

12200 middle belt

ASSIGNMENT OF REVOCABLE PERMIT

for serving Polaris Substation

RECORDED R/W FILE NO. 15713

For good and valuable consideration, the receipt and adequacy of which are hereby mutually acknowledged, GENERAL MOTORS CORPORATION, a Delaware corporation, with its principal address at 300 Renaissance Center, Detroit, Michigan 48265, hereinafter referred to as "Assignor", hereby assigns, transfers, and conveys to ASHLEY LIVONIA SOUTH, L.L.C., with its principal address at 9810 S. Dorchester Avenue, Chicago, Illinois 60628, hereinafter referred to as "Assignee", a Revocable Permit dated February 11, 1954, issued by GENERAL MOTORS CORPORATION to THE DETROIT EDISON COMPANY covering permission to attach to poles two (2) telephone communication lines in Livonia, Michigan, as more particularly described in the Revocable Permit, a conformed copy of which is attached hereto.

Assignee represents and hereby agrees to unconditionally assume all of the obligations of Assignor as Licensor under said Revocable Permit and agrees to hold Assignor harmless from any claims relating to said Revocable Permit occurring on or after the date hereof.

Dated this 10th day of July, 2000.

In the presence of:

Kathleen M. Manga
KATHLEEN M. MANGA
Ronald McKee
RONALD MCKEE

FORM APPROVED
BY R.D. HERRINGTON, ATTORNEY

GENERAL MOTORS CORPORATION
BY Marilyn P. Nix
Marilyn P. Nix
Director
Worldwide Real Estate
ATTEST Cheryl Pence
Cheryl Pence
Assistant Secretary

EXECUTION RECOMMENDED
WORLDWIDE REAL ESTATE

In the presence of:

Sharane A. Burns
Sharane A. Burns
Ellen Weincouff
Ellen Weincouff

ASHLEY LIVONIA SOUTH, L.L.C.
BY Ashley Holdings, LLC
BY: R. Morton, President
ATTEST Tammy L. Harper
TAMMY L. HARPER
Notary Public, Wayne County, MI
My Commission Expires Oct. 15, 2002

BY [Signature]

CONSENT

THE DETROIT EDISON COMPANY hereby consents to and acknowledges receipt of said Assignment and agrees that after the date of this Assignment, Assignor is released from any claim or obligation relating to the above subject Revocable Permit.

Dated this 19th day of September, 2000.

THE DETROIT EDISON COMPANY

BY Paul W. Potter

Paul W. Potter, Director -
Corporate Real Estate

APPROVED AS TO FORM	9/12/2000	DATE
LEGAL DEPARTMENT	<u>Y/RA</u>	

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To R. H. H. M. D. and C. E. H. 105713 Line

Dated FEBRUARY 11, 1954

REVOCABLE PERMIT

WHEREAS, the GENERAL MOTORS CORPORATION has granted to THE DETROIT EDISON COMPANY an Easement upon, over and across each of the following parcels of land situated in Livonia Township, Wayne County, Michigan, described as:

PARCEL ONE

An easement ten (10) feet wide, the center line of which extends from the East property line (East one-eighth line, Section 25) five (5) feet South of the North property line (South line of Pere Marquette Railroad Right of Way) West 1980 feet to the West property line (East side of Hartel Avenue) also from the North property line five (5) feet West of the East property line, South 385 feet, all of which easement is over and across property described as follows: All that certain piece or parcel of land situated and being in the Township of Livonia, County of Wayne and State of Michigan, known and described as follows, to wit: The West half of the Southeast Quarter and the East half of the East half of the Southwest Quarter, except the North 49.50 feet thereof, containing 119.03 acres, more or less, all in Section 25, Town 1 South, Range 9 East, containing 119.03 acres more or less, as more particularly indicated on The Detroit Edison Company sketch number D-11768-R6, which sketch is attached hereto and made a part hereof.

