

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. O-1352 R1

On 9/18/91, 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".

#36 REG/DEEDS PAID  
0001 NOV.13.91 01:20PM  
2158 MISC 7.00

"Grantor" is:

Paul G. Karas and Bonnie J. Karas, husband and wife, 3510 Walton Boulevard, Rochester Hills, Michigan 48309

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226  
Michigan Bell Telephone Company, a Michigan corporation, 444 Michigan Avenue, Detroit, Michigan 48226  
United Artists Cable of Oakland County, Inc., a Michigan corporation, 4500 Delemere Blvd., Royal Oak, Michigan 48073

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

Part of SW 1/4, Sec. 7., T3N., R11E., beg at pt dist S 88°36'01" W 166.01 ft from S 1/4 cor, th S 88°36'01" W 150 ft, th N 00°26'58" W 428 ft, th N 88°36'01" E 150 ft, th S 00°26'58" E 428 ft to beginning. 1.47 acres. Sidwell No: 15-07-376-039 *part parcel*

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

# A ten foot wide easement with its C/L described as follows: Beg at a pt located approximately 33 feet N of the C/L of Walton Boulevard west approximately 101 feet west of the east P/L thence in a northerly direction approximately 20 feet to a pt, thence in a easterly direction approximately 97 feet to a point, thence in a northerly direction approximately 260 feet to a pt of ending, located approximately 8 feet west of the east P/L.

- 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.

DECO

Witnesses:

KEVIN H. ENGEL

RICHARD C SMILES

Grantor:

Paul G. Karas  
Paul G. Karas

Bonnie J. Karas  
Bonnie J. Karas

Acknowledged before me in Oakland County, Michigan, on 18<sup>TH</sup> SEPTEMBER, 1991

by PAUL G. KARAS AND BONNIE J. KARAS, HUSBAND AND WIFE.

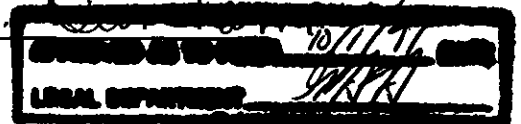
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2158 RNT FEE 2.00

Notary's Stamp CONNIE M. DUNHAM  
Notary Public, Macomb County, MI  
My Commission Expires Dec. 15, 1991  
ACTIVE IN OAKLAND COUNTY

Notary's Signature Connie M. Dunham

Prepared by and Return to:

Terry L. Benedict, 30400 Telegraph Rd., Suite 277, Birmingham, Mi 48025



RECORDED RIGHT OF WAY NO

7.00  
2.00  
92  
3

OK - G.K.