



LIBER 15753 PG 024

Oct 18 95 2 03 46 6

Novi TWP

OVERHEAD AND UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9503057-01R

MISCELLANEOUS RECORDING RECEIPT # 1445
RECORDATION
18 OCT 95 12:06 P.M.
PAID
LYNN D. ALLEN, CLERK/REGISTER OF DEEDS

On 4/26/95, 1995, for the consideration of system betterment, Grantor grants to Grantee a permanent overhead and underground easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area"

"Grantor" is:

ERICAR Co., a Michigan Co-Partnership, 6960 Orchard Lake Road, Suite 100, West Bloomfield, Michigan 48322

"Grantee" is:

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

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

T1N, R8E, Sec 24, Oakland County Condominium Plan No 677 Novi Technology Center Unit 2 L 11428 P 233 6-26-90 FR 009. Sidwell No. (22-54-251-019) 22-24-251-019

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

As shown on the attached Detroit Edison Company Drawing # R-9503057-01R, Dated September 7, 1995. Width of Right of Way is ten (10) feet.

- 1. Purpose: The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain overhead and 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.
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, licenses and assigns.

Witnesses:(type or print name below signature)

Sara Keidan
Jeffrey Rosenbaum

Grantor:(type or print name below signature)

ERICAR Co., a Michigan Co-Partnership
BY: Harvey Kleiman
ITS: Partner

Acknowledged before me in WAYNE County, Michigan, on September 26, 1995 by Raymond Galper, the Partner of ERICAR Co., a Michigan Co-Partnership, for the Co-Partnership.

Notary's Stamp: Notary Public, Wayne County, MI My Commission Expires Nov. 11, 1998
Notary's Signature: Bonnie M. Buckley

Prepared by and return to: Terry Benedict, 56500 Grand River, New Hudson, MI 48165

O.K. -S.R.

COPIED RIGHT OF WAY 47941