

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9401898-01

On APRIL 14, 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:

Pontiac Osteopathic Hospital, a Michigan non-profit corporation, 50 N. Perry, Pontiac, Michigan 48342

"Grantee" is:

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

\$ 7.00 MISCELLANEOUS RECORDING  
\$ 2.00 DOCUMENTATION  
14 JUN 94 12:41 P.M. RECEIPT# 103B  
PAID  
RECORDED - OAKLAND COUNTY  
LYNN D. ALLEN, CLERK/REGISTER OF DEEDS

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

Original plat, Lot 44 excluding Easterly 40 feet, part of the East 1/2 of the Southeast 1/4 of Section 29, T3N, R10E as recorded in Liber 1, page 1 of Plats, Oakland County Records. Sidwell No: 14-29-434-018 ✓

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

The South 22 feet of the West 13 feet - 2 inches of the 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.

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

Alice J. Dubats  
Alice J. Dubats

Pontiac Osteopathic Hospital  
by: Brien F. Fausone  
Brien F. Fausone

Margaret Z. Smith  
Margaret Z. Smith

its: Assistant Administrator

Acknowledged before me in Oakland County, Michigan, on April 14, 1994

by Brien F. Fausone, the Assistant Administrator of Pontiac Osteopathic Hospital, a Michigan non-profit corporation, for the non-profit corporation.

Notary's Stamp  
TERESA A. HOLTZ  
NOTARY PUBLIC - OAKLAND COUNTY, MICH.  
MY COMMISSION EXPIRES 09-21-96  
(Notary's name, county and date commission expires)

Notary's Signature Teresa A. Holtz

Prepared by and Return to: Terry L. Benedict, 1970 Orchard Lake Road, Sylvan Lake, Michigan 48320/194

RECORDED RIGHT OF WAY NO.

46153

YVASEN  
JAC  
3388  
OK - G.K.