

For good and valuable considerations, the right is hereby granted to The Detroit Edison Company, 2000 Second Avenue, Detroit, Michigan 48226, its successors and assigns, to construct, reconstruct, operate and maintain its underground lines for the transmission and distribution of electricity and Company communication facilities including the necessary conduits, fixtures, cables and cable poles, manholes and equipment under and across the property described hereinafter. The rights hereby granted include the right of access to and from the said premises, the right to construct, reconstruct, modify, operate and maintain said line facilities, and to trim or cut down any trees belonging to the grantor, either within said right of way or upon the lands of the grantor adjoining said right of way which, in the opinion of the grantee, at any time interfere with the construction and operation of said line facilities. It is expressly understood and agreed that the grantee shall, at no time, trim or cut down any trees unless, in the grantee's opinion, it is absolutely necessary to do so. Upon the written consent of the grantee, buildings or structures may be placed within said right of way. This grant shall be binding upon the successors and assigns of the grantors. The Company shall reimburse the grantors and assigns for all damage caused by its men, vehicles and equipment in entering said property for the purposes set forth herein.

4-10 / JT

The property over which this grant is conveyed is situated in the TOWNSHIP of ORION

\_\_\_\_\_, County of OAKLAND, State of Michigan and further described as follows:

①

THE EAST 10 FT OF LOT 64 KEATINGTON LAKEVIEW SUB T 4N, R 10E SECTION 21 AS RECORDED IN LIBER 180 PAG 24 THRU 28 O.C.R. 180024

2 TAX PARCEL # 09-21-176-008

NATIONAL BANK OF DETROIT, a national banking association, as Trustee under a Trust Agreement dated as of March 1, 1970, as amended, between Trustee and THE DOW CHEMICAL COMPANY relating to THE DOW CHEMICAL COMPANY EMPLOYEES' RETIREMENT PLAN, and not otherwise.

Witness: \_\_\_\_\_

Marsha B. Moore  
Marsha B. Moore  
David G. Ong

By: Leonard R. Present  
By: Assistant Vice President

Prepared By:

DON CRANKSHAW  
1075 SUNCREST DR.  
LAPEER, MI 48446

611 Woodward Ave.  
Detroit, Michigan 48226

APPROVED AS TO FORM 3-24-80 DATE  
LEGAL DEPARTMENT

RECORDED  
OAKLAND COUNTY RECORDS  
85 APR -2 15:11

RECORDED RIGHT OF WAY NO. 35459

STATE OF MICHIGAN )  
) SS.  
COUNTY OF OAKLAND )

On this 27th day of July A.D. 1984, before me the \_\_\_\_\_

subscriber, a Notary Public in and for said county, appeared Leonard R. Present and \_\_\_\_\_ to me personally known, who being by me duly sworn did say that \_\_\_\_\_ is the \_\_\_\_\_ Assistant Vice President \_\_\_\_\_

of National Bank of Detroit, A National Banking Association, Trustee, and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors and \_\_\_\_\_

Leonard R. Present acknowledged said instrument to be the free act and deed of said National Banking Association.

5.00  
Oiler

Marsha B. Moore

MARSHA B. MOORE  
Notary Public, Oakland County, MI  
My Commission Expires Oct. 4, 1987

Notary Public, OAKLAND County, Michigan

My Commission Expires: \_\_\_\_\_

Ret. over Dec 01

APPLICATION FOR RIGHT OF WAY

DE 983-0811 5-7455 (MS 80)

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

DATE JULY 5, 1984

LOCATION CEDAR KEY DR., S. OF SCRIPPS RD.

APPLICATION NO. 0-7738

CITY OR VILLAGE \_\_\_\_\_

DEPT. ORDER NO. \_\_\_\_\_

TOWNSHIP ~~XXXX~~ ORION COUNTY OAKLAND

O. F. W. NO. \_\_\_\_\_

DATE BY WHICH RIGHT OF WAY IS WANTED \_\_\_\_\_

BUDGET ITEM NO. \_\_\_\_\_

THIS R/W IS 100 % OF TOTAL PROJECT NO. \_\_\_\_\_ ACCUM. \_\_\_\_\_ %.

