

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R93033531AR

On ✓ OCT 12, 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:

VALENTINE J. JUDNICH, JR. AND VIRGINIA A. JUDNICH, HUSBAND AND WIFE, 5565 Warner, Fowlerville, Michigan 48836

"Grantee" is:

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

"Grantor's Land" is in Howell Township, Livingston County, described as:

\*\* SEE REVERSE SIDE FOR LEGAL DESCRIPTION \*\*

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

All in accordance with Detroit Edison Drawing R93033531AR which is attached hereto and made a part hereof. The width of Right of Way is twelve (12) feet.

RECORDED  
NOV 5 11 23 AM 1993  
NANCY HAVILLAN  
REGISTER OF DEEDS  
LIVINGSTON COUNTY  
MICHIGAN  
48843

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- 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. 45718

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

Amy Melissa Dye  
AMY MELISSA DYE

Angela L. Johnson  
ANGELA L. JOHNSON

V. J. Judnich, Jr.  
VALENTINE J. JUDNICH, JR. AKA V. J. JUDNICH JR

Virginia A. Judnich  
VIRGINIA A. JUDNICH

Acknowledged before me in Wayne County, Michigan, on Oct 12, 1993 by VALENTINE J. JUDNICH, JR. AND VIRGINIA A. JUDNICH, HUSBAND AND WIFE. AKA V.J. JUDNICH JR

Notary's Stamp PEGGY L. CARTY Notary Public, Wayne County, Mich. My Commission Expires May 3, 1997 Notary's Signature Peggy L. Carty  
(Notary's name, county and date commission expires)

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PARCEL D-2

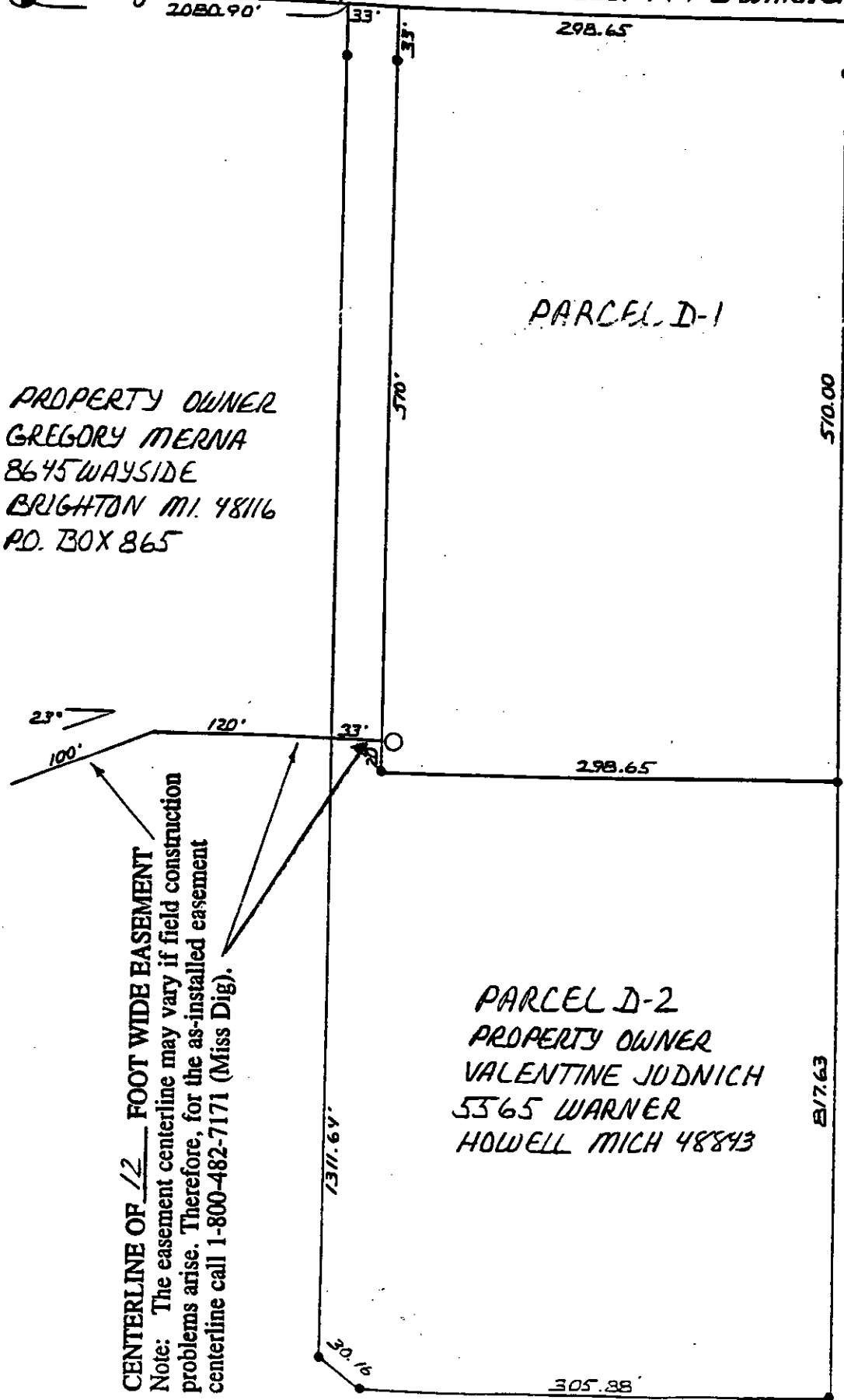
A part of the Northwest fractional 1/4 of Section 19, T3N-R4E., Howell Township, Livingston County, Michigan, described as follows: Commencing at the Northwest 1/4 corner of said Section 19; thence

N 89°55'46" E along the North Line of said Section and centerline of Warner Road, 2080.90 feet to the Point of Beginning of the parcel to be described; thence continuing along said Section Line and centerline, N 89°55'46" E, 33.00 feet; thence S 00°47'25" E, 510.00 feet, thence N 89°55'46" E, 298.65 feet; thence S 00°47'25" E, 817.63 feet; thence N 89°56'58" W, 305.88 feet to the Northerly Right-of-Way of the C & O Railroad; thence N 59°29'45" W along said Right-of-Way, 30.16 feet; thence N 00°47'25" W, 1311.64 feet to the Point of Beginning, containing 6.61 acres more or less

APPROVED AS TO FORM 11/3/93 DATE  
LEGAL DEPARTMENT [Signature]

NW COR. SECT 19  
T3N R4E

NORTH LINE SECT 19 & WARNER RD.



PROPERTY OWNER  
GREGORY MERNA  
8645 WAYSIDE  
BRIGHTON MI. 48116  
PO. BOX 865

PARCEL D-2  
PROPERTY OWNER  
VALENTINE JUDNICH  
5365 WARNER  
HOWELL MICH 48843

**CENTERLINE OF 12 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).

AMENDMENT  
THIS RIGHT OF WAY IS BEING  
GRANTED FOR UNDERGROUND  
INSTALLATION OF UTILITY SERVICE  
PER AGREEMENT WITH  
GREGORY MERNA, NOT FOR  
OVERHEAD LINES. *D.J. 10/24/93*

DRAWING NO. A-9303353-1A BY R. BOOTH  
RIGHT OF WAY FOR 5643 WARNER RD.  
9-16-93

RECORDED RIGHT OF WAY NO.

*81718*