

Detroit Edison

Estate and Rights of Way
Joint Overhead Right of Way Agreement

LIBER 0494 0418

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B498438

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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 Ave., Detroit, Michigan 48226 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 property located in the Township of Macomb County of Macomb, State of Michigan, further described as follows:

Commencing at the Northwest corner of Section 34, T3N, R13E; thence S 00°19' West 2207.65 feet along the West section line to the point of beginning; thence East 1336.02 feet; thence S 00°16' West 197.28 feet; thence S 89°57' West 1336.22 feet; thence N 00°19' East 198.45 feet along the West section line to the point of beginning.

RECORDED RIGHT OF WAY NO.

RECORDED IN MACOMB COUNTY RECORDS AT: 9:00 A. M.

AUG 28 1990

Edna Mill

CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

The route of the line facilities is described as follows: In a northeasterly and southwesterly direction across said land within the 90 foot towerline easement.

41609

The right of way is 8 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 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

x Luis M. Riley
LOUIS M. RILEY
Michael J. McCabe
MICHAEL J. MCCABE

x Cornelis Hoonhout
CORNELIS HOONHOUT
x Margaret A. Hoonhout
MARGARET A. HOONHOUT, WIFE

Prepared by: & return to:
Michael J. McCabe
15600 - 19 Mile Road
Mt. Clemens, MI 48044

Address:
46100 Heydenreich
Mt. Clemens, MI

Acknowledgement-Individual

STATE OF MICHIGAN

County of MACOMB)SS

On this 8TH day of AUGUST, 1990, the foregoing instrument was acknowledged before me, a notary public in and for said county, by CORNELIS HOONHOUT AND MARGARET A. HOONHOUT, AKA MARGARET ANN HOONHOUT, HIS WIFE

Michael J. McCabe
Notary Public, _____ County, Michigan

MICHAEL J. McCABE
Notary Public, Macomb County, MI
My Commission Expires Mar. 9, 1992

My commission expires _____

Acknowledgement-Individual

STATE OF MICHIGAN

County of _____)SS

On this _____ day of _____, 19____, the foregoing instrument was acknowledged before me, a notary public in and for said county, by _____

Notary Public, _____ County, Michigan

My commission expires _____

RECORDED RIGHT OF WAY NO. 41609

Acknowledgement-Corporation

STATE OF MICHIGAN

County of _____)SS

On this _____ day of _____, 19____, the foregoing instrument was acknowledged before me, a notary public in and for said county, by _____
whose title(s) is /are _____
of _____, a _____ corporation, on behalf of the corporation.

Notary Public, _____ County, Michigan

My commission expires _____

Acknowledgement-Partnership

STATE OF MICHIGAN

County of _____)SS

On this _____ day of _____, 19____, the foregoing instrument was acknowledged before me, a notary public in and for said county, by _____
(a) general/managing partner(s), on behalf of _____ a partnership.

Notary Public, _____ County, Michigan

My commission expires _____

APPLICATION FOR RIGHT OF WAY

DE 963-0811 5-7455 (MS 80)

Macomb Twp
Sec 34

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

DATE August 9, 1990

LOCATION N. W. 1/4 Sec. 34

APPLICATION NO. MC-J631

CITY OR VILLAGE

DEPT. ORDER NO.

TOWNSHIP Macomb COUNTY Macomb

O. F. W. NO.

DATE BY WHICH RIGHT OF WAY IS WANTED

BUDGET ITEM NO.

THIS R/W IS % OF TOTAL PROJECT NO. ACCUM. %

INQUIRY NO.

JOINT RIGHT OF WAY REQUIRED YES NO

NOTE: Identify on print or sketch the subdivisions as to section location and fiber and page.

KIND AND DESCRIPTION OF RIGHT OF WAY REQUESTED Recorded R/W for new distribution circuit.

PURPOSE OF RIGHT OF WAY Golf Substation

RECORDED RIGHT OF WAY NO. 411609-41612

SIGNED *[Signature]*

Macomb Division Hdqt. Service Planning
OFFICE DEPARTMENT

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

R/W secured as requested

PERMITS IN RECORD CENTER 4 R.E. & R/W DEPT. FILE 4 GRANTOR 4

NO. OF PERMITS 4 NO. OF STRUCTURES NO. OF MILES PERMITS TO MBT 4

DATE 8-3-91 SIGNED *[Signature]*