

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9206590-01

On 4-23-93, 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:

T. H. B. Building and Development Company, a Michigan Corporation, 25743 Van Dyke, Centerline, Michigan 48015

"Grantee" is:

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

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

The North 5 acres of South 10 acres of North 15 acres of East 50 acres of Southeast 1/4 Section 27, T3N, R11E exc North 100 feet, also exc beginning at point distance South 555.56 feet from East 1/4 corner, thence South 86°38'40" West 658.10 feet, thence North 00°03'50" East 127.36 feet, thence North 85°38'40" East 657.40 feet, thence South 127.30 feet to beginning. 1.50 Acres - Sidwell No: 15-27-427-015 also part of Southeast 1/4, Section 27, T3N, R11E beginning at point distance South 655.56 feet from East 1/4 corner, thence South 85°38'40" West 661.25 feet, thence South 00°03'50" West 76.33 feet, thence North 85°38'00" East 484.99 feet, thence North 89°27'00" East 174.91 feet, thence North 88 feet to beginning. 1.24 Acres - Sidwell No: 15-27-427-016

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

As shown on attached Right of Way Drawing No. R-9206590-01, dated March 8, 1993. The right of way is ten (10) 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's and Grantee's successors, lessees, licensees and assigns.

Witnesses:(type or print name below signature)

Shirley A. Edwards
SHIRLEY A. EDWARDS

Bill W. Borowy
BILL W. BOROWY

Grantor:(type or print name below signature)
T.H.B. BUILDING AND DEVELOPMENT COMPANY

BY: Thomas H. Borowy
THOMAS H. BOROWY

ITS: Pres.

RECORDED RIGHT OF WAY NO. 44594

Acknowledged before me in MACOMB County, Michigan, on 4-23- 1993 by THOMAS H. BOROWY, the Pres, of T. H. B. Building and Development Company, for the Company.

Notary's Stamp BILL W. BOROWY Notary Public, Macomb County, MI My Commission Expires July 2, 1994 Notary's Signature [Signature]

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

Return-over

OK - G.K.

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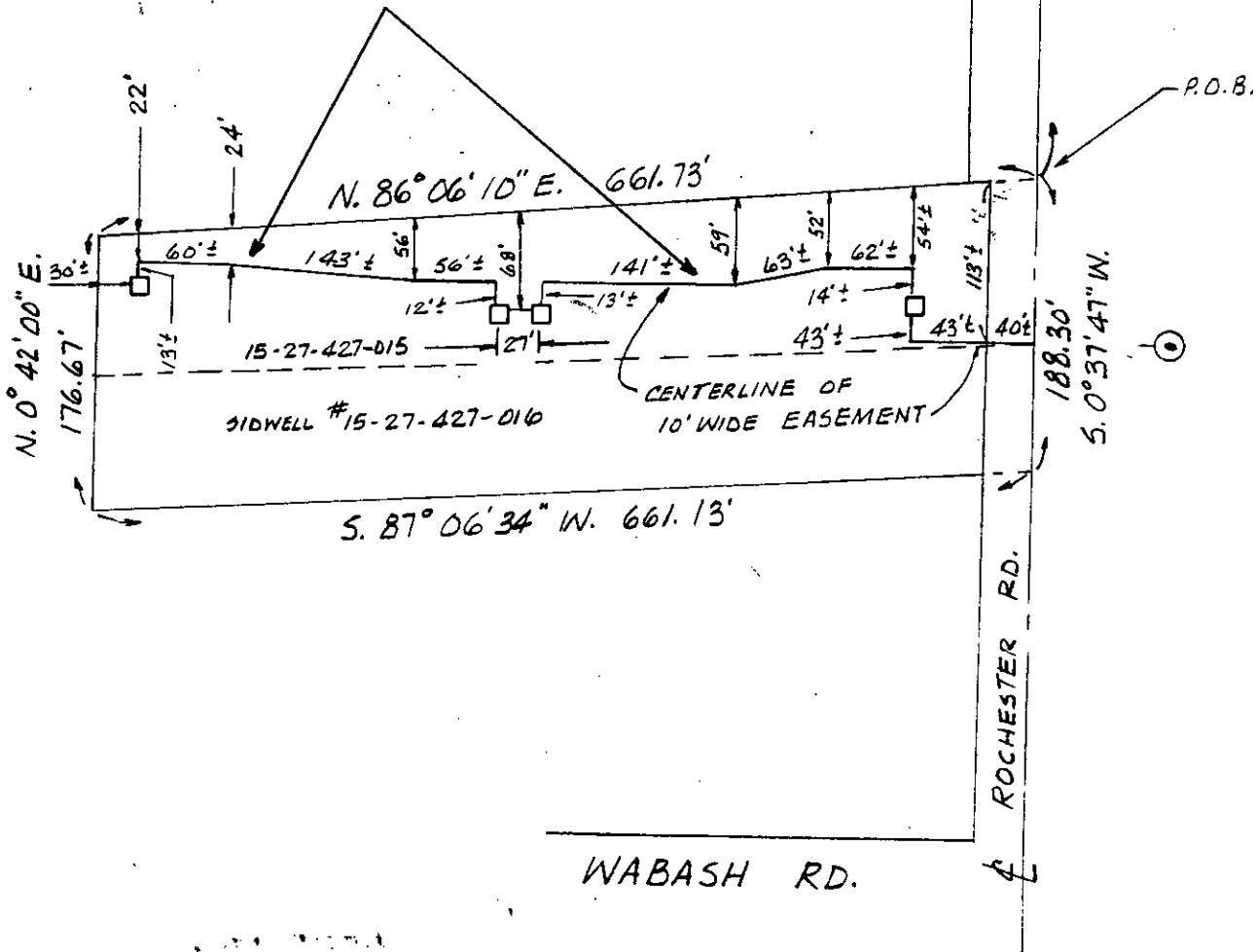
**RETURN TO:
TERRY L. BENEDICT
THE DETROIT EDISON COMPANY
1970 ORCHARD LAKE ROAD
SYLVAN LAKE, MI 48320**

APPROVED AS TO FORM 6/3/93 DATE
LEGAL DEPARTMENT SPR

LIBER 1385.636

EAST 1/4 COR.
SEC. 27
T. 3N., R. 11E.

CENTERLINE OF 10 FOOT WIDE EASEMENT
Note: The easement centerline may vary if field construction problems arise. Therefore, for the as-installed easement centerline call 1-800-482-7171 (Miss Dig).



YMA...
"REGAL OFFICE PLAZA"

R-9206590-01
LARRY T. MURRAY
3-8-93

RECORDED RIGHT OF WAY NO. 74894
76877

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