INQUIRY NO. \_\_\_\_\_

JOINT RIGHT OF WAY REQUIRED YES  NO

NOTE: Identify on print or sketch the subdivisions as to section location and liber and page.

JOHN SCHURMAN - MBT METRO  
NORTH MEMO 0-9528

KIND AND DESCRIPTION OF RIGHT OF WAY REQUESTED \_\_\_\_\_

10' UNDERGROUND RECORDED EASEMENT ON LOTS 63 & 64

PURPOSE OF RIGHT OF WAY TO SERVE KEATINGTON LAKEVIEW SUBDIVISION,  
ASSOCIATION BEACH.

SIGNED *John Schurman* /SUPERVISOR  
OAKLAND DIV. HEADQUARTERS SERVICE PLANNING  
OFFICE DEPARTMENT

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

Joint Recordable right of way secured as requested on the attached sketch.

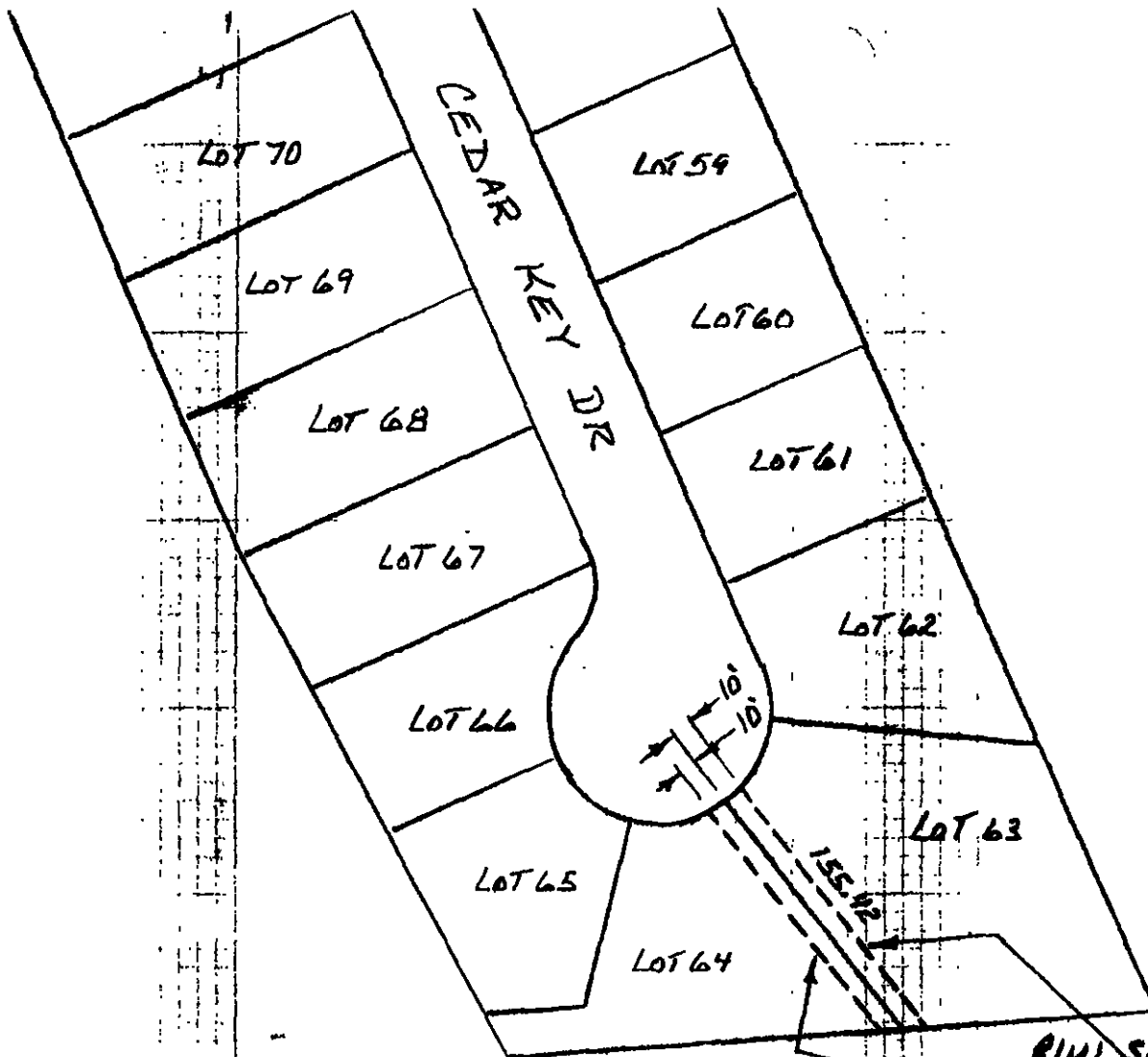
Contacts by D. Crankshaw, Real Estate, Rights of Way & Claims - Oakland Division.

