

Real Estate and Rights of Way

Detroit Edison

Joint Overhead and Underground Right of Way Agreement

OCTOBER 12TH, 19 89

For good and valuable consideration of system betterment, the undersigned hereby grant and convey to THE DETROIT EDISON COMPANY, a Michigan corporation of 2000 Second Avenue, Detroit, Michigan, and _____

Michigan Bell Telephone Company, a Michigan corporation of

444 Michigan Avenue, Detroit, Michigan 48226

hereinafter referred to collectively as 'GRANTEE,' the right to construct, reconstruct, modify, add to, operate and maintain overhead and underground line facilities consisting of poles, guys, anchors, conduits, wires, cables, manholes, transformers and accessories required to provide electric and communication services in, under, upon,

over and across property located in the Township of Lyon, County of Oakland, State of Michigan, further described as:

Commencing at the South 1/4 corner of Section 31, T1N, R7E, thence N. 89°40'00" E., 662.55 ft. along the South line of said Section and the centerline of Eight Mile Road to the Point of Beginning, thence N. 00°53'30" W. 657.96 ft., thence N. 89°40'00" E. 329.37 ft., thence S. 01°11'00" E. 657.99 ft., thence S. 89°49'00" W. 332.72 ft. along the South line of said Section and the centerline of Eight Mile Road to the Point of Beginning, said parcel being a part of the S.E. 1/4 of Section 31, T1N, R7E, Lyon Township, Oakland County, Michigan, and containing 5.00 acres of land more or less, being subject to the rights of the public over the Northerly 33 ft. of Eight Mile Road, also being subject to easements and restrictions of record, if any; also having and granting the rights of ingress and egress over a 66 ft. wide strip of land having a centerline described as follows: Commencing at the South 1/4 corner of said Section 31, thence N. 89°40' E. 695.55 ft. along the South line of said Section and the centerline of Eight Mile Road to the Point of Beginning, thence N. 00°53'30" W. 1323.92 ft. to the Point of Termination.

Sidwell No. 21-31-400-041 -Part Parcel

A#36 REG/DEEDS PAID
0001 DEC.08 '89 12:17PM
6004 1192 9.00

as shown on the attached drawing R/W 0-9531 dated 10-3-89 which is made a part hereof.

The right of way is six (6) feet in width.

The rights hereby granted include the right of access to and from the right of way and the right to trim, cut down or otherwise control trees, brush or roots of any kind either within the right of way or on property adjoining the right of way which in the opinion of the GRANTEE interferes with the construction or operation of the line facilities. It is expressly understood and agreed that the GRANTEE shall, at no time, trim or cut down any trees unless, in the GRANTEE'S opinion, it is absolutely necessary to do so. The GRANTEE shall restore premises to its original condition or as near as can be in the event of damages caused by its employes, contractors, vehicles and equipment entering premises for the purposes set forth herein.

No buildings or structures are to be placed within said right of way herein granted without the written consent of the GRANTEE.

This grant is declared to be binding upon the heirs, successors, lessees, licensees and assigns of the parties hereto.

IN WITNESS WHEREOF, the undersigned have hereunto set their hand(s) on the date of this agreement.

Witnesses:

Grantors:

9.00

C. George Williams
C. George Williams
Annie Grimmett
ANNIE GRIMMETT

Martin M. Sudut
Martin M. Sudut
Margaret M. Sudut
Margaret M. Sudut, his wife

Prepared by: C. George Williams/vkc
The Detroit Edison Company
30400 Telegraph Road, Suite 277
Birmingham, MI 48010

Address: 20990 Laser Lane
South Lyon, MI 48178

O.K. - JH

APPROVED AS TO FORM 11/1/89 DATE
LEGAL DEPARTMENT

RECORDED RIGHT OF WAY NO. 40109

1941

1941



(Beginning at the Point of Transition)

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RETURN TO
J. D. McDONALD
THE DETROIT EDISON COMPANY
30400 TELEGRAPH ROAD, 277 OAKDH
BIRMINGHAM, MICHIGAN 48010

State of Michigan)
) SS:
County of Oakland)

On this 12TH day of OCTOBER, 1989, the foregoing instrument was acknowledged before me, a notary public in and for said county, by **Martin M. Sudut** and **Margaret M. Sudut**, his wife.

My Commission Expires: 12-2-91

C. GEORGE WILLIAMS
Notary Public, Oakland County, MI
My Commission Expires Dec. 2, 1991

C. George Williams
C. George Williams
Notary Public, **OAKLAND**
County, Michigan

RECORDED RIGHT OF WAY NO. 46109

RETURN TO
J. D. McDONALD
THE DETROIT EDISON COMPANY
30400 TELEGRAPH ROAD, 277 OAKDH
BIRMINGHAM, MICHIGAN 48010

APPLICATION FOR RIGHT OF WAY

15-7455 (MS 80)

*Lyon strip
Sec 31*

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

LOCATION 20981 LASER LN NR 8 MILE

DATE 10-3-89

APPLICATION NO. Ø-9531 (R1)

CITY OR VILLAGE _____

DEPT. ORDER NO. _____

TOWNSHIP LYON

COUNTY OAKLAND

O. F. W. NO. _____

BUDGET ITEM NO. 9MHOB-MDH

DATE BY WHICH RIGHT OF WAY IS WANTED _____

INQUIRY NO. _____

THIS R/W IS 100 % OF TOTAL PROJECT NO. _____ ACCUM. _____ %.

JOINT RIGHT OF WAY REQUIRED YES NO

NOTE: Identify on print or sketch the subdivisions as to section location and liber and page.

