

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

On 7-31, 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:

Oakwood Building Company, a Michigan Corporation, 4064 Gardiner, Sterling Heights, Michigan 48310

"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. No trees, plant life, structures and fences shall be planted, grown or installed within 8 feet of the front door and within 2 feet of the other sides of transformers and switching cabinet enclosures. Grantee shall not be responsible to Grantor for damages to or removal of trees, plant life, structures and fences placed in front of transformer doors.
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. 44065

Witnesses:(type or print name below signature)

Laura A. Coker
LAURA A. COKER

Holly L Reinhardt
Holly L Reinhardt

Grantor:(type or print name below signature)

Oakwood Building Company
By: DAMIANO RANDAZZO

Its: PRESIDENT
8891 MISC 9.00

9.00
2.00 RMT

Acknowledged before me in Macomb County, Michigan, on July 31, 1992
by Damiano Randazzo the president of Oakwood Building Company, a Michigan Corporation, for the Corporation.

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

Notary's Stamp _____
(Notary's name, county and date commission expires)

Notary's Signature Elizabeth M. Bisson

A#36 REG/DEEDS PAID O.K. — LM
0001 OCT.21 '92 01:19PM
8891 RMT FEE 2.00

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

EXHIBIT "A"

LIBER 13017 PG 300

The Northwest one-quarter (1/4) of the Southwest one-quarter (1/4), Town 2 North, Range 11 East, Section 25, Sussex Park, as recorded in Liber 36, Page 12 of Plats, Oakland County Records. Part of Lots 6 to 11 inclusive and part of Lot 210 and Part of Lot 261, also all of vacated alley adjacent to same all described as beginning at a point distance North 89°45'00" West 4.30 feet from the Northeast corner of side Lot 261, thence South 00°15'00" West 115.99 feet, thence South 84°00'49" West 36.94 feet, thence North 89°45'00" West 27.18 feet, thence North 00°15'00" East 120 feet, thence South 89°45'00" East 63.90 feet to the Beginning. Sidwell No. 20-25-303-030.

36012

RECORDS SECTION OF CIVIL DIVISION

44065

RIGHT OF WAY APPLICATION

DATE ISSUED	7-7-92		
DATE WANTED	8-7-92	RAW NO.	R-9204917-01R
SERVICE PLANNER	DON YATES	PHONE	645-4159

PROJECT NAME	SUSSEX PARK SUB.		
TOWNSHIP/CITY	TROY		
ADDRESS	2030 BRINSTON		
CROSS STREET	JOHN R.	SECTION	25
SIDWELL NO.	20-25-303-030	QUARTER	NW 1/4, SW 1/4

TYPE OF PROJECT

OVERHEAD	<input checked="" type="checkbox"/>
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UNDERGROUND	<input type="checkbox"/>
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ACREAGE	<input checked="" type="checkbox"/>
COMMERCIAL BLDG	<input type="checkbox"/>
*SITE CONDO	<input type="checkbox"/>
*MOBILE HOME PK	<input type="checkbox"/>

LOTS	<input checked="" type="checkbox"/>
*SUB	<input type="checkbox"/>
*APT COMPLEX	<input type="checkbox"/>
*CONDO	<input type="checkbox"/>

JOINT USE REQUIRED	YES	<input checked="" type="checkbox"/>	NO	
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MBT	JOINT USE NO. J-9204917-01
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GTE	JOINT USE NO. _____
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CONS. PWR.	JOINT USE NO. _____
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CABLE TV CO. NAME	_____
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CABLE TV	JOINT USE NO. _____
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NAME OF OWNER/CUSTOMER	RESCO INC.
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CONTACT PERSON	MR SAM CATONE
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ADDRESS	21296 HALL RD, MT CLEMENS MI 48084
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HOME PHONE		BUSINESS PHONE	1-313-726-9850
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ADJACENT PROPERTY OWNER

ADDRESS

HOME PHONE		BUSINESS PHONE	
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MATERIAL TO BE PROVIDED

1. SITE PLAN/SKETCH/FINAL PROPOSED PLAT*
2. PROPERTY DESCRIPTION (SIDWELL NO.) (*ACTUAL DESCRIPTION)
3. PROOF OF OWNERSHIP OF REQUESTING CUSTOMER: WARRANTY DEED, L/C, TITLE SEARCH, COMMITMENT
4. SIDWELL PAGE (COPY)
5. SIDWELL NO.
6. COPY OF FUTURE J/U MEMO

