

Detroit Edison

LIBER 04958 PG 364
Real Estate and Rights of Way
Joint Overhead
Right of Way Agreement

LIBER 049 PG 936

7/1/00
B488633
B505985

July 19, 19 90

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 Comcast Cablevision, a Delaware corporation of 6065 Wall St., Sterling Heights, Michigan, hereinafter referred to collectively as "GRANTEE," the right to construct, reconstruct, modify, add to, operate and maintain overhead line facilities consisting of poles, guys, anchors, wires, cables, transformers and accessories required to provide electric and communication services in, upon, over and across property located in the City of Mt. Clemens, County of Macomb, State of Michigan, further described as follows:

See Attached Legal Description:

RECORDED IN MACOMB COUNTY
RECORDS AT: 1:21 P.M.

SEP 19 1990

Edna Muller
CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

RECORDED IN MACOMB COUNTY
RECORDS AT: 9:30 A.M.

JUL 26 1990

Edna Muller
CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

COPYING RE-RECORDED TO REFLECT CORRECTION IN LEGAL DESCRIPTION ON PAGE TWO.

RECORDED IN MACOMB COUNTY
40845

The route of the line facilities is described as follows: In a Northerly and Southerly, also in a Easterly and Westerly direction across said land as is more particularly described on the succeeding page of this document.

The right of way is 12 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 brush and trees 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:

Francis J. Henschel Jr.
Arthur D. Smith

Grantors:

Riverside Associates,
a Michigan Co-Partnership

BY:

Gregory S. Anton
Gregory S. Anton PARTNER

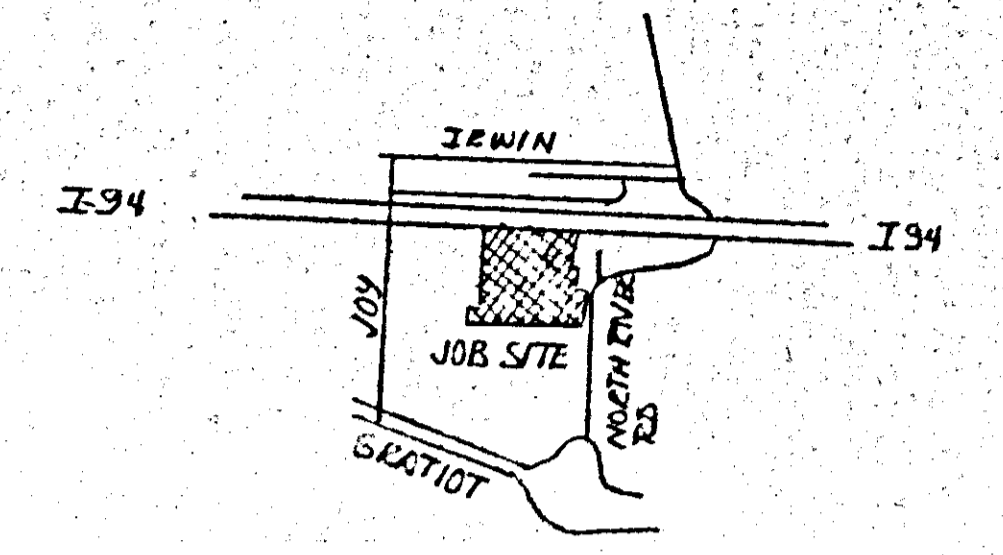
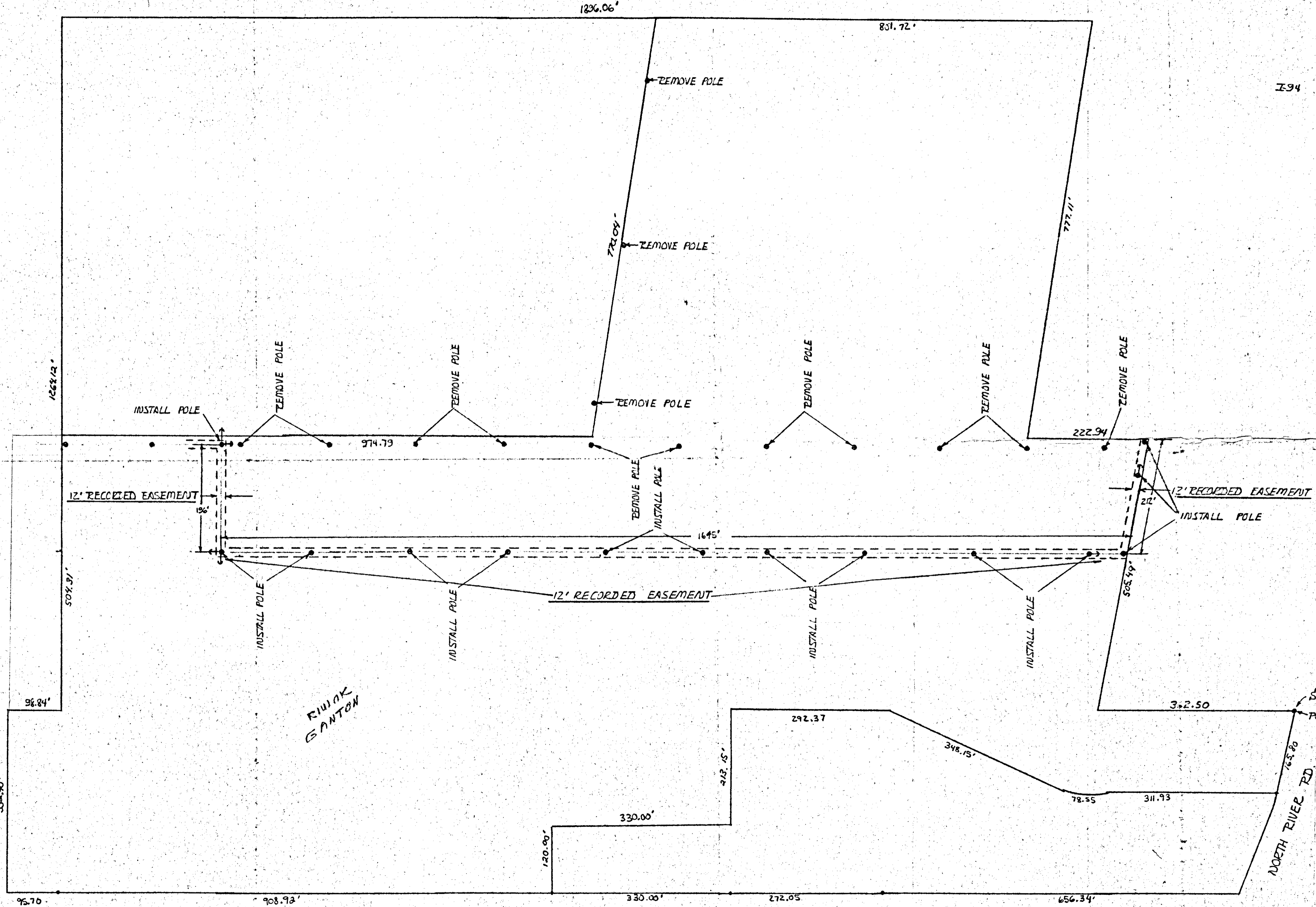
Prepared by: Michael J. McCabe
15600 Nineteen Mile Road
Mt. Clemens, Michigan 48044

Address: 81 Macomb
Mt. Clemens, Michigan 48043

NORTH

EDSEL FORD FREEWAY (I-94)

RECORDED RIGHT OF WAY
R40845



SOUTH EAST CORNER LOT 3
POINT OF BEGINNING

| THE DETROIT EDISON COMPANY SERVICE PLANNING DEPARTMENT | | | |
|--|----------------------------|--------------------------|-------------------------|
| CITY OR TOWNSHIP HARR | COUNTY MACQUINN | TWP. SECT. NO. PC 172 | DEPT. ORDER NO. |
| MAP SECT. 1-3194-402 | TOWN 2N HE | RANGE 10E | R/W NO. MC-M332 |
| TELEPHONE ENGINEER | NO. 1 | NO. 2 | D.P.M. S.O. OR P.E. NO. |
| CIRCUIT TR5 2316 | PROJECT NAME 2444 OMEGA | BUDGET ITEM NO. | |
| REASON RELOCATION | SCALE 1" = 100' | DATE 7-5-90 | |
| LAYOUT BY P. RMD | DATE | | |

RECORDED RIGHT OF WAY NO. 40845

R40845