PARCEL TWO

An easement ten (10) feet wide, the center line of which extends from the East property line (West one-eighth line, Section 25) five (5) feet South of the North property line (South line of the Pere Marquette Railroad Right of Way) West 869.43 feet to the West property line. Also from the North property line five (5) feet East of the West property line South 140 feet, all of which easement is over and across property described as follows: All that part of the Northwest Quarter of the Southwest Quarter of Section 25, Town 1 South, Range 9 East, in Livonia Township, Wayne County, Michigan, described as: Beginning at a point in the Southerly line of the Right of Way of Detroit, Lansing and Lake Michigan Railroad, eighteen (18) rods, seven (7) feet, two (2) inches, East

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of its intersection with the Westerly line of Section 25; Thence Southerly six (6) rods, three (3) feet to a point; Thence Westerly one (1) rod more or less, thence Southerly ten (10) rods, sixteen (16) feet; Thence Westerly eighty-one (81) feet; Thence Southerly thirteen (13) rods; Thence Westerly twelve and one-quarter (12 1/4) rods to the Westerly line of Section 25; Thence Southerly along said West line to the South line of the Northwest Quarter of the Southwest Quarter of Section 25; Thence Easterly along said South line to the Easterly line thereof; Thence Northerly along said Easterly line to the Southerly line of the Right of Way of the above mentioned railroad; Thence Westerly along said Southerly line to the point of beginning, containing thirty-three and one-half (33 1/2) acres of land more or less, as more particularly indicated on The Detroit Edison Company sketch number D-11768-RF, which sketch is attached hereto and made a part hereof; and

WHEREAS, said Easements have been granted to THE DETROIT EDISON COMPANY for the purpose of constructing, operating and maintaining one line for the transmission and distribution of electricity with a maximum of four wires, including the necessary poles, fixtures, guys and guy stubs, wires and equipment, together with the right at all times, if necessary, to enter upon the lands herein described for the purpose of constructing, operating and maintaining said line of equipment; said line to be constructed and maintained in accordance with the National Electric Safety Code and the rules and regulations of the Public Service Commission and to be at a minimum of thirty-seven and one-half (37 1/2) feet above ground at the poles; and

WHEREAS, the GENERAL MOTORS CORPORATION has also granted to THE DETROIT EDISON COMPANY a Permit and License to attach to the poles situated in the easements a company telephone communication line consisting of two (2) wires and to operate and maintain said line, acknowledged June 24, 1949.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00), receipt of which is hereby acknowledged, the GENERAL MOTORS CORPORATION, a Delaware corporation, with offices in the General Motors Building, Detroit, Michigan, hereby further grants to THE DETROIT EDISON COMPANY, a New York corporation, its successors and assigns, a Permit and License to attach to the poles situated in the easements additional company telephone communication lines consisting of two (2) wires, and to operate and maintain said lines. Said Company telephone communication lines consisting of two (2) wires are to be constructed and maintained in accordance with the rules and regulations of the Public Service Commission and are to be at a minimum height of thirty (30) feet above ground at the poles.

It is distinctly understood and agreed that this Permit and License shall be revocable at any time upon sixty (60) days' notice in writing being given by the GENERAL MOTORS CORPORATION directed to Director, Rights of Way, The Detroit Edison Company, 2000 Second Avenue, Detroit, Michigan. Deposit in the United States mail with postage prepaid constitutes giving of notice for the purpose of this License and Permit.

In the event that this License and Permit is terminated, THE DETROIT EDISON COMPANY, if so requested by the GENERAL MOTORS CORPORATION, or at its own option, shall remove said Company telephone communication line consisting of two wires. In the event that THE DETROIT EDISON COMPANY fails to remove said communication line, the GENERAL MOTORS CORPORATION may, at its own option, do so and charge the cost thereof to THE DETROIT EDISON COMPANY, which cost THE DETROIT EDISON COMPANY hereby agrees to pay.

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THE DETROIT EDISON COMPANY shall indemnify and save harmless the GENERAL MOTORS CORPORATION from any and all loss or damage to property or injury or death of any or all persons or from any suits, claims, liability or demands in connection therewith, however caused, resulting directly or indirectly by reason of the installation, maintenance, renewal, use, existence or removal of said company telephone communication line consisting of two wires, arising out of or caused by the acts, failures, negligence or omission of any one other than the GENERAL MOTORS CORPORATION.

IT IS FURTHER AGREED that the benefits hereof shall accrue and the respective obligations hereby imposed shall bind the successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the said GENERAL MOTORS CORPORATION has caused these presents to be signed in its name by its Vice President and Assistant Secretary and sealed with its corporate seal the day and year first above written.

