

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. O-1317

On July 25, 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:

William V. Weatherston and Mary B. Weatherston, husband and wife, 1077 Willow, Birmingham, Michigan 48009

"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 the City of Birmingham, Oakland County, Michigan described as:

NE 1/4 Sec. 26, T2N., R10E., Quarton Lake Estates Replat Lot 119. Sidwell No: 19-26-277-009
As recorded in Liber 38, pages 24 and 24A Oakland County Records of Plats. 38024

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

The westerly 10 feet of the northerly 40 feet of the above described property.

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:

Cynthia Mochring
CYNTHIA MOCHRING

Judith K. Wilson
JUDITH K. WILSON

Grantor:

William V. Weatherston
William V. Weatherston

Mary Weatherston
Mary Weatherston

7.00
2.00

APPROVED RIGHT OF WAY NO. 42118

Deed Acknowledged before me in Oakland County, Michigan, on July 25, 1991

by WILLIAM V. WEATHERSTON AND MARY WEATHERSTON, HUSBAND AND WIFE

Mary Ann Waslawski
Notary Signature

MARY ANN WASLAWSKI
Notary Public, Wayne County, MI
My Commission Expires Dec. 6, 1994

#36 REG/DEEDS PAID
0001 SEP.25.91 12:36PM
2287 MISC O.K. LM
#36 REG/DEEDS PAID
0001 SEP.25.91 12:37PM
2287 RMP FEE Stamp 2.00

Prepared by and Return to:

Terry L. Benedict, 30400 Telegraph Road, Suite 277, Birmingham, Michigan 48010

APPROVED AS TO FORM 8/6/91
LEGAL [Signature]

TLB
HOLDING

RIGHT OF WAY APPLICATION

DATE ISSUED	6-12-91	R/W NO.	U-1317
DATE WANTED	6-27-91	PHONE	645-4159
SERVICE PLANNER	DON YATES		

PROJECT NAME	THOMAS L. SAELI P43-3961	SECTION	26
TOWNSHIP/CITY	BLM TWP	QUARTER	N.E. 1/4
ADDRESS/STREETS	1095 WILLOW LANE BIRMINGHAM MI 48009		

19-26-277-009

ABOVE CUST. CONV. OH TO UG SERV.
WE NEED U.G. EASEMENT TYPE OF PROJECT
ACROSS PART OF BACK YARD
OF NEIGHBOR

OVERHEAD

UNDERGROUND

COMMERCIAL BLDG	<input type="checkbox"/>
*SITE CONDO	<input type="checkbox"/>
*MOBILE HOME PK	<input type="checkbox"/>

*SUB	<input type="checkbox"/>
*APT COMPLEX	<input type="checkbox"/>
*CONDO	<input type="checkbox"/>

JOINT USE REQUIRED	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>
MBT NO.	5574			
GTE NO.				
CONSUMERS POWER NO.				
CABLE TV COMPANY NAME AND NO.				

NAME OF OWNER	WILLIAM V. WEATHERSTON
ADDRESS	1077 WILLOW LANE, BIRMINGHAM MI 48009
HOME PHONE	644-3212
BUSINESS PHONE	

MATERIAL TO BE PROVIDED

1. SITE PLAN/SKETCH/FINAL PROPOSED PLAT*
2. PROPERTY DESCRIPTION (SIDWELL NO.) (*ACTUAL DESCRIPTION)
3. PROOF OF OWNERSHIP OF REQUESTING CUSTOMER: WARRANTY DEED, L/C, TITLE SEARCH, COMMITMENT
4. SIDWELL PAGE (COPY)
5. SIDWELL NO.
6. COPY OF FUTURE J/U MEMO

SUPERVISOR

R/W/HEISER/ROFWAYAPP

ENGINEER'S RIGHT OF WAY NO. 42118

BLOOMFIELD TWP.
E 1/2 N.E. 1/4 SEC. 26 T2N. R10E.

