

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. O-1314

On 6/26, 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:

George N. Temples and Jill E. Temples, husband and wife, 2735 Rowe, Milford, Michigan 48360-2841

0476 REG/DEEDS PAID
0001 SEP.25.91 12:35PM
2287 MISC 9.00

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
GTE North, Incorporated, a Wisconsin corporation, 455 E. Ellis, Muskegon, Michigan 49443

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

Part of NW 1/4, Sec. 33, T3N., R7E., bcg at pt dist E 1320 ft and S 00° 12'00" W 1522.30 ft from NW sec cor, th S 00° 12'00" W 333 ft, th N 89° 02'00" W 717 ft, th N 00° 12'00" E 333 ft th S 89° 02'00" E 717 ft to beginning. 5.48 acres.
Sidwell No: 11-33-101-018

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

0476 REG/DEEDS PAID
0001 SEP.25.91 12:36PM
2287 RMT FEE 2.00

See attached drawing O-1314 dated 06/11/91. The right of way is six (6) feet in width.

- 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.

2201

Witnesses:

Grantor:

O.K. LM

[Signature]
DR. CHESTER D. DELOACH, MD.

[Signature]
George N. Temples

[Signature]
ROBERT P. MORRIS

[Signature]
Jill E. Temples

Acknowledged before me in Oakland County, Michigan, on 26th June, 1991

by GEORGE N. TEMPLES AND JILL E. TEMPLES, HUSBAND AND WIFE.

[Signature]
Notary's Signature

BARBARA M HULBERT
NOTARY PUBLIC-OAKLAND COUNTY MICH
MY COMMISSION EXPIRES 8-24-92

Notary's Stamp

Prepared by and Return to:

Terry L. Benedict, 30400 Telegraph Road, Suite 277, Birmingham, Michigan 48010

8/2/91
[Stamp]

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