

Detroit Edison

Real Estate and Rights of Way
Joint Underground
Right of Way Agreement

5/23, 19 90

For good and valuable consideration of system betterment, the undersigned hereby grant and convey to THE DETROIT EDISON COMPANY, a Michigan corporation of 2000 Second Avenue, Detroit, Michigan, MICHIGAN BELL TELEPHONE COMPANY, a Michigan Corporation of 444 Michigan Avenue, Detroit, Michigan, and COLUMBIA CABLEVISION OF MICHIGAN a Michigan Partnership ~~XXXXXX~~ of 2505 S. Industrial Hwy., P. O. Box 998, Ann Arbor, MI, hereinafter referred to collectively as "GRANTEE," the right to construct, reconstruct, modify, add to, operate and maintain underground line facilities consisting of poles, conduits, wires, cables, manholes, transformers and accessories required to provide electric and communication services in, under, upon and across property located in the Township of Ann Arbor, County of Washtenaw, State of Michigan, further described as follows:

*****SEE REVERSE SIDE FOR COMPLETE LEGAL DESCRIPTION*****

RECORDED
WASHTENAW COUNTY MI
DEC 28 9 53 AM '90
PEGGY M. HAINES
COUNTY CLERK/REGISTER

RECORDED RIGHT OF WAY NO. 43194

The route of underground line facilities is as shown on the attached drawing AS-6913 which is made a part hereof.

The right of way is Twelve (12) feet in width.

The rights hereby granted include the right of access to and from the right of way and the right to trim, cut down or otherwise control trees, brush or roots of any kind either within the right of way or on property adjoining the right of way which in the opinion of the GRANTEE interferes with the construction or operation of the 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. The GRANTEE shall restore premises to its original condition or as near as can be in the event of damages caused by its employes, contractors, vehicles and equipment entering premises for the purposes set forth herein.

No buildings or structures are to be placed within said right of way herein granted without the written consent of the GRANTEE.

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(s) on the date of this agreement.

Witnesses:

Grantors:

Marcella V. Williams
MARCELLA V. WILLIAMS
Julia M. Shores
JULIA M. SHORES

TOYOTA MOTOR SALES, U.S.A. INC.,
A California Corporation
Kent B. Smith
KENT B. SMITH

over

Prepared by: Curtis G. Noles
2000 Second Avenue
Detroit, MI 48226

Address: 19001 Southwestern Avenue
Torrance, CA 90509

-- OVER --

Part of the West 1/2 of Section 24. Town 2 South. Range 6 East. Ann Arbor Township. Washtenaw County, Michigan Described as BEGINNING at a point on the East-West 1/4 line of Section 24 being S 87°-36' E 840.44 feet from the West 1/4 corner of Section 24; thence Northwesterly 114.43 feet along the arc of a 775.51 foot radius curve to the right, the long chord of which bears N 37°-11'-38" W 114.33 feet; thence N 32°-58' W 239.30 feet; thence Northwesterly 365.13 feet along the arc of a 861.51 foot radius curve to the left, the long chord of which bears N 45°-06'-30" W 362.40 feet; thence N 57°-15' W 75.40 feet; thence N 32°-45' E 2028.03 feet; thence S 41°-26'-20" E 412.00 feet; thence S 75°-57'-50" E 288.62 feet; thence N 53°-07'-50" E 250.00 feet; thence S 51°-27'-30" E 372.53 feet; thence S 25°-32' W 873.17 feet; thence S 08°-29'-08" W 384.94 feet; thence Southerly 280.15 feet along the arc of a 343.00 foot radius curve to the left. the long chord of which bears S 18°-31'-33" W 272.43 feet; thence S 04°-52'-23" E 674.69 feet; thence Southerly 114.91 feet along the arc of a 2821.79 foot radius curve to the right. the long chord of which bears S 03°-42'-23" E 114.90 feet; thence S 88°-20' W 97.31 feet; thence Westerly 516.51 feet along the arc of a 1389.39 foot radius curve to the right, the long chord of which bears N 81°-01' W 513.54 feet; thence N 70°-22' W 256.08 feet; thence Northwesterly 391.78 feet along the arc of a 775.51 foot radius curve to the right, the long chord of which bears N 55°-53'-38" W 387.63 feet back to the POINT OF BEGINNING, containing 73.092 acres of land, more or less, and being subject to the rights of the public in Goss Road and being subject to easements of record.

Acknowledgement-Corporation

STATE OF ~~MICHIGAN~~ California
 County of Los Angeles

On this 23rd day of May, 19 90, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Kent G. Smith whose title(s) is /are Corporate Manager, Real Estate & Facilities of TOYOTA MOTOR SALES, U.S.A. INC., a California corporation, on behalf of the corporation.

