

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R-9408303-01
PROJECT NAME - Golden Gate Commons Subdivision**

On May 8, 1995, 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"

RECORDING RECEIPTS
\$ 2.00 REMONUMENTATION
9 NOV 95 12:56 P.M. RECEIPT# 166B
PAID RECORDED - OAKLAND COUNTY
LYNN D. ALLEN, CLERK/REGISTER OF DEEDS

"Grantor" is:

Dynex Properties, Inc., a Michigan Corporation and
John Dinan and Jean Dinan, Husband and Wife, and
Joyce Feurring Trust, 11725 Merriman, Livonia, Michigan 48150,

"Grantee" is:

The Detroit Edison Company, a Michigan Corporation, 2000 Second Avenue, Detroit, Michigan 48226
T.C.I., a Michigan Corporation, 4500 Delemere Boulevard, Royal Oak, Michigan 48073

"Grantor's Land" is in the City of Troy, Oakland County, described as:

Proposed "Golden Gate Commons Subdivision", part of the Southeast one-quarter (1/4) of Section 24, Town 2 North, Range 11 East, Oakland County, Michigan. Described as beginning at a point distant North 89°43'34" West along the South line of said Section 24, 693.73 feet and North 00°11'00" East 102.00 feet from the Southeast corner of said Section 24 and proceeding thence North 89°43'34" West 319.35 feet, thence North 00°55'57" East 689.98 feet along the East line of "Golden Gate Square Subdivision" as recorded in Liber 163, Pages 9 and 10, Oakland County Records; thence South 89°43'45" East 310.33 feet along the South line of said "Golden Gate Square Subdivision"; thence South 00°11'00" West 689.95 feet to the point of beginning. Subject that part taken used or deeded for Big Beaver Road. Containing 4.99 acres. Comprising 15 lots numbered 1 through 15, both inclusive. Sidwell No. 20-24-476-009)

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

The Right-of-Way is Ten (10) and Fifteen (15) feet in width as shown on Appendix "A".

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 its 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.
9. **Termination:** This easement will automatically terminate if Grantor records a final subdivision plat and subdivision restrictions that preserve the rights that this easement gives to Grantee.

RECORDED DISTRICT OF TROY NO. 47783

THE ABOVE LEGAL IS N.K.A.
GOLDEN GATE COMMONS
LOTS 1-15 & 1 PRIV. PARK
20-24-479-000 ENT

24/10/16

1300
2.00

O.K. -S.R.

Witnesses:(type or print name below signature)

Roseanne Paterson
ROSEANNE PATERSON
James D. McDonald
JAMES D. McDONALD

Grantor:(type or print name below signature)

Dynex Properties, Inc., a Michigan Corporation
John D. Dinan
By: John D. Dinan
Its: President

Acknowledged before me in WAYNE County, Michigan, on MAY 8TH, 1995 by John D. Dinan, the President of Dynex Properties, Inc., a Michigan Corporation, for the Michigan Corporation.

ROSEANNE PATERSON
Notary Public, Wayne County, MI
Notary's Stamp My Commission Expires June 3, 1996
(Notary's name, county, and date commission expires)

Notary's Signature Roseanne Paterson

Witnesses:(type or print name below signature)

Roseanne Paterson
ROSEANNE PATERSON
James D. McDonald
JAMES D. McDONALD

Grantor:(type or print name below signature)

John D. Dinan
John D. Dinan
Jean Dinan
Jean Dinan

Acknowledged before me in WAYNE County, Michigan, on MAY 8TH, 1995 by John D. Dinan and Jean Dinan, Husband and Wife.

ROSEANNE PATERSON
Notary Public, Wayne County, MI
Notary's Stamp My Commission Expires June 3, 1996
(Notary's name, county and date commission expires)

Notary's Signature Roseanne Paterson

Witnesses:(type or print name below signature)

Roseanne Paterson
ROSEANNE PATERSON
James D. McDonald
JAMES D. McDONALD

Grantor:(type or print name below signature)

Joyce Feurring Trust
Joyce Feurring
By: Joyce Feurring, Trustee

Acknowledged before me in WAYNE County, Michigan, on MAY 8TH, 1995 by Joyce Feurring, Trustee of the Joyce Feurring Trust, for the Trust.

ROSEANNE PATERSON
Notary Public, Wayne County, MI
Notary's Stamp My Commission Expires June 3, 1996
(Notary's name, county and date commission expires)

Notary's Signature Roseanne Paterson

47783
RECORDED BY THE CLERK OF WAYNE CO.

Autograph

RECEIVED
DETROIT EDISON COMPANY
JAN 14 1954

11-18-53

James D. McDonald

Return To:
James D. McDonald
The Detroit Edison Company
3425 Starr Road
Royal Oak, Mich. 48073-2100

Return To:
James D. McDonald
The Detroit Edison Company
3425 Starr Road
Royal Oak, Mich. 48073-2100

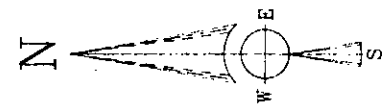
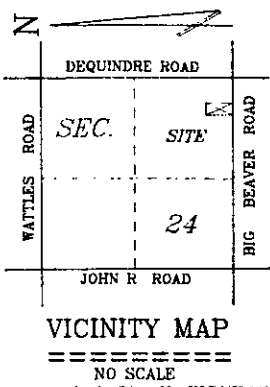
88LLF

