

Detroit Edison

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

July 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 MULTI-CABLEVISION CO of WASH/LIV a Michigan corporation of P.O. Box 660, Hamburg, Michigan, 48139 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, gas and communication services in, under, upon and across property located in the Hamburg Township of Hamburg County of Livingston, State of Michigan, further described as: A Six (6) foot wide easement as described on Detroit Edison Drawing HS-4097, dated 5-18-90 attached hereto and made a part hereof, over and across and under the following described land:

Part of the NE 1/4 of the NW 1/4 of Section 35, T1N-R5E, Hamburg Township, Livingston County, Michigan, described as follows: Commencing at the North 1/4 corner of said Section; thence S 88°16'29" E along the North line of said Section 238.50 feet to the centerline of Strawberry Lake Road; thence S 75°48'48" W along said centerline 310.01 feet; thence continuing along said centerline on an arc right, 99.41 feet, said curve has a central angle of 04°54'33" a radius of 1159.51 feet and a chord that bears S 78°16'09" W 99.37 feet to the Point of Beginning of the parcel to be described; thence S 01°22'19" W, 336.00 feet; thence S 88°10'13" W, 183.65 feet to the center of a 75 foot radius Cul-de-Sac; thence along the centerline of a 66 foot wide Private Road Easement for Ingress, Egress, and Public Utilities N 01°36'35" E, 326.38 feet; thence along the centerline of Strawberry Lake Road on the arc of a curve left 43.01 feet said curve has a radius of 2168.70 feet, a central angle of 01°08'10" and a long chord which bears N 88°13'25" E, 43.01 feet; thence continuing along said centerline on the arc of a curve left 140.25 feet, said curve has a radius of 1159.51 feet a central angle of 06°55'49" and a long chord which bears N 84°11'25" E, 140.16 feet to the Point of Beginning

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RECORDED RIGHT OF WAY NO. 41219

as shown on the attached drawing HS-4097 which is made a part hereof.

The right of way is Six 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:

John B. Burgess
JOHN B. BURGESS

Matthew A. Mazurek
Matthew A. Mazurek, GENERAL PARTNER

James M. Davenport
JAMES M. DAVENPORT

M & M Investments -
MICHIGAN CO-PARTNERSHIP

RECORDED
AUG 1 2 13 PM '90

NANCY HAVILAND
REGISTERED
LIVINGS
48912

Prepared by: James M. Davenport
316 E. Grand River
Howell, MI. 48843

Address: 8125 Branch
Brighton, Mi. 48116

APPROVED AS TO FORM 7/24/90 DATE
LEGAL DEPARTMENT

over

Acknowledgement-Individual

STATE OF MICHIGAN

County of WASHTENAW)SS

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On this 6TH day of JULY, 19 90, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Matthew A. Mazurek, GENERAL PARTNER, M&M INVESTMENTS, A MICHIGAN CO-PARTNERSHIP