Lydia I. Rico
 Notary Public, Los Angeles County, Michigan California

My commission expires May 11, 1992



LEGEND

CERTIFICATE OF SURVEY

SHEET 1 OF 2

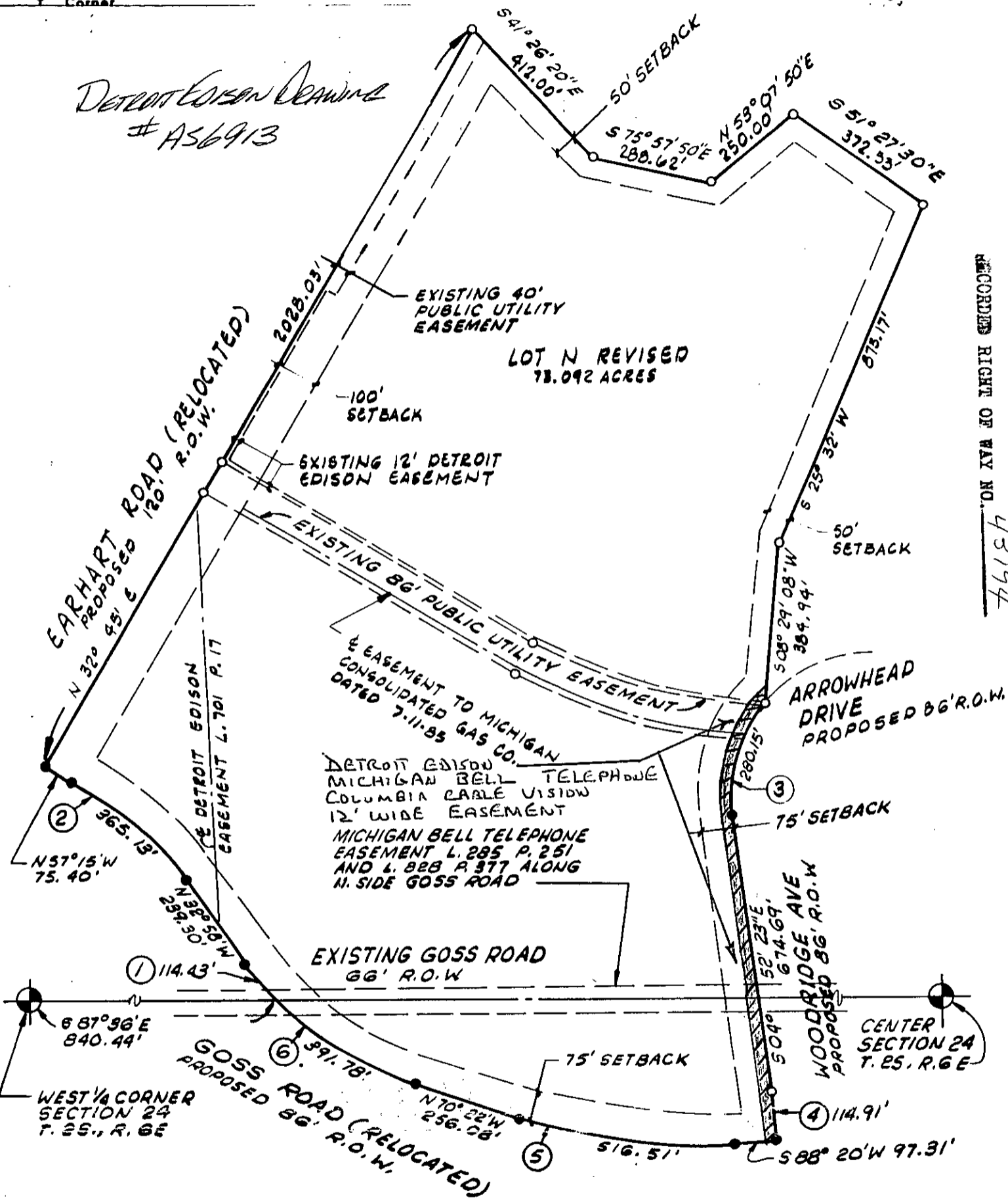
- Found Iron
- ⊙ Found Monument
- Set Iron
- ⊕ Section or 1/4 Section Corner



SCALE: 1" = 300'



*Detroit Edison Drawing
A56913*

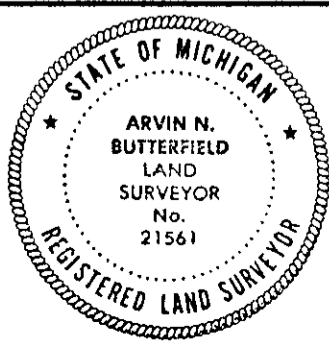


RECORDED RIGHT OF WAY NO. 43194

Basis of Bearing: Surveyors Affidavit L. 1245 P. 153

I hereby certify that I have surveyed and mapped the land above platted and or described on Nov. 22, 1988 and that field ratio of closure on the unadjusted field observations was 1:5000 or better and that all requirements of P.A. 132, 1970 have been complied with.

Arvin N. Butterfield
R.L.S. No. 21561



SURVEY OF PART OF NW 1/4 SECTION 24, T2S., R6E, ANN ARBOR TOWNSHIP WASHTENAW COUNTY, MICHIGAN FOR: RICHARD WOOD & COMPANY ANN ARBOR TECHNOLOGY PARK LOT N - REVISED

McNAMEE PORTER & SEELEY
ENGINEERS ARCHITECTS
3131 SOUTH STATE STREET ANN ARBOR, MICHIGAN 48104

RECORDED

WASHTENAW COUNTY MI

DEC 28 9 53 AM '90

PEGGY M. HAINES
COUNTY CLERK/REGISTER

DEED
8333 0333003 8379 9:41AM 12/28/90

9:00

900

Handwritten:
425 S Main
Ann Arbor Mich
Will call for
[Signature]