

LIBER 11653 PG 706

October 5, 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, and UNITED CABLE TELEVISION OF OAKLAND COUNTY, INC. a Michigan Corporation of 4500 Delemere Blvd., Royal Oak, Michigan 48073 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 Orion, County of Oakland**, 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) ft in width unless otherwise indicated and the route is described as follows:

As shown on the attached drawing 90 A-64151 which is made a part hereof.

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

In order to provide for the property 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 with 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:

See Next Page

#92 REG/DEEDS FRI
NOV 30 10 55 AM LM
4222 MISC 5.00

900
RECORDED RIGHT OF WAY NO. 41249

Prepared by: Omer V. Racine/lhp
The Detroit Edison Company
30400 Telegraph Road, Suite 277
Birmingham, Mi 48010

Address:

APPROVED AS TO FORM 10/31/90 BATE
LEGAL DEPARTMENT YPRN

Return on Back

092091



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

Witness:

LIBER 11653PG707

C. George Williams
C. George Williams

Marcelle Vore
Marcelle Vore
5245 Oakhill
Clarkston, MI 48016

Omer V. Racine
OMER V. RACINE

State of Michigan)
) SS:
County of Oakland)

On this 5th day of October, 1990, the above named MARCELLE VORE to me known to be the person who executed the foregoing instrument and acknowledged that she executed the same as her free act and deed.

My Commission Expires **SHERI L. DENNIS**
NOTARY PUBLIC - OAKLAND COUNTY, MICH.
MY COMMISSION EXPIRES 9-29-91

Sheri L. Dennis
Notary Public, Oakland
County, Michigan

Parcel F2

Appendix "A"

Part of the SE 1/4 of Section 11, T4N., R10E., Orion Twp., Oakland County, Michigan:

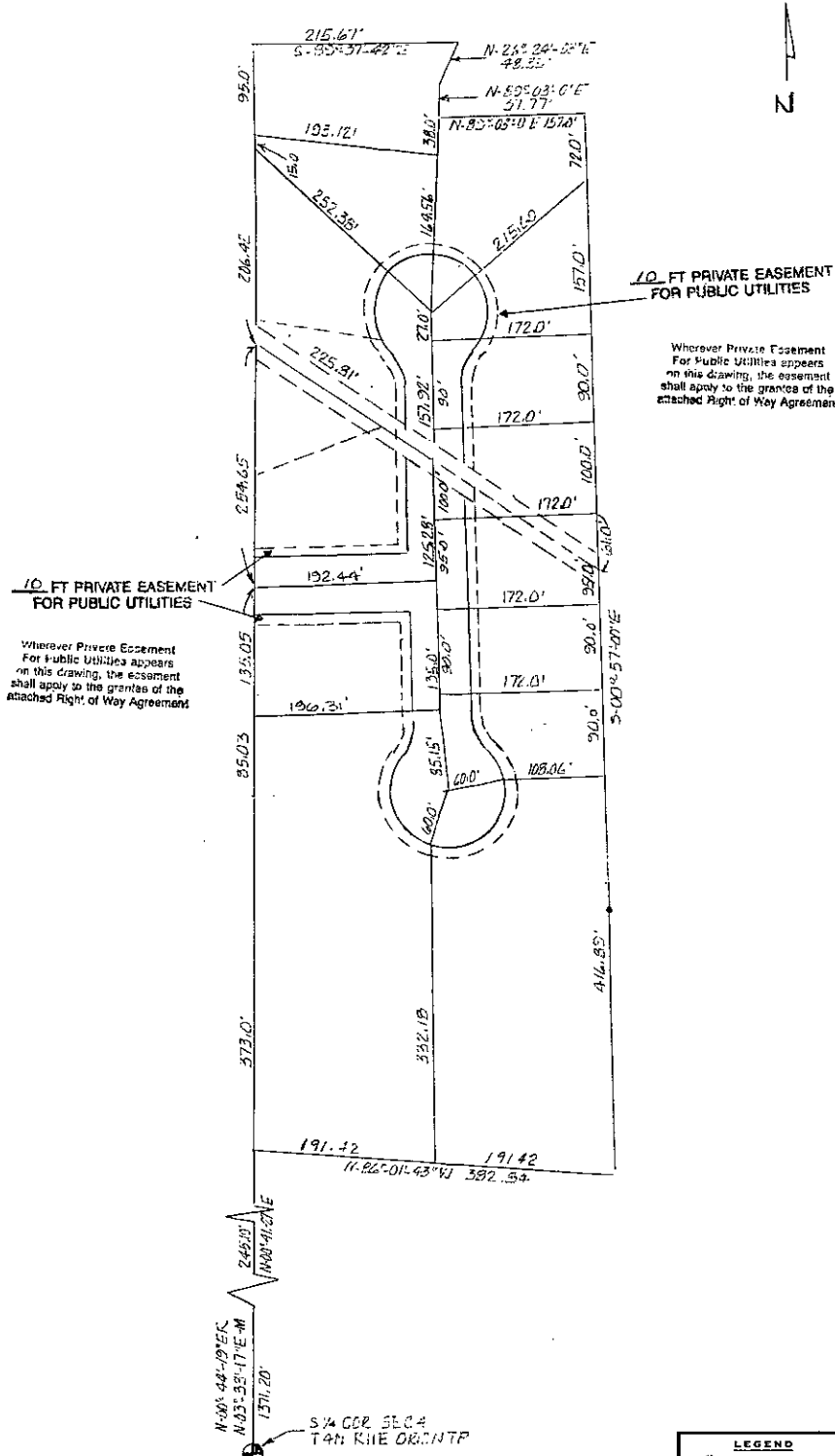
Beg at pt dist N 03°33'17" E 1371.20 ft & N 00°41'27" E 245.19 & S 86°01'43" E 382.84 & N 00°57'00" W 416.89 ft from S 1/4 cor., th S 89°03'00" W 108.06 ft., th S 78°17'21" W 60 ft., th N 04°15'58" W 85.15 ft. th N 00°57'00" W 16.20 ft., th N 89°03'00" E 172 ft., th S 00°57'00" E 90 ft to beg.

Sidwell No: 09-11-410-020

RECORDED RIGHT OF WAY NO. 41249

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

LIBER 11653 PG 708



10 FT PRIVATE EASEMENT FOR PUBLIC UTILITIES

Wherever Private Easement For Public Utilities appears on this drawing, the easement shall apply to the grantee of the attached Right of Way Agreement

10 FT PRIVATE EASEMENT FOR PUBLIC UTILITIES

Wherever Private Easement For Public Utilities appears on this drawing, the easement shall apply to the grantee of the attached Right of Way Agreement

RECORDED RIGHT OF WAY NO. 41249

1371.20' 1488-11.21E

245.93'

11-00°-48'-19\"/>

THE DETROIT EDISON COMPANY - SERVICE PLANNING DEPARTMENT			
CITY OR TWP. ORION TWP	COUNTY OAKLAND	QTR. & TWP. SECT. NO. S 1/4 SEC. 11	DEPT. ORDER NO. 70A 64151
MAP SECT. 1-242-406	TOWN RANGE	JOINT R/W REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	PROJ. OR PART NO. CE 96-15 J
PROJECT NAME WALTERS EST.	TEL. ENG'R & DIST. VIVA FOSTER		O.F.W. & O. OR P.E. NO.
CIRCUIT D.C. 300 ORION	REASON NEW SUBDIVISION		BUDGET ITEM NO.
PLANNER R. WEATHERS	SCALE Not To		DATE 4-28-90