

LIBER 04665 PG 152

Real Estate and Rights of Way

Detroit Edison

Joint Underground Residential Distribution Right of Way Agreement

B433364

LIBER 04806 PG 852

May 22, 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 Harron Cable Television, a Delaware corporation of 55800 New Haven, MI 48048 hereinafter referred to collectively as "GRANTEE", the right to erect, lay, maintain, reconstruct, add to and replace underground facilities consisting of wires, cables, conduits, fixtures and appurtenances including the necessary above ground equipment, connections, poles and accessories required in, under, upon, over and across the property located in the Township of Bruce, County of Macomb State of Michigan, and more particularly described on the attached Appendix "A"; with the full right to the GRANTEE of ingress and egress upon said property for the purposes of this grant, and the further right to trim, cut down or otherwise control brush and trees within the right of way herein described.

Said right of way shall be ten (10) feet in width unless otherwise indicated and the route is described as follows:

The exact location of said easements will be as shown on a drawing to be recorded within 90 days after construction.

RECORDED IN MACOMB COUNTY RECORDS AT: 12:52p. M. JAN 29 1990

Edna Mill... CLERK - REGISTER OF DEEDS MACOMB COUNTY, MICHIGAN

RECORDED IN MACOMB COUNTY RECORDS AT: 2:15P M. JUN 14 1989

Edna Mill... CLERK - REGISTER OF DEEDS MACOMB COUNTY, MICHIGAN

RECORDED RIGHT OF WAY NO. 40199

Being Re-Recorded to include Appendix B

In order to provide for the proper maintenance and protection of GRANTEE, the undersigned covenant and agree that:

- 1. The right of way will be graded to within four inches of final grade before the GRANTEE'S lines are installed and this ground elevation must be maintained after installation of utilities to avoid the pooling of water in, on or around GRANTEE'S above ground equipment.
2. No buildings or structures other than GRANTEE'S equipment are to be placed within the right of way herein granted. No excavation is to be permitted within said right of way without approval of GRANTEE.
3. No shrubs or foliage shall be planted or grown within eight feet of the front door of transformers or switching cabinet enclosures. GRANTEE shall not be responsible to owners for damages to or removal of trees or plant life planted in front of said door or within the right of way causing an interference with GRANTEE'S maintenance of their equipment.
4. If the lines or facilities of GRANTEE are damaged by the acts of owners, their agents, employes or contractors, repairs shall be made by the granting company so damaged at the cost and expense of owners. Owners are defined as those persons owning the property at the time the damage occurred.

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:

X Margaret M. Giroux

X Raisa Medvinsky

JIMCAM a Michigan Co-Partnership

James A. Williams, general partner

Prepared by: & return to: Susan Putrycus 15600 - 19 Mile Road Mt. Clemens, MI 48044

Address: 380 N. Woodward, Suite 300 Birmingham, MI 48009

Acknowledgement-Individual

STATE OF MICHIGAN

County of _____)SS

On this _____ day of _____, 19____, the foregoing instrument was acknowledged before me, a notary public in and for said county, by _____

Notary Public, _____ County, Michigan

My commission expires _____

Acknowledgement-Individual

STATE OF MICHIGAN

County of _____)SS

On this _____ day of _____, 19____, the foregoing instrument was acknowledged before me, a notary public in and for said county, by _____

Notary Public, _____ County, Michigan

My commission expires _____

RECORDED RIGHT OF WAY NO. 40199

Acknowledgement-Corporation

STATE OF MICHIGAN

County of _____)SS

On this _____ day of _____, 19____, the foregoing instrument was acknowledged before me, a notary public in and for said county, by _____

whose title(s) is /are _____

of _____, a _____ corporation, on behalf of the corporation.

Notary Public, _____ County, Michigan

My commission expires _____

Acknowledgement-Partnership

STATE OF MICHIGAN

County of Oakland)SS

On this 22nd day of May, 19 89, the foregoing instrument was acknowledged before me, a notary public in and for said county, by James A. Williams

(a) general/managing partner(s), on behalf of JIMCAM, a Michigan CO- partnership.

