

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. O-1495

On Oct. 15, 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:

Dallas T. Tiensivu and Elaine F. Tiensivu, husband and wife, 2995 M-15, Calkston, Michigan 48348

"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 Brandon, Oakland County, described as:

Part of Lot 7, Kingsley Farms, Sec 29, T5N, R9E, beg at SE lot cor, th S 89°56'00" W 285.58 ft, th N 19°35'05" E 275.80 ft, th S 83°39'13" E 194.75 ft, th S 00°06'13" W 237.98 ft to beg. Sidwell No: 03-29-452-007 47030

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

The North ten (10) feet of the easterly ten (10) feet of the westerly 120 feet of the above described property.

- 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.
- Access:** Grantee has the right of access to and from the Right of Way Area.
- 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.
- Excavation:** As required by Public Act 53 of 1974, MISS DIG must be called on 1-800-482-7171 before anyone excavates the Right of Way Area.
- 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.
- 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.
- Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors, lessees, licensees and assigns.

RECORDED RIGHT OF WAY NO. 43803

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

James D. McDonald
JAMES D. McDONALD

Dallas T. Tiensivu
Dallas T. Tiensivu
E#92 REG/DEEDS PAID
0001 DEC 10 '91 02:31PM
7491 RMT FEE 2.00
7.00
200 RMT

John C. Greenlee
JOHN C. GREENLEE

Elaine F. Tiensivu
Elaine F. Tiensivu
E#92 REG/DEEDS PAID
0001 DEC 10 '91 02:31PM
7491 RMT FEE 2.00

Acknowledged before me in OAKLAND County, Michigan, on 10-15, 1991 by Dallas T. Tiensivu and Elaine F. Tiensivu, husband and wife.

OK - G.K.

Notary's Stamp
JAMES D. McDONALD
Notary Public, Oakland County, MI
My Commission Expires April 24, 1995

Notary's Signature James D. McDonald

Prepared by and Return to: James D. McDonald, 30400 Telegraph Rd., Suite 277, Birmingham, MI 48025

APPROVED AS TO FORM 10/28/91 DATE
LEGAL DEPARTMENT MPA

