

LIBER 14927 PG 302

**UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9404276-01**

On 6-16, 1994, 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:**

James C. Konarske and Dorothy<sup>M.</sup>Konarske, Husband and Wife,  
2237 Drake Road, Troy, Michigan 48098,

\$ 7.00 MISCELLANEOUS RECORDING

\$ 2.00 REMONUMENTATION

23 AUG 94 1:40 P.M. RECEIPT# 1508

**"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  
United Cable Television of Oakland County, Ltd., a Michigan Corporation, 4500 Delemere Boulevard, P. O. Box 1049, Royal Oak, Michigan 48073

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

# Part of the Southwest one-quarter (1/4), Section 12, Town 2 North, Range 11 East, Eyster's John R Acres Subdivision, part of Lot 29, beginning at Northwest corner of Lot 162 of 'Long Lake Meadows No. 4', thence South 00°11'38" West 508.58 feet, thence North 89°48'22" West 122.30 feet, thence North 00°01'50" East 508.17 feet, thence East 123.75 feet to beginning, as recorded in Liber 55, Page 53 of Plats, Oakland County Records. Sidwell No. 20-12-301-017.

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

The South Ten (10) 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. 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.

RECORDED RIGHT OF WAY NO. 46189  
7.00  
2.00

**Witnesses:(type or print name below signature)**

James D. McDonald  
JAMES D. McDONALD

Jennifer B. Fleming  
JENNIFER B. FLEMING

**Grantor:(type or print name below signature)**

James C. Konarske  
James C. Konarske

Dorothy M. Konarske  
Dorothy Konarske  
M.

Acknowledged before me in OAKLAND County, Michigan, on 6-16, 1994  
by James C. Konarske and Dorothy<sup>M.</sup>Konarske, Husband and Wife.

**JAMES D. McDONALD**  
Notary Public, Oakland County, MI  
My Commission Expires April 24, 1995

Notary's Stamp \_\_\_\_\_ Notary's Signature James D. McDonald

(Notary's name, county and date commission expires)

Prepared by and Return to: James D. McDonald, 30400 Telegraph Road, Suite 210, Birmingham, Michigan 48025/kad

**O.K. -S.R.**