

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R9311573-01R
PROJECT NAME - Sharon Estates Site Condo**

On DECEMBER 1, 1993, for the consideration of system betterment, Grantor grants to Grantee a permanent underground distribution easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

B#92 REG/DEEDS PAID
0001 JAN.18 '94 08:38AM
9974 MISC 9.00

"Grantor" is:

Edward N. Cheyz Land Development Company, Inc., a Michigan Corporation,
2900 Ridge Road, White Lake, Michigan 48383

"Grantee" is:

The Detroit Edison Company, a Michigan Corporation, 2000 Second Avenue, Detroit, Michigan 48226

"Grantor's Land" is in the Township of Milford, Oakland County, described as:

See attached Appendix "A" for description.

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

Said easements shall be shown on a drawing to be recorded Ninety (90) days after construction.
The Right-of-Way is Ten (10) feet in width.

- Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain utility line facilities consisting of poles, guys, anchors, wires, manholes, conduits, pipes, cables, transformers and accessories.
- Access:** Grantee has the right of access to and from the Right of Way Area.
- 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.
- 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.
- 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.
- Ground Elevation:** Grantor must grade the Right of Way Area to within four inches of final grade before Grantee installs its facilities. Grantor must maintain this ground elevation after Grantee installs its facilities.
- Damages:** If Grantor, its agents, employees or contractors, damage Grantee's facilities, Grantee shall make repairs at Grantor's expense.
- Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors, lessees, licensees and assigns.

\$ 11.00 MISCELLANEOUS RECORDING
\$ 2.00 REMONUMENTATION

23 AUG 94 1:35 P.M. RECEIPT# 1508
RECORDED - OAKLAND COUNTY
LARRY D. ALLEN, CLERK/REGISTRAR

RECORDED RIGHT OF WAY NO. 416141

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

Edward N. Cheyz Land Development Company, Inc.,
a Michigan Corporation

By: Edward N. Cheyz

Its: President

Jeff Wilkinson
Jeff Wilkinson
Jerry L. Gardner
Jerry L. Gardner

Edward N. Cheyz
By: Edward N. Cheyz

Acknowledged before me in OAKLAND County, Michigan, on December 1st, 1993 by Edward N. Cheyz, the President of Edward N. Cheyz Land Development Company, Inc., a Michigan Corporation, for the Michigan Corporation.

Notary's Stamp DAVID KANE, Notary Public
County of Oakland, State of MI
My Commission Expires Dec. 26, 1994
(Notary's name, county, and date commission expires)

Notary's Signature David Kane O.K. - LM
DAVID KANE

This easement is re-recorded for purposes of showing the planned "as installed" centerlines of easements granted as shown on drawing attached hereto.

LIBER 14355 PG 111

LIBER 14927 PG 238

APPENDIX "A"

Sharon Estates Site Condominium, according to the Master Deed recorded in Liber 14142, Page 721, Oakland County Records, and designated as Oakland County Condominium Subdivision Plan No. 835, together with rights in general common elements and limited common elements, as set forth in the above master deed and being further described as:

Land in the Township of Milford, County of Oakland, State of Michigan: Part of the Northwest one-quarter (1/4) of Section 25 and Part of the Northeast one-quarter (1/4) of Section 26, Town 2 North, Range 7 East, Milford Township, Oakland County, Michigan, described as beginning at the Northwest corner of Section 25, Town 2 North, Range 7 East; thence South 89°29'14" East 500.00 feet along the North line of Section 25; thence South 00°48'03" West 2628.80 feet (Previously recorded as South 00°47'30" West 2628.57 feet; thence North 89°46'17" West (Previously recorded as North 89°46'06" West) 500.02 feet to the West one-quarter (1/4) corner of Section 25; thence North 00°48'03" East 996.66 feet (Previously recorded as North 00°47'30" East 987.19 feet) along the centerline of Old Plank Road; thence South 89°10'00" East 350.58 feet (Previously recorded as South 89°12'30" East 350.00 feet); thence North 00°50'37" East 248.96 feet (Previously recorded as North 00°47'30" East 248.92 feet); thence North 89°10'00" West 350.77 feet (Previously recorded as North 89°12'30" West 350.00 feet) to the centerline of Old Plank Road; thence North 00°48'03" East (Previously recorded as North 00°47'30" East) 70.00 feet along the centerline of Old Plank Road; thence North 29°31'55" West 1521.74 feet (Previously recorded as North 29°29'24" West 1523.96 feet) along the centerline of Old Plank Road to the North line of Section 26; thence South 89°21'58" East (Previously recorded as South 89°52'13" East) 768.52 feet along said North line of Section 26 to the point of beginning. Containing 39.79 acres and excepting the rights of the public over the Northerly 33 feet for Buno Road and the Westerly 33 feet for Old Plank Road. Sidwell No. (16-25-100-000.)

units 1 thru 11 acc# 835

9000835

Ent 16-26-202-000

RECORDED RIGHT OF WAY NO. 46141

RECORDED RIGHT OF WAY NO. 46141

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PERMITS REQUIRED
GENERAL NOTES

TRANSFORMER DATA
CABLE SUMMARY
TRENCH SUMMARY

1492 16230

