

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9300434-10

On May 6, 1993, 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:

Dramatic Productions Company, a Michigan Corporation, 593 Pierce, Birmingham, Michigan 48009-4638

"Grantee" is:

The Detroit Edison Company, a Michigan Corporation, 2000 Second Avenue, Detroit, Michigan 48226
Michigan Bell Telephone Company, a Michigan corporation, 444 Michigan Avenue, Detroit, Michigan 48226
Booth Communications of Birmingham, P.O. Box 647, 645 S. Eton, Birmingham, Michigan 48012

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

Assessor's Plat No. 6 Lot 8 part of the Northeast 1/4 of Section 36, T2N, R10E as recorded in Liber 46 Page 32 of Plats, O.C.R. - Sidwell No: 19-36-203-004

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

The East six (6) feet of Grantor's Land.

- 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. 44981

Witnesses:(type or print name below signature)

Stevan Uzelac
STEVAN UZELAC

Martha Gongle
MARTHA GONGLE

Grantor:(type or print name below signature)
DRAMATIC PRODUCTIONS COMPANY

BY: Joyce Uzelac
JOYCE UZELAC

ITS: President

8#92 REG/SEEDS PAID
0001 JUL 21 '93 02:38PM
3564 RMT FEE 2.00

Acknowledged before me in Oakland County, Michigan, on May 6, 1993
by Joyce Uzelac, the President, for Dramatic Productions Company, a Michigan Corporation, for the Corporation.

Notary's Stamp
MARTHA A. GONGLE, NOTARY PUBLIC
MACOMB COUNTY, STATE OF MICHIGAN
MY COMMISSION EXPIRES 01-24-94
(Notary's name, county and date commission expires)
Acting in Oakland County

Notary's Signature Martha A. Gongle
DROR