

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9209837-01

On FEB 8 1993, 1992, 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:

John F. O'Donnell and Elizabeth E. O'Donnell, Husband and Wife, 6356 Blue Beech, Rochester Hills, Michigan 48306

"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

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

Hillwood, Lot 11, part of the North point East 1/2 of the Northwest 1/4 Section 2, T3N, R11E, as recorded in Liber 58 Page 7 of Plats, O.C.R. - Sidwell No: 15-02-176-004

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

The West 10 feet of the South 26 feet 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...
2. Access: Grantee has the right of access to and from the Right of Way Area. ON FOOT ONLY!
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. MUST BE HAND DIG ONLY!
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...
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. MUST REPLACE OR IDENTIFY PROPERTY BENCH MARK.
7. Successors: This Right of Way runs with the land and binds and benefits Grantor and Grantee's successors, lessees, licensees and assigns.

Witnesses:(type or print name below signature)

Patricia M. Hennessy
Patricia Hennessy
Terry L. Benedict
Terry L. BENEDICT

Grantor:(type or print name below signature)

John F. O'Donnell
Elizabeth E. O'Donnell
Elizabeth E. O'Donnell

Acknowledged before me in OAKLAND County, Michigan, on FEBRUARY 8, 1993 by John F. O'Donnell and Elizabeth E. O'Donnell, Husband and Wife.

TERRY L. BENEDICT
Notary Public, Oakland County, MI
My Commission Expires June 17, 1996

Notary's Stamp Notary's Signature Terry L. Benedict

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

0001 MAY.07'93 11:44AM
5635 MISC 7.00

0001 MAY.07'93 11:44AM
5635 RNT FEE 2.00

RECORDED RIGHT OF WAY NO.

4455-4

7.00
2.00 RMT

OK - G.K