Margaret M. Giroux
Margaret M. Giroux
Notary Public, Oakland County, Michigan

MARGARET M. GIROUX
Notary Public, Oakland County, Michigan
My Commission Expires November 27, 1989

My commission expires 11-27-89

(LIBER 04665 P¹ 54)

APPENDIX "A"

LIBER 04806 PG 854

"SPRINGBROOK ESTATES MOBILE HOME PARK", A parcel of land located in a part of the Southeast 1/4 of the Southwest 1/4 of Section 26, T5N, R12E, Bruce Township, Macomb County, Michigan, being more particularly described as: Beginning at a point distant S 00°31'01" West 667.02 feet along the West line of said Section 26 and S 89°33'11" East 400.0 feet from the West 1/4 corner of said Section 26; thence from said point of beginning S 89°33'11" East 2257.99 feet to a point on the North and South 1/4 line of said Section 26 and along said line S 00°11'47" East 994.79 feet; thence S 89°48'13" West 181.50 feet; thence S 00°11'47" East 240.0 feet; thence S 89°48'13" West 1155.34 feet; thence N 00°09'58" East 376.57 feet; thence N 60°05'13" West 1072.38 feet; thence N 00°31'01" East 345.64 feet to the point of beginning.

RECORDED RIGHT OF WAY NO. 40199

Bruce Twp

SEC 26

Detroit
Edison

Date: February 26, 1990
To: Records Center
From: Michael J. McCabe *MJM*
Sr. Real Estate, Rights of Way and Claims Representative
Macomb Division
Subject: Right of Way Agreement for Underground Residential
Distribution for Springbrook Estates Mobile Home Park,
located in part of the Southeast 1/4 of the Southwest
1/4 of Section 26, Town 5 North, Range 12 East, Bruce
Township, Macomb County, Michigan

Attached for Records Center is the executed Right of Way
Agreement, dated May 22, 1989, and other pertinent papers for the
above named project.

Easement for this project was requested by Terrence Marries,
Service Planner, Macomb Division. The Agreement was negotiated
by Susan Putrycus, Representative of Real Estate, Rights of Way
and Claims, Macomb Division.

Detroit Edison Company, Harron Cable Television and Michigan Bell
Telephone Company made this agreement with JIMCAM, James A.
William, General Partner, the developers of Springbrook Estates
Mobile Home Park.

Please make the attached papers a part of recorded Rights of Way
file.

MJM/caw

Attachment

RECORDED RIGHT OF WAY NO.

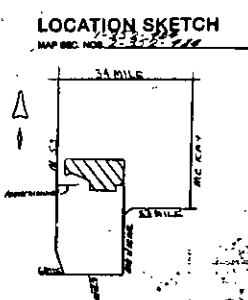
40199

Serving Customers

We're all a part of it!

