

Detroit Edison

**Real Estate and Rights of Way
Joint Underground
Right of Way Agreement**

LIBER 11653 PG 752

September 6, 1990

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 48164, UNITED CABLE TELEVISION OF OAKLAND COUNTY, LTD., a Michigan corporation of 4500 Delemere, Royal Oak, Michigan 48073, 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, over and across property located in the **Township of Orion, County of Oakland**, State of Michigan, further described as follows:

The North 10 ft., of the South 70 ft., of part of the West 1/2 of the N.W. 1/4 of section 4, T4N, R10E, described as beginning at the W. 1/4 corner of said section 4; thence N. 87° 10'00" E. along the East-West 1/4 line 313.05 ft., thence N. 484.24 ft., thence West 311.17 ft., to the West section line, thence S. 00° 09'46" West along the section line 499.75 ft., to the point of beginning.

Sidwell No. 09-04-151-003

The right of way is 10' (Ten) feet in width.

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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:

7.00
FR

Mary Palmer
Mary Palmer

Donna M. Tamachaski
Donna M. Tamachaski

Edward T. Boutrous
Edward T. Boutrous, Deed Holder

Pamela J. Boutrous
Pamela J. Boutrous, His Wife, Deed Holder

RECORDED
FIFTH OF
MAY NO. 41119

Prepared by: Gerald S. Misiak/nkg
The Detroit Edison Company
30400 Telegraph Road, Suite 277
Birmingham, Mi 48010

Address: 3155 West Big Beaver Road
Suite 110
Troy, Mi 48084

APPROVED AS TO FORM 9/25/90 DATE
LEGAL DEPARTMENT GMA

OK - G.K.

Return on Back

907091

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

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