KIND AND DESCRIPTION OF RIGHT OF WAY REQUESTED 6' PVT U.G. EASEMENT FOR DEC. + MBT.

PURPOSE OF RIGHT OF WAY TO PROVIDE SERVICE TO 20981 LASER LN.

RECORDED RIGHT OF WAY NO.

SIGNED J. DEKIMPE / *gdf*
240 ODHQ OFFICE ENG. + PLANNING DEPARTMENT

40107

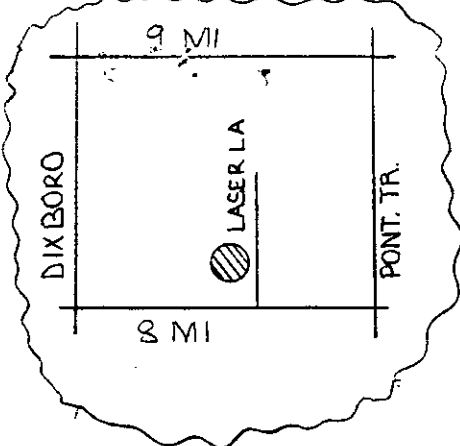
REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

Joint recordable underground right of way obtained as requested per attached drawing. Contacts made by C. George Williams, Representative; Real Estate, Rights of Way and Claims; Oakland Division.

PERMITS IN RECORD CENTER 2 R.E. & R/W DEPT. FILE 2 GRANTOR Sudut & Kiernan

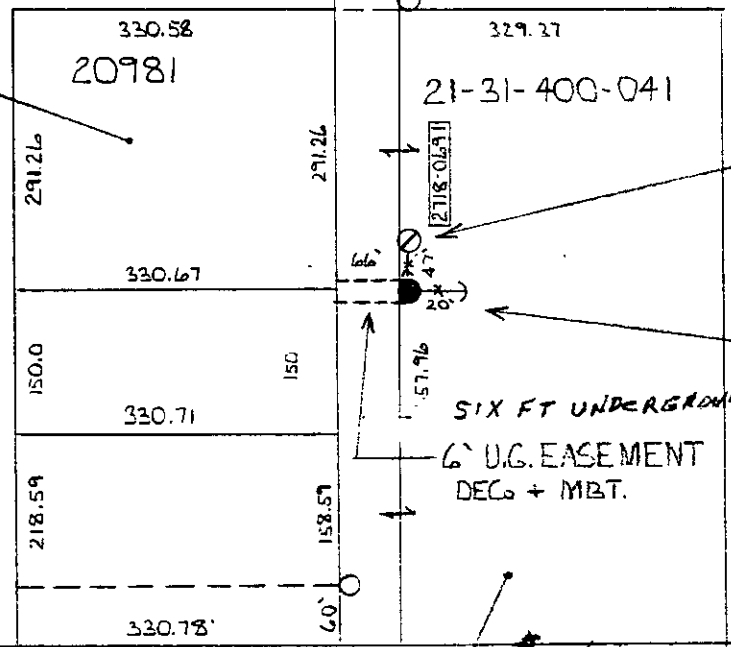
NO. OF PERMITS 2 NO. OF STRUCTURES _____ NO. OF MILES _____ PERMITS TO MBT 2

DATE November 9, 1989 SIGNED James D. McDonald
James D. McDonald, Sr. Representative



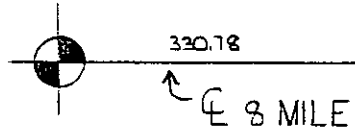
LIBER 111810638

R/W SECURED
 TERRY + YVONNE KIERNAN
 TEL: 437-3813



RM POLE + DOWN GUY
 IN NEW POLE 47' S OF ORIG. POLE
 GUY WIRE TO EXTEND 20' EASTWARD FROM POLE.
 SIX FT UNDERGROUND
 6' U.G. EASEMENT DEC + MBT.

S 1/4 CORNER
 SECT. 31



R/W SECURED
 MARTIN SUDUT
 20980 LASER LA
 SOUTH LYON, MI

RECORDED RIGHT OF WAY NO. 40109

REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH	ISSUES TO:
BY <u>C. GEORGE WILLIAMS</u>	RECORD 2
DATE <u>10-16-89</u>	FILE -
WARRANTED	2
DISTRICT	ORIGINATOR 2
FIELD	2

LEGEND	
	FOREIGN POLE
	EXIST D.E. CO. POLE
	PROPOSED POLE
	EXIST ANCHOR
	PROPOSED ANCHOR
	TREE
	120/240 VOLT LINE
	4800 VOLT LINE
	13,200 VOLT LINE
	40,000 VOLT LINE

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT			
CITY OR TOWNSHIP <u>LYON</u>	COUNTY <u>OAKLAND</u>	QTR. & TWP. SECT. NO. <u>SE 1/4 SECT. 31</u>	DEPT. ORDER NO.
MAP SECT. <u>2-178-340</u>	TOWN <u>TIN</u>	RANGE <u>R7E</u>	JOINT R/W REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
PROJECT NAME <u>TERRY KIERNAN</u>	TEL ENGR & DIST. <u>LARRY BURT</u>	R/W NO. <u>Ø-9531 (R1)</u>	
CIRCUIT <u>D.C. 8824 CODY</u>	PROJ. OR PART NO.		
REASON <u>NEW SERVICE TO 20981 LASER LA</u>	O.F.W. S.O. OR P.E. NO.		
PLANNER <u>J. DEKIMPE</u>	BUDGET ITEM NO. <u>9MH03-MDH</u>		
SCALE <u>1"=200'</u>		DATE <u>10-3-89</u>	

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BIRMINGHAM, MICHIGAN 48010