

Robert Friedm?

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9304900-01

On NOVEMBER 5, 1993, 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 400 RIVERVIEW TR

"Grantor" is:

Vini Property Trust,
31360 Northwestern Highway, Suite A, Farmington Hills, Michigan 48334-2523

"Grantee" is:

The Detroit Edison Company, a Michigan Corporation, 2000 Second Avenue, Detroit, Michigan 48226
Ameritech, a Michigan corporation, 444 Michigan Ave., Detroit, Michigan 48226

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

124026

Part of Lot 2, Town 1 North, Range 11 East, Section 26, Urban Renewal Plat of New Center Sub, beginning at Southeast lot corner, thence South 89°36'00" West 185.97 feet, thence North 00°25'10" East 200 feet, thence North 89°36'00" East 185.97 feet, thence South 00°25'10" West 200 feet to the beginning. Sidwell No. 25-26-479-084.

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

As shown on Detroit Edison Company drawing R-9304900-01 dated 10-04-93 which is attached hereto and made a part hereof. The Right-of-Way is Six (6) feet in width.

- 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. 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. 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 and Grantee's successors, lessees, licensees and assigns.

RECORDED RIGHT OF WAY NO.

Witnesses:(type or print name below signature)

James K. Friedman
JAMES K. FRIEDMAN

Michele D. Ficht
Michele D. Ficht

Grantor:(type or print name below signature)

Vini Property Trust
Robert Friedman
By: ROBERT FRIEDMAN

Its: TRUSTEE

Acknowledged before me in OAKLAND County, Michigan, on November 5, 1993
by Robert Friedman, the Trustee
of Vini Property Trust.

Notary's Stamp MICHELE D. FICHT
Notary Public, Macomb County, Michigan
My Commission Expires May 13, 1995
(Notary's commission expires)

Notary's Signature *Michele D. Ficht*

Prepared by and Return to: Annie P. Grimmert, 30400 Telegraph Road, Suite 210, Birmingham, Michigan 48025/kad

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