

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9206395

On 11-20, 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:

Brian D. Labarge and Maria E. Labarge, Husband and Wife, 2901 Flint, Ortonville, Michigan 48462

"Grantee" is:

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

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

Section 21, T5N, R9E, part of East 1/2 of Southeast 1/4 beginning at point distant North 01°07'51" East 1235.60 feet and North 88°25'00" West 315.65 feet from Southeast section corner, thence North 88°25'00" West 233.48 feet, thence North 01°35'00" East 279.81 feet, thence South 88°26'09" East 233.48 feet, thence South 01°35'00" West 279.88 feet to beginning. 1.50 Acres - Sidwell No: 03-21-438-004

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

The West ten feet of the East 125 feet of the Northerly ten (10) feet of Grantor's Land.

- 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. 44085

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

James D. McDonald
JAMES D. McDONALD

Brian D. Labarge
Brian D. Labarge

Omer V. Racine
OMER V. RACINE

Maria E. Labarge 7.00
Maria E. Labarge 2.00

Acknowledged before me in OAKLAND County, Michigan, on 11-20, 1992 by Brian D. Labarge and Maria E. Labarge, Husband and Wife.

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

O.K. - LM
8#92 REG/DEEDS PAID
0001 JAN.05.97 11:10AM
4702 MISC 7.00

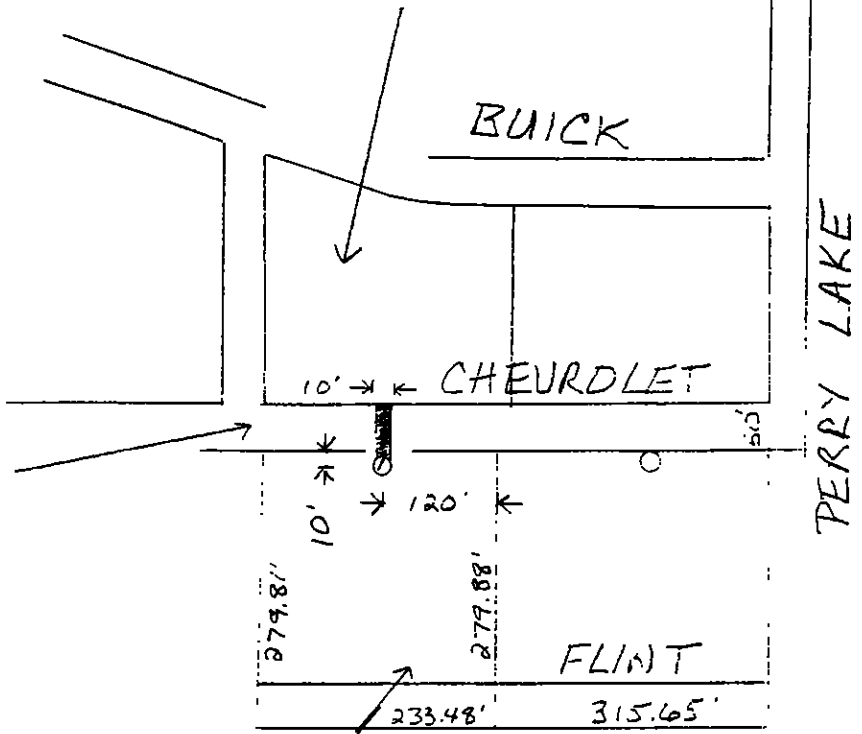
Notary's Stamp _____
(Notary's name, county and date commission expires)

Notary's Signature James D. McDonald

Prepared by and at the office of: James D. McDonald, 30400 Telegraph Road, Suite 222, Birmingham, Michigan 48025/avm.

Return on Back

PERRY LAKE HTS
 LOTS 15-34
 03-21-436-002
 2863 CHEVROLET
 ANTHONY PICHE
 C/O 737 LABROSSE
 ROCHESTER HILLS, MI 48307
 PH# R-652-9572 W-651-4600



SEE SUB. PLATT
 (PRIVATE ROAD)

7260/301

03-21-438-004
 2901 FLINT
 ORTONVILLE MI 48062
 BRIAN D. LABARGE and
 PH# 627-3818 Maria E. Labarge

RECORDED RIGHT OF WAY NO. 44085

SECURE 10 WIDE U.S.
 EASEMENT FOR U.G. SERVICE
 TO 2863 CHEVROLET

S.E. SEC. 21
 E. 1/2 OF S.E. 1/4
 SEC. 21
 T 5 N R. 9 E

LEGEND	
	FOREIGN POLE
	EXIST D.E. CO. POLE
	PROPOSED POLE
	EXIST ANCHOR
	PROPOSED ANCHOR
	TREE
	120/240 VOLT LINE
	4800 VOLT LINE
	13,200 VOLT LINE
	40,000 VOLT LINE

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT			
CITY OR TOWNSHIP Brandon	COUNTY Oakland	QTR & TWP SECT. NO. E. 1/2 S.E. 1/4 21	DEPT ORDER NO.
MAP SECT. 1-250-484	TOWN 5N	RANGE 9E	JOINT R/W REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
PROJECT NAME	TEL. ENGR & DIST	R/W NO. R9206395	
CIRCUIT 3822 WOLF#	PROJ. OR PART NO.		
REASON U.G. Easement for service to Chevrolet	OFW SO OR PE NO		
PLANNER P. Hennessy	SCALE 1" = 200'	DATE 9/22/92	
BUDGET ITEM NO. 2863			