

OCTOBER 4, 1989

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, MICHIGAN BELL TELEPHONE COMPANY, a Michigan Corporation of 444 Michigan Avenue, Detroit, Michigan, and United Cable Television a Michigan corporation of 4500 Delemere P.O. Box 1049, Royal Oak, MI 48068, hereinafter referred to collectively as "GRANTEE," the right to construct, reconstruct, modify, add to, operate and maintain underground line facilities consisting of poles, conduits, wires, cables, manholes, transformers and accessories required to provide electric and communication services in, under, upon and across property located in the Township of Oakland, County of Oakland, State of Michigan, further described as follows:

Parcel "4" A part of the East 1/2 of the N.E. 1/4 of section 4, T4N, R11E, Oakland Township, Oakland County, Michigan, and being more particularly described as: beginning at a point being distant 131.80 feet due West and 1073.19 feet S. 00°40'29" E. from the Northeast corner of said section 4; thence continuing S. 00°40'29" E. 905.85 feet; thence due East 131.80 feet to a point on the East line of said section 4; thence along said East line of section 4, S. 00°40'29" E. 960.93 feet, thence N. 88°42'38" W. 331.17 feet; thence N. 00°40'29" W. 1137.68 feet, thence N. 47°44'16" W. 512.00 feet, thence N. 30°21'17" E. 542.20 feet, thence S. 72°57'31" E. 309.19 feet to the point of beginning and contains 15.5299 acres more or less.

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Part of Sidwell #10-04-200-002

Det 001

R#36 REG/DEEDS PAID
0001 DEC.08'89 12:13PM
5999 MISC 9.00

as shown on the attached drawing Ø-9608 DATED 9/5/89 which is made a part hereof.

The right of way is 10' (Ten) 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:

Mark J. Arney
MARK J. ARNEY
Gerald S. Misiak
GERALD S. MISIAK

Jerome S. Silver
JEROME S. SILVER
Muriel Silver
MURIEL SILVER, HIS WIFE

9.00

[Signature]

Prepared by: Gerald S. Misiak
The Detroit Edison Co.
30400 Telegraph Rd., Ste 277
Birmingham, MI 48010

Address: 7244 PEBBLE POINT
WEST BLOOMFIELD, MI., 48322

RECORDED RIGHT OF WAY NO. 40130

APPROVED AS TO FORM 10-13-89 DATE
LEGAL DEPARTMENT... *[Signature]*

State of Michigan

County of Oakland)SS

On this 4th day of October, 1989, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Jerome S. Silver and Muriel Silver, his wife.

My Commission Expires: March 9, 1992

Laura Beth Muzzarelli
Notary Public, Macomb County, Michigan

LAURA BETH MUZZARELLI
Notary Public, Macomb County, Michigan
My Commission Expires March 9, 1992

RECORDED RIGHT OF WAY NO. 40130

ORIGINAL

NOT RECORDED
IN ORIGINAL

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

1961

1961

RETURN TO
J. D. McDONALD
THE DETROIT EDISON COMPANY
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BIRMINGHAM, MICHIGAN 48010