

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-936558-10R

On October 18, 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 the "Right of Way Area".

"Grantor" is:

Harmon Highway Company, Inc., a Michigan Corporation,
24650 N. Industrial, Farmington Hills, Michigan 48335

B#92 REG/DEEDS PAID
0001 DEC.01'93 01:58PM
6669 MISC 9.00

"Grantee" is:

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

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

202001

Town 1 North, Range 8 East, Section 8, Beck-Tec Industrial Park Lot 13, also that part of Outlot "B" adjacent to same, also part of Northeast one-quarter (1/4) of Northeast one-quarter (1/4) beginning at a point distant South 03°30'14" East 1316.53 feet and South 87°11'23" West 365 feet from Northeast section corner, thence South 87°11'23" West 61 feet, thence North 03°30'14" West 125 feet, thence North 87°11'23" East 61 feet, thence South 03°30'14" East 125 feet to the beginning, Oakland County Records. Sidwell No. 22-08-227-024.

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

As shown on attached drawing R-9310558-10R, dated 09/30/93.
The Right-of-Way is Ten (10) feet in width.

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- 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. 457633

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

Sandra Page
Sandra Page
Omer V. Racine
OMER V. RACINE

Harmon Highway Company, Inc;
a Michigan Corporation
Richard J. Hartigan
By: Richard J. Hartigan
O.K. - L.M.
Its: Secretary-Treasurer

Acknowledged before me in OAKLAND County, Michigan, on OCTOBER 18, 1993 by Richard J. Hartigan the Secretary-Treasurer of Harmon Highway Company, Inc., a Michigan Corporation, for the Michigan Corporation.

Notary's Stamp PATRICIA L. NOVAK Notary's Signature Patricia L. Novak
Notary Public, Oakland County, MI
My Commission Expires April 17, 1994
(Notary's name, county and date commission expires)

Prepared by and Return to: Omer V. Racine, 30400 Telegraph Road, Suite 210, Birmingham, Michigan 48025/kad