

OCTOBER 7TH, 19 88

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 overhead line facilities consisting of poles, guys, anchors, wires, cables, transformers and accessories required to provide electric service in, upon, over and across property located in the City of Farmington Hills, County of Oakland, State of Michigan, further described as follows:

Part of N.W. 1/4 of Section 6, T1N, R9E, beginning at a point distant S. 89°53'12" E. 310.00 ft. from N.W. Section corner, thence S. 89°53'12" E. 293.65 ft., thence S. 00°34'29" W. 1381.36 ft., thence N. 89°15'10" W. 544.96 ft., to easterly right of way line of Haggerty Road, thence N. 00°37'48" E. 675.34 ft., thence S. 89°53'12" E. 250.00 ft., thence N. 00°37'48" E. 700.00 ft. to point of beginning.

Sidwell #23-06-100-243

ADDENDUM

4#36 REG/DEEDS PAID
0001 JAN.17'89 01:01PM
4409 MISC 13.00

1. The Grantors reserve the right to make any use of the easement area which does not unreasonably interfere with the Grantees rights herein.
2. Grantors reserve the right to relocate the easement at the Grantors' cost and expense.
3. In the event that Grantee ceases to use or abandons the easement for a period of (1) year or more, this Agreement shall be terminated and all rights granted herein to Grantee shall revert to Grantor.

Handwritten initials: HED

The route of the line facilities is described as follows: In a northerly and southerly direction (as shown on attached sketch 0-9189)

The right of way is twelve (12) feet in width. with notice to the Grantor The rights hereby granted include the right of access to and from the right of way and the right to trim, cut down or otherwise control brush and trees 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 employes, 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 consent of the GRANTEE. 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:
Melanie Malivuk
Jonathan Holtzman

Grantors:
Village Green of Farmington Hills Limited Partnership, a Michigan Limited Partnership
By: Jonathan Holtzman, Its General Partner
(See following page for notarization)

Prepared by: C. George Williams
The Detroit Edison Company
30400 Telegraph Road, Suite 277-
Birmingham, MI 48010

Address:
30833 Northwestern Highway,
Suite 300
Farmington Hills, MI 48018-5625

RECORDED RIGHT OF WAY NO. 39083

1300

Handwritten signature

State of Michigan)
)SS:
County of Oakland)

Personally came before me this 7th day of October,
1988, Jonathan Holtzman, General Partner, Holtzman & Silverman
Equities #13, ^{LIMITED PARTNERSHIP} General Partner of the above named Limited
Partnership to me known to be the person who executed the
foregoing instrument and to me known to be such General Partner
and acknowledged that he executed the foregoing instrument as
such General Partner, as the free act and deed of said Village
Green of Farmington Hills Limited Partnership.

Mary E. Blake
MARY E. BLAKE
Notary Public,
Wayne County, Michigan
Acting in Oakland County
My Commission Expires: 12.17.90

RECORDED RIGHT OF WAY NO. 39083

MORTGAGEE CONSENT AND SUBORDINATION

NATIONAL BANK OF DETROIT, a national banking association, whose address is 900 Tower Drive, Troy, Michigan 48098, Mortgagee under that certain Mortgage dated June 16, 1988, recorded at Liber 10497, Page 589, Oakland County Records, as amended by that certain First Amendment to Mortgage, dated July 13, 1988 and recorded at Liber 10500, Page 816, Oakland County Records, hereby consents to the foregoing Overhead Right-of-Way Agreement granted by Village Green of Farmington Hills Limited Partnership to the Detroit Edison Company on October 7, 1988, and subordinates its Mortgage, as amended, to the foregoing Overhead Right-of-Way Agreement.

IN WITNESS WHEREOF, NATIONAL BANK OF DETROIT has executed this Mortgagee Consent and Subordination this 13th day of October, 1988.

WITNESSES:

NATIONAL BANK OF DETROIT, a national banking association

Violet Berra
VIOLET BERRA
Barbara Wyrembelski
BARBARA WYREMBELSKI

BY Kathryn M. Ritter
KATHRYN M. RITTER
Second Vice President

STATE OF MICHIGAN)
) SS
COUNTY OF OAKLAND)

The foregoing was acknowledged before me this 13th day of October, 1988, by KATHRYN M. RITTER, Second Vice President of NATIONAL BANK OF DETROIT, a national banking association, on behalf of said association.

