

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9107459-02R

On JUNE 10, 1992, for the consideration of system betterment, Grantor grants a permanent underground easement ("Right of Way") in, on and across a part of Grantor's Land "Way Area".

"Grantor" is:

John Sheehan and Gina Sheehan, His Wife, formerly known as Gina Querio, P. O. Box 714, Ortonville, Michigan 48462  
A.K.A. JOHN A. SHEEHAN A.K.A. GINA M. SHEEHAN

"Grantee" is:

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

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

High Banks Subdivision, part of Lots 12 and 13 desc as beginning at Northeast corner of Lot 13, thence South 05°31'23" West 317.95 feet, thence South 00°35'39" East 110 feet, thence North 89°24'21" East 44.63 feet, thence South 00°35'39" East 844.84 feet, thence South 89°54'30" West 176.25 feet, thence North 00°35'40" West 1268.38 feet, thence North 89°02'32" East 165.50 feet to beginning. Part of the North 1/2 of the Southeast 1/4 Section 17, T5N, R9E, as recorded in Liber 62 Page 11 of Plats. O.C.R. - Sidwell No: 03-17-476-015

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

Shown on the attached Detroit Edison Company Drawing No: R-9107459-02R dated March 16, 1992. The right of way is ten 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.

RECORDED RIGHT OF WAY NO. 43202

Witnesses: (type or print name below signature)

Stephen Pike  
STEPHEN PIKE

Wendy Murphy  
WENDY MURPHY

Grantor: (type or print name below signature)  
John Sheehan  
John Sheehan A.K.A. JOHN A. SHEEHAN  
B#92 REG/DEEDS PAID 9.00  
001 int. 05-92 01:52PM  
0796 RMT FEE 2.00

Gina Sheehan  
Gina Sheehan A.K.A. GINA M. SHEEHAN

Acknowledged before me in OAKLAND County, Michigan, on JUNE 10, 1992  
by John Sheehan and Gina Sheehan, His Wife, formerly known as Gina Querio.  
A.K.A. JOHN A. SHEEHAN A.K.A. GINA M. SHEEHAN

TERRY L. BENEDICT  
Notary Public, Oakland County, MI  
My Commission Expires July 1, 1992

Notary's Stamp \_\_\_\_\_ Notary's Signature Terry L. Benedict