

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9302101-02

On AUG 31st, 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".

Avondale School District, 2359 Waukegan, Auburn Hills, Michigan 48326

"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:

Part of the Northeast 1/4 of Section 33, T3N, R11E, City of Rochester Hills, Oakland County, Michigan, being more particularly described as follows: Beginning at a point which is North 85°29'23" W 1085.00 feet along the East and West 1/4 line of Section 33 from the East 1/4 corner of Section 33, T3N, R11E; thence North 85°29'23" W 1060.00 feet along the East and West 1/4 line of Section 33; thence North 01°42'50" E 138.00 feet; thence North 85°29'23" W 160.00 feet; thence North 01°42'50" E 799.08 feet along the North and South 1/4 line of Section 33; thence South 89°07'00" E 1000.00 feet; thence South 07°02'05" W 174.80 feet; thence South 01°47'52" W 402.65 feet; thence South 07°33'49" E 106.70 feet; thence South 31°40'51" E 106.59 feet; thence South 37°39'55" E 165.28 feet; thence South 24°15'03" E 124.97 feet to the point of beginning. The centerline of the 10 foot easement may vary if field construction problems arise. Therefore, for the as-installed easement centerline call 1-800-482-7171 (Miss Dig). Containing 974,902 Square Feet. 22.381 acres. Sidwell No: 15-33-200-016 Pt of

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

A 10 feet wide easement with its centerline described as follows: Beginning at a point located on the North property line, located approximately 565 feet East of the West property line; thence in a Southerly direction approximately 475 feet to a point, said point located approximately 565 feet East of the West property line and point of ending. The right of way is ten 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)

Beverly Pittner
Beverly Pittner
Tim McAvoch
 Tim McAvoch

Grantor: Avondale School District
 BY: Donald L. Cloutier
 ITS: Manager of Facilities and Construction

Acknowledged before me in Oakland County, Michigan, on Aug. 31, 1993 by Donald L. Cloutier, the Manager of Facilities and Construction.

Notary's Stamp JULIE M. BALLARD Notary Public, Oakland County, Michigan
 My Commission Expires December 11, 1994 Notary's Signature Julie M. Ballard

Prepared by and Return to: Terry L. Benedict, 1970 Orchard Lake Road, Sylvan Lake, Michigan 48320 O.K. - J.S.

RECORDED RIGHT OF WAY NO. 415352-2

0001 NOV 29 1993 12:09 PM
 5886 MSC 7.00

B#92 REG/NEEDS PAID
 0001 NOV 29 1993 12:09 PM
 5886 RPT FEE 2.00

7.00
2.00 RPT FEE