

Real Estate and Rights of Way

Detroit Edison

Underground Right of Way Agreement

5/23, 1991

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 hereinafter referred to as "EDISON," 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 service in, under, upon and across property located in the City of Ann Arbor, County of Washtenaw, State of Michigan, further described as:

Land in the City of Ann Arbor, Washtenaw County, Michigan, as recorded in Liber 9 of Plats on Page 20, and being more particularly described as Beginning at a Point on the Westerly line of Lot 140 distant S 38°51'00" W 12.72 feet from the North-westerly corner of Lot 140, and proceeding thence S 50°58'07" E 30.74 feet; thence S 36°55'52" E 29.44 feet; thence S 68°31'00" E 43.94 feet; thence along the Easterly line of Lot 140, S 03°56'51" W 44.38 feet to the Southeasterly corner of Lot 140; thence along the Southerly line of Lot 140, N 85°50'35" W 44.77 feet; thence continuing along the Southerly line of Lot 140, N 51°09'00" W 89.80 feet to the Southwesterly corner of Lot 140; thence along the Westerly line of Lot 140, N 38°51'00" E 56.09 feet to the Point of Beginning.

RECORDED WASHTENAW COUNTY, MI

AUG 26 11 51 AM '94

PEGGY M. HAINES COUNTY CLERK/REGISTER

RECORDED RIGHT OF WAY NO. 46078

The route of underground line facilities is as shown on the attached drawing AS-7096 which is made a part hereof.

The right of way is 12' wide x 15' long

The rights hereby granted include the right of access to and from the rights 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 EDISON interferes with the construction or operation of the line facilities. It is expressly understood and agreed that EDISON shall, at no time, trim or cut down any trees unless, in EDISON'S opinion, it is absolutely necessary to do so. EDISON shall restore premises to its original condition or as near as can be in the event of damages caused by its employees, 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 EDISON.

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:

David Lockwood, Lisa A. Labacco

DELI PARTNERS, A Michigan Co-Partnership, Paul Sabinaw

Lauren M. Munson, Judy Rao

VLASIC & COMPANY, A Michigan Co-Partnership, Michael A. Vasic

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

NOTARY, Address: 710 NORTH WOODWARD, B/H, MI 48304, 422 Detroit Street, Ann Arbor, MI

Acknowledgement-Partnership

STATE OF MICHIGAN

County of Washtenaw)SS

On this 23 day of MAY, 19 91, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Paul Saginaw

(a) general/managing partner(s), on behalf of DELI PARTNERS, A Michigan Co - partnership.

Mark Ely
Notary Public, Washtenaw County, Michigan

My commission expires 3-16-93

Acknowledgement-Partnership

STATE OF MICHIGAN

County of OAKLAND)SS

On this 30th day of MAY, 19 91, the foregoing instrument was acknowledged before me, a notary public in and for said county, by MICHAEL A. VLASIC

