

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. O-1246

On 5-29, 1991, 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:

Thomas F. Lengyel, 3095 Hillside, Milford, Michigan 48042

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226

"Grantor's Land" is in the Township of Milford, Oakland County, Michigan described as:

Lot 228 Needel's Oak Park Subdivision No. 1 part of the N 1/2, NW 1/4, Sec. 8, T2N., R7E., Milford Township as recorded in Liber 39 page 16 and 16A, of Plats, Oakland County Records. Sidwell No: Part of 16-08-151-023

The "Right of Way Area" is a part of Grantor's Land described as: 39016

The northerly 6 feet.

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.

Witnesses:

James D. McDonald
 JAMES D. MC DONALD

Annie P. Grimmatt
 ANNIE P. GRIMMETT

Grantor:

Thomas F. Lengyel
 Thomas F. Lengyel, a single man

A#36 REG/DEEDS PAID 9.00
 0001 NOV.13/91 01:21PM 2.00 RMT
 2158 MISC 9.00

A#36 REG/DEEDS PAID
 0001 NOV.13/91 01:21PM
 2158 RMT FEE 2.00

RECORDED RIGHT OF WAY NO. 47594

Prepared by and Return to:

Annie P. Grimmatt, 30400 Telegraph Rd., Suite 277, Birmingham, MI 48010

APPROVED AS TO FORM 2/10/91 DATE
 LEGAL DEPARTMENT [Signature]

OK - G.K.

RW #O-1246

Acknowledged before me in Oakland County, Michigan, on

5-29

, 1991

by THOMAS F. LENGYEL, A SINGLE MAN.

JAMES D. McDONALD

Notary Public, Oakland County, MI

Notary's My Commission Expires April 24, 1995
Stamp

Notary's
Signature

James D. McDonald

RECORDED RIGHT OF WAY NO. 42594