



LIBER 130173297

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R9204917-01

On 7-24, 1992, 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:

Resco Inc., a Michigan Corporation, 41400 Dequindre #105, Sterling Heights, Michigan 48314-3751

"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

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

See attached Exhibit "A".

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

The West Ten (10) feet and the South Sixteen (16) feet of the East Twenty (20) feet of the Westerly Thirty (30) 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.
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. 44064

Witnesses:(type or print name below signature)

Holly L. Reinhardt (signature) Holly L. Reinhardt

Laura A. Coker (signature) LAURA A. Coker

Grantor:(type or print name below signature) Resco Inc. #36 REG/DEEDS PAID 0001 OCT.21'92 01:18PM 8891 MISS 9.00

By: Salvatore Cottone (signature) Salvatore Cottone

Its: President O.K. - LM 9.00 2.00 RMT

Acknowledged before me in Macomb County, Michigan, on July 24, 1992 by SALVATORE COTTONE the President of RESCO INC., a Michigan Corporation, for #36 REG/DEEDS PAID 0001 OCT.21'92 01:18PM 8891 RMT FEE 2.00

ELIZABETH M. BISSON Notary Public, Macomb County, MI My Commission Expires 08-06-95

Notary's Stamp Notary's Signature Elizabeth M. Bisson

Prepared by and Return to: James D. McDonald, 30400 Telegraph Road, Suite 277, Birmingham, Michigan 48025/KAD