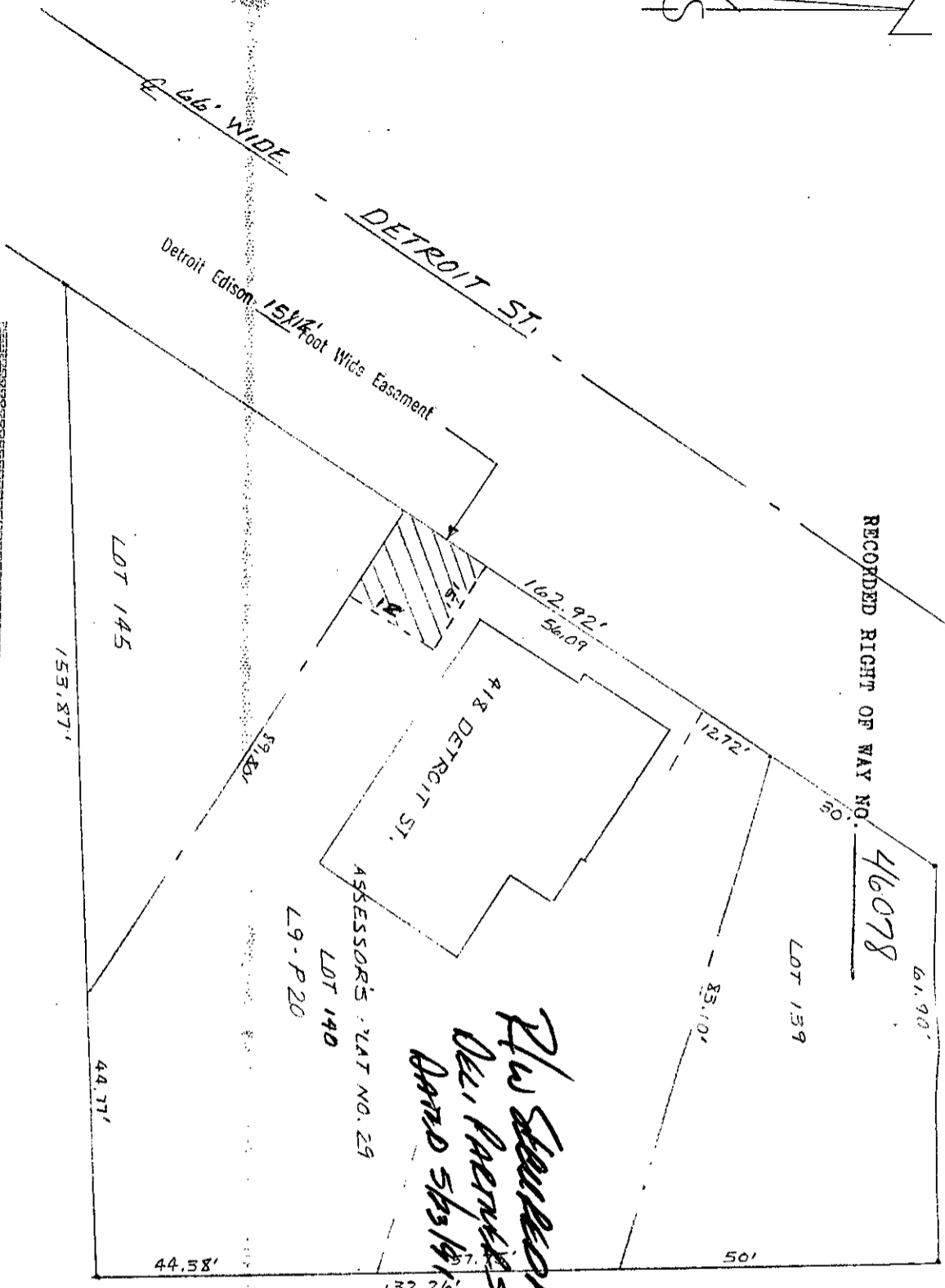
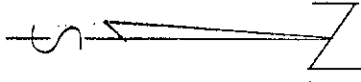
(a) general/managing partner(s), on behalf of VLASIC & COMPANY, A Michigan Co - partnership.

Judy J. Robin
Notary Public, _____ County, Michigan

My commission expires _____

JUDY GAINES ROBIN
Notary Public, Oakland County, MI
My Commission Expires August 8, 1992

229155A



NOTICE

Location of underground facilities on this drawing are only approximate. Exact locations must be determined by the utility companies. For exact locations, contact 800 DIO ON 800-422-7771 or recorded by Public Act 89 of 1974 before doing any power excavating.

P.138 # 9020 0124941

THE DETROIT EDISON COMPANY - SERVICE PLANNING DEPARTMENT

CITY OR TWP.	COUNTY	QTR. & TWP. SECT. NO.	DEPT. ORDER NO.
ANN ARBOR	WASHTENAW	29	A-59533
MAP SECT.	TOWNSHIP	RANGE	JOINT R/W REQUIRED
1-157-286	25	6E	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
PROJECT NAME	TEL. ENGR. & DIST.	R/W NO.	PROJ. OR PART NO.
ZINGERMAN'S NEXT DOOR		AS-7096	
CIRCUIT		O.F.W., S.O., OR P.E. NO.	
DL 323 ARGD			
REASON FOR SERVICE TO 418 DETROIT ST.	SCALE	BUDGET ITEM NO.	
A.E. SPURLOCK	1" = 20'	IM08-MDU	
		DATE	4-12-91

3

N = [unclear]
E O

RECORDED
WASHTENAW COUNTY, MI

AUG 26 11 51 AM '94

PEGGY M. HAINES
COUNTY CLERK/REGISTER

*not
will call*

DEED 8333 0333003 9222 11:38AM 8/26/94 11.00

SSRF 8333 0333003 9222 11:38AM 8/26/94 2.00

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