

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. U1-1-3567

On March 16, 1993, 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:

Grand River Drake Properties, a Michigan co-partnership, 3920 Brookside Dr., Bloomfield Hills, Michigan

"Grantee" is:

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

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

T1N, R9E, Section 29, part of NE 1/4 beginning at point distant, S 01°45'09" W. 302.00 ft., from NE section corner, th S 01°45'09" W. 341.00 ft., th N 88°04'21" W. 320.00 ft., th N 01°45'09" E. 341.00 ft., th S 88°04'21" E. 320.00 ft., to beginning. 2.51 Acres. Sidwell No. 23-29-226-031. - Bank Drake RD

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

The westerly 27 ft. of the easterly 60 ft. of Grantor's land. The right of way is 27 ft. in width.

- 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:(type or print name below signature)

Omer V Racine
OMER V RACINE

Judy D. Hartman
JUDY D. HARTMAN

Grantor:(type or print name below signature)

GRAND RIVER DRAKE PROPERTIES, a Michigan co-partnership

Bennie E. Hartman
BENNIE E. HARTMAN, Co-Partner

A#36 REG/DEEDS PAID
0001 MAY.13.93 11:22AM
7172 MISC 2.00
7172 RMT FEE 2.00

RECORDED RIGHT OF WAY NO. 4/15/91

7.00
2.00

Acknowledged before me in OAKLAND County, Michigan, on MARCH 16, 1993 by BENNIE E. HARTMAN, Co-Partner of GRAND RIVER DRAKE PROPERTIES, a Michigan co-partnership, for the partnership.

Notary's Stamp Omer V Racine
Notary Public, Oakland County, MI
Commission Expires May 29, 1994
(Notary's name, county and date commission expires)

Notary's Signature Omer V Racine

