

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R 9205243-10

On July 14th, 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:

Robert M. Church, Trustee, Robert M. Church Revocable Living Trust dated 6-7-91, 245 S. Marais, Clawson, Michigan 49017

"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 Brimingham, Oakland County, Michigan, described as:

East Maple Gardens, lot 32, as recorded in Liber 31, Page 15 of Plats, O.C. R. Part of the E 1/2 of SE 1/4, Sec 30, T2N, R11E. Sidwell No. 20-30-478-015.

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

The north ten (10) ft and the west ten (10) ft 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. 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 heirs, assigns, lessees, licensees and assigns.

RECORDED RIGHT OF WAY NO. 45734

MISS DIG DEEDS PAID
0001 OCT.07.93 08:41AM
4669 MISC 7.00

Witnesses:(type or print name below signature)

Timothy Conselye
Timothy Conselye
Dorey Wilson
TRACY Wilson

Grantor:(type or print name below signature)

Robert M. Church Revocable Living Trust
Robert M. Church, Trustee
Robert M. Church, Trustee
B#92 REG/DEEDS PAID
0001 OCT.07.93 08:41AM
4669 RMT FEE 2.00

Acknowledged before me in Oakland County, Michigan, on July 14, 1993 by Robert M. Church, Trustee, Robert M. Church Revocable Living Trust dated 6-7-91.

Notary's Stamp
SANDRA J. MINELLI
Notary Public, Macomb County, Michigan
Acting in Oakland County, Michigan
My Commission Expires: 7-9-95
(Notary's name, county and date commission expires)

Notary's Signature
Sandra J. Minelli

Prepared by and Return to: James D. McDonald, 30400 Telegraph Road, Room 210, Bingham Farms, Michigan 48025/caa