

**Real Estate and Rights of Way
Underground
Right of Way Agreement**

October 25, 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 services in, under, upon, over and across property located in the City of Troy, County of Oakland, State of Michigan, further described as follows:

The Northerly 11 feet of the Westerly 40 feet of the following described land: A part of the East 1/4 of Section 8, T2N, R11E, City of Troy, Oakland County, Michigan, being described as: Commencing at the South 1/4 corner of Section 8, thence N. 87° 15' 16" E., 22.70 ft. along the South line of Section 8, (Long Lake Road); thence N. 02° 27' 59" W., 100.00 ft. to a point on the Northerly Right-of-Way line of said Long Lake Road at the Easterly right-of-way line of Northfield Parkway, 86 feet wide and the point of beginning, thence along said Easterly line of Northfield Parkway N. 02° 27' 59" W., 403.42 ft., thence N. 87° 15' 16" E., 1,081.89 ft. to a point on the Westerly line of Corporate Drive, 120 ft. wide, thence along said line S. 02° 29' 40" E., 373.41 ft., thence S. 42° 22' 48" W., 42.52 ft. to a point on the North line of Long Lake Road, thence along said line S. 87° 15' 16" W., 1,052.09 ft. to the point of beginning and containing 10.01 Acres.

Part of Sidwell No. 20-08-451-003 *now Oil Part Parcel*

As shown on the attached drawing U1-1-3491 dated 10-2-89 which is made a part hereof.

The right of way is 11 ft. X 40 ft.

The rights hereby granted include the right of access to and from the right 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.

DECO!

Witnesses:

E#92 REG DEEDS PAID
0001 JAN.10 '90 11:57AM
1299 MISC 9.00

Joseph P. Arresto

Joseph P. Arresto
Annie P. Grimmett

Annie P. Grimmett

Timberland Four Limited Partnership
A Michigan Limited Partnership

D. M. Etkin

Douglas M. Etkin, General Partner

Prepared by: Annie P. Grimmett/vkc
The Detroit Edison Company
30400 Telegraph Road, Suite 277
Birmingham, Mi 48010

Address: Deco-Grand, Inc.
1660 W. Maple Road
Troy, Michigan 48084

RECORDS TO FORM 11/20/89 DATE
LEGAL DEPARTMENT *[Signature]*

O.K. — RR

RECORDED RIGHT OF WAY NO. 26298