

UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R-9303924-1A
PROJECT NAME - WOODS OF ANN ARBOR CONDOS

On 11-9, 1993, for the consideration of system betterment, Grantor grants to Grantee a permanent underground distribution easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

"Grantor" is:

Turner Builders, Incorporated, 2085 Quarton Road, Bloomfield Hills, Michigan 48301

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
Michigan Bell Telephone Company, a Michigan corporation, 444 Michigan Avenue, Detroit, Michigan 48226
Michigan Consolidated Gas Company, a Michigan corporation, 500 Griswold, Detroit, Michigan 48226
Columbia Associates, Limited Partnership/DBA/Columbia Cable of Michigan, a Michigan Limited Partnership, 2505 South Industrial Hwy., P.O. Box 998, Ann Arbor, Michigan 48106

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

See Reverse Side for 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-9303924-1A, which is attached hereto and made a part hereof.

1. Purpose: The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain 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 in 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. Ground Elevation: Grantor must grade the Right of Way Area to within four inches of final grade before Grantee installs facilities. Grantor must maintain this ground elevation after Grantee installs its facilities.
7. Damages: If Grantor, its agents, employees or contractors, damage Grantee's facilities, Grantee shall make repairs at Grantor's expense.
8. Successors: This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors, lessees, licensees and assigns.

Witnesses: (type or print name below signature)

x Jenny Turner
JENNY TURNER

Joyce A. Richman
JOYCE A. RICHMAN

Grantor: (type or print name below signature)

TURNER BUILDERS, INCORPORATED

by Jay S. Turner, President

Acknowledged before me in OAKLAND County, Michigan, on NOVEMBER 9, 1993 by Jay S. Turner, the President of Turner Builders, Incorporated, a Michigan corporation, for the corporation.

Notary's Stamp JOYCE A. RICHMAN, OAKLAND COUNTY Notary's Signature Joyce A. Richman
 (Notary's name, county, and date commission expires) 7/2/94

Prepared by and Return to: Richard Longwish, Detroit Edison, 425 S. Main, Suite 328, P.O. Box 8602, Ann Arbor, MI 48107/cao

RECORDED RIGHT OF WAY NO. 457457

Commencing at the East 1/4 post of Section 4, T3S, R6E; thence N 89 degrees 59' 30" West 496.48 feet in the east and west 1/4 line of section for a place of beginning; thence N 25 degrees 07' West 564.82 feet; thence S 62 degrees 41' 30" West 374.98 feet on the south line of Independence Boulevard to the center of Packard Road; thence southeasterly on the center of Packard Road 382.17 feet in the east and west 1/4 line; thence S 89 degrees 59'30" east 382.17 feet in the east and west 1/4 line to the place of beginning, being a part of the northeast fractional 1/4 of Section 4, T3S, R6E, Pittsfield Township, (now City of Ann Arbor) Washtenaw County, Michigan, excepting and reserving therefrom that part of Independence Boulevard included in above description.

APPROVED AS TO FORM 11/24/93 DATE
LEGAL DEPARTMENT *MARKER*

ADMITTED

1921

1310
2ND

		SSRF	2.00
B333	0333003	4344 11:57AM	11/29/93
	NUMB	309	
		MISC	13.00
B333	0333003	4344 11:57AM	11/29/93

PEGGY H. HAINES
COUNTY CLERK/REGISTRAR

NOV 29 12 06 PM '93

RECORDED
WASHINGTON COUNTY, MI