

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R9311792-01

On NOVEMBER 22, 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:

Paul H. Shawn and Freda L. Shawn, Husband and Wife, 635 S. Chester, Birmingham, Michigan 48009

B#92 REG/DEEDS P#13 0001 FEB 01 '94 01:37PM 3933 MISS 7.36

"Grantee" is:

The Detroit Edison Company, a Michigan Corporation, 2000 Second Avenue, Detroit, Michigan 48226 Michigan Bell Telephone, a Michigan corporation, 444 Michigan Ave., Detroit, Michigan 48226 Booth Communications of Birmingham, a Michigan corporation, P.O.Box 647, Birmingham, Michigan 48012

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

Part of the West 118 feet of Lot 25, Town 2 North, Range 10 East, Section 36, Assessor's Replat of Part of Torrey's, Hood's & Smith Adds, Oakland County Records. Sidwell No. 19-36-177-009.

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

The Southerly Six (6) feet of the Easterly Nineteen (19) feet of Grantor's land. The Right-of-Way is Six (6) feet in width.

41036

- 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.
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 RIGHT OF WAY NO. 455-52

O.K. - LM

Handwritten initials/signature

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

Omer V Racine signature

Paul H. Shawn signature

James D. McDonald signature

Freda L. Shawn signature

Acknowledged before me in OAKLAND County, Michigan, on NOVEMBER 22, 1993 by Paul H. Shawn and Freda L. Shawn, Husband and Wife.

B#92 REG/DEEDS P#13 0001 FEB 01 '94 01:37PM 3933 RMT FEE 2.00

Notary's Stamp: OMER V. RACINE, Notary Public, Oakland County, MI, My Commission Expires May 29, 1994

Notary's Signature: Omer V Racine