

\$ 11.00 MISCELLANEOUS RECORDING
\$ 2.00 REMONUMENTATION
5 JAN 96 12:14 P.M. RECEIPT# 60A
PAID RECORDED - OAKLAND COUNTY
LYNN D. ALLEN, CLERK/REGISTER OF DEEDS

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. 19145/2

On Nov 30, 1995, 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:

Kevin R. Hess and Kathryn M. Hess, husband and wife, 1426 Glenwood, Leonard, MI 48367

"Grantee" is:

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

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

05-24-100-034-Abvty

PARCEL "2":

A parcel of land located in the North 1/2 of Section 24, T5N-R11E, and being more particularly described as follows:

Commencing at the Center Corner of said Section 24 (said Center Corner of Section 24 being located South 89°12'11" East 2,668.60 feet from the West 1/4 Corner of said Section 24); thence North 89°12'11" West 174.51 feet along the East-West 1/4 line of Section 24 to the point of beginning; thence extending North 89°12'11" West 270.00 feet along the East-West 1/4 line of Section 24; thence North 05°39'01" East 710.80 feet; thence South 89°28'25" East 200.00 feet; thence South 709.26 feet to the point of beginning, containing 3.823 acres (gross) 3.431 acres (net).

48216

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

A 10' wide easement as shown on Exhibit "A", which is attached hereto and made a part hereof.

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.

11.00 + 2.00

L 9468 P 394

Witnesses: (type or print name below signature)

Grantor: (type or print name below signature)

Phil Venditelli
PHIL VENDITELLI

Kevin R. Hess
KEVIN R. HESS

Robert Rogers
ROBERT ROGERS

Kathryn M. Hess
KATHRYN M. HESS (HIS WIFE)

Acknowledged before me in Lapeer County, Michigan, on Nov. 30, 1995
by Kevin R. Hess and Kathryn M. Hess, husband and wife.

MARILYN M. BURNETT
Notary Public, Sanilac County, MI
My Commission Expires Oct. 11, 1998.

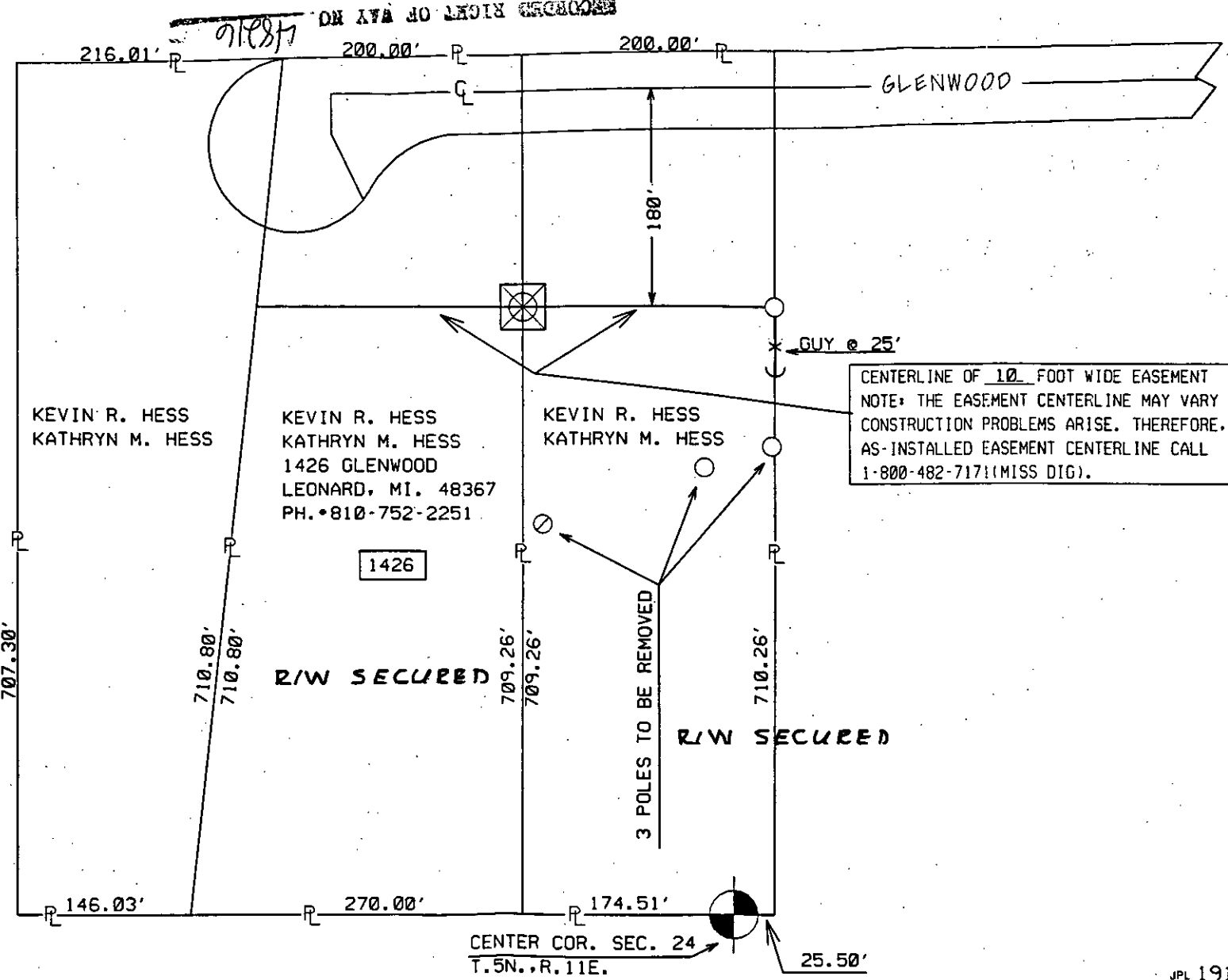
Notary's Stamp Acting in Lapeer

Notary's Signature *Marilyn M. Burnett*

Prepared by and Return to: Gary W. Kenney, 1075 Suncrest Drive, Lapeer, MI 48446/jmm

RECORDED
11/30/95

REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH	
BY	P. VENDITTELLI
DATE	11-30-95
DATE WANTED	12-12-1995
DISTRICT FIELDMAN	G.W. KENNEY
PERMITS TO:	
RECORD CENTER	2
R/W FILES	2
MBT	0
ORIGINATOR	2
TOTAL	2



LIBCP 15928 PCD42

C:\DGN\325490.STP

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT			
CITY OR TWP.	COUNTY	TWP SEC QTR	DEPT. ORDER NO.
ADDISON	OAKLAND	24 N	
MAP SECT.	TOWN RANGE	JOINT R/W REQ'D	R/W NO.
2-325-490	5N 11E		19145/2
PROJECT NAME	TEL. ENGR. & DIST.		MBT MEMO#
HESS R/W			
TOWNSHIP	SERVICE CENTER	COMP. CODE	MAILING CITY
ADD	LAP	UC	LEO
CIRCUIT			CATV MEMO#
OC 8840 BREWER			O.F.W.
REASON			BUDGET ITEM NO.
TO SECURE R/W FOR HESS RES.			
PLANNER	SCALE	DATE	
P. VENDITTELLI	1" = 100'	11-28-19	

JPL 19145