

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

February 13, 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, MICHIGAN BELL TELEPHONE COMPANY, a Michigan corporation of 444 Michigan Avenue, Detroit, Michigan, and 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 overhead line facilities consisting of poles, guys, anchors, wires, cables, transformers and accessories required to provide electric and communication services in, upon, over, and across the property located in the City of Rochester, County of Oakland, State of Michigan, and further described as follows:

Part of the Southeast 1/4 of Section 10, T3N, R11E, beginning on the West line of Main Street distant North 802 ft. from South Section line, thence North 140.78 ft., thence North 89° 58' 45" West 462.24 ft. to MC RR R/W, thence South 50° 23' 30" East 220.46 ft., thence South 89° 58' 45" East 292.65 ft. to point of beginning.

Sidwell No. 15-10-476-023 *AVON*

The route of the line facilities is described as follows: In a Northwesterly and Southeasterly direction across said land, as shown on Detroit Edison Company drawing 0-9749 dated 1/11/90.

* The right of way is ten (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 either within the right of way or on property adjoining the right of way which in the opinion of GRANTEE interferes with the construction or operation of the line facilities. It is expressly understood and agreed that the GRANTEE shall, at not 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.

B#92 REG/DEEDS PAID
0001 MAR.15'91 11:50AM
3447 MISC 11.00

DEED

Witnesses:

Grantors:
B#92 REG/DEEDS PAID
0001 MAR.15'91 11:50AM
3447 MISC 2.00

*11.00
2.00 Prmt
R*

[Signature]
DIANA M PIASKOWSKI
[Signature]
DIANA M PIASKOWSKI
[Signature]
ANNIE GRIMMETT

[Signature]
Pierre C. Atallah
[Signature]
RUTHMARIE SHEA-ATALLAH,
HUSBAND & WIFE

Prepared by: Annie P. Grimmett/vkc
The Detroit Edison Company
30400 Telegraph Road, Suite 277
Birmingham, Mi 48010

Address: 610 Main Street
Rochester, MI 48063

O.K. — LM

Return on Back

RECORDED RIGHT OF WAY NO. 475032

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

Acknowledgement - Individual

State of Michigan

County of Macomb) SS.

On this 13th day of February 1990, the foregoing instrument was acknowledged before me, a notary public in and for said county, by

Pierre C. Atallah and Ruthmarie Sheh-Atallah, HUSBAND & WIFE

DIANA M. PIASKOWSKI

Notary Public, Macomb County, MI

My Commission Expires My Commission Expires June 16, 1992

Diana M. Piaskowski

Notary Public,

County, Mich.

