

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. O-1393

On 9-12, 1991, 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:

Dart Container Corporation of Michigan, a Michigan corporation, 500 Hogsback Road, Mason, Michigan 48854

"Grantee" is:

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

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

Lot 11 wixom Business Center Subdivision part of the W 1/2, SW 1/4, Sec. 9, T1N., R8E., Novi Township as recorded in Liber 199, page 6, of Plats, Oakland County Records. Sidwell No: 22-09-301-007

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

Centerline of 6 foot easement. Beg at a point 86 feet north of the southerly property line and 28 feet west of the east property line. Thence proceeding in a northwesterly direction 65 feet to the point of ending said point of ending is 53 feet west of the easterly property line. The right of way is 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. 42600

Witnesses:

B#92 REG/DEEDS PAID
0001 DEC.10 '91 02:37PM
7491 MISC Grantor: 9.00

Dart Container Corporation of Michigan
A Michigan Corporation

9.00
200 PMT

Judith K. Taylor
Judith K. Taylor

Anne E. Williams
Anne E. Williams

Robert C. Dart
Robert C. Dart, president

Prepared by and Return to:

Annie P. Grimmctt, 30400 Telegraph Rd., Suite 277, Birmingham, MI 48025

B#92 REG/DEEDS PAID
0001 DEC.10 '91 02:37PM
7491 RMT FEE 2.00

APPROVED AS TO FORM 10/21/91 DATE
LEGAL DEPARTMENT *YMK/PA*

OK - G.K.

RW #O-1393

Ingham
 Acknowledged before me in ~~Oakland~~ Ingham County, Michigan, on September 12, 1991
 by Robert C. Dart the President
 of DART CONTAINER CORPORATION OF MICHIGAN, a Michigan corporation, for the corporation.

Notary's
Stamp

Notary's
Signature *JoAnne E. Williams*
 JoAnne E. Williams
 Acting in and for Ingham County
 My commission expires April 3, 1995

RECORDED RIGHT OF WAY NO. 42600