

Detroit Edison

120128

126118373

OVERHEAD AND UNDERGROUND EASEMENT (RIGHT OF WAY) NO. 0-1652

On Feb 24, 1992, for the consideration of system betterment, Grantor grants to Grantee a permanent overhead and underground easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

"Grantor" is:

R & R Car Wash Ltd, a Michigan corporation, 630 M-15, Ortonville, Michigan 48462

"Grantee" is:

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

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

Sec 8, T5N, R9E, Part of NW 1/4 Beg at Pt Dist N 00°03'22" E 495 Ft from Cen of Sec, Th N 89°41'44" W 662.55 Ft, Th N 00°14'18" E 165 Ft, Th S 89°41'44" E 662.03 Ft, Th S 00°03'22" W 165 Ft to Beg. 2.51 Acres - Sidwell No: 03-08-176-009.

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

The N 12 Ft of the West 200 Ft of the East 388 Ft.

- 1. Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain overhead and 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.

RECORDED RIGHT OF WAY NO. 42918

Witnesses: (type or print name below signature)

James A. Williams
JAMES A. WILLIAMS

Low Williams
LOW WILLIAMS

Grantor: (type or print name below signature)

R & R Car Wash Ltd.

BY: Roger L. Piddington
ROGER L. PIDDINGTON

ITS: President

B#92 REG/DEEDS PAID
0001 MAY.15 92 11:59AM
1496 PNT.FEE 2.00

9.00
2.00

O.K. - LM