

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9303229-10

On 4/28/93, 1993, 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 H. Johnson and Susan C. Johnson, Husband and Wife, 14358 Starrwood Circle, Eden Prairie, MN 55344 A.K.A. R.H. JOHNSON

5193 REC'D
0001 JUL 21 '93 12:16PM
3475 MISC 11.00

"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
Concord Tele-Communications, a Michigan corporation, 21 S. Washington, Oxford, Michigan 48051

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

SEE ATTACHED APPENDIX "A" SIDWELL NO: 04-28-426-011

#

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

As shown on the attached D.E. Company Drawing No: R-9303229-10, dated March 31, 1993. The right of way is ten (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.
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. 44955

Witnesses:(type or print name below signature)

Witness signatures: Robert Remley, Donna Schwalbe

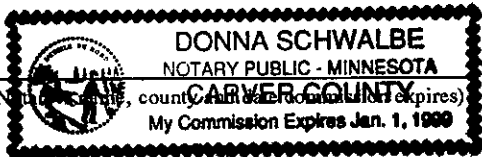
Grantor:(type or print name below signature)

Grantor signatures: Richard H. Johnson A.K.A. R. H. JOHNSON, Susan C. Johnson

0001 JUL 21 '93 12:16PM 3475 RNT FEE 2.00

Acknowledged before me in Carver County, Michigan, on April 28, 1993 by Richard H. Johnson and Susan C. Johnson, Husband and Wife. A.K.A. R.H. JOHNSON

Notary's Stamp



Notary's Signature

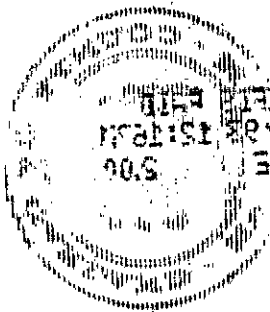
Handwritten signature of Donna Schwalbe

Return over

O.K. - TS

800-800-8000

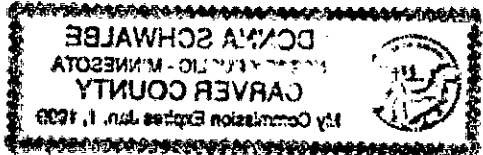
3475 BNL FEE
0001 JUL 31 1993
00.00



3475 BNL FEE
0001 JUL 31 1993
00.00

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

APPROVED AS TO FORM 5/20/93 DATE
LEGAL DEPARTMENT [Signature]



Sidwell No: 04-28-426-011
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LIBER 13786 PC 839

OFFER

APPENDIX "A"

Part of Southeast ¼ of Section 28, T5N, R10E, beginning at point distance South 89°59'20" W 505.39 feet and North 16°01'20" E 572.79 feet and North 16°01'20" E 364.74 feet and North 16°01'20" E 553.16 feet from Southeast Section Corner; thence South 89°59'20" W 277.69 feet, to traverse point 'C'; thence South 89°59'20" W 10 feet M/L to shore of Park Lake; thence Northerly along shore of said lake; thence North 75°46'25" E 35 feet M/L to traverse point 'B' located North 10°34'00" W 112.75 feet from said traverse point 'C'; thence North 75°46'25" E 161.09 feet; thence South 66°36'01" E 179.67 feet; thence South 16°01'20" W 82.20 feet to beginning, also beginning at point distance South 89°59'20" W 505.39 feet and North 16°01'20" E 572.79 feet and North 16°01'20" E 364.74 feet and North 16°01'20" E 553.16 feet and South 89°59'20" W 31.22 feet from Southeast Section Corner; thence South 16°01'20" W 58.37 feet; thence along curve to right, radius 468.65 feet, chord bears South 29°24'12" W 216.92 feet, distance of 218.90 feet; thence along curve to right, radius 615 feet, chord bears South 50°31'34" W 165.69 feet, distance of 166.19 feet; thence North 06°59'21" E 79.80 feet; thence along curve to left, radius 555 feet, chord bears North 47°56'46" E 99.87 feet, distance of 100 feet; thence along curve to left, radius 408.65 feet, chord bears North 38°09'27" E 65.93 feet, distance of 66 feet; thence along curve to left, radius 408.65 feet, chord bears North 24°46'35" E 124.39 feet, distance of 124.87 feet; thence North 16°01'20" E 41.11 feet; thence North 89°59'20" E 62.43 feet to beginning. 1.46 acres. Sidwell No: 04-28-426-011

RECORDED RIGHT OF WAY NO. 44955

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

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101-11-10-11
YMAA
01
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RETURN TO:
TERRY L. BENEDICT
THE DETROIT EDISON COMPANY
1970 ORCHARD LAKE ROAD
SYLVAN LAKE, MI 48320

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