 DATE
LEGAL DEPARTMENT GRM



RECORDED RIGHT OF WAY NO. 44416 & 44417

NOTE: WIDE EASEMENT REQ'D TO AVOID TREE REMOVAL

RICHARD AND MAUREIN THALMAN
3240 LAKE GEORGE
OAKLAND MI 48363

JU MEMO TO MBT J9108024-3
JU MEMO TO CATV J9108024-4

LEGEND		THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT			
○	FOREIGN POLE	CITY OR TOWNSHIP	COUNTY	QTR. & TWP. SECT. NO.	DEPT. ORDER NO.
●	EXIST D.E. CO. POLE	OAKLAND	OAKLAND	NE 1/2 SECT. 20	
○	PROPOSED POLE	MAP SECT.	TOWN	RANGE	JOINT R/W REQUIRED
○	EXIST ANCHOR	1-310-458	T4N	R1E	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
○	PROPOSED ANCHOR	PROJECT NAME	TEL. ENGR & DIST.		R/W NO.
○	TREE	THALMAN RES.			PROJ. OR PART NO.
---	120/240 VOLT LINE	CIRCUIT			O.F.W. S.O. OR P.E. NO.
---	4800 VOLT LINE	DC 8134 GSDSN			BUDGET ITEM NO.
---	13,200 VOLT LINE	REASON			2MHCB-MDH
---	40,000 VOLT LINE	OH TO UG CONVERSION			DATE
		PLANNER	JIM DEKIMPE 645-4029	SCALE	7-16-92
				1" = 100'	