RECORDED RIGHT OF WAY NO. 41537

RECEIVED
DETROIT EDISON COMPANY
BIRMINGHAM, MICHIGAN

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

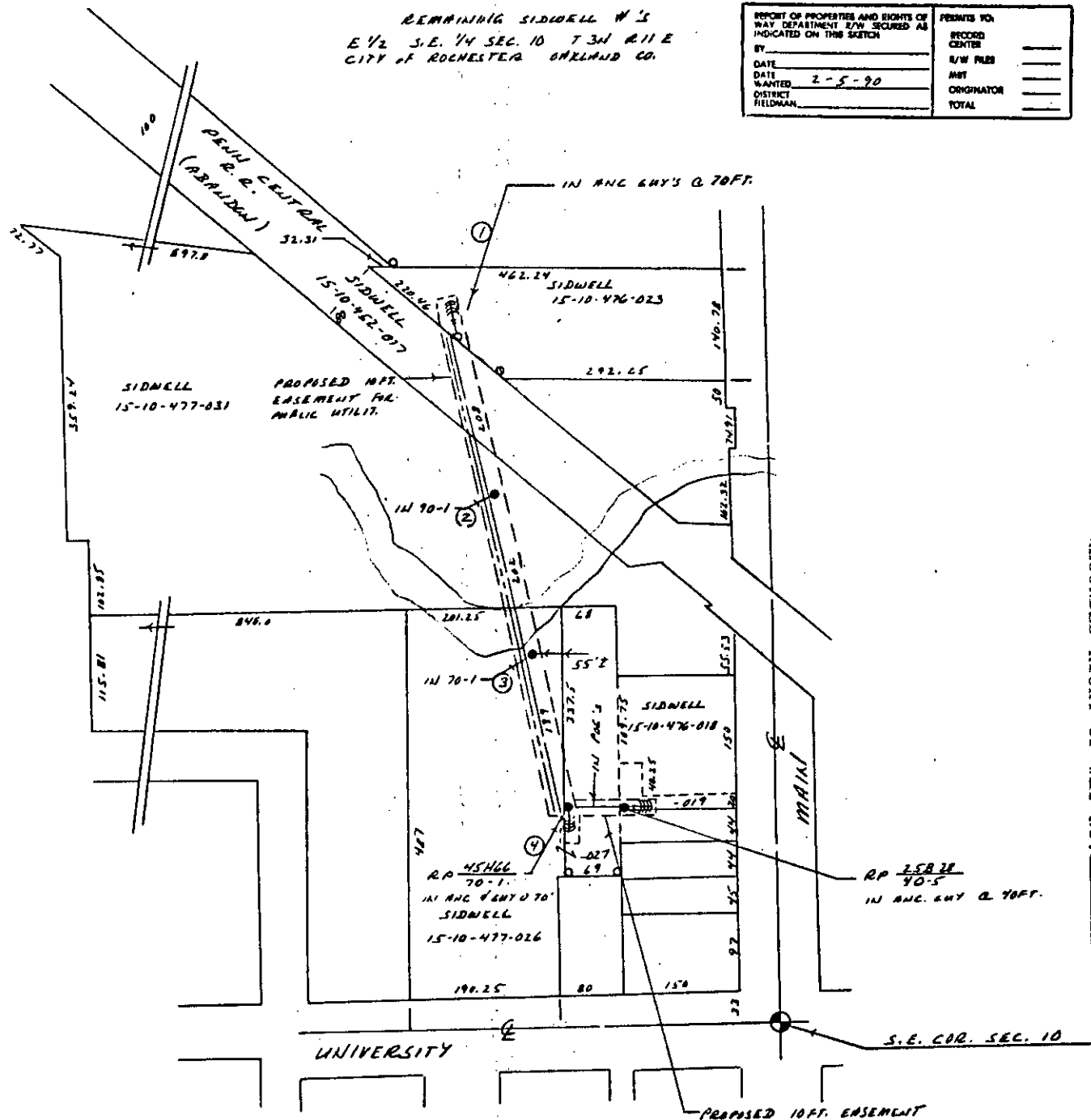


DESCRIPTION

SIDWELL - 15-10-477-026 AND 027
 SPRAGHES ADDITION - S.E. 1/4 SEC. 10
 T 34 R 11 E CITY OF ROCHESTER
 OAKLAND CO. - LIBER 3 PAGE 33

REMAINING SIDWELL N'S
 E 1/2 S.E. 1/4 SEC. 10 T 34 R 11 E
 CITY OF ROCHESTER OAKLAND CO.

REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH	POINTS FOR RECORD CENTER
BY _____	R/W FILED _____
DATE _____	MT _____
DATE WANTED 2-5-90	ORIGINATOR _____
DISTRICT _____	TOTAL _____
FIELDMAN _____	



RECORDED RIGHT OF WAY NO. 415370

R/W REQUIRED

- 10 FT. RECORDED EASEMENT FOR 40KV LINE
- 30 FT. SWATH FOR TREE REMOVAL BETWEEN PILES 1 AND 3
- MEMO # 1818 TO MBT AND CATV FOR FUTURE JOINT-USE R/W
- 40KV CONST. TO BE ARMLESS
- 40KV CONST. TO BE CROSS-ARM

LEGEND		THE DETROIT EDISON COMPANY - SERVICE PLANNING DEPARTMENT			
()	PERMITS POLE	CITY OR TWP.	COUNTY	SYL. & YOP. REV. NO.	DEPT. ORDER NO.
()	EXIST. O.E. CO. POLE	ROCHESTER	OAKLAND	S.E. 114 10	
()	PROPOSED POLE	MAP NO.	TOWN	RANGE	JOINT R/W REQUIRED
()	EXIST. ANCHOR	322-432	3N	11E	YES <input type="checkbox"/> NO <input type="checkbox"/>
()	PROPOSED ANCHOR	PROJECT NAME	TEL. OFF. & DIST.		FILE NO. PART NO.
()	TYPE	UTILITY	17E 6931-5-DC1814-1823	ROCHESTER	S.P.W. OR. DATE. NO.
()	15000 V LINE	PROJECT	RELOCATE O.H. FOR NEW BLDG.		SUBJECTIVE NO.
()	2000 V LINE	PLANNER	D. DOWERTY		DATE
()	15,000 V LINE				1.11.90
()	60,000 V LINE				SCALE 1" = 100'

FOR...
 ON...

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