In the Presence of:

Edna Claire
P. J. Muhl

GENERAL MOTORS CORPORATION

By *J. J. Cronin*
Vice President

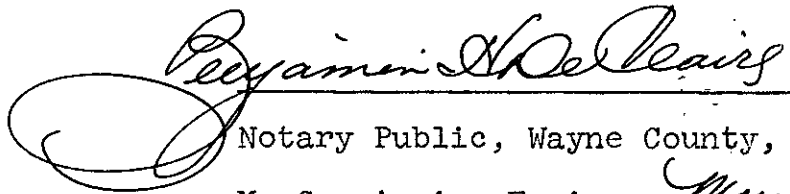
Attest: *J. C. Davidson*
Assistant Secretary

FORM APPROVED
HENRY H. HOGAN
GENERAL COUNSEL

STATE OF MICHIGAN }
COUNTY OF WAYNE } ss.

On this *11th* day of *February*, A. D. 1954, personally appeared before me *J. J. CRONIN* and *J. C. DAVIDSON*, to me personally known, who being by me severally duly sworn, did

say that they are respectively a Vice President and an Assistant Secretary of GENERAL MOTORS CORPORATION, a corporation created and existing under the laws of the State of Delaware, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that the said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors; and the said *J. J. CRONIN* and *J. C. DAVIDSON* acknowledged the said instrument to be the free act and deed of the said GENERAL MOTORS CORPORATION.



Notary Public, Wayne County, Michigan

My Commission Expires: *May 2, 1955*

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ORDER FOR WORK

DE FORM MS 118 11-51

TO:

CONSTRUCTION ENGINEERING
 OVERHEAD LINES

CONSTRUCTION DEPARTMENT
 UNDERGROUND LINES

BUILDING OPERATION

ELECTRICAL SYSTEM

ISSUING DEPT. AND WORK LOCATION

ENGINEERING - PLANNING
CITY OF LIVONIA

BUDGET ITEM OR W.O. NO.

902-1

JOB

OPW 8300

LINE NO.

10-14 Trunk 636

MAP SECTION

LIV 25-3

DATE

10-5-51

REASON FOR WORK

Provide clearance from Customer's new building

WORK TO BE DONE

Attached are prints of Sketch D-15480 showing work to be done to reroute 370 bare copper, 40-kv transmission and 2/8 system communication at the northeast corner of General Motors property (C&O E.R. and Peering Avenue). O.K. to remove trees on latter property.

NOTE: This job should be given immediate attention while this portion of Trunk 636 is temporarily de-energized.

RIGHTS OF WAY DEPARTMENT

OCT 6 PM 3 51

SIGNED

Harold Cole - OAS:LC

SIGNED

COPIES TO:

