

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. 94-023

On March 7, 1994, 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:

Davis Tool and Engineering Company, a Michigan Corporation, 19250 Plymouth Road, Detroit, Michigan 48228

"Grantee" is:

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

"Grantor's Land" is in City of Detroit, Wayne County County, described as:

As described on attached Exhibit "A".

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

As described on attached Exhibit "B".

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 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. **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.

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

Susan P. Hartzell

Susan P. Hartzell

Ursula Marek

Ursula Marek

Davis Tool and Engineering Company

By: Dale F. Martin Dale F. Martin

Its: Treasurer

Acknowledged before me in Wayne County, Michigan, on March 7th, 1994 by Dale Martin Treasurer of Davis Tool and Engineering Company, a Michigan Corporation, for the Corporation.

KAREN L STOCKMAN
NOTARY PUBLIC STATE OF MICHIGAN
OAKLAND COUNTY
MY COMMISSION EXP. MAR. 7, 1998

Notary's Stamp

(Notary's name, county and date commission expires)

Notary's Signature

Karen L. Stockman
Acting in Wayne County

Prepared by and Return to: Thomas Wilson, Real Estate Associate, 2000 Second Ave., Room 2310, WCB Detroit, MI 48226

ORIGINAL OUT FOR RECORDING

DATE 3-16-94

RECORDED RIGHT OF WAY NO. 45337

EXHIBIT "A"

Lands lying in the SE 1/4 of the SW 1/4 of Section 26, T 1 S, R 10 E, City of Detroit, Wayne County, Michigan, and described more particularly as follows:

Commencing at a point on the northerly line of Plymouth Road, of 106.00 foot width, said point being easterly, 1477.61 feet along the southerly line of said Section 26 and N 0° 28' 10" W, 53.00 feet from the SW corner of said Section 26 and running thence N 0° 28' 10" W, 1198.55 feet to the southwesterly line of the Pere Marquette Railroad right-of-way, of 125.00 foot width; thence S 43° 13' 00" E, 1634.67 feet along the said railroad right-of-way line to its intersection with the northerly line of Plymouth Road; thence S 89° 08' 10" W, 472.18 feet along the said northerly line; thence continuing along the said northerly line, S 89° 59' 00" W, 637.40 feet to the point of commencement; containing 15.316 acres, more or less.

