

OCTOBER 10, 1989

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:

The northerly 17 ft. of the easterly 12 ft. of lot 102 of Beaver Park Subdivision, located in part of the N.E. 1/4 of Section 28, T2N, R11E, as recorded in Liber 28, Page 29, Oakland County Records.

28029

①

DECO 1

PART OF S.D. H 20-28-203-030

A#36 REG/DEEDS PAID
0001 DEC.08'89 12:14PM
5999 MISC 9.00

RECORDED RIGHT OF WAY NO. 40169

as shown on the attached drawing, 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 employees, 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:

Carlene Murphy
CARLENE MURPHY
Gerald S. Misiak
GERALD S. MISIAK

P.E.L. Associates
Michigan Limited Partnership
Thomas B. Murphy
THOMAS B. MURPHY, PARTNER

9.00

Prepared by: Gerald S. Misiak/vkc
The Detroit Edison Company
30400 Telegraph Road, Suite 277
Birmingham, MI 48010

Address: [Signature]
P.O. Box 033033
Bloomfield Hills, MI 48303

APPROVED AS TO FORM. 10-12-89 DATE
LEGAL DEPARTMENT [Signature]