

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. 9210173-10

On 2-24, 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:

Marie McMahon and Barbara Ann Martinelli, 270 McKinley, Troy, Michigan 48098

"Grantee" is:

The Detroit Edison Company, a Michigan Corporation, 2000 Second Avenue, Detroit, Michigan 48226
The Michigan Bell Telephone Company, a Michigan Corporation, 444 Michigan Avenue, Detroit, Michigan 48226
United Artist of Oakland County, Inc., a Michigan Corporation, 4500 Delemere, Royal Oak, Michigan 48073

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

Part of the West one-half (1/2) of the Northeast one-quarter (1/4), Section 9, Town 2 North, Range 11 East, Houghten Acres, the West 165.60 feet of Lot 48 as recorded in Liber 65 of Plats, Page 24, Oakland County Records. Sidwell No. 20-09-255-011.

The "Right of Way Area" is a part of Grantor's Land and is described as: 65024

The South Six (6) feet of the Northerly Twenty-One (21) feet of the Easterly Twenty (20) feet of Grantor's land.

- 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. 44643

O.K. - LM

7.00
2.00 RMT

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

James D. McDonald
JAMES D. McDONALD

Marie McMahon
Marie McMahon

Annie Grimmer
ANNIE GRIMMETT

Barbara Ann Martinelli
Barbara Ann Martinelli

Acknowledged before me in OAKLAND County, Michigan, on 936 REG/DEEDS PAID 0001 MAY.13.93 11:24AM 7172 MISC 7.00, 1993 by MARIE McMAHON and BARBARA ANN MARTINELLI.

Notary's Stamp: JAMES D. McDONALD Notary Public, Oakland County, MI My Commission Expires April 24, 1995 (Notary's name, county and date commission expires)

Notary's Signature: James D. McDonald 936 REG/DEEDS PAID 0001 MAY.13.93 11:24AM 7172 RMT FEE 2.00