RECORDED RIGHT OF WAY NO. 45537

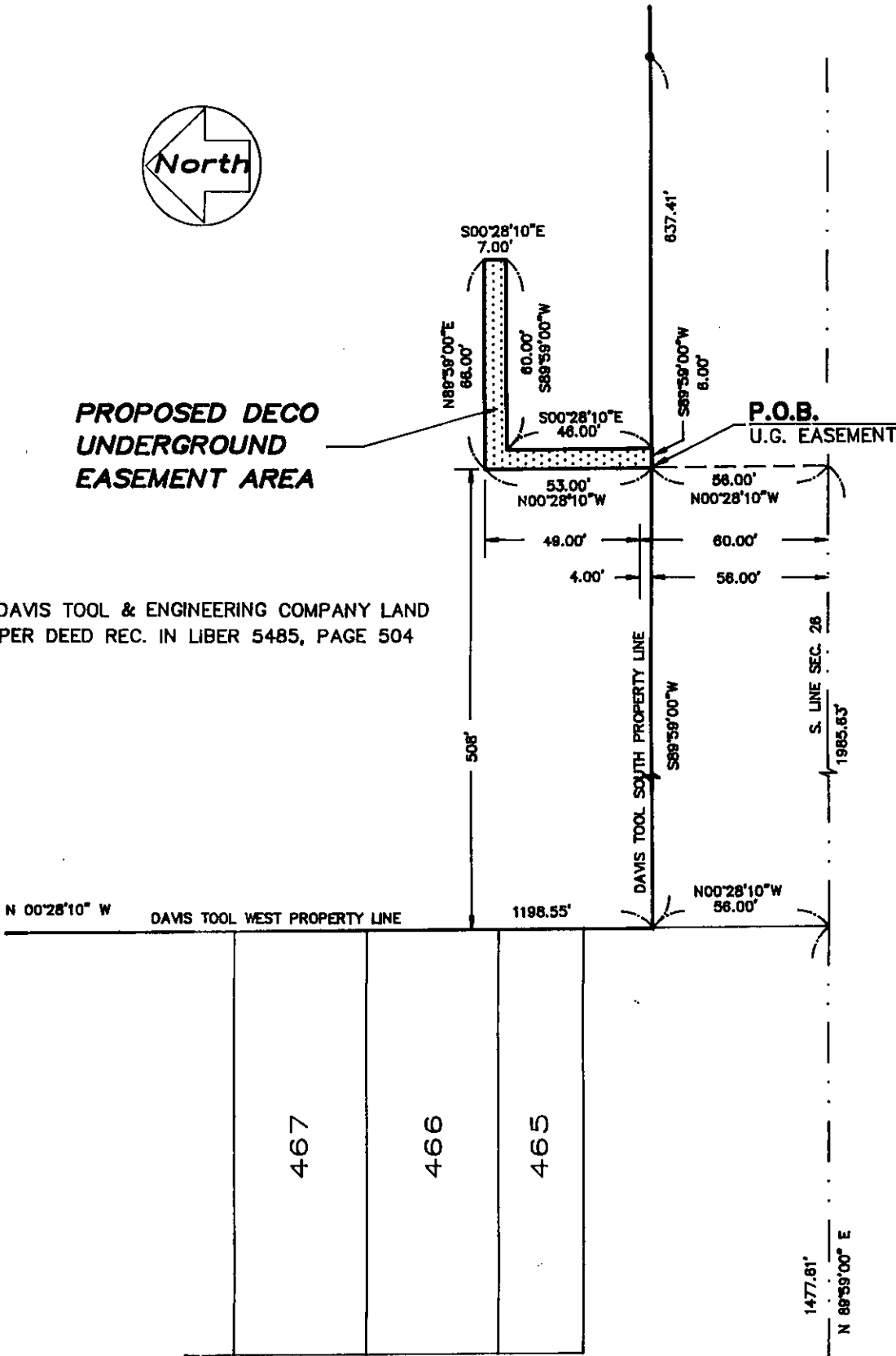
RECORDED RIGHT OF WAY NO. 43537

APPROVED AS TO FORM 3/14/94 DATE
LEGAL DEPARTMENT WPA



PROPOSED DECO UNDERGROUND EASEMENT AREA

DAVIS TOOL & ENGINEERING COMPANY LAND
PER DEED REC. IN LIBER 5485, PAGE 504



WESTWOOD AVE.

PLYMOUTH ROAD

RECORDED RIGHT OF WAY NO. 455-37

S.W. CORNER
SEC. 26, T1S, R10E

Detroit Edison

TRANSMISSION & TECHNICAL SERVICES

LOCATION **MAP & DESCRIPTION**
PART OF THE S.W. 1/4 OF SEC. 26, T1S, R10E,
CITY OF DETROIT, WAYNE COUNTY, MICHIGAN.
DAVIS TOOL & ENGINEERING CO. LAND

SHEET 1 OF 2

JOB NUMBER

9402148

SCALE
1 INCH = 50 FEET

DRAWN BY
FLV

SURVEY ENGINEER

S. Oshin

DATE

FEB. 4, 1994

DRAWING NO.

SE DET-20

SE DET-20 DRAWING NO.	DATE OF SURVEY 2/4/94	SURVEY ENGINEER <i>J. Clark</i>	SCALE 1 INCH = 100 FEET
JOB NUMBER 9402148	DAVIS TOOL & ENGINEERING CO. LAND PART OF THE S.W. 1/4 OF SEC. 26, T1S, R10E, CITY OF DETROIT, WAYNE COUNTY, MICHIGAN.		EDISON DETROIT TRANSMISSION & TECHNICAL SERVICES
SHEET 2 OF 2	MAP & DESCRIPTION LOCATION		

RECORDED RIGHT OF WAY NO. 45837

UNDERGROUND EASEMENT DESCRIPTION

Part of the Southwest 1/4 of Section 26, Town 1 South, Range 10 East, City of Detroit, Wayne County, Michigan.

Described as; Commencing at the Southwest Corner of Section 26; Thence North 89°59'00" East, 1985.63 feet along the South line of said Section 26 (Plymouth Road); Thence North 00°28'10" West, 56.00 feet to the POINT OF BEGINNING on the southerly property line of the Davis Tool & Engineering Company land, as recorded in Liber 5485, Page 504 W.C.R.;

Thence continuing North 00°28'10" West, 53.00 feet;

Thence North 89°59'00" East, 66.00 feet;

Thence South 00°28'10" East, 7.00 feet;

Thence South 89°59'00" West, 60.00 feet;

Thence South 00°28'10" East, 46.00 feet to a point on said southerly property line of Davis Tool & Engineering Company land; Thence along said line South 89°59'00" West, 6.00 feet to the point of beginning.

Subject to all easements of record, if any.

3x4.9:4
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