RECORDED RIGHT OF WAY NO. 587458-35459

Ser.Pln. 2  
PERMITS IN RECORD CENTER 2 R.E. & R/W DEPT. FILE \_\_\_\_\_ GRANTOR Leonard R. Present  
Asst. Vice President  
NO. OF PERMITS 2 NO. OF STRUCTURES \_\_\_\_\_ NO. OF MILES \_\_\_\_\_ National Bank of Detroit

DATE April 1, 1985 SIGNED *James D. McDonald*  
James D. McDonald

7-10-84 WD 8-10-84



RECORDED RIGHT OF WAY NO. 35459

R/W SECURED  
N.B.D  
BY L. PRESEN  
U-PRE

10' EASEMENT FOR D.E. & M.B.T. REQUIRED

**KEATINSTON LAKE VIEW SUB.**

PART OF THE S.W. 1/4 OF SECTION 16, THE S.E. 1/4 OF SECTION 17, THE N.E. 1/4 OF SECTION 20 AND THE N.E. 1/4 SECTION 21, T.4N., R.10E., DRION TOWNSHIP, OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 180, PAGE 24 THROUGH 28 OAKLAND COUNTY RECORDS.

FUT. J.U. MEMO # 9528 TO M.B.T. METRO N.

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT			
CITY OR TOWNSHIP <b>DRION</b>	COUNTY <b>OAK</b>	QTR. & TWP. SECT. NO.	DEPT. ORDER NO.
MAP SECT.	TOWN	RANGE	JOINT R/W REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
PROJECT NAME <b>JOHN SCHURMAN-METRO</b>		TEL. ENGR & DIST	R/W NO. <b># 7738</b>
CIRCUIT <b>D.C. B151 BALDWIN</b>		PLANNER <b>DON YATES</b>	PROJ. OR PART NO.
REASON <b>TO SERVE SUBDIVISION ASSOCIATION BEACH</b>		SCALE <b>1"=100'</b>	O.F.W. S.O. OR P.E. NO.
PLANNER		DATE <b>7-3-84</b>	BUDGET ITEM NO.

- 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

WARRANTY DEED

THIS WARRANTY DEED, made this 6<sup>th</sup> day of April, 1983, by The Keating Development Company, a Michigan corporation, whose address is 10 West Long Lake Road, Bloomfield Hills, Michigan 48013 (hereinafter referred to as the "Grantor"), in favor of National Bank of Detroit, a national banking association whose address is 611 Woodward Avenue, Detroit, Michigan 48226 as Trustee under a Trust Agreement dated as of March 1, 1970, as amended, between Trustee and The Dow Chemical Company relating to The Dow Chemical Company Employees' Retirement Plan, and not otherwise (hereinafter called the "Grantee"),

4-10  
17/20  
16, 21

WITNESSETH:

In consideration of:

(i) The Grantee's forbearance from proceeding with a foreclosure action it commenced against Grantor in the Oakland County Circuit Court, being Civil Action No. 82-24398-CH (hereinafter referred to as the "Foreclosure Action") because of Grantor's default under a certain note dated December 4, 1980 and a certain mortgage dated December 4, 1980 and record 3 in liber 7930, page 684, Oakland County Records, upon the property described below (hereinafter referred to as "Subject Property") securing all sums due and owing from Grantor to Grantee under said note and mortgage, and

1

Exempt MSA 7.456 (5) (j)

(ii) The mutual promises and obligations contained in a certain settlement agreement and order of dismissal as to certain defendants, entered in the Foreclosure Action (hereinafter the "Consent Order"),

the Grantor does hereby convey and warrant to Grantee, all its rights, title and interest in the Subject Property.

