

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9201484-01R

On 7/9, 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:

Alfred M. Seay and Glenda L. Seay, Husband and Wife, 2954 Lacota, Waterford, Michigan 48328

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

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

Parcel 6 - Part of the Northeast 1/4 of Section 7, T5N-R9E, Brandon Township, Oakland County, Michigan, described as: Beginning at a point that is South 89°46'08" West, 530.96 feet along the North line of Section 7, as previously established (recorded as South 89°36'18" West, 532.67 feet) and South 00°08'42" East, 272.69 feet from the Northeast corner of Section 7; thence South 00°08'42" East, 274.00 feet; thence West 399.00 feet; thence North 00°08'42" West, 274.00 feet; thence East 399.00 feet to the point of beginning. Containing 2.50 acres more or less. Subject to an easement for ingress and egress and the placement and maintenance of public utilities to be used in common with others over the Westerly 33 feet and that part of a circular turn-around with a radius of 66 feet, whose center is the Northwest corner of the above described parcel. Also subject to an easement for drainage retention as shown on survey drawing, Sheet 1 of 4, No. 12812-91. Sidwell No: 03-07-226-023-Sub

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

Shown on Appendix "A". The right of way is 10 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. 43636

892 REG/DEEDS PAID
0001 SEP.22 '92 12:33PM
2020 MISC 9.00

Witnesses:(type or print name below signature)

John C. Greenlee
JOHN C. GREENLEE
OMER V. RACINE

Grantor:(type or print name below signature)

Alfred M. Seay
Glenda L. Seay
9.00
2.00 PMT

Acknowledged before me in OAKLAND County, Michigan, on July 9, 1992 by Alfred M. Seay and Glenda L. Seay, Husband and Wife, 2954 Lacota, Waterford, Michigan 48328

JOHN C. GREENLEE
Notary Public, Oakland County, MI
Notary's Stamp My Commission Expires Sept. 19, 1993
Notary's Signature John C. Greenlee

Prepared by and Return to: John C. Greenlee, 30400 Telegraph Road, Suite 277, Birmingham, Michigan 48025

GK