

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9202989-R01

On 9th June 9th, 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:

Bruce M. Levine and Cindy P. Levine, Husband and Wife, 1471 S. Woodward, Suite 10, Bloomfield Hills, Michigan 48302

"Grantee" is:

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

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

Part of Lot 5, WESSON ESTATES SUBDIVISION NO. 1, being a plat of part of East 1/2 of Northwest 1/4 of Section 13, Pontiac, Township, Town 3 North, Range 10 East, Oakland County, Michigan, as recorded in Liber 35, Page 58 of plats, Oakland County Records, described as: beginning at a point South 33 degrees 23 minutes 20 seconds West 324.29 feet from the most Easterly corner of Lot 5; thence continuing South 33 degrees 28 minutes 20 seconds West 125.0 feet; thence North 56 degrees 36 minutes 40 seconds West 177.78 feet; thence North 33 degrees 23 minutes 20 seconds East 82.35 feet; thence north 0 degrees 45 minutes 10 seconds East 213.69 feet to the South line of Walton Boulevard (120 feet wide); thence South 89 degrees 14 minutes 50 seconds East 23.0 feet; thence South 0 degrees 45 minutes 20 seconds West 177.78 feet; thence South 56 degrees 36 minutes 40 seconds East 177.78 feet to the point of beginning. Sidwell No: 14-13-126-013

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

35058

^{WESTEALY} The ~~Easterly~~ 6 feet of the Grantor's Land. The right of way is 6 feet in width.

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 and Grantee, successors, lessees, licensees and assigns.

RECORDED RIGHT OF WAY NO. 44010

REG/DEEDS PAID
0001 NOV.23'92 11:46AM
6417 MISC 11.00

Witnesses:(type or print name below signature)

02501

Lisa Levine Robinson
Lisa Levine Robinson

Karen Kalawa
Karen Kalawa

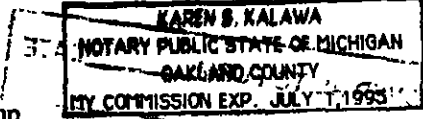
Grantor:(type or print name below signature)

Bruce M. Levine
Bruce M. Levine

Cindy P. Levine O.K. - LM
Cindy P. Levine

11.00
2.00 RMT

Acknowledged before me in Oakland County, Michigan, on June 9, 1992 by Bruce M. Levine and Cindy P. Levine, Husband and Wife.



Notary's Stamp

Notary's Signature

REG/DEEDS PAID
0001 NOV.23'92 11:46AM
6417 RMT FEE 2.00
Karen Kalawa

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