

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9203401-10R

On May 19, 1993, 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:

Adam J. Maida, the Roman Catholic Archbishop of the Archdiocese of Detroit, 1234 Washington Blvd., Detroit, Michigan 48226

0001 JUL.21'93 12:16PM
3475 MISC 9.00

"Grantee" is:

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

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

Part of Southeast 1/4 of Section 12, T3N, R10E, beginning at point distance North 00°13'56" E 635.62 feet from South 1/4 corner; thence North 00°13'56" E 26.47 feet; thence North 88°06'58" E 517.08 feet; thence North 00°03'30" E 5.77 feet; thence South 88°29'47" E 291.92 feet; thence South 00°30'05" W 700 feet; thence North 88°22'46" W 292 feet; thence North 00°35'46" E 591.63 feet; thence South 89°17'03" W 317.58 feet; thence North 00°13'56" E 65 feet; thence South 89°17'03" W 199.60 feet to beginning excluding that part taken for road beginning at point distance North 00°13'56" E 635.62 feet from South 1/4 corner; thence North 00°13'56" E 26.47 feet; thence North 88°06'58" E 120.08 feet; thence South 00°13'17" W 28.92 feet; thence South 89°17'03" W 120.02 feet to beginning. 5.45 acres. Sidwell No: 14-12-451-015

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

As shown on the attached D.E. Company Drawing No: R-9203401-10R. The Right of Way is 10 feet in width.

- 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.
- 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.
- 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.
- 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. 44963

R#92 REC'D FEES PAID
0001 JUL.21'93 12:16PM
3475 RMT FEE 2.00 9.00

Witnesses:(type or print name below signature)

Gerald T. Chuhran
Gerald T. Chuhran

Rosalie L. Higgins
Rosalie L. Higgins

Grantor:(type or print name below signature)
X+ Adam J. Maida
Adam J. Maida

The Roman Catholic Archbishop of the Archdiocese of Det.

Acknowledged before me in Wayne County, Michigan, on May 19, 1993 by Adam J. Maida, the Roman Catholic Archbishop of the Archdiocese of Detroit.

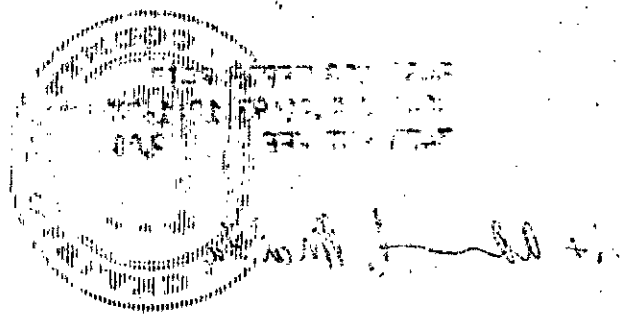
Notary's Stamp Gerald T. Chuhran My commission expires: 10/9/94 Notary's Signature Gerald T. Chuhran
(Notary's name, county and date commission expires) Macomb acting in Wayne County

Prepared by and Return to: John C. Greenlee, 1970 Orchard Lake Road, Sylvan Lake, Michigan 48320/kjk.

Return-over

300-222-1111

DETROIT MI 48226
MAY 19 1970



RETURN TO
TERRY L. BENEDICT
THE DETROIT EDISON COMPANY
1970 ORCHARD LAKE RD.
SYLVAN LAKE, MI 48320

N 88° 06' 85" E
5' 5" 8"

