



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

LIBER 11653 PG 756

SEPTEMBER 17, 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 Westerly 10 ft., of the Easterly 240 ft., of the Southerly 60 ft., also the North 10 ft., of the South 70 ft., of that part of the W. 1/2 of the N.W. 1/4 of section 4, T4N, R10E, described as beginning at a point on the East-West 1/4 line located N. 87° 10' 00" E. along said line 313.05 ft., from the W. 1/4 corner of said section 4, thence N. 87° 10' 00" E. along said 1/4 line 300.37 ft., thence N. 469.39 ft., thence W. 300.00 ft., thence S. 484.24 ft., to the point of beginning.

X Sidwell No. 09-04-151-004

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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:

700  
RL

*Gerald S. Misiak*

GERALD S. MISIAK

*Charles F. Tefend*  
Charles F. Tefend

*Agnes M. Tefend*  
Agnes M. Tefend, his Wife

*Nancy K. Gabriel*  
NANCY K. GABRIEL

RECORDED RIGHT OF WAY NO. 41121

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

Address: 87 N. Newman  
Lake Orion, Mi

APPROVED AS TO FORM 9/25/90 DATE  
LEGAL DEPARTMENT *[Signature]*

OK - G.K.  
Return on Back

015091

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

Acknowledgement - Individual

LIBER 11653 PG 757

State of Michigan )  
County of OAKLAND ) SS:

On this 17th day of SEPTEMBER, 1990, the foregoing instrument was acknowledged before me, a notary public in and for said county, by CHARLES F. TERENO AND

AGNES M. TERENO, HIS WIFE

My Commission Expires: 5/27/91

Gerald S. Misiak

Notary Public, GERALD S. MISIAK  
County, Michigan Notary Public, Wayne County, MI  
My Commission Expires May 27, 1991  
ACTIVE IN OAKLAND  
COUNTY

RECORDED RIGHT OF WAY NO. 41121

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