

OVERHEAD EASEMENT (RIGHT OF WAY) NO. R 9200950-02R

RECORDED RIGHT OF WAY NO. 14359

On January 28, 1993, for the consideration of system betterment, Grantor grants to Grantee a permanent, nonexclusive overhead easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

"Grantor" is:
Red Roof Inns, Inc., an Ohio corporation, 4355 Davidson Road, Hilliard, Ohio 43026.

"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, described as:

Town 1 North, Range 11 East, Section 2, Northeast one-quarter (1/4), South 64.35 feet of Lot 4, Plaza Subdivision as recorded in liber 151, page 12 of plats, O.C.R. Sidwell No. 151012 25-02-201-025. Pt of Lot 4

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

The North three (3) feet of the easterly ~~forty-five (45)~~ feet of Grantor's Land.

R#36 REG/DEEDS FAID
0171 MISC 9.00
MAR.12.93 01:35PM

1. Purpose: The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain overhead utility line facilities consisting of poles, guys, anchors, wires, cables, transformers and accessories provided that such utility line facilities do not interfere with the satellite dishes currently installed on Grantor's Land.

R#36 REG/DEEDS FAID
0171 RNT FEE 2.00
MAR.12.93 01:35PM

9.00
2.00

2. Access: For the purpose of gaining access to the Right of Way Area, Grantee, its agents, employees and other representatives, shall have the right to enter upon, and exit from, Grantor's Land in such a manner as shall occasion no damage to Grantor's Land and the least amount of disruption and inconvenience to Grantor in connection with its operation of its motel project on the Grantor's Land.

3. Building 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, except Grantor may maintain the satellite dishes currently installed on Grantor's Land in their existing locations even if they are located within the Right of Way Area.

4. Trees, Bushes, Branches or Roots: Grantee may trim, cut down, remove or otherwise control any trees, bushes, branches or roots in the Right of Way Area (or that could grow into the Right of Way Area) that Grantee believes could interfere with the safe and reliable construction, operation and maintenance of Grantee's facilities.

5. Restoration: If Grantee's employees, contractors, vehicles or equipment damage either the Right of Way Area or Grantor's Land while entering Grantor's Land for the purposes stated in this Right of Way, then Grantee shall promptly restore the Right of Way Area or Grantor's Land as nearly as can be to its original condition. All such restoration shall be performed in a good and workmanlike manner and in the event any restored blacktop, dirt or sod should sink or settle, or any restored landscaping should die, within one (1) year from the date of such restoration on account of Grantee's faulty restoration or use of faulty materials, Grantee shall again restore any such blacktop, dirt, sod or landscaping.

6. **Indemnification:** By acceptance hereof Grantee agrees that it will save and hold Grantor harmless from any and all damages, costs or liabilities suffered because of injury to or death of any person or persons or damage to property that may arise out of or as a consequence of Grantee's access across Grantor's Land or Grantee's use of the Right of Way Area. However, Grantee will not indemnify Grantor for claims arising out of Grantor's sole negligence.

7. **Grantor's Use of Right of Way Area:** Grantor hereby reserves the right to use the Right of Way Area in any manner that will not prevent or interfere with the exercise by Grantee of the rights granted hereunder including, without limitation, the installation of sod and landscaping and the maintenance of the satellite dishes on Grantor's Land in their current location.

8. **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)

Deborah K. Finch
Deborah K. Finch
Nancy L. Brown
Nancy L. Brown

Grantor:
RED ROOF INNS, INC.

By: James E. Hughes
James E. Hughes
Vice President

STATE OF OHIO,
COUNTY OF FRANKLIN, SS:

The foregoing instrument was acknowledged before me on January 28, 1993, by James E. Hughes, a Vice President of Red Roof Inns, Inc., an Ohio corporation, on behalf of the corporation.

Deborah K. Finch
Notary Public
DEBORAH K. FINCH
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES DEC. 17, 1997

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

RECORDED HIGHWAY DE NO. 44359

Stirling Twp
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RIGHT OF WAY APPLICATION

DATE ISSUED	10/26/92	R/W NO.	R-9200950-02R
DATE WANTED	ASAP	PHONE	645-4262
SERVICE PLANNER	T. Muszynski		
PROJECT NAME	Install 4-dn. guys and 2- anchors		
TOWNSHIP/CITY	Madison Hts.		
ADDRESS	32511 Concord Rd.	32585 Concord Rd.	
CROSS STREET	14 Mile Rd.	SECTION	2
SIDWELL NO.	25-02-201-023	25-02-201-025	QUARTER N. E.

TYPE OF PROJECT

OVERHEAD

UNDERGROUND

ACREAGE

COMMERCIAL BLDG

*SITE CONDO

*MOBILE HOME.PK

LOTS

*SUB

*APT COMPLEX

*CONDO

JOINT USE REQUIRED YES NO

MBT JOINT USE NO.

GTE JOINT USE NO.

CONS. PWR. JOINT USE NO.

CABLE TV CO. NAME

CABLE TV JOINT USE NO.

NAME OF OWNER/CUSTOMER

CONTACT PERSON

ADDRESS

HOME PHONE BUSINESS PHONE

ADJACENT PROPERTY OWNER CHI-CHI Inc.

ADDRESS 32585 Concord Rd.