"GOLDEN GATE COMMONS SUBDIVISION"

A SUBDIVISION OF PART OF THE S.E. 1/4 OF SEC. 24, T. 2 N.R.11 E.,
CITY OF TROY, OAKLAND COUNTY, MICHIGAN

SHEET 1 OF 3 SHEETS

APPENDIX "A"

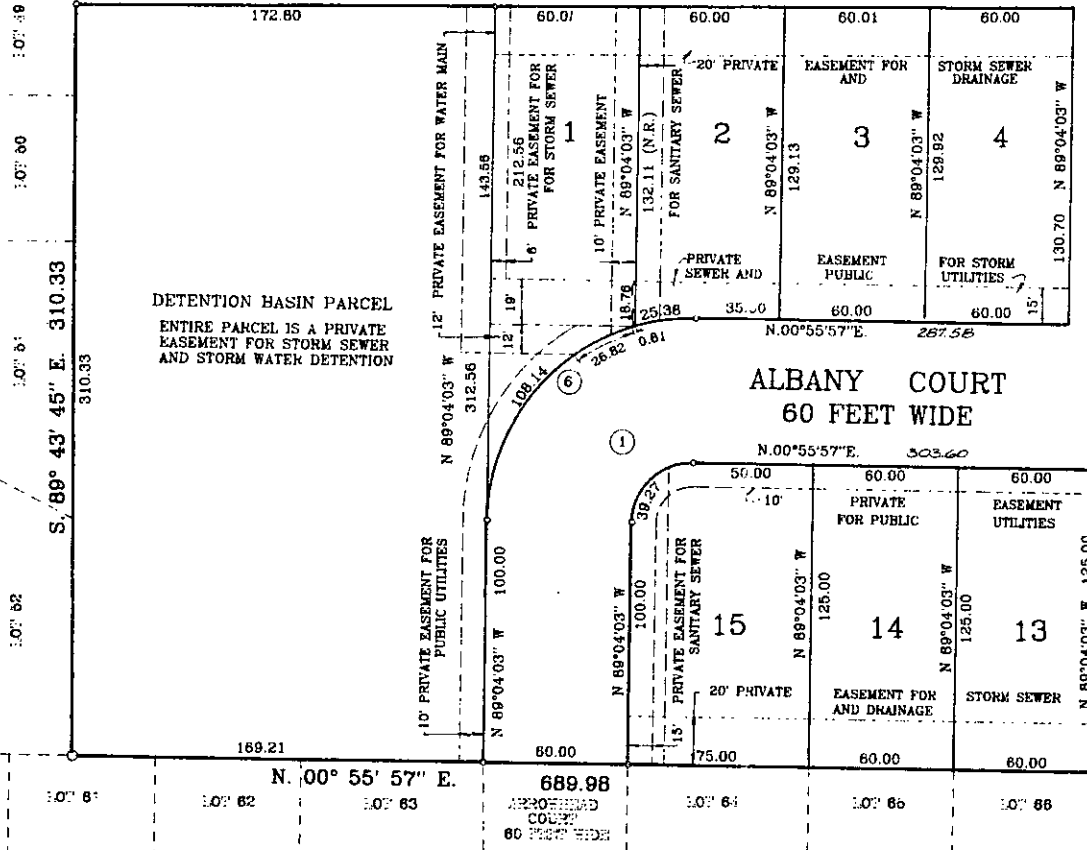


UNPLATTED

S. 00° 11' 00" W. 689.95

LIBER 15807 PC00

"GOLDEN GATE SQUARE SUBDIVISION"
L. 163 P. 9 & 10



MATCH LINE SEE SHEET 2

LEGEND

- ALL DIMENSIONS ARE SHOWN IN FEET.
- (R.) DENOTES RADIAL LOT LINE.
- (N.R.) DENOTES NONRADIAL LOT LINE.
- ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC.
- ALL LOT MARKERS ARE 1/2" DIA. STEEL BAR 18" LONG, NO IDENTIFICATION CAPS.
- THE SYMBOL "O" INDICATES A CONCRETE MONUMENT CONSISTING OF A 3' LONG 1/2" DIA. STEEL BAR ENCLOSED IN CONCRETE 3' LONG 4" DIA.
- ALL BEARINGS ARE IN RELATION TO "GOLDEN GATE SQUARE SUBDIVISION" LIBER 163, PAGES 9 & 10.

Handwritten notes:
 10' 8" 10' 8" 10' 8" 10' 8"
 10' 8" 10' 8" 10' 8" 10' 8"
 10' 8" 10' 8" 10' 8" 10' 8"
 10' 8" 10' 8" 10' 8" 10' 8"

CURVE DATA

CURVE	RADIUS	DELTA	ARC.	CH. BEARING	CHORD
1	25.00	90° 00' 00"	39.27	N. 44° 04' 03" W.	35.38
6	85.00	80° 00' 00"	133.52	N. 44° 04' 03" W.	120.21

WILLIAM L. ROSKELLY
 Registered Land Surveyor
 No. 10705, President of:
 BASNEY & SMITH, INC.
 33177 Schoolcraft Road
 Livonia, Michigan 48150

Return To:
James D. McDonald
The Detroit Edison Company
3425 Starr Road
Royal Oak, Mich. 48073-2100