The Subject Property is legally described as land in the Township of Orion, Oakland County, Michigan, more fully described in the attached Exhibit A. The subject Property is also described as:

Lots 1 through 136, inclusive, Keatington Lakeview Subdivision, as recorded in liber 180, pages 245, 25, 26, 27 and 28 of Plats, Oakland County Records:

ENT Tax ID # 09-17-451-000. ok 18024

Together with all and singular tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, subject to easements and building and use restrictions of record.

This deed is executed by Grantor to effect to the terms of the Consent Order and is intended by Grantor to be and is a deed absolute and not a mortgage or other security instrument, and constitutes an absolute conveyance of the Subject Property without any right of redemption and/or other right in favor of Grantor.

09-17-451-012 thru 11 1-6  
452-001 133  
452-005 134  
453-00 134  
476-a thru 117 7-20  
477-001 thru 100 136-2  
09-20-201-00 thru 027 99-125  
09-20-226-001 thru 003 71-22-23  
09-20-271-001 thru 021 99 thru 125  
09-21-101 thru 011 24-25, 26-27  
09-21-103-001 thru 004 28-39  
09-21-104-001 thru 011 95-98  
09-21-104-001 thru 011 84-94  
09-21-126-001 thru 018 39-56  
09-21-171-001 thru 019 65-83  
09-21-176-001 thru 008 57-64

09-20-202-001 thru 011 35-45

88791

08105

OKLAND COUNTY TREASURER'S CERTIFICATE  
I HEREBY CERTIFY that there is no TAX LIEN or TITLES levied by the state or any other jurisdiction against the within party and that the same is a valid tax lien due to the date of this instrument as shown by the records of this office as so stated

27.20  
6-2-83  
83  
Dmru

RECORDED  
OAKLAND COUNTY RECORDS  
35459

RECORDED  
OAKLAND COUNTY RECORDS  
83 JAN-3

The receipt, acceptance or recording of this deed shall not in any way result in a merger of the interests of NBD, as mortgagee and as feeholder, nor shall the receipt, acceptance or recording of this deed be deemed a waiver by NBD of its claim of priority under the mortgage described herein over any other lien, mortgage, interest or encumbrance now existing or hereinafter placed on the Subject Property, nor shall the receipt, acceptance or recording of this deed affect or prejudice in any way the right of NBD to foreclose the mortgage described herein. As against Grantor only, the mortgage described herein shall be of no further force or effect. With regard to all other parties, including any intervening lien claimants, subsequent purchasers, or anyone else claiming adversely to NBD, the mortgage described herein shall remain in full force and effect.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed the day hereinbefore first written and have declared this conveyance to be binding upon it and all persons holding by, through, or under it or its successors and assigns.

WITNESSES:  
[Signature]  
DAVID K. McDONNELL  
[Signature]  
NOMAS R. ADAM

THE KEATING DEVELOPMENT COMPANY a Michigan corporation  
By: [Signature]  
Douglas P. Keating  
Its: President

STATE OF MICHIGAN )  
                          )SS  
COUNTY OF OAKLAND)

On this 6th day of APRIL, 1983, before me personally appeared Douglas P. Keating, who being by me duly sworn did say that he is President of The Keating Development Company, a Michigan corporation, and that the said instrument was signed on behalf of said corporation by authority of its articles of incorporation and by-laws; and he acknowledges the said instrument to be the free act and deed of said corporation.

[Signature]  
Notary Public,  
County, Michigan  
My Commission Expires: \_\_\_\_\_

RECORDED RIGHT OF WAY NO. 35459

DRAFTED BY AND WHEN RECORDED RETURN TO:  
David K. McDonnell  
BARRIS, SOTT, DENN & DRIKER  
2100 First Federal Building  
1001 Woodward Avenue  
Detroit, Michigan 48226

DAVID K. Mc DONNELL  
Notary Public, Oakland County, Mich.  
My Commission Expires Oct. 7, 1985