

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R 9202677-01

On JUNE - 8 -, 1992, for the consideration of system betterment, Grantor Grantor 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:

Anastasio Capoccia and Giovanna Capoccia, husband and wife, 48001 West Road, Wixom, Michigan 48096

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
Michigan Bell Telephone, a Michigan corporation, 444 Michigan Avenue, Detroit, Michigan 48226

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

Lot #5, Beck-Tec Industrial Park, of part of the E 1/2, NE 1/4. Section 8, T1N, R8E, Novi Township, as recorded in Liber 202 of Plats, Pages 1 and 2, Oakland County Records. Sidwell No. 22-08-226-003

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

An easement 10 ft. in width. The easement centerline is described as beginning at a point on the E property line, said point is 30 ft. S of the N property line. Thence proceed westerly 150 ft. to a point, said point is 30 ft. S of the N property line. Thence proceed northerly 30 ft. to a point on the N property line, said point is 150 ft. W of the E property line and the point of ending. The right of way is ten (10) feet in width. As shown on DECo drawing R 9202677-01, dated 04/23/92 which is attached hereto and made a part hereof.

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. 43496

Witnesses:(type or print name below signature)

Lorie J. Capoccia
Annie Grimmert
ANNIE GRIMMETT

Grantor:(type or print name below signature)

Anastasio Capoccia
ANASTASIO CAPOCCIA
Giovanna Capoccia
GIOVANNA CAPOCCIA, HIS WIFE

9.00
2.00
200001

Acknowledged before me in Oakland County, Michigan, on June 9, 1992 by ANASTASIO CAPOCCIA and GIOVANNA CAPOCCIA, husband and wife.

O.K. - LM

Notary's Stamp Gerald Musch, Livingston, 2-27-96 Notary's Signature Gerald Musch

(Notary's name, county and date commission expires)
ACTING IN OAKLAND COUNTY

Prepared by and Return to: Annie P. Grimmert, 30400 Telegraph Road, Room 277, Bingham Farms, Michigan 48025/PEW