

Detroit Edison

Real Estate and Rights of Way
Underground Right of Way Agreement

October 28, 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 underground line facilities consisting of poles, conduits, wires, cables, manholes, transformers and accessories required to provide electric service in, under, upon and across property located in the City of Troy, County of Oakland, State of Michigan, further described as:

See Attached Appendix "A"

DECO / #1

RECORDED
10716-118
OCT 28 1988

RECORDED RIGHT OF WAY NO. 39174

as shown on the attached drawing U1-1-3457 which is made a part hereof.

The right of way is twelve (12) feet in width.

The rights hereby granted include the right of access to and from the rights of way and the right to trim, cut down or otherwise control trees, brush or roots of any kind either 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 the written consent of EDISON

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:

Grantors:

13,000
Etkin

[Signature]
Robert Spiegel

[Signature]
Wendy C. Sterbling

[Signature]

Annie P. Grimmett

Prepared by: The Detroit Edison Company
30400 Telegraph Road, Suite 277
Birmingham, MI 48010

[Signature]

Timberland Three Limited Partnership,
A Michigan Limited Partnership

By: Timberland Three/Etkin Limited
Partnership, a Michigan limited
partnership
Its: General Partner

By: Timberland 3/Etkin, Inc.,
a Michigan corporation
Its: General Partner

By: [Signature]
Bruce H. Etkin, President

AND BY: Timberland 3/Grand, Inc.,
a Michigan corporation
Its: General Partner

By: [Signature]
Etkin Equities
200 Franklin Center
29100 Northwestern Highway
Southfield, MI 48034
Stephen Grand,
President

Appendix "A"

An easement 12 ft. in width. Said easement is over, across and under the following described land: A part of the E. 1/2 of Section 8, T2N, R11E, City of Troy, Oakland County, Michigan being described as: Commencing at the S. 1/4 corner of Section 8, thence N. 87°15'16" E., 22.70 ft. along the South line of Section 8, thence along the Easterly line of Northfield Parkway along the following 3 courses: (1) N02°27'59" W., 674.89 ft., and (2) along a curve to the right 746.49 ft., said curve having a radius of 1188.07 ft., central angle of 36°00'00" and long chord bearing of N. 15°32'01" E., 734.27 ft., and (3) N. 33°32'01" E., 404.98 ft. to the point of beginning, thence continuing along the Easterly line of Northfield Parkway N. 33°32'01" E., 716.30 ft. to a point on the Northerly line, thence along said Northerly line N. 87°15'24" E., 243.31 ft. to a point on the Easterly line, thence along said easterly line the following 3 courses: (1) S. 02°44'36" E., 504.02 ft. and (2) along a curve to the left 28.87 ft., said curve having a radius of 48.00 ft., central angle of 34°27'21" and a long chord bearing of (N.) 38°38'26" W(E), 28.43 ft. and (3) S. 21°24'45" (E), 217.10 ft. to a point on the Southerly line, thence along said Southerly line the following 3 courses: (1) S. 87°15'24" W., 507.10 ft. and (2) N. 02°44'36" W., 107.52 ft. and (3) N. 56°27'59" W., 65.00 ft. to the point of beginning containing 340,857.30 square feet or 7.825 acres.

Part of Sidwell #20-08-451-003 *(now -007)*

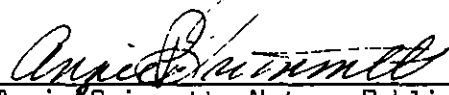
RECORDED RIGHT OF WAY NO. 39174

RETURN TO
J D McDONALD
THE DETROIT EDISON COMPANY
30400 TELEGRAPH ROAD, 277 OAKDALE
BIRMINGHAM, MICHIGAN 48010

State of Michigan)
) SS:
County of Oakland)

On this 28th day of October, 1988, the foregoing instrument was acknowledged before me, a notary public in and for said county by **Bruce H. Etkin**, President of **Timberland 3/Etkin, Inc.**, a Michigan corporation, General Partner of **Timberland Three/Etkin Limited Partnership**, a Michigan limited partnership, General Partner of **Timberland Three Limited Partnership**, a Michigan 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 **Timberland Three Limited Partnership**, a Michigan limited partnership.

My Commission Expires: 9-28-91


Annie Grimmett, Notary Public
Wayne County, Michigan
Acting in Oakland County

RECORDED RIGHT OF WAY NO. 39174

State of Michigan)
) SS:
County of Oakland)

LIBER 10716PG121

On this 28th day of October, 1988, the foregoing instrument was acknowledged before me, a notary public in and for said county, by **Stephen Grand**, President of **Timberland 3/Grand, Inc.**, a Michigan corporation, General Partner of **Timberland Three Limited Partnership**, a Michigan 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 **Timberland Three Limited Partnership**, a Michigan limited partnership.

My Commission Expires: 9-28-91



Annie P. Grimmett, Notary Public
Wayne County, Michigan
Acting in Oakland County

RECORDED RIGHT OF WAY NO.

39174

This document has
been audited by the
auditor.

PLEASE SECURE RIGHT OF WAY AS FOLLOWS.

DATE September 16, 1988

LOCATION Northfield Parkway North of East Long
Lake Road

APPLICATION NO. _____

CITY OR VILLAGE Troy

DEPT ORDER NO _____

TOWNSHIP _____ COUNTY Oakland

O F W NO _____

DATE BY WHICH RIGHT OF WAY IS WANTED October 5, 1988

BUDGET ITEM NO. _____

THIS R/W IS _____ % OF TOTAL PROJECT NO. _____ ACCUM. _____ %.

