

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9203888-1AR

On Sept 3, 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:

THE REGENTS OF THE UNIVERSITY OF MICHIGAN, a Michigan Constitutional Corporation, 5032 Fleming Administration Building, 503 Thompson, Ann Arbor, Michigan 48109-1340

"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:

All in accordance with Detroit Edison Drawing R-9203888-1AR and dated 08/03/92, 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.
8. **Indemnification:** See Reverse Side

Witnesses: (type or print name below signature)

Grantor: (type or print name below signature)

THE REGENTS OF THE UNIVERSITY OF MICHIGAN,
A MICHIGAN CONSTITUTIONAL CORPORATION

John D. Ketechnut
JOHN D. KETECHNUT

Farris W. Womack
Farris W. Womack
Vice President and Chief Financial Officer

Sue Ellen Burnett
SUE ELLEN BURNETT

Acknowledged before me in Washtenaw County, Michigan, on Sept. 3, 1992, by Farris W. Womack, Vice President and Chief Financial Officer of The Regents of UM, a Michigan Constitutional Corporation for the Constitutional corporation. *University of Michigan

LEANN DEAN
Notary Public, Wayne County, MI
My Commission Expires May 28, 1996

Notary's Stamp Acting in Washtenaw Co. Notary's Signature Leann Dean
(Notary's name, county and date commission expires)

TIME RECORDED 9:33AM
DATE SEPT 16 1992
PEGGY M. HAINES
WASHTENAW COUNTY CLERK/REGISTER

RECORDED RIGHT OF WAY NO. 43719

In the City of Ann Arbor, Washtenaw County, Michigan; commencing at the East 1/4 corner of Section 5, T3S, R6E; thence S 01°53'00" E 619.89 feet along the East line of said Section; thence S 87°57'37" W 58.13 feet for a Place of Beginning; thence S 02°03'20" E 709.99 feet along the West line of State Street; thence S 87°13'20" W 1302.30 feet; thence N 01°44'55" W 1324.65 feet along the West line of the East 1/2 of the Southeast 1/4 of said Section 5; thence N 01°12'40" W 54.43 feet; thence S 87°19'20" W 24.08 feet; thence N 01°12'40" W 353.04 feet; thence N 87°10'08" E 587.17 feet; thence S 00°34'36" E 1013.42 feet; thence N 87°57'50" E 752.21 feet to the Place of Beginning, being a part of the East 1/2 of said Section 5, containing 34.51 acres of land, more or less, being subject to easements of record.

8. Indemnification: In consideration of this easement, the Detroit Edison agrees to indemnify and hold harmless the University of Michigan and the University of Michigan's employees from and against any and all claims, liabilities, judgments, costs and expenses including court costs and reasonable attorney's fees, incurred because of the Detroit Edison's acts or omissions in connection with the above described project.

Handwritten scribble

APPROVED AS TO FORM 9/11/92 DATE
LEGAL DEPARTMENT YAKA

To (Supervisor, RE & R/W) RICHARD LONGWISH	For RE & R/W Dept. Use	Date Received	DE/Bell/C.P. No.
Division ANN ARBOR	Date 8-3-92	Application No. R-9203888-1AR	

We have included the following necessary material and information:

Material:

- A. Proposed Subdivision
 - 1. copy of complete final proposed plat - All pages
- or
- B. Other than proposed subdivision (condo., apts. mobile home park — other)
 - 1. Property description.
 - 2. Site plan.
 - 3. title information (deed, title commitment, contract with title commitment, or title search).

Note: Do not submit application for URD easements until all above material has been acquired.

Customer Tracking Number **9203888**

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH	PERMITS TO:
BY <u>R. Longwish</u>	RECORD CENTER <u>1</u>
DATE <u>10-3-92</u>	R/W FILES <u>1</u>
DATE WANTED	MBT <u>-</u>
DISTRICT FIELDMAN <u>Richard Longwish</u>	ORIGINATOR <u>1</u>
	TOTAL <u>1</u>

Information

1. Project Name UNIVERSITY of MICHIGAN STATE ST. COMMUTOR	Lot.	County WASHTENAW
City/Township/Village ANN ARBOR CITY	Section No. SECTION 5	
Type of Development		
<input type="checkbox"/> Proposed Subdivision	<input type="checkbox"/> Apartment Complex	<input type="checkbox"/> Condominium
<input type="checkbox"/> Subdivision	<input type="checkbox"/> Mobile Home Park	<input checked="" type="checkbox"/> Other
2. Name of Owner UNIVERSITY of MICHIGAN	Phone No. 747-1334	
Address		

Owner's Representative TOM BOYLE 747-1334	Phone No. 747-1334
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Date Service is Wanted
FALL of 1992

