

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. 0-1544

On 3/26/92, 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:

Roger J. Studley and Margaret A. Studley, His Wife, 16047 Catalpa Ridge, Holly, Michigan 48042

"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 49801
Concord Tele-Communications, a Michigan corporation, 21 S. Washington, Oxford, Michigan 48051

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

Parcel "F" T5N, R9E, Sec 8, Part of SW 1/4 Beg at Pt Dist S 00°06'32" W 670 Ft from W 1/4 Cor, Th S 00°06'32" W 170 Ft, Th N 83°11'19" E 167.42 Ft, Th N 00°06'32" E 150 Ft, Th N 89°57'02" W 166.20 Ft, to Beg. 0.61 Acres - Sidwell No: 03-08-301-024.

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

A 12 Ft wide easement lying West of and adjacent to the private road as shown on the attached DECO Drawing #0-1544 dated March 24, 1992.

- 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.

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

BARRY W. JOHNSON
NANCY J. HANES

Roger J. Studley
Margaret A. Studley

Acknowledged before me in Oakland County, Michigan, on March 26, 1992 by Roger J. Studley and Margaret A. Studley, Husband and Wife.

Notary's Stamp Oakland Co. Notary
Common Expires:
May 13, 1992

Notary's Signature BARRY W. JOHNSON

Prepared by and Return to: Terry L. Benedict, 30400 Telegraph Road, Suite 277, Birmingham, Michigan 48025

DECO

OK - G.K.

RECORDED RIGHT OF WAY NO. 40906