

Detroit Edison

Real Estate and Rights of Way LIBER 10069 839

Underground Right of Way Agreement

87 157918

JULY 10, 19 87

For good and valuable consideration of system betterment, the undersigned hereby grant and convey to THE DETROIT EDISON COMPANY, a Michigan corporation of 2000 Second Avenue, Detroit, Michigan hereinafter referred to as "EDISON," the right to construct, reconstruct, modify, add to, operate and maintain underground line facilities consisting of poles, conduits, wires, cables, manholes, transformers and accessories required to provide electric service in, under, upon and across property located in the City of Novi, County of Oakland, State of Michigan, further described as:

Part of the Northwest 1/4 of Section 23, T1N., R8E., City of Novi, Oakland County, Michigan, described as beginning at a point on the north line of Section 23, also being the centerline of 11 Mile Road, distant South 88°51'20" West 902.55 feet from the North 1/2 corner of Section 23, T1N., R8E., and proceeding thence South 00°25'34" East 200.00 feet; thence South 89°02'05" West 203.45 feet; thence North 03°29'00" East 200.00 feet; thence along the north line of Section 23, also being the centerline of 11 Mile Road, North 88°51'20" East 189.82 feet to the point of beginning. Containing 0.90137 acres. Except part taken, used or deeded for 11 Mile Road and subject to easements of record.

Sidwell No: 22-23-126-003 # (1)

DECO2

A#36 REG/DEEDS PAID 0001 AUG.19'87 11:15AM 1600 MISC 19.00

RECORDED RIGHT OF WAY NO. 37462

as shown on the attached drawing U1-2-3400 which is made a part hereof.

The right of way is Ten (10') feet in width.

The rights hereby granted include the right of access to and from the rights of way and the right to trim, cut down or otherwise control trees, brush or roots of any kind either within the right of way or on property adjoining the right of way which in the opinion of EDISON interferes with the construction or operation of the line facilities. It is expressly understood and agreed that EDISON shall, at no time, trim or cut down any trees unless, in EDISON'S opinion, it is absolutely necessary to do so. EDISON shall restore premises to its original condition or as near as can be in the event of damages caused by its employees, contractors, vehicles and equipment entering premises for the purposes set forth herein.

No buildings or structures are to be placed within said right of way herein granted without the written consent of EDISON.

This grant is declared to be binding upon the heirs, successors, lessees, licensees and assigns of the parties hereto.

IN WITNESS WHEREOF the undersigned have hereunto set their hand(s) on the date of this agreement.

Witnesses:

Grantors:

Wolverine IV Limited Partnership, A Texas Limited Partnership

Signature of Andrew G. Tracy ANDREW G. TRACY

By: Signature of Timothy W. Barrett Timothy W. Barrett A Managing General Partner

Signature of Omer V. Racine OMER V. RACINE

APPROVED AS TO FORM 8-6-87 DATE LEGAL DEPARTMENT [Signature]

Prepared by: Omer V. Racine The Detroit Edison Company

Address: 7071 Orchard Lake Road, Suite #215

30400 Telegraph Road, #264 Birmingham, MI 48010

West Bloomfield, MI 48033

STATE OF MICHIGAN)
COUNTY OF OAKLAND)SS

The foregoing instrument was acknowledged before me this 10 day of July, 1987, by Timothy W. Barrett, a managing general partner of Wolverine IV Limited Partnership, a Texas Limited Partnership, on behalf of the partnership.

