

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9006990-01R

On December 12<sup>TH</sup>, 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:

Joseph M. Charboneau and Leila R. Charboneau, Husband and Wife, 4145 Rohr Road, Orion, Michigan 48359

"Grantee" is:

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

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

Assessor's Plat No. 13 that part of Lot 155 lying Northeasterly of the Northeasterly line of East Boulevard as now laid out and est. part of the Southeast 1/4 Section 21, T3N, R10E, as recorded in Liber 1, Page 13, of Plats, O.C.R. - Sidwell No: 14-21-404-003

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

Shown on attached Detroit Edison Company Drawing No. R-9006990-01R, Dated December 3, 1992. The right of way is ten 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. 41445-9

Witnesses:(type or print name below signature)

Dennis M. McLean  
DANIS M. McLEAN

Terry L. Benedict  
**TERRY L. BENEDICT**

Grantor:(type or print name below signature)

Joseph M. Charboneau  
Joseph M. Charboneau

Leila R. Charboneau  
Leila R. Charboneau

0001 MAR.16 '93 12:37PM  
0792 MISC 11.00

Acknowledged before me in OAKLAND County, Michigan, on DECEMBER 12<sup>TH</sup>, 1992 by Joseph M. Charboneau and Leila R. Charboneau, Husband and Wife.

**TERRY L. BENEDICT**  
Notary Public, Oakland County, MI  
My Commission Expires June 17, 1996

Notary's Stamp

Notary's Signature

Terry L. Benedict

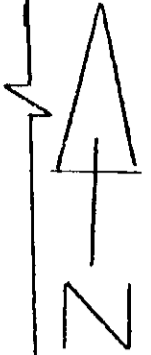
(Notary's name, county and date commission expires)

Prepared by and Return to: Terry L. Benedict, 1970 Orchard Lake Road, Sylvan Lake, Michigan 48320/avm.

Decoy Return-over

APPROVED AS TO FORM 12/15/92 DATE  
LEGAL DEPARTMENT [Signature]

160'



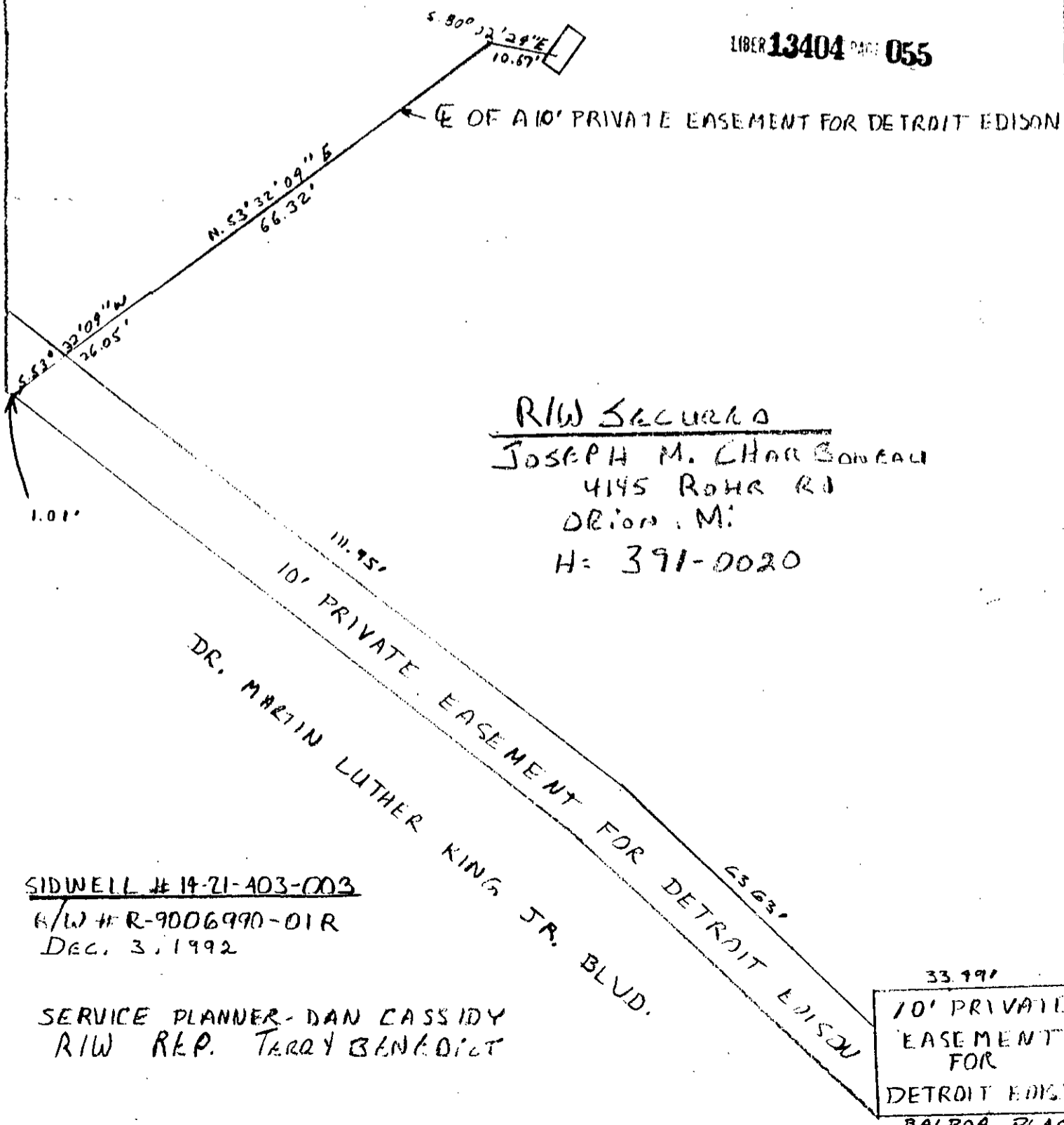
LOT 155 ASSESSOR'S PLAT No. 13 CITY OF FONTIAC  
LIBRE 1, PAGE 13, D.C.R.

13404 pg. 54

181.32'

181.32'

CENTERLINE OF TEN FOOT WIDE EASEMENT  
Note: The easement centerline may vary if field construction  
problems arise. Therefore, for the as-installed easement  
centerline call 1-800-482-7171 (Miss Dig).



RIW SECURED  
JOSEPH M. CHARBONNEAU  
4145 ROHR RD  
ORION, MI  
H: 391-0020

SIDWELL # 14-21-403-003  
R/W # R-9006990-01R  
DEC. 3, 1992

SERVICE PLANNER - DAN CASSIDY  
RIW R.P. TERRY BENEDICT

33.99'  
10' PRIVATE  
EASEMENT  
FOR  
DETROIT EDISON  
BALBOA PLACE

Libe- 13404 pg. 55

RECORDED RIGHT OF WAY NO. 44459

1971-1972

1971-1972

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