

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. 01643

On April 4, 1992, 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:

William H. Dwight, D/B/A Dwight Orthopedic Rehabilitation Company, 1400 E. Twelve Mile Rd., Madison Heights, Michigan 48071-2651

"Grantee" is:

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

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

Part of the Northeast one-quarter (1/4), Section 13, Town 1 North, Range 11 East, the West 79.60 feet of Parcel described as beginning at point distant South sixty (60) feet from the Northeast Section Corner, thence South 01°29'00" West 192.40 feet, thence North 88°41'00" West 1188.30 feet, thence North 01°56'45" East 192.40 feet, thence South 88°41'00" East 1188.30 feet to beginning, containing 0.35 acres. Sidwell No. 25-13-226(053) 056.

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

The North six (6) feet of the above described property.

- 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.
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 heirs, assigns, lessees, licensees and assigns.

RECORDED RIGHT OF WAY NO. 44206

Witnesses (type or print name below signature)

Ronald E. Bowman
Ronald E. Bowman
Lawrence R. Holman
LAURENCE R. HOLMAN

Grantor (type or print name below signature)

William H. Dwight

REG/DEEDS PAID
0001 OCT.29'92 01:24PM
0884 MISC 7.00

REG/DEEDS PAID
0001 OCT.29'92 01:24PM
0884 RMT FEE 2.00

7.00
2.00 RMT

Acknowledged before me in OAKLAND County, Michigan, on April 4, 1992 by William H. Dwight, D/B/A Dwight Orthopedic Rehabilitation Company.

JAMES D. McDONALD
Notary Public, Oakland County, Michigan
My Commission Expires April 24, 1993

O.K. - LM

Notary's Stamp Notary's Signature James D. McDonald

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

Prepared by and Return to: James D. McDonald, 30400 Telegraph Road, Suite 277, Birmingham, Michigan 48025/avm.

APPROVED AS TO FORM 4/13/92 DATE
LEGAL DEPARTMENT