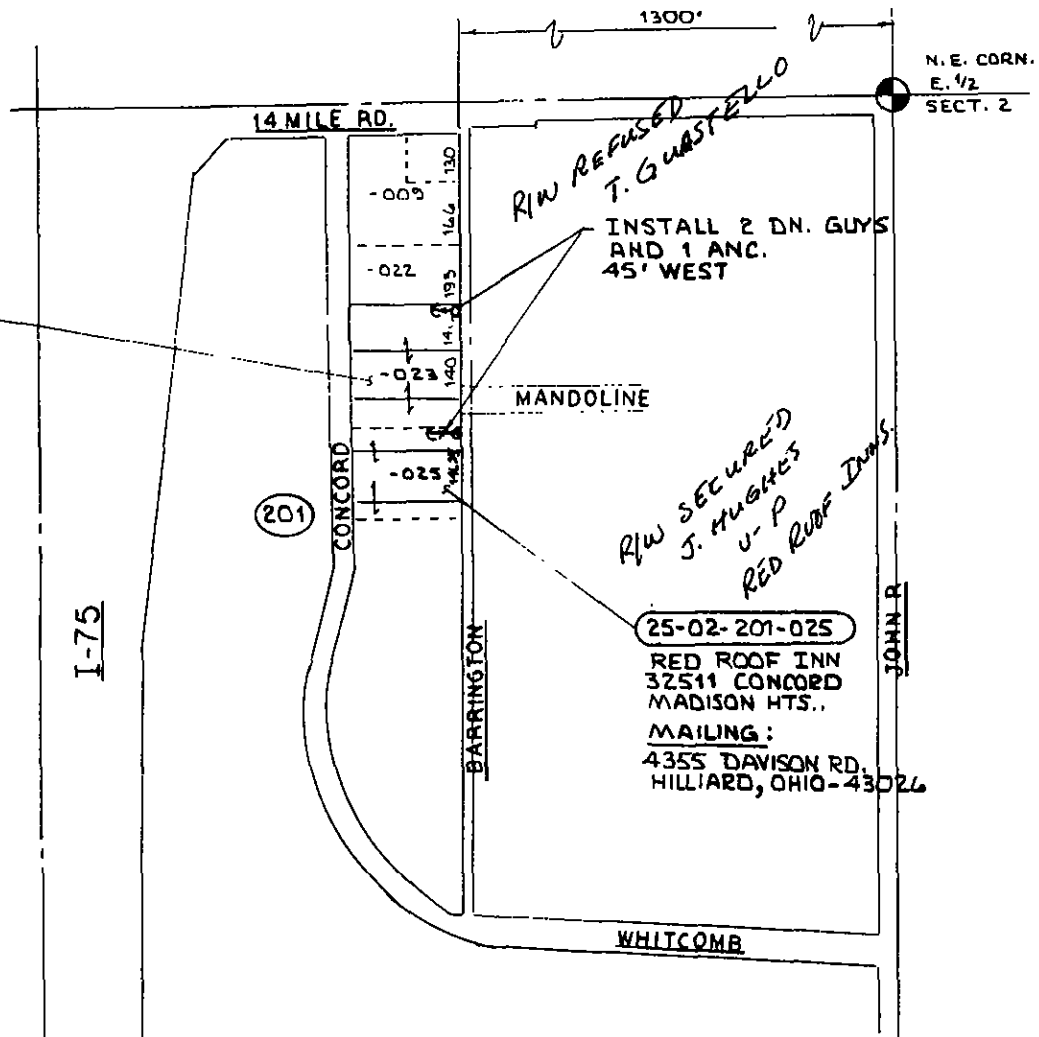
HOME PHONE BUSINESS PHONE

MATERIAL TO BE PROVIDED

1. SITE PLAN/SKETCH/FINAL PROPOSED PLAT*
2. PROPERTY DESCRIPTION (SIDWELL NO.) (*ACTUAL DESCRIPTION)
3. PROOF OF OWNERSHIP OF REQUESTING CUSTOMER: WARRANTY DEED, L/C, TITLE SEARCH, COMMITMENT
4. SIDWELL PAGE (COPY)
5. SIDWELL NO.
6. COPY OF FUTURE J/U MEMO

SUPERVISOR R/W SECURED *Jim McDermott*

RECORDED RIGHT OF WAY NO. 44354



R.O.W. REQUESTED TO INSTALL 2 DN. AND 1 ANCHOR ON PARCELS 25-02-201- AND 25-02-201-025.

LEGEND		THE DETROIT EDISON COMPANY - SERVICE PLANNING DEPARTMENT			
○	FOREIGN POLE	CITY	COUNTY	QTR. & TWP. SECT. NO.	DEPT. OR
○	EXIST. D.E. CO. POLE	MADISON HTS.	OAKLAND	E. 1/2	
○	PROPOSED POLE	MAP SECT.	TOWN	RANGE	JOINT R/W REQUIRED
○	EXIST. ANCHOR	1-328-378	T. 1N.	R. 11E.	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
○	PROPOSED ANCHOR	PROJECT NAME	TEL. ENGR. & DIST.		PROJ. OR
○	TREE	CIRCUIT	D.C. 8293 CHESTNUT		G.P.W. S.O.
---	120/240 V LINE	REASON	R.O.W. FOR 2-DN. GUYS AND ANC.		2KC1A
---	4800 V LINE	PLANNER	T. MUSZYNSKI (645-4262)		BUDGET
---	13,200 V LINE	SCALE	1" = 400'		2KC1A
---	28,000 V LINE	DATE	1C		