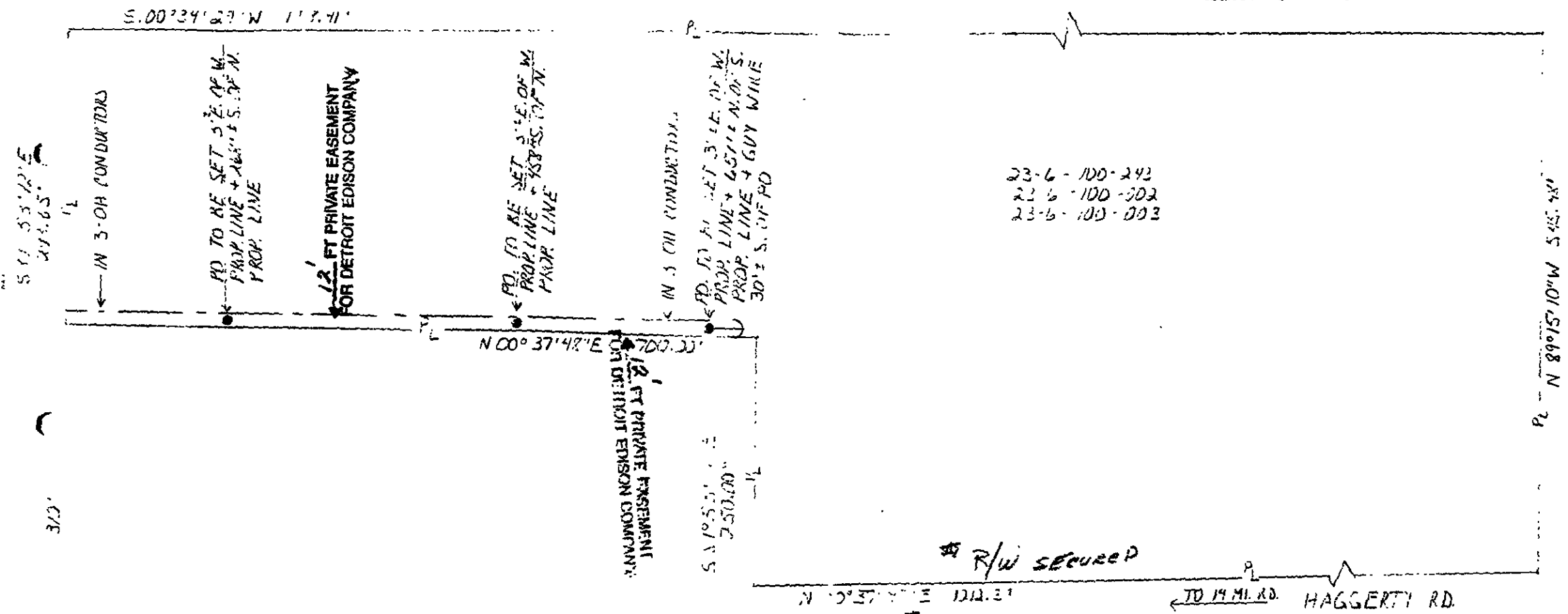
Sharon M. Maksym
SHARON M. MAXSYM
Notary Public, MACOMB County, MI
My Commission Expires:

SHARON M. MAXSYM
Notary Public, Macomb County, MI
My Commission Expires July 2, 1991
Acting in Oakland County, MI

RECORDED RIGHT OF WAY NO. 39083

LIBER 10754PG019

LIBER 10754PG020



23-6-100-242
23-6-100-302
23-6-100-003

R/W secured
N 0° 57' 42" E 1212.31' TO 14 MI. RD. HAGGERTY RD.

WNE: HOLTZMAN + SILVERMAN
30833 NORTHWESTERN HWY. S. 300
FARMINGTON HILLS MI 48018-5625

DIANE BATAYEH
551 7600

RECORDED RIGHT OF WAY NO. 39083

REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT AND SECURED AS INDICATED ON THIS LAYOUT	PERMITS TO:	
BY <u>C. GEORGE WILLIAMS</u>	RECORD CENTER	<u>1</u>
DATE <u>11-28-88</u>	R/W FILES	<u>1</u>
DATE WANTED	ORIGINATOR	<u>1</u>
DISTRICT	TOTAL	<u>1</u>
FIELDMAN		

LEGEND		THE DETROIT EDISON COMPANY - SERVICE PLANNING DEPARTMENT	
○	FOREIGN POLE	CITY OR TWP	FARMINGTON HILLS
○	EXIST. D.E. CO. POLE	COUNTY	OAKLAND
○	PROPOSED POLE	QTR. & TWP. SECT. NO.	NW 1/4 - NW 1/4 16
○	EXIST. ANCHOR	MAP SECT.	1-24-374
○	PROPOSED ANCHOR	TOWN	RANGE
○	TREE	JOINT R/W REQUIRED	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
---	120/240 V LINE	TEL. ENG'R. & DIST.	
---	4800 V LINE	PROJECT NAME	VILLAGE GREEN OF FAIR HILLS
---	13,200 V LINE	CIRCUIT	
---	40,000 V LINE	REASON	SECURE R/W FOR NEW BUSINESS
		PLANNER	G. WHITE
		SCALE	1" = 50'
		DEPT. ORDER NO.	
		R/W NO.	D-1189
		PROJ. OR PART NO.	
		G.F.W. S.O. OR P.E. NO.	
		BUDGET ITEM NO.	
		DATE	3.14.89

N. HAZARD

HAGGERTY