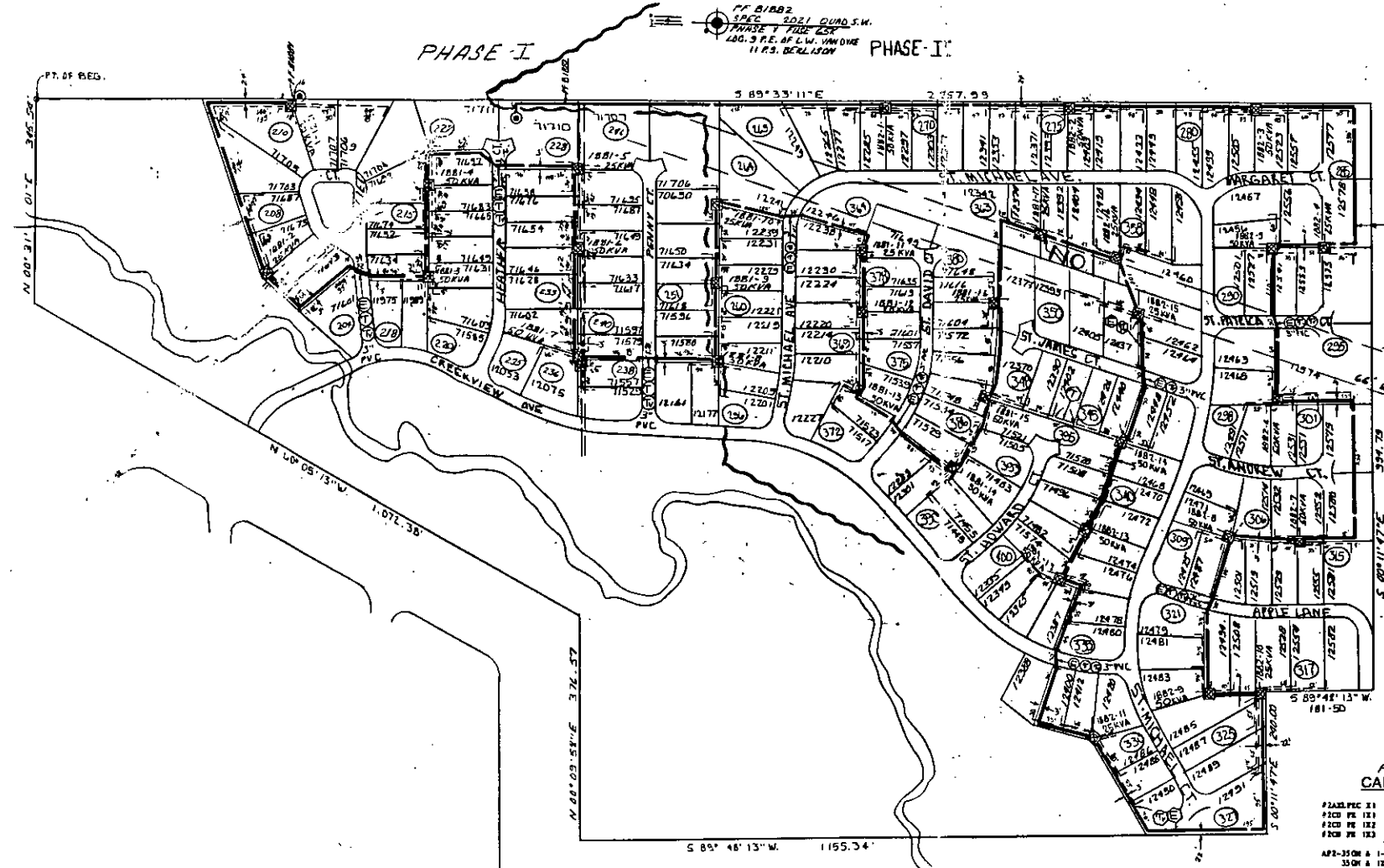
LIBER 04806PG855

LIBER 04806PG856



FF B 1881
SPEC 7071 QUAD S.W.
PHASE I BUSE C5K
LOC. S.E. OF L.W. HANCOCK
11 P.S. BERLISON

FF B 1882
SPEC 7071 QUAD S.W.
PHASE I BUSE C5K
LOC. S.E. OF L.W. HANCOCK
11 P.S. BERLISON



TRANSFORMER DATA table with columns: U.D.T. NO., SIZE, ED. STK. NO. Includes entries for 1881-1 through 1882-14.

- TRANSFORMER SPEC: 1-17-241
- PEDESTAL SPEC:
- NO. OF PEDESTALS:
- NO. OF TEMPORARY CABLE MARKERS:
- TEMPORARY CABLE MARKER SPEC:
- SECONDARY CONNECTION BOX SPEC:
- CODE: Includes symbols for temporary secondary pedestal, cable markers, and cabinets.
- CABLE SUMMARY: ITEM #, SERVICE, VOLTAGE, etc.
- TRENCH SUMMARY: JOINT USE, D.E. ONLY, etc.
- GENERAL NOTES: TRENCHING TO BE DONE BY D.E. CO., etc.
- PERMITS REQUIRED: CITY, COUNTY, STATE.

PHASE II CABLE SUMMARY

2242.5' FC 11 13.2KV 713-3073-6274
713-3074
713-3075
713-3076
713-3077
713-3078
713-3079
713-3080
713-3081
713-3082
713-3083
713-3084
713-3085
713-3086
713-3087
713-3088
713-3089
713-3090
713-3091
713-3092
713-3093
713-3094
713-3095
713-3096
713-3097
713-3098
713-3099
713-3100

TRENCH SUMMARY

JOINT USE 5,545' SERVICE 2400'
D.E. ONLY
TEL. ONLY
GAS ONLY
CITY ONLY
OTHERS
TOTAL 8585'

GENERAL NOTES

SITE BY: J. WILLIAMS PHONE 442-0333
P.L.E. SERVICE PLANNER: J. HARRIS 746-3473
TYP. COURTESY: D. WOLFE 466-1044
GAS CO:
CITY: HARRON R. JEROME 749-3541

APPENDIX B

TITLE BLOCK
D.O. 7/1/85
S.D. 7/1/85
PLAN 2-1-85
FIELD 2-1-85
TYPE: N.W.S.E.D.
LABOR: HARRON R. JEROME
SPECIALIST: P. GARRA
REVISION: P. GARRA

Revision table with columns: NO., REVISION, DATE. Includes entries for 'SHOWN AS INSTALLED IN FIELD PH. I' and 'REVISED TO SHOW PHASE II'. Includes a table for 'PERMITS REQUIRED' with columns: PERMITS, CITY, COUNTY, STATE.

RECORDED RIGHT OF WAY NO. 40199