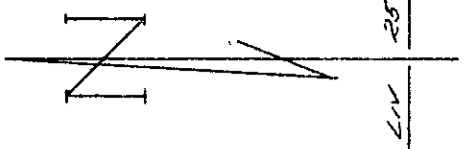
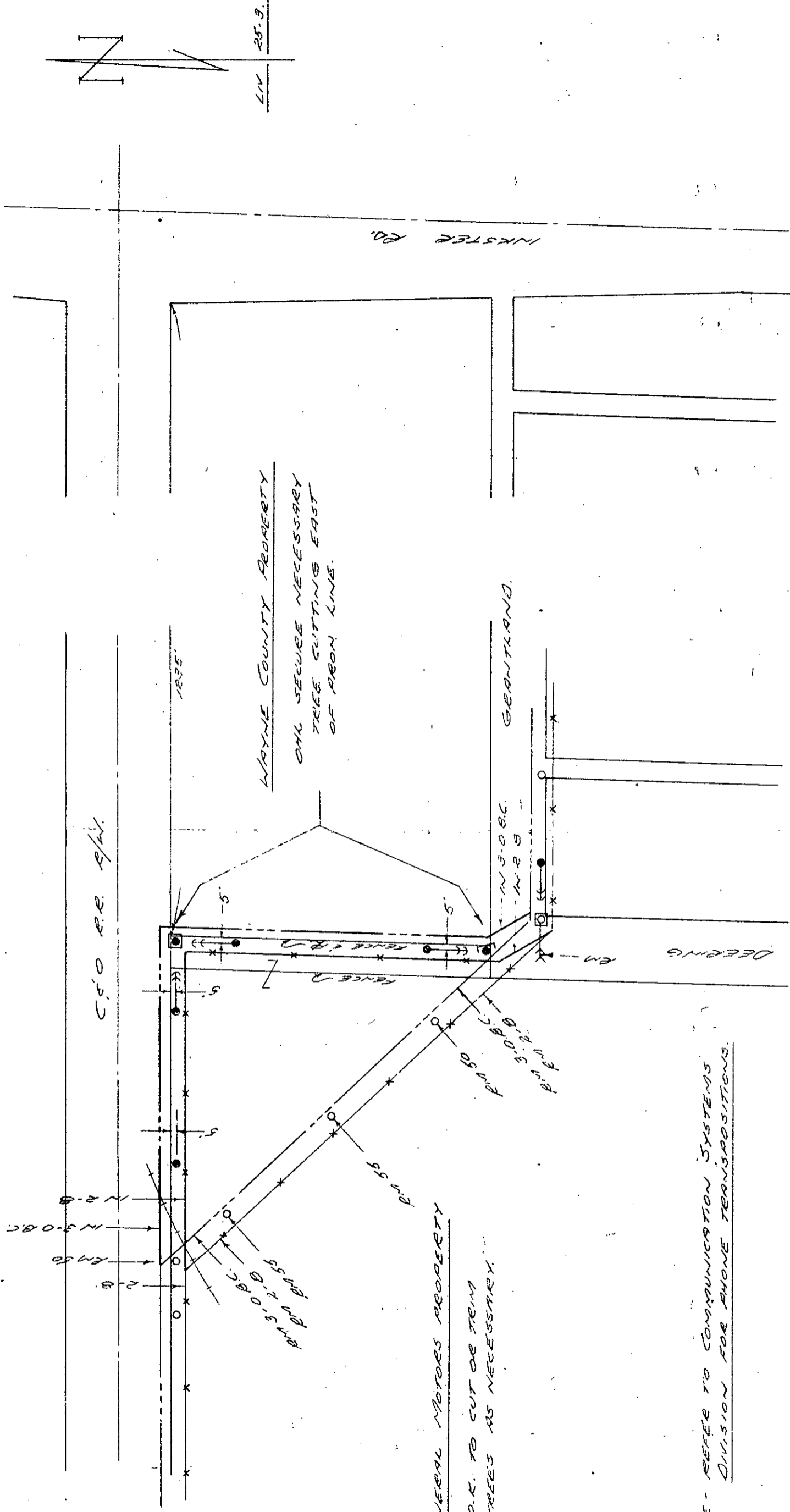
**Jennings, Cartall, Wyckoff, Finetti, Hadley
 Glatzel, Taylor, Strohmer**

ABOVE WORK HAS BEEN COMPLETED

DRAWING OR B.M. NO.	
DRAFTING TO BE COMPLETED	
DATE WORK TO BE STARTED	
DATE WORK TO BE COMPLETED	
ASSIGNED TO	
DATE STARTED	
DATE COMPLETED	
COMPLETED BY	
CHECKED BY	
PROJECT ENGINEER	
ASST. PROJECT ENGINEER	
MATERIAL COST	LABEL COST

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When work has been completed sign No. 2 copy and return to originating department when requested.



WAYNE COUNTY PROPERTY
 ONLY SECURE NECESSARY
 TREE CUTTING EAST
 OF PEON LINE.

GENERAL MOTORS PROPERTY
 O.K. TO CUT OR TRIM
 TREES AS NECESSARY.

NOTE - REFER TO COMMUNICATION SYSTEMS
 DIVISION FOR PHONE TRANSMISSIONS.

CITY OF LYONIA.		THE DETROIT EDISON COMPANY	
REROUTING TRANSMISSION		ENGINEERING DEPARTMENT	
5' SYSTEM TELEPHONE IN		PLANNING DIVISION	
WAY OF REPOSED CON-		LAYOUT BY	DRAWN BY
STRUCTION AT GENERAL		E. POTO	SKEY
MOTOR'S TRANSMISSION		CHECKED BY	APPROVED BY
PLAN.			
ISSUED TO	DATE	DRAWING NO.	SCALE
	9-29-53	D-15480	1" = 100'