4. Entire Project will be developed at one time Yes No

5. Joint easements required — Michigan Bell Telephone Yes No

— Consumers Power Yes No

a. Name of Other Utilities If Not Michigan Bell Telephone or Consumers Power

b. Other Utility Engineer Names	Phone Numbers
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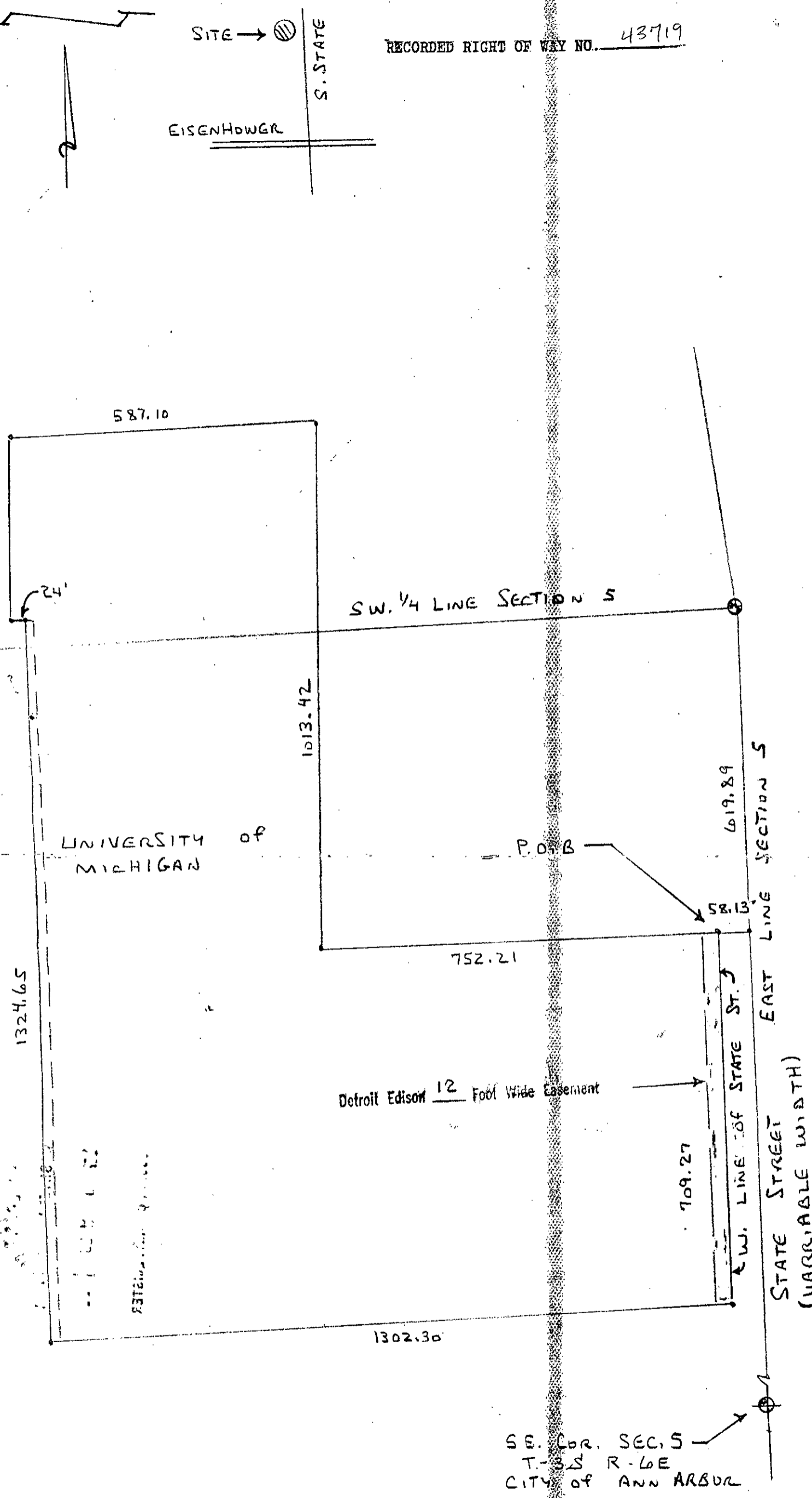
Addresses

6. Additional Information or Comments

Note: Trenching letter attached will be submitted later

Service Planner TERRY SMART	Signed (Service Planning Supervisor) AUG 03 1992
Phone No. 185-4058	Address L. C. BAILEY

RECORDED RIGHT OF WAY NO. 43719



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9203888

THE DETROIT EDISON COMPANY - SERVICE PLANNING DEPARTMENT	
CITY	ANN ARBOR
COUNTY	WASHTENAW
QTR. & TWP. SECT. NO.	SE 1/4 - S
DEPT. ORDER NO.	
MAP SECT.	1-1100-272
TOWN RANGE	32S 6E
JOINT R/W REQUIRED	YES <input type="checkbox"/> NO <input type="checkbox"/>
R/W NO.	R-9203888-1A
PROJECT NAME	
TEL. ENGR. & DIST.	
PROJ. OR PART NO.	
CIRCUIT	DC. 8126 STATE (13KV)
O.F.W. S.O. OR P.E. NO.	
REASON	PROVIDE SERVICE W/M PARKING LOT
BUDGET ITEM NO.	
PLANNER	TERRY SMART
DATE	8-3-92
SCALE	1" = 200'

LEGEND	
○	FOREIGN POLE
○	EXIST. D.E. CO. POLE
○	PROPOSED POLE
○	EXIST. ANCHOR
○	PROPOSED ANCHOR
○	TREE
---	120/240 V LINE
---	4800 V LINE
---	13,200 V LINE
---	40,000 V LINE

SE. COR. SEC. 5
T-32 R-6E
CITY OF ANN ARBOR

RECORDED
WASHTENAW COUNTY MI

SEP 16 9 33 AM '92

PEGGY M. HAINES
COUNTY CLERK/REGISTER

NUMB 309
DEED
8333 0333003 1617 9:24AM 9/16/92
13.00

SSRF
8333 0333003 1617 9:24AM 9/16/92
2.00

AD/illed
92