

**Detroit  
Edison**

Real Estate and Rights of Way  
**Overhead  
Right of Way Agreement**

October 12, 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 hereinafter referred to as "EDISON," 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 service in, upon, over and across property located in the City of Port Huron, County of St. Clair, State of Michigan, further described as follows:

The East 350 ft. of Lots 112, 113, 114, 115 and Out Lot 'B' lying South of Cleveland Ave. Assessor's Military St. Plat No. 3

The route of the line facilities is described as follows: In a Northwesterly and Southeasterly direction along and adjacent to Southwesterly property line

-See Exhibit "A" annexed hereto-

The right of way is 10 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 within the right of way or on property adjoining the right of way which in the opinion of EDISON interferes with the construction or operation of the line facilities. It is expressly understood and agreed that EDISON shall, at no time, trim or cut down any trees unless, in EDISON'S opinion, it is absolutely necessary to do so. EDISON 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 consent of the GRANTEE. \*This grant is declared to be binding upon the heirs, successors, lessees, licensees and assigns of the parties hereto. \*Grantee's consent shall not be unreasonably withheld or delayed.

IN WITNESS WHEREOF, the undersigned have hereunto set their hand(s) on the date of this agreement.

Witnesses:

x Richard A. Rubin  
RICHARD A. RUBIN  
Mark Morfopoulos  
MARK MORFOPOULOS  
Richard M. Brash  
Richard M. Brash  
Rebecca E. Bray  
REBECCA E. BRAY

Grantors:

ROYOAK, INCORPORATED  
BY: Samuel A. Lockwood RAN  
VICE PRESIDENT  
SAMUEL A. LOCKWOOD  
Thomas E. Butler  
ASSISTANT SECRETARY  
THOMAS E. BUTLER

Prepared by:

Richard F. Collins  
600 Grand River  
Port Huron, Mi. 48060

Address:

