



**UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R 9306384-10**

On JUNE 30, 1993, 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:**

Mortier Construction, Inc., a Michigan corporation, 4216 Driftwood Drive, Milford, Michigan 48382

**"Grantee" is:**

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

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

Part of E 1/2 Sec 10 T3N, R7E, beginning at point distant N 89°49'39" W 1297.91 ft & S 01°11'47" W 229.73 ft & N 89°47'13" W 348 ft from E 1/4 corner, th N 89°47'13" W 147.60 ft, th N 01°14'25" E 168.55 ft, th S 01°14'25" E 168.55 ft to beginning. 0.57 Acres - Sidwell No. 11-10-401-0070001 OCT.07'93 08:42AM

The "Right of Way Area" is a part of Grantor's Land and is described as: 7.00

The westerly 10 ft of Grantors land. The right of way is 10 ft 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 and its successors, licensees, licensees and assigns.

RECORDED RIGHT OF WAY NO. 415173

#92 REC DEEDS BLDG  
0001 OCT.07'93 08:42AM  
4669 RMT FEE 2.00

**Witnesses:(type or print name below signature)**

Martha J. Mortier  
MARTHA J. MORTIER  
Omer V. Racine  
OMER V. RACINE

**Grantor:(type or print name below signature)**

Mortier Construction, Inc., a Michigan corporation  
Martin J. Mortier  
Martin J. Mortier, President

Acknowledged before me in OAKLAND County, Michigan, on JUNE 30, 1993 by Martin J. Mortier, the President of Mortier Construction, Inc., a Michigan corporation, for the corporation.

**OMER V. RACINE**  
Notary Public, Oakland County, MI  
My Commission Expires May 28, 1994  
Notary's Stamp

Notary's Signature Omer V. Racine  
(Notary's name, county and date commission expires)

Prepared by and Return to: Omer V. Racine, 30400 Telegraph Road, Room 210, Bingham Farms, Michigan 48025/caa

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Return to:  
G.V. Reine  
The Detroit Edison Company  
30400 Telegraph Road, Rm. 277  
Bingham Farms, MI 48025

APPROVED AS TO FORM 8/5/93 DATE  
LEGAL DEPARTMENT YMU/YKH