

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9404265-01

On 6-13, 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 Original Easement and Recording

"Grantor" is:

John P. Barterian and Gabriela K. Barterian, Husband and Wife, 38547 Mt. Kisco, Sterling Heights, Michigan 48310,

"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
T.C.I. Cablevision of West Oakland County, Inc., a Michigan corporation, 3166 Martin Road, Walled Lake, Michigan 48088

\$ 2.00 REMONUMENTATION
23 AUG 94 1:39 P.M. RECEIVED
RECORDED - OAKLAND COUNTY
JOHN D. ALLEN, CLERK/REGISTERED PROFESSIONAL

55 053 "Grantor's Land" is in the City of Troy, Oakland County, described as:

Part of vacated Lot 29 of "Eyster's John R Acres Subdivision" (Liber 55, Page 53, Oakland County Records), located in the Southwest one-quarter (1/4) of Section 12, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, being more particularly described as follows: Beginning at the Northwest corner of Lot 156 of "Long Lake Meadows No. 4" (Liber 215, Pages 26, 27 & 28, Oakland County Records); thence South 00°11'38" West 260.00 feet along the boundary of said "Long Lake Meadows No. 4"; thence North 89°48'22" West 121.39 feet; thence North 00°01'50" East 260.00 feet along the boundary of vacated Lot 29 of said "Eyster's John R Acres Subdivision"; thence South 89°48'22" East 122.13 feet to the point of Beginning. Sidwell No. (20-12-301-016.) 20-12-301-018

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

The North Fifteen (15) 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. 146202

Witnesses:(type or print name below signature)

Mary Ann Hays
Mary Ann Hays
Cecilia A. Brakwinski
Cecilia A. Brakwinski

Grantor:(type or print name below signature)

John P. Barterian
John P. Barterian
Gabriela K. Barterian
Gabriela K. Barterian

Acknowledged before me in OAKLAND County, Michigan, on June 13, 1994, 1994 by John P. Barterian and Gabriela K. Barterian, Husband and Wife.

Notary's Stamp My Commission Expires May 23, 1998

Notary's Signature

Tamara A. Renshaw
Tamara A. Renshaw

(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