

Date MARCH 21ST, 1979

For good and valuable considerations, the right is hereby granted to The Detroit Edison Company, 2000 Second Avenue, Detroit, Michigan 48226, its successors and assigns, to construct, reconstruct, operate and maintain its underground lines for the transmission and distribution of electricity and Company communication facilities including the necessary conduits, fixtures, cables and cable poles, manholes and equipment under and across the property described hereinafter. The rights hereby granted include the right of access to and from the said premises, the right to construct, reconstruct, modify, operate and maintain said line facilities, and to trim or cut down any trees belonging to the grantor, either within said right of way or upon the lands of the grantor adjoining said right of way which, in the opinion of the grantee, at any time interfere with the construction and operation of said line facilities. It is expressly understood and agreed that the grantee shall, at no time, trim or cut down any trees unless, in the grantee's opinion, it is absolutely necessary to do so. Upon the written consent of the grantee, buildings or structures may be placed within said right of way. This grant shall be binding upon the successors and assigns of the grantors. The Company shall reimburse the grantors and assigns for all damage caused by its men, vehicles and equipment in entering said property for the purposes set forth herein.

The property over which this grant is conveyed is situated in the City of Troy

County of Oakland, State of Michigan and further described as follows:

21/5

Beginning at a point located from the southeast corner of Section 35, Township 2 North, Range 11 East, thence South 88°13'06" West 60.00 feet; thence North 02°09'04" West 75.00 feet; thence South 88°13'06" West 675.00 feet; thence North 02°09'04" West 1505.82 feet; thence South 87°50'56" West 30.37 feet to the true point of beginning; thence South 87°50'56" West 18.00 feet; thence North 02°09'04" West 10.16 feet; thence North 87°50'56" East 18.00 feet; thence South 02°09'04" East 10.16 feet to the true point of beginning, containing 0.004 acres.

Witness: _____

J.C. PENNEY PROPERTIES, INC., A DELAWARE CORPORATION

Mary C. Jones
MARY C. JONES

By: Harry R. Wilson
HARRY R. WILSON,

MANAGER OF CONSTRUCTION SERVICES
1301 AVENUE OF THE AMERICANS
NEW YORK, NEW YORK 10019

Prepared By: _____

James McDonald

30400 Telegraph

Birmingham, Michigan 48010

STATE OF MICHIGAN)
New York

COUNTY OF New York SS.

On this 21ST day of MARCH A.D. 1979 before me, the sub-

scriber, a Notary Public in and for said county, appeared Harry R. Wilson and

to me personally known, who being by me duly sworn did say that he is the

MANAGER OF CONST. SERVICES

of J.C. PENNEY CO.

and that the seal affixed to said instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors and

acknowledged said instrument to be the free act and deed of said corporation.

STEPHEN A. LAMB
NOTARY PUBLIC, State of New York
No. 41-7408465
Qualified in Queens County
Term Expires March 30, 1980

Notary Public, New York County, Michigan

APPROVED AS TO FORM 9-17-79 DATE
LEGAL DEPARTMENT Beach

My Commission Expires: _____

(Return over)

RECORDED
RIGHT OF WAY NO. 32647
1979 SEP 28 PM 3 31
RECEIVED
MICHIGAN
REGISTER OF DEEDS RECORDS
LYNN D. ALLEN
CLERK-REGISTER OF DEEDS

3.00