

Detroit Edison

LIBER 12809 PG 193

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R 9105154-01

On 5/20, 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:

Roy P. Temple and Amy M. Temple, husband and wife, 2052 Jackson Blvd., Highland, Michigan 48356

"Grantee" is:

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

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

Lot 10, Heritage Farms, No. 1 Subdivision, of part of the E 1/2 of SE 1/4 of Section 10, T3N, R7E, Highland Township, Oakland County, Michigan as recorded in Liber 146, Page 30, Oakland County Records of Plats. Sidwell No. 11-10-426-005.

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

The northerly 6 feet of the easterly 40 feet also the easterly 6 feet of the northerly 27 feet of the above described property. The right of way is 6 feet in width.

146030

- 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 and Grantee's successors, lessees, licensees and assigns.

RECORDED RIGHT OF WAY NO. 43760

B#92 REG/DEEDS PAID
0001 AUG 05 1992 01:49PM
0794 MISC 7.00

Witnesses:(type or print name below signature)

Patricia M. Hennessy
PATRICIA M HENNESSY.

Omer V Racine
OMER V RACINE

Grantor:(type or print name below signature)

Roy P Temple
ROY P TEMPLE

Amy M Temple
AMY M. TEMPLE

B#92 REG/DEEDS PAID
0001 AUG 05 1992 01:49PM
0794 RMT FEE 2.00

17.00
2.00 RMT

Acknowledged before me in OAKLAND County, Michigan, on MAY 20, 1992 by ROY P. TEMPLE and AMY M. TEMPLE, husband and wife.

O.K. — LM

Notary's Stamp OMER V. RACINE
Notary Public, Oakland County, MI
My Commission Expires May 29, 1994
(Notary's name, county and date commission expires)

Notary's Signature Omer Racine

Prepared by and Return to: Omer V. Racine, 30400 Telegraph Road, Room 277, Bingham Farms, Michigan 48025/PEW

APPROVED AS TO FORM 5/27/92 DATE
LEGAL DEPARTMENT [Signature]