

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. AS-7252

On February 19, 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:

PONDS AT GEORGETOWN LIMITED PARTNERSHIP, A MICHIGAN LIMITED PARTNERSHIP, P. O. Box 189, Mt. Pleasant, Michigan 48804; 2469 Packard, Ann Arbor, Michigan 48104

"Grantee" is:

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

"Grantor's Land" is in Ann Arbor City, Washtenaw County, described as:

***** See Reverse Side for Legal Description *****

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

A 12 foot by 40 feet easement, described on Detroit Edison Drawing AS-7252, which is attached hereto and made a part hereof. The width of Right of Way is twelve (12) feet.

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 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
WASHTENAW COUNTY MI
MAR 11 12 31 PM '92
REC'D BY JAMES
COUNTY CLERK/REGISTER

42859

Witnesses: (type or print name below signature)

Grantor: (type or print name below signature)

[Signature]
Phillip R. Seybert

[Signature]
Woodward S. Smith - GENERAL PARTNER

[Signature]
Cathy Schenkhuizen

OVER

Part of the Southeast ¼ of Section 4, T3S, R6E, described as commencing at the intersection of the centerline of Packard Road and the East line of said Section 4; thence N 30°14'38" W 750.27 feet; thence N 63°17'22" E 33.06 feet for the Point of Beginning; thence N 30°14'38" W 984.92 feet; thence N 88°50'05" E 844.62 feet; thence S 00°00'00" W 692.74 feet; thence S 63°17'22" W 389.98 feet to the Point of Beginning. ALSO beginning at the intersection of the centerline of Packard Road and the East line of said Section 4; thence N 30°14'38" W 750.27 feet; thence N 63°17'22" E 423.04 feet; thence S 00°00'00" W 838.3 feet to the Point of Beginning; EXCEPT beginning at the East ¼ corner of said Section 4; thence S 01°06'30" W 620 feet; thence S 89°56'35" W 6 feet; thence N 01°06'30" E 46 feet; thence N 38°53'30" W 86 feet; thence N 01°06'30" E 185 feet; thence N 58°53'30" W 160 feet; thence N 01°06'30" E 239.17 feet; thence N 89°54'22" E 200 feet to the Point of Beginning. 13.09 acres, more or less.

Acknowledged before me in Isabella County, Michigan, on February 19, 1992 by

+ Woodward S. Smith its General Partner of Ponds at Georgetown Limited

Partnership, a Michigan Limited Partnership.

CATHY SCHENKHUIZEN
Notary Public, Isabella County, MI
My Commission Expires June 9, 1992

Notary's Stamp _____ Notary's Signature Cathy Schenkhuizen
Cathy Schenkhuizen

RETURN TO:
RICHARD LONGWISH
THE DETROIT EDISON COMPANY
425 S. MAIN STREET, ROOM 332
ANN ARBOR, MI 48106

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RECORDED
WASHTENAW COUNTY MI
MAR 11 12 31 PM '92
PEGGY HAINES
COUNTY CLERK/REGISTER

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SSRF 2.00
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RETURN TO:
RICHARD LONGWISH
THE DETROIT EDISON COMPANY
425 S. MAIN STREET, ROOM 332
ANN ARBOR, MI 48104