1616 Cleveland  
Port Huron, Mi.  
48060

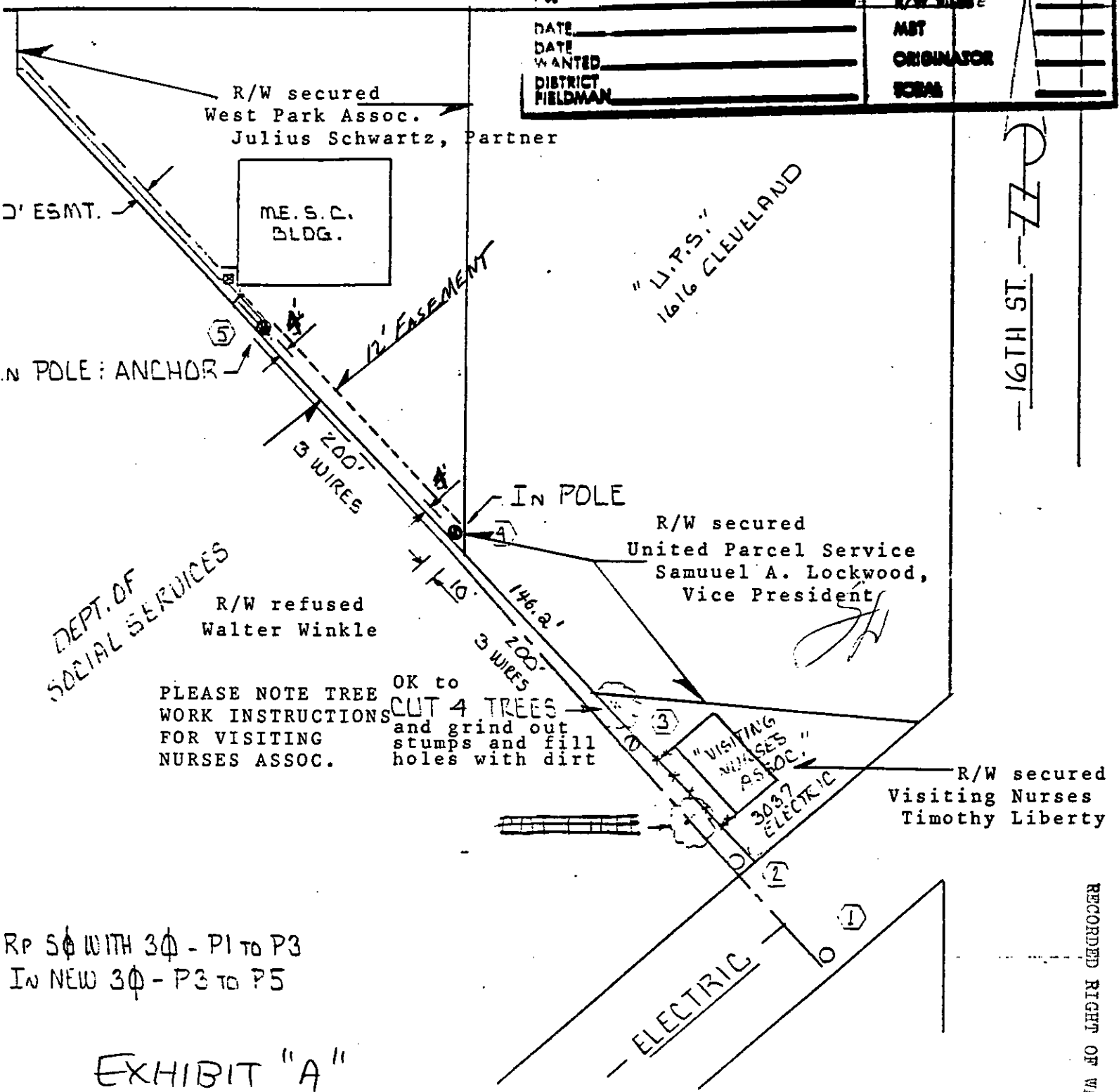
RECORDED RIGHT OF WAY NO. 41258

# EXHIBIT "A"

CLEVELAND DEPARTMENT OF PUBLIC UTILITIES  
 REPORT OF PROPERTIES AND DATE OF DEPARTMENT R/W RECORDS AS LOCATED ON THIS SKETCH

|               |  |
|---------------|--|
| PERMITS TO:   |  |
| RECORD CENTER |  |
| R/W FILE #    |  |
| MBT           |  |
| ORIGINATOR    |  |
| FORM          |  |

|                   |  |
|-------------------|--|
| DATE              |  |
| DATE WANTED       |  |
| DISTRICT FIELDMAN |  |



RP 5Ø WITH 3Ø - P1 TO P3  
 IN NEW 3Ø - P3 TO P5

# EXHIBIT "A"

|   |  |                         |                                  |  |
|---|--|-------------------------|----------------------------------|--|
| <b>LEGEND</b><br>○ FOREIGN POLE<br>○ EXIST D.E. CO. POLE<br>— PROPOSED POLE<br>— EXIST ANCHOR<br>— PROPOSED ANCHOR<br>○ TREE<br>--- 120/240 VOLT LINE<br>--- 4800 VOLT LINE<br>--- 13,200 VOLT LINE<br>--- 40,000 VOLT LINE | THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT |                         |                                  |  |
|   | CITY OR TOWNSHIP<br>TT. HURON                          | COUNTY<br>ST. CLAIR     | QTR. & TWP. SECT. NO.<br>N.E. 21 | DEPT. ORDER NO.  |
|   | MAP SECT.<br>1-505-532                                 | TOWN<br>6N              | RANGE<br>17E                     | JOINT R/W REQUIRED<br>YES <input type="checkbox"/> NO <input type="checkbox"/> |
|   | PROJECT NAME<br>MICH. EMP. SEC. COMM. OFFICE           | TEL ENGR & DIST.        | R/W NO.<br>A-78540               |  |
|   | CIRCUIT<br>8776 FREFX                                  | PROJ. OR PART NO.       |                                  |  |
|   | REASON<br>SERVE NEW COMM. BLDG.                        | O.F.W. S.O. OR P.E. NO. |                                  |  |
|   | PLANNER<br>DAVE MEREDITH                               | BUDGET ITEM NO.         |                                  |  |
|   | SCALE  | DATE<br>7-24-80         |                                  |  |
|   | DE FORM 963-2237 1-80                                  |                         |                                  |  |

RECORDED RIGHT OF WAY

4/25/80