JAMES M. DAVENPORT, JR.
Notary Public, Washtenaw County, Michigan

My commission expires ✓

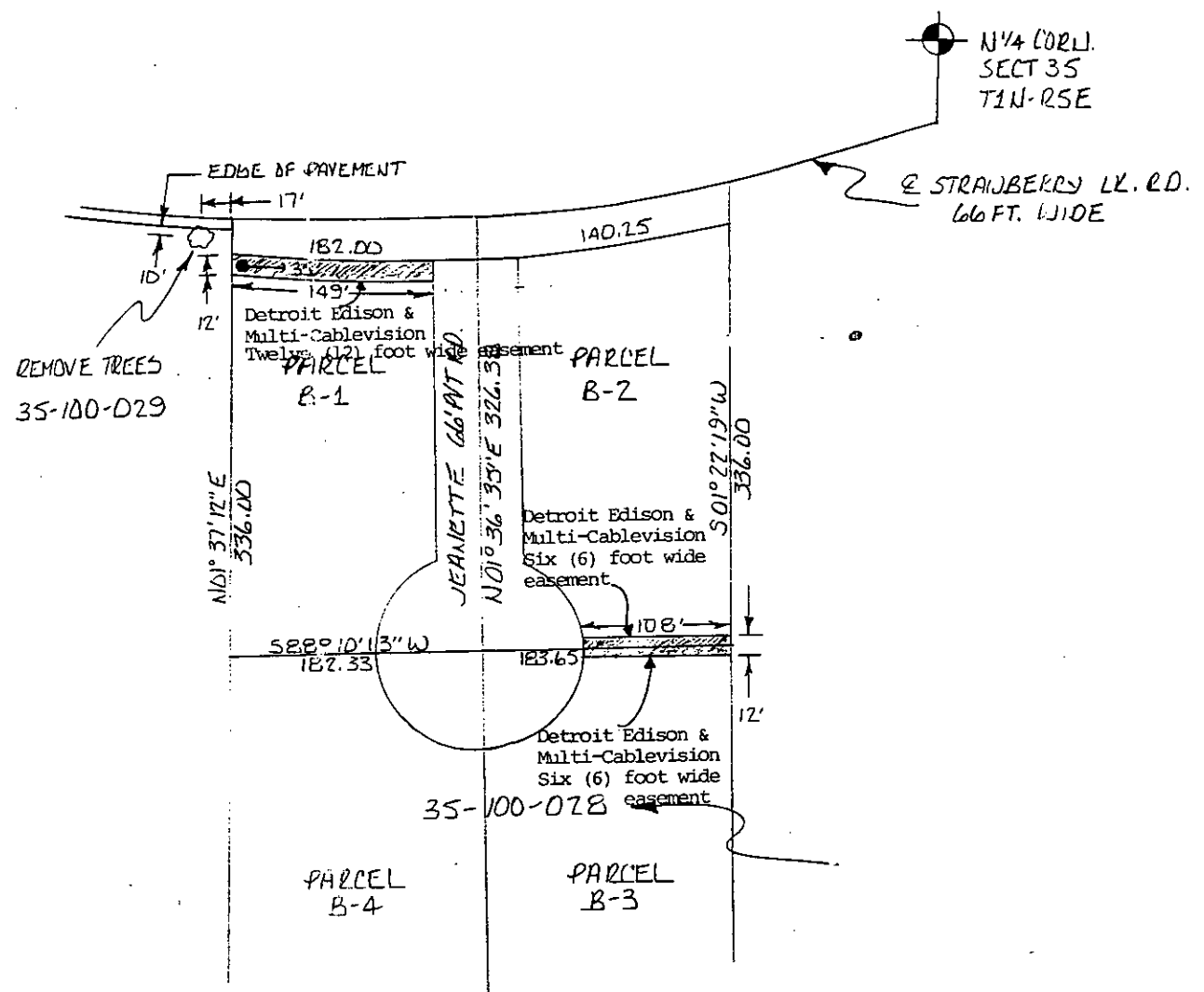
JAMES M. DAVENPORT, JR.
Notary Public, Wayne County, MI
My Commission Expires Jan. 22, 1991

JAMES M. DAVENPORT, JR.
Notary Public, Wayne County, MI
My Commission Expires Jan. 22, 1991

0207

RETURN TO:
RICHARD LONGWISH
THE DETROIT EDISON COMPANY
425 S. MAIN STREET, ROOM 332
ANN ARBOR, MI 48104

RMS



NOTICE

Locations of underground facilities on this drawing are not guaranteed. Locations of electrical and/or steam underground facilities must be determined by THE DETROIT EDISON COMPANY. For locations of underground lines, telephone MISS DIG 48 hours before doing any power excavating is required by Public Act 53 of 1944. A toll free telephone number is 1-800-482-7171.

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MRTV FUTURE JT. USE H-267-D

89233DB03SD

THE DETROIT EDISON COMPANY - SERVICE PLANNING DEPARTMENT			
LEGEND ○ FOREIGN POLE ○ EXIST. D.E. CO. POLE ● PROPOSED POLE ○ EXIST. ANCHOR ○ PROPOSED ANCHOR ○ TREE — 120/240 V LINE — 4800 V LINE — 13,200 V LINE — 60,000 V LINE	CITY OR TWP. <u>HAMBURG TWP</u> COUNTY <u>LIVINGSTON</u> QTR. & TWP. SECT. NO. <u>N1/4 N1/4 SEC 35</u> MAP SECT. <u>2-136-340</u> TOWN <u>T1N</u> RANGE <u>R5E</u> PROJECT NAME <u>JEANETTE PARCELS</u> CIRCUIT <u>DC 9771 HAMB6 13.2KV</u> REASON <u>PROVIDE UB SERV. TO 11066-11142 JEANETTE</u> PLANNER <u>J. BURGESS</u>	DEPT. ORDER NO. <u>HS-4097</u> JOINT R/W REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> TEL. ENGR. & DIST. PROJ. OR PART NO. O.F.W. S.O. OR P.E. NO. BUDGET ITEM NO. DATE <u>5-18-90</u>	SCALE <u>1"=100'</u>

RETURN TO:
RICHARD LONGWISH
THE DETROIT EDISON COMPANY,
425 S. MAIN STREET, ROOM 332
ANN ARBOR, MI 48104