

Detroit Edison

LIBR 12412 PG 536

92 053532

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. O-1233

On July 13, 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:

O. L. Matthews and Mary A. Matthews, 31171 Country Ridge Cr., Farmington Hills, Michigan 48334

"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
Metrovision of Oakland County, a Michigan corporation, 37635 Enterprise Ct., Farmington Hills, Michigan 48018

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

Franklin Oaks, Sec. 1, T1N., R9E., part of lots 10 and 11 described as beg at SE cor of lot 11, th N 89° 18'00" W 290.70 ft, th N 00° 56'00" E 266.60 ft, th S 89° 18'00" E 343.87 ft, th N 12° 12'10" E 531.25 ft, th alg curve to left, rad 60.00 ft, chord bears N 89° 51'12" E 32.01 ft dist of 32.40ft, th N 74° 23'00" E 128.85 ft, th S 08° 42'56" W 830.98 ft, th N 89° 30'00" W 164.15 ft, th 89° 18'00" W 35.85 ft, to beginning. Sidwell No: 23-01-251-022.

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

The northerly 6 feet of the southerly 96 feet of the easterly 450 feet.

#36 REG/DEEDS PAID
0001 MAR 06 '92 12:55PM
5424 RMT FEE 9.00

- 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.

Witnesses:

Annie P. Grimmatt
ANNIE P. GRIMMETT

Vickie Banks
VICKIE BANKS

Grantor:

O. L. Matthews
O. L. Matthews

Mary A. Matthews
Mary A. Matthews, HUSBAND & WIFE

RECORDED RIGHT OF WAY NO. 42456

#36 REG/DEEDS PAID
0001 MAR 06 '92 12:55PM
5424 RMT FEE 9.00

Prepared by and Return to:

Annie P. Grimmatt, 30400 Telegraph Rd., Suite 277, Birmingham, MI 48010

O.K. — LM

Z. DORR

S.W. 1st 23-01-251-022

RW #O-1233

Acknowledged before me in Oakland County, Michigan, on July 13, 1991

by O. L. MATTHEWS AND MARY A. MATTHEWS, HUSBAND & WIFE

Notary's Stamp

MY COMMISSION EXP. 9-28-91

Notary's Signature

Annie P. Grimmett

ANNIE P. GRIMMETT
NOTARY PUBLIC OF WAYNE COUNTY
ACTING IN OAKLAND COUNTY

RECORDED RIGHT OF WAY NO. 42952