



LIBER 16436 PG 749

Highland Twp.
Sec. 34
JUL 16 96 171683
NW 1/4, SE 1/4 of

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R-36337-2
PROJECT NAME: "CHELSEY'S PARK"**

On MAY 23, 96, 1996, for the consideration of system betterment, Grantor grants to Grantee a permanent underground distribution easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

"Grantor" is:

J.T. Gentry, Incorporated, a Michigan Corporation, 2550 Highland Road, Highland, Michigan 48356

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
The General Telephone Company, 7362 Davison Road, Davison, Michigan 48423
T.C.I. Cablevision, 3166 Martin Road, Walled Lake, Michigan 48073

"Grantor's Land" is in The Township of Highland, Oakland County, described as:

Part of the SE 1/4 of the NW 1/4 of Sec. 34, T3N, R7E, Highland Township, Oakland County, Michigan described as follows: Commencing at the W 1/4 corner of Sec. 34; th S 89-45-31 E 1842.12 ft along the E & W 1/4 line of Sec. 34 to the point of beginning of this description; th N 00-50-19 E parallel with said Milford Road a distance of 742.92 ft to a point on the centerline of Reid Road; th S 86-41-22 E along said centerline of Reid Road a distance of 270.95 ft; th S 17-56-55 E 766.69 ft to a point on said E & W 1/4 line of sec. 34; th N 89-45-31 W along said E & W 1/4 line a distance of 517.64 ft to the point of beginning. Containing 6.63 acres. Sidwell No. 11-34-176-006, part of.

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

As shown on the attached Detroit Edison Company Drawing. 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 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 buldings 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. **Ground Elevation:** Grantor must grade the Right of Way Area to within four inches of final grade before Grantee installs its facilities. Grantor must maintain this ground elevation after Grantee installs its facilities.
7. **Damages:** If Grantor, its agents, employees or contractors, damage Grantee's facilities, Grantee shall make repairs at Grantor's expense.
8. **Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors, lessees, licensees and assigns.

RECORDED RIGMO OR MAN NO. 49545

\$ 11.00 MISCELLANEOUS RECORDING
\$ 2.00 REMONUMENTATION
16 JUL 96 12:24 P.M. RECEIPT# B8A
PAID O.K. REC. SER. OAKLAND COUNTY
LYNN D. ALLEN, CLERK/REGISTER OF DEEDS

1100
200

Witnesses: (type or print name below signature)

Grantor: (type or print name below signature)

J.T. Gentry, Incorporated, a Michigan Corporation

(1) [Signature]
LARRY N. STEW

BY: [Signature]

J. T. GENTRY

(2) [Signature]
Charley Percy
Charley Percy

ITS: [Signature]

Acknowledged before me in Oakland County, Michigan, on May 23rd, 1996 by J. T. Gentry the President of J.T. Gentry, Incorporated, a Michigan Corporation, for the Corporation.

Notary's Stamp **MARY LOUISE BAKER**
NOTARY PUBLIC - OAKLAND COUNTY, MICH.
MY COMMISSION EXPIRES 08-13-99
(Notary's name, county, and date of commission expires)

Notary's Signature Mary Louise Baker

MARY LOUISE BAKER
NOTARY PUBLIC - OAKLAND COUNTY, MICH.
MY COMMISSION EXPIRES 08-13-99

RECORDS FILED OF FILE NO. 49545

