

Li-37785 Pa-142
203149427 2/10/2003
Bernard J. Youngblood
Wayne Co. Register of Deeds

REC'D
RECORDED R/W FILED

Detroit Edison Underground Easement (Right of Way) No. Right of Way #RFW408631Red

On Oct. 14th, 2002, 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:

Taco Enterprises, Inc., a Michigan corporation, 17901 Von Karman, MD711, Irvine, CA 92614.

"Grantee" is:

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

"Grantor's Land" is in the NW 1/4 of Section 33, City of Dearborn Heights, Dearborn Township, Wayne County,

Michigan described as:

Lot(s) 284 and 285, Grindley Park Subdivision, as recorded in Liber 34 of Plats, page(s) 72, 73 and 74, Wayne County Records, 33-046-02-0284-000.

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

A 10 foot wide easement area, 5 feet on each side of the centerline of the installed facilities, the centerline of which begins at a point on the east line of the above described Grantors land, said point being approximately 25 feet north of the southeast corner of the above described Lot 284; thence northwesterly approximately 50 feet across lot 284 and onto lot 285 to the center of a transformer location, approximately as shown on attached Exhibit A.

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 are allowed in the Right of Way Area without Grantee's prior written consent.
4. **Excavation:** Under 1974 Public Act 53, you must call MISS DIG (1-800-482-7171) before excavating 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 can 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 will 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 will 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 and assigns.

Grantor: (Type or print name below signature)

Taco Enterprises, Inc.

[Signature]
By: KRUTH TELTOW
Its: CONSE. MANAGER

Acknowledged before me in Cape Charles County, Michigan, on October 14, 2002, by Kruth Teltow the Cons. Mgr. of Taco Enterprises, Inc., a Michigan corporation, for the corporation.

MARGARET MARY GANNON
Notary Public, Oakland County, MI
My Commission Expires 10/23/2005

Notary's Stamp

Notary's Signature

[Signature: Margaret Mary Gannon]

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

Prepared by and Return to: Tom Wilson, SR/WA, 12000 Dixie Road, Redford, MI 48239-2453, for DECO Redford S.C.

EAS 2P 51 2A

73744

RECORDED R/W FILE NO.

Exhibit A

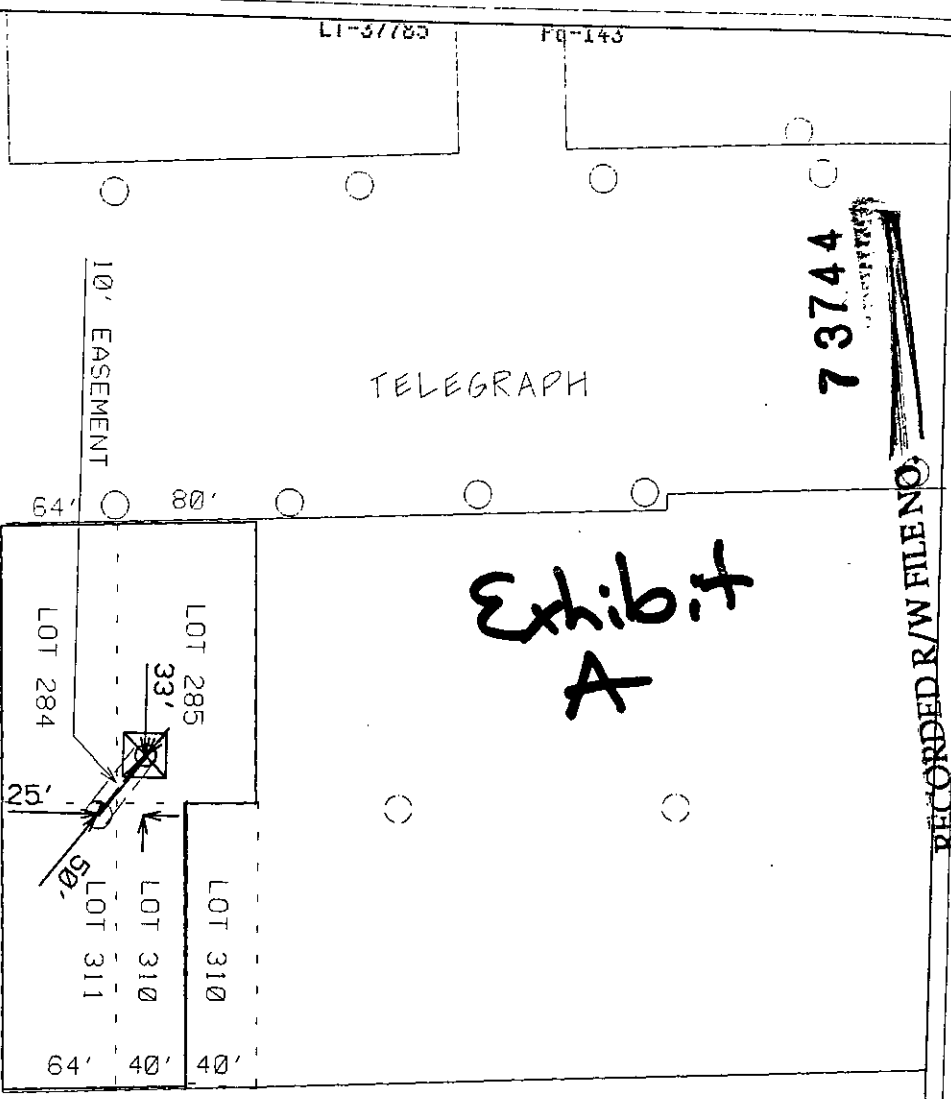
TELEGRAPH

LEGAL DESCRIPTION
 ALL OF LOTS 284, 285, 311,
 AND THE SOUTH 1/2 OF LOTS 310
 OF "GRINDLEY PARK" A SUBDIVISION
 OF PART OF SECTION 33 & 28,
 T. 2 S., R. 10 E., DEARBORN TWP.
 (NOW THE CITY OF DEARBORN HGT'S)
 WAYNE COUNTY, MICHIGAN. AS
 RECORDED IN LIBER 34 OF PLATS,
 PAGES 72-74. WAYNE COUNTY RECORDS
 BEING MORE PARTICULARLY

North

CORNELL

ANNAPOLIS



SEC 3402-28414

LI-37785

Pg-143

RFW Description

4539 TELEGRAPH DBH (KCS SET UP FOR TACO BELL PIZZA HUT)

Circuit #1 DC 2017 SYRAC

Circuit #2

Service Center #1

Service Center #2

PD 100

SRW 102

PH 0

PLC 0

Cont. - 408631

RFW Number 408631

Worksite City DEARBORN

Worksite Twp. DETROIT ZONE 72

Worksite County

Town Range Sect Qtr

Planner Name Kujat, Diana D

Commit Date 08/29/2002

Scale 1" = 100'

Plot Date 8/29/2002