

9/3

September 4, 1980

For valuable consideration, the receipt of which is hereby acknowledged, the undersigned hereby grant and convey to THE DETROIT EDISON COMPANY, a corporation organized and existing concurrently under the laws of the States of Michigan and New York, of 2000 Second Avenue, Detroit, Michigan 48226 and the MICHIGAN BELL TELEPHONE COMPANY, a Michigan corporation, of 444 Michigan Avenue, Detroit, Michigan 48226 hereinafter referred to as "UTILITIES", the easement and right to erect, lay, maintain, reconstruct and replace underground facilities consisting of wires, cables, conduits, fixtures and appurtenances including the necessary above ground equipment, connections, poles and accessories which may from time to time be required in, under, upon, over and across the land located in the City of Farmington Hills, Oakland County, Michigan, and more particularly described on the attached Appendix "A", with the full right to the UTILITIES of ingress and egress upon said land for the purposes of this grant, and the further right to trim, cut down or otherwise control brush and trees within the easements herein described.

Said easements shall be Ten (10) feet in width unless otherwise indicated and their route is described as follows: "The exact location of said easements will be as shown on a drawing to be recorded within 90 days after construction."

In order to provide for the proper maintenance and protection of UTILITIES, the undersigned covenant and agree that:

1. The easements will be graded to within four (4) inches of final grade before the UTILITIES lines are installed and this ground elevation must be maintained after installation of utilities to avoid the pooling of water in, on or around above ground UTILITIES' equipment.
2. No buildings or structures other than UTILITIES equipment are to be placed within the easements herein granted. No excavation is to be permitted within said easement without approval of UTILITIES.
3. If the lines or facilities of UTILITIES are damaged by the acts of Owners, their agents, employees or contractors, repairs shall be made by the Utility company so damaged at the cost and expense of Owners. Owners are defined as those persons owning the land at the time the damage occurred.
4. No shrubs or foliage shall be planted or grown within five (5) feet of the front door of transformers or switching cabinet enclosures. UTILITIES shall not be responsible to Owners for damages to or removal of trees or plant life planted in front of said door or within the easement causing an interference with UTILITIES maintenance of their equipment.

THIS GRANT is declared to be binding upon the heirs, successors, lessees, licensees and assigns of the parties hereto.

IN WITNESS WHEREOF, the undersigned have hereunto set their hand and seal on this date.

Witnesses:

Barbara J. Bauer
Barbara J. Bauer

Ben L. Lewis
Ben L. Lewis

VILLA NOVA ENTERPRISES, Joint Venture
Grantors: A Michigan Co-Partnership, date 7-31-80
Certificate 80-5110, Oakland County Records

E. Walter Masciulli
E. Walter Masciulli, Co-Partner

Salvatore Lopiccolo
Salvatore Lopiccolo, Co-Partner

Genesio Masciulli
Carrollton Arms, Co-Partner
Genesio Masciulli, Co-Partner

Prepared By: Omer V. Racine
The Detroit Edison Company
30400 Telegraph Road
Birmingham, Michigan 48010

Gabriele Pacciocco
Carrollton Arms, Co-Partner
Gabriele Pacciocco, Co-Partner

ADDRESS: 31725 W. Nine Mile Road
Farmington Hills, Michigan 48024

RECORDED RIGHT OF WAY NO. 34025

RECORDED
MICHIGAN
REGISTER OF DEEDS
1980 SEP 20 PM 12 03

RECORDED
OAKLAND COUNTY
REGISTER OF DEEDS
1980 SEP 12 PM 2

This easement is re-recorded for purposes of showing the planned "as installed" centerlines of easements granted as shown on drawing attached hereto.

Return over

11.00
5.00

RETURN TO
J. A. ROBERTSON
THE DETROIT EDISON COMPANY
30400 TELEGRAPH ROAD, 272 OAKDALE
BIRMINGHAM, MICHIGAN 48010

R 24025

RECORDED EIGHT OF WAY NO. 34025