S 88° 29' 47"
291.92

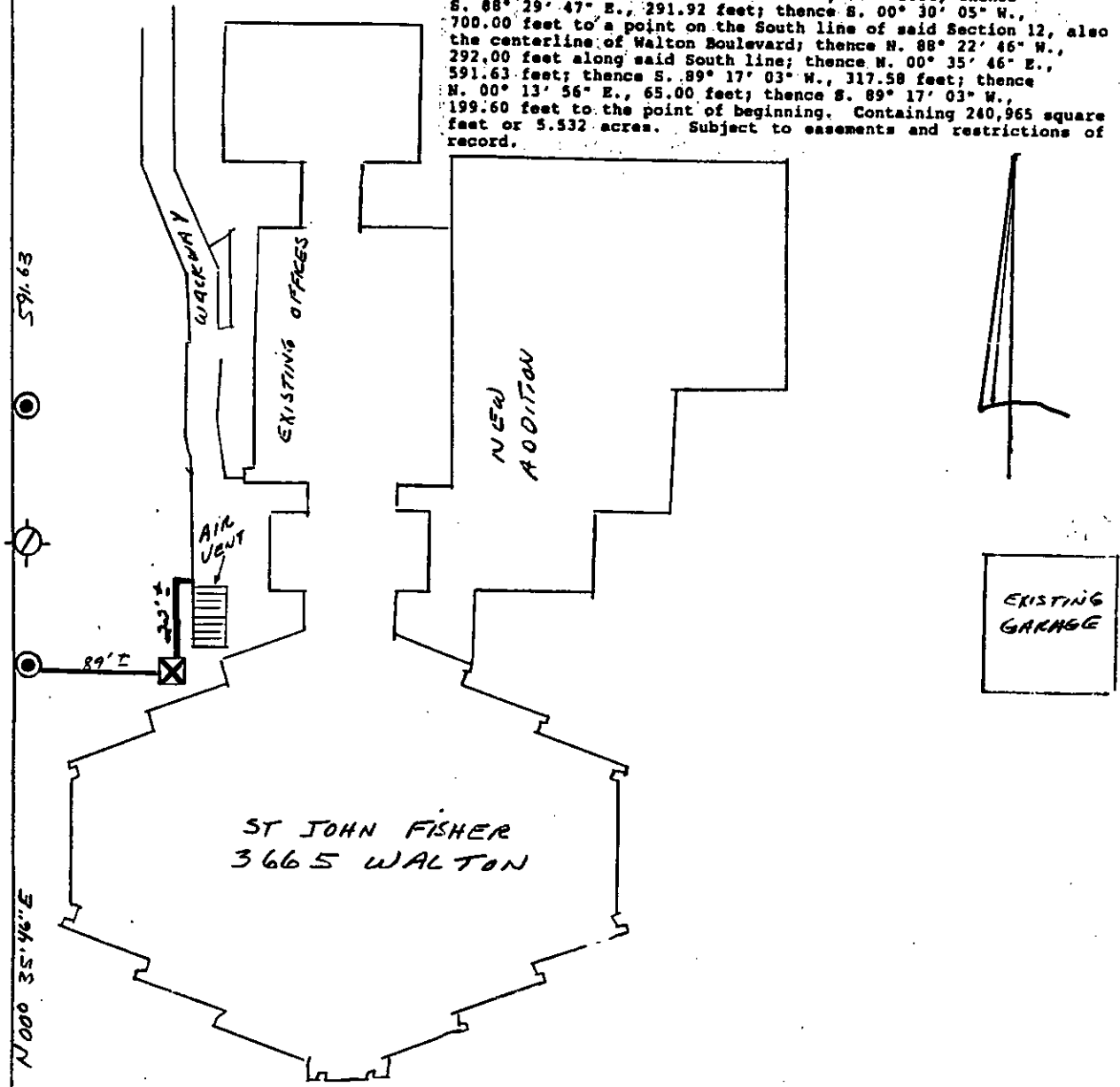
LIBER 13786 PG 837

NORTH ENTRANCE DRIVE

317.58
S 89° 17' 08" W

LEGAL DESCRIPTION

Part of the S.E. 1/4 of Section 12, T.3N., R.10E., City of Auburn Hills, Oakland County, Michigan, described as: Beginning at a point on the North and South 1/4 line of said Section 12 and the centerline of Squirrel Road (66.00 feet wide), distant N. 00° 13' 56" E., 635.62 feet from the South 1/4 corner of said Section 12; thence continuing along said North and South 1/4 line, N. 00° 13' 56" E., 26.47 feet; thence N. 88° 06' 58" E., 517.08 feet; thence N. 00° 03' 30" E., 5.77 feet; thence S. 88° 29' 47" E., 291.92 feet; thence S. 00° 30' 05" W., 700.00 feet to a point on the South line of said Section 12, also the centerline of Walton Boulevard; thence N. 88° 22' 46" W., 292.00 feet along said South line; thence N. 00° 35' 46" E., 591.63 feet; thence S. 89° 17' 03" W., 317.58 feet; thence N. 00° 13' 56" E., 65.00 feet; thence S. 89° 17' 03" W., 199.60 feet to the point of beginning. Containing 240,965 square feet or 5.532 acres. Subject to easements and restrictions of record.



R/W - R 9203451-10R

PLNR: - FRANK E. WALLIS
N 88° 22' 46" W, 292'

700.00
111.5' 08' 00 S

RECORDED RIGHT OF WAY NO. 44963

WALTON PLVD.

RETURN TO
TERRY L. BENEDICT
THE DETROIT EDISON COMPANY
1970 ORCHARD LAKE RD.
SYLVAN LAKE, MI 48320