

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. O-1390

On SEPTEMBER 22, 1991, 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:

Grace Chapel Evangelical Presbyterian Church, a Michigan Ecclesiastical Corporation, 23233 Drake Road, Farmington Hills, Michigan

"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

"Grantor's Land" is in City of Farmington Hills, Oakland County, Michigan described as:

Part of SW 1/4 of SW 1/4, Sec. 8, T1N., R9E., beg at pt dist N 02°58'30" E 472 ft from SW sec cor, th S 87°04'10" E 762.22 ft, th N 03°10'10" E 851.22 ft, th N 85°56'00" W 195.44 ft, th N 87°02'00" W 569.70 ft, th S 02°58'30" W 855.45 ft to beg. 14.99 acres. Sidwell No: 23-08-351-009

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

As shown on attached drawing O-1390 dated 08/12/91. The right of way is six feet in width.

B#92 REG DEEDS PAID
0001 DEC.10 '91 02:37PM
7491 MISC 11.00

- 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.
- Access:** Grantee has the right of access to and from the Right of Way Area.
- 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.
- 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.
- 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.
- 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.
- Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors, lessees, licensees and assigns.

Witnesses:

Grantor:

Sally Ann Butler
SALLY ANN BUTLER

Dan A. Penning
DAN A. PENNING

Grace Chapel Evangelical Presbyterian Church

Robert E. Swanson
Robert E. Swanson, President

Kenneth E. Meyers
Kenneth E. Meyers, Treasurer

11.00
2.00
RECORDED RIGHT OF WAY NO.

Prepared by and Return to:

Omer V. Racine, 30400 Telegraph Rd., Suite 277, Birmingham, MI 48025

RECORDED BY 10/13/91
LIBERAL DEPARTMENT

OK - G.K.