

OVERHEAD AND UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R 9305351 -10

On July 29, 1993, 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:

American House Farmington Hills Limited Partnership, a Michigan Limited Partnership, 24400 Middlebelt Road, Farmington Hills, Michigan 48336

"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 Farmington Hills, Oakland County, Michigan, described as:

Part of SW 1/4, T1N, R9E, Sec 24, beginning at point distant N 00°07'00" W 375.16 ft from SW Sec corner, th N 00°07'00" W 619.60 ft, th S 89°38'00" E 526.46 ft, th S 00°07'00" E 619.60 ft, th N 89°38'00" W 526.46 ft to beginning. 7.49 Acres - Sidwell No. 23-24-352-006.

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

As shown on Detroit Edison Company Drawing R 9305351-10 dated 7-8-93 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 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. 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, licenses and assigns.

RECORDED RIGHT OF WAY NO. 116675

Witnesses:(type or print name below signature)

Mary Jane S. Trestail
MARY JANE S. TRESTAIL

Jan McHale
JAN McHALE

Grantor:(type or print name below signature)

American House Farmington Hills Limited Partnership,
a Michigan limited partnership

BY: J. Robert Gillette
J. ROBERT GILLETTE

ITS: General

\$ 11.00 MISCELLANEOUS RECORDING
\$ 2.00 REMUNERATION
3 JAN 95 1:57 P.M. RECEIPT# 169B
PAID RECORDED - OAKLAND COUNTY
LYNN D. ALLEN, CLERK/REGISTER OF DEEDS

Prepared by and Return to: Annie P. Grimmett, 30400 Telegraph Road, Room 210, Bingham Farms, Michigan 48025/cao

O.K. - J.S.

Acknowledged before me in oakland County, Michigan, on July 29th, 1993 by J. Robert Gillette the General Partner of American House Farmington Hills Limited Partnership, a Michigan limited partnership, for the limited partnership.

MARY JANE S. TRESTRAIL
Notary Public, Oakland County, MI
My Commission Expires Aug. 10, 1996

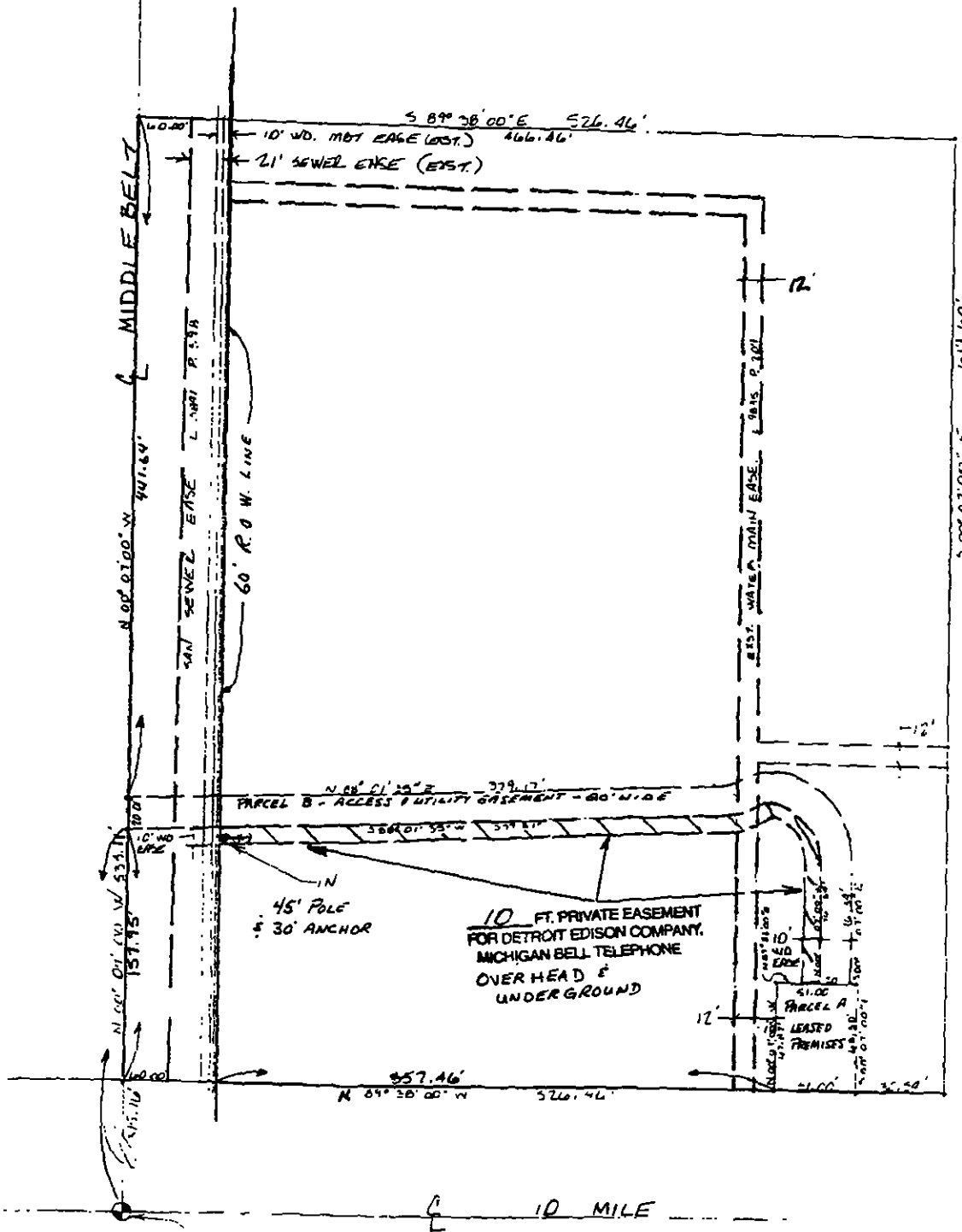
Notary's Stamp _____
(Notary's name, county and date commission expires)

Notary's Signature Mary Jane S. Trestrail

46675

APPROVED AS TO FORM 10/18/99 DATE
LEGAL DEPARTMENT [Signature]

15183 PC 810



RECORDED WITHIN OF TAX NO. 466175

SIDWELL# 23-14-352-006
 R/W No 9305351-10
 PLANNER: P. RUPPEL
 DATE: 7-8-93

SW CORN
 SEC. 24
 T1N - 79E

LEGEND	
	EXISTING POLE
	66KV D.C. POLE
	PROPOSED POLE
	66KV ANCHOR
	PROPOSED ANCHOR
	110KV V LINE
	66KV V LINE
	33KV V LINE
	15KV V LINE