SUPERVISOR	<i>[Signature]</i>
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RAW SECURED	Jim McDonald
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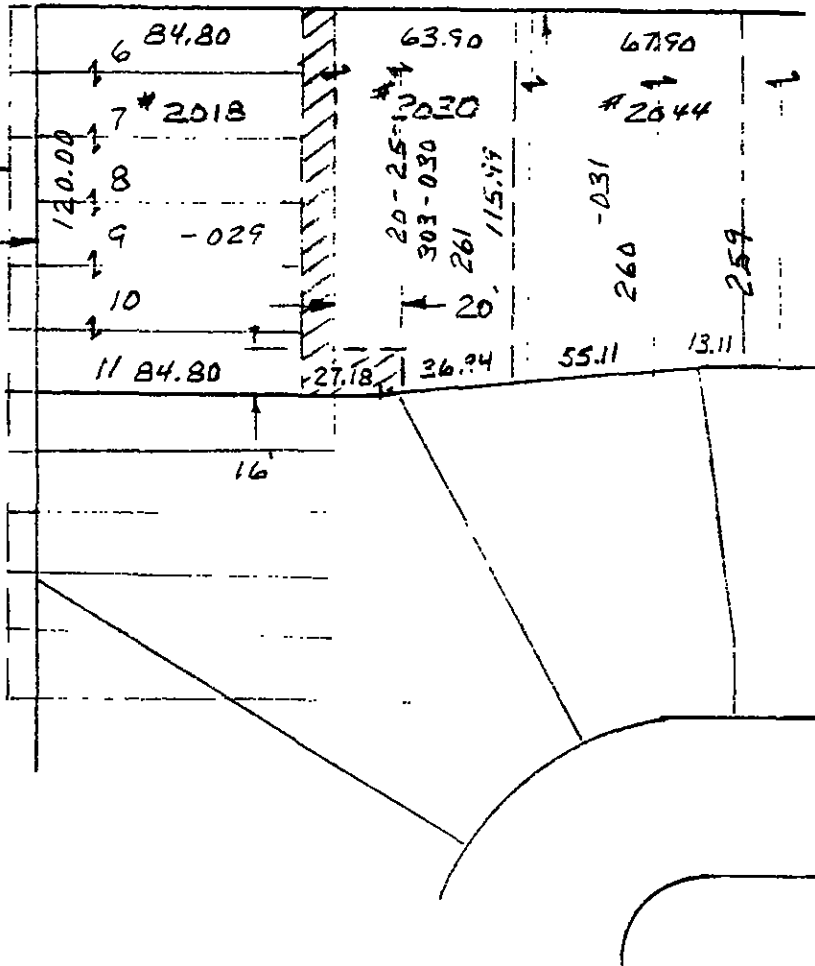
8-3-92

RECORDED & INDEXED NO. 44064 x 44065 R-9204917-01R

TO MAPLE RD

JOHN R.

BRINSTON



R/W SECURED
 RESCO, INC.
 BY S. CATTONE
 313-726-9850

RECORDED RIGHT OF WAY NO. 44064

44065

FUT. J.U. MEMO # J-9204917-01 MET METRO N.

LEGEND			
	FOREIGN POLE		
	EXIST D.E. CO POLE		
	PROPOSED POLE		
	EXIST ANCHOR		
	PROPOSED ANCHOR		
	TREE		
	120/240 VOLT LINE		
	4800 VOLT LINE		
	13,200 VOLT LINE		
	40,000 VOLT LINE		

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT			
CITY OR TOWNSHIP TROY	COUNTY DAK	QTR & TWP SECT NO NW 1/4, SW 1/4 25	DEPT ORDER NO
MAP SECT 1-32B-386	TOWN 2N	RANGE 11E	JOINT R/W REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
PROJECT NAME SUSSEX PARK SUB. - 2030 BRINSTON AVE.	PLANNER DON YATES	SCALE 1"=60'	R/W NO R-9204917-01R
CIRCUIT D.C. B301 CRWF	REASON EASEMENT REQ'D FOR O.H. RELD	DATE 7-7-92	PROJ OR PART NO.
			OFW SO OR PE NO
			BUDGET ITEM NO