

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. 01643

On April 4, 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:

Lawrence R. Holman and Therese M. Holman, Husband and Wife, 1410 East Twelve Mile Road, Madison heights, Michigan 48071-2651

"Grantee" is:

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

"Grantor's Land" is in the City of Madison Heights, Oakland County, Michigan described as:

Part of the Northeast one-quarter (1/4), Section 13, Town 1 North, Range 11 East, Madison Oaks Subdivision, Lot 38 as recorded in Liber 94, Page 31 of Plats, Oakland County Records. Sidwell No: 25-13-226(002) -055 + # -056.

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

A six (6) foot wide easement with its' centerline described as follows: Beginning at a point on the West lot line approximately ten (10) feet South of the North lot line, thence in a Northeasterly direction approximately thirty-five (35) feet to a point, said point approximately three (3) feet South of the North lot line, thence in a Easterly direction to a point and the East lot line, said point approximately three (3) feet South of the North lot line and point of ending.

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'S RIGHT OF WAY NO.

44007

#36 REG/DEEDS PAID
0001 OCT.29.92 01:24PM
0884 MISC 7.00

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

Connie E. Owen
CONNIE E. OWEN

Joanne A. McCauley
JOANNE A. MCCAULEY

Lawrence R. Holman
Lawrence R. Holman

Therese M. Holman
Therese M. Holman

Acknowledged before me in Oakland County, Michigan, on April 4, 1992 by Lawrence R. Holman and Therese M. Holman, Husband and Wife.

#36 REG/DEEDS PAID
0001 OCT.29.92 01:24PM LM
0884 RMT FEE 2.00

ANN SPINEK
Notary Public, Oakland County, MI
My Commission Expires Jan. 30, 1996

Notary's Stamp _____ Notary's Signature Ann Spinek

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

Prepared by and Return to: James D. McDonald, 30400 Telegraph Road, Suite 277, Birmingham, Michigan 48025/avm.

APPROVED AS TO FORM 4/13/92 DATE
LEGAL DEPARTMENT GM/PA