INQUIRY NO. _____

JOINT RIGHT OF WAY REQUIRED YES NO

NOTE: Identify on print or sketch the subdivisions as to section location and liber and page.

KIND AND DESCRIPTION OF RIGHT OF WAY REQUESTED Proposed 12'x53' D.E.Co. easement with
rights of ingress and egress as shown on Drawing U1-1-3457

RECORDED RIGHT OF WAY NO. 39144

PURPOSE OF RIGHT OF WAY To provide conduit and cable for the new Timberland
Office Complex Building "C".

SIGNED Robert Burtwell
Robert Burtwell
Eng., Plan., & Layout Energy Delivery
OFFICE DEPARTMENT

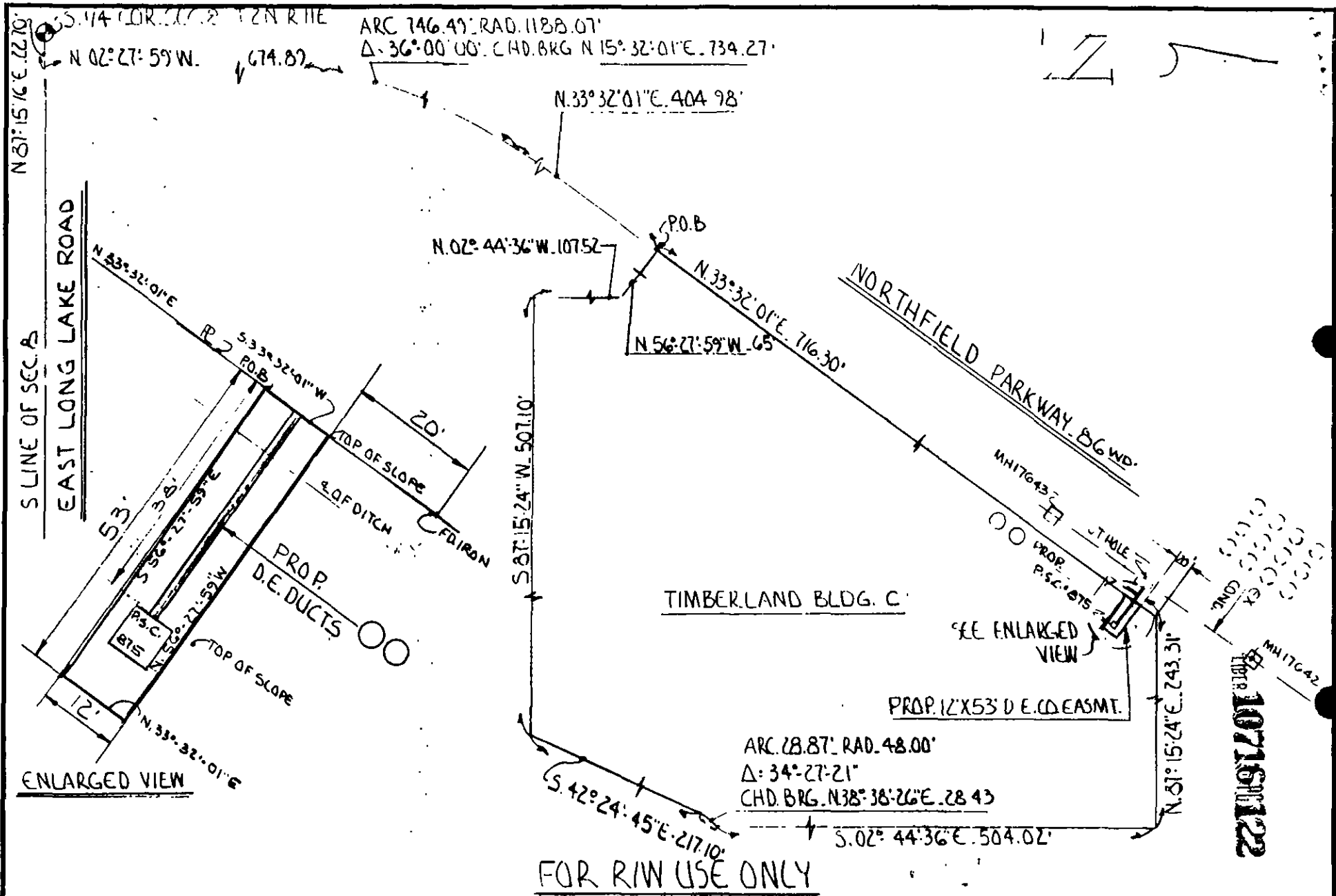
REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

Recordable underground right of way obtained as requested per attached drawing.
Contacts made by Annie P. Grimmett, Representative; Real Estate, Rights of Way
& Claims; Oakland Division.

PERMITS IN RECORD CENTER 1 R.E. & R/W DEPT. FILE 1 GRANTOR Timberland Three

NO. OF PERMITS 1 NO. OF STRUCTURES _____ NO. OF MILES _____ PERMITS TO MBT 0

DATE November 28, 1988 SIGNED James D. McDonald, Sr. Representative



OFW-8G10B8/1117

LOCKDALE SUB

JOB NO. 88-120

REFERENCE	DRAWN	DATE	TITLE	THE DETROIT EDISON COMPANY
	O. K.	9-16-88	PROP. 12' X 53' D.E. CO EASEMENT	
	APPROVED	9/16/88	NORTHFIELD PARKWAY N. OF EAST LONG LAKE RD.	SCALE: NONE
		9/16/88	CITY OF TROY, CAYLAND CO.	NO. 11-1-3457