

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9205034-01

On 9/16, 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:

Thomas A. Tracey and Maria D. Tracey, Husband and Wife, 3845 Sherwood, Ortonville, Michigan 48462

"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 Brandon Township, Oakland County, Michigan described as:

Section 22 T5N, R9E, part of East 1/2 of Southeast 1/4 beginning at point dist North 88°02'00" West 562.00 feet from Southeast section corner, thence North 88°02'00" West 211.00 feet, thence North 01°58'00" East 645.44 feet, thence South 87°37'58" East 211.00 feet, thence South 01°58'00" West 643.96 feet to beginning. 3.12 Acres - Sidwell No: 03-22-400-029

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

The South 5 feet of the North 100 feet of the West 5 feet of Grantor's Land. The right of way is 5 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, wires, 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.
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)
DETROIT (P) the underground from the existing pole to the Greys property line must be hand dug to prevent damage to the existing pole trees

Grantor: (type or print name below signature)
Thomas A. Tracey

Maria D. Tracey
Maria D. Tracey

Acknowledged before me in OAKLAND County, Michigan, on SEPT 16, 1992 by Thomas A. Tracey and Maria D. Tracey, Husband and Wife. O.K. - LM

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

Notary's Signature John C. Greenlee

Prepared by and Return to: John C. Greenlee, 30400 Telegraph Road, Suite 222, Birmingham, Michigan 48025/avm.

Return To: Attn: Terry L. Benedict Detroit Edison Co 1970 Orchard Lake Rd Culver Lake MI 48320

APPROVED AS TO FORM 11/9/92 DATE LEGAL DEPARTMENT

RECORDED RIGHT OF WAY NO. 44084