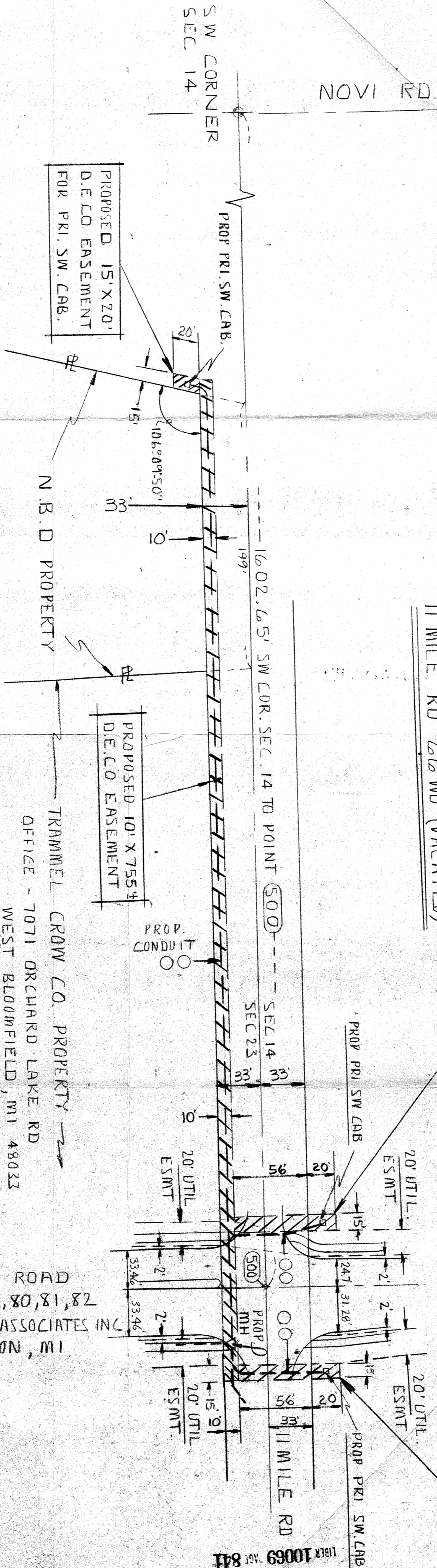
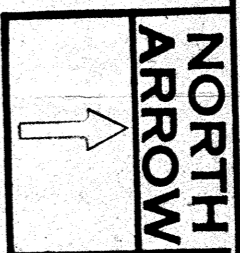
My Commission Expires: 8/2/90

Barbara J. Astradale

Notary Public, Wayne County, Michigan

BARBARA J. ASTRADALE
Notary Public - Wayne County, MI
My Commission expires Jan. 2, 1990
Acting in Oakland County, MI

RECORDED RIGHT OF WAY NO. 37462



NOTE:

REFER TO CONSTRUCTION DRAWINGS

1. SITE PLANS - JOB 85068 BY PROFESSIONAL ENGINEERING ASSOCIATES 950 N. HUNTER BIRMINGHAM
2. PROPOSED ROAD - S.A.D. 79, 80, 81, 82 JOB N1130 BY JCK AND ASSOCIATES, INC. 9215 DIXIE HWY CLARKSTON, MI.
3. PROPOSED CONDUIT BY DETROIT EDISON CO JOB 86-072 - 2000 SKD ROOM 5205B - DETROIT

FIBER 10069 NO. 843

RECORDED R/W FILE NO. **R37462**

RETURN TO
J. D. McDONALD
THE DETROIT EDISON COMPANY
30400 TELEGRAPH ROAD, 264 OAKDALE
BIRMINGHAM, MICHIGAN 48010

TRAMMEL CRAW CO. PROPERTY
OFFICE - 7071 ORCHARD LAKE RD
WEST BLOOMFIELD, MI 48033

PROPOSED ROAD
S.A.D #79, 80, 81, 82
BY JCK & ASSOCIATES INC.
CLARKSTON, MI

FOR R/W USE ONLY

JOB # 86-072
DTW 6JAZAB/HD4

NOTE: REVISIONS RETURN TO UNDERGROUND LINE
DEPT. ALL PRINTS MUST REFLECT TO LIST REVISION

| REVISION | DATE | BY | DESCRIPTION |
|----------|---------|----|--|
| 1 | 9-4-82 | CR | NOVI TOWN CENTER PROPOSED DECO EASEMENTS |
| 2 | 9-16-86 | CR | PROPOSED DECO EASEMENTS |
| 3 | | | CITY OF NOVI |
| 4 | | | DAKLAND CO |

THE DETROIT EDISON COMPANY
TRANSMISSION AND DISTRIBUTION DEPT. DETROIT, MICH.
SCALE NONE PRINTED
U1-2-3400
DE FORM UL41 (898) PPG. 11-85F