

Detroit Edison

Joint Underground Residential Distribution Right of Way Agreement

B569632

LIBER 05093 PG 401

7-27, 1998

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 Comcast Cable Television a Delaware

corporation of 6065 Wall Street, Sterling Heights, MI 48078 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 Macomb, County of Macomb

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 10 feet in width unless otherwise indicated and the route is described as follows:

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

RECORDED IN MACOMB COUNTY RECORDS AT: 2:13 P.M.

AUG - 7 1990

Edna [Signature]

CLERK - REGISTER OF DEEDS MACOMB COUNTY, MICHIGAN

RECORDED IN MACOMB COUNTY RECORDS AT: 3:05 P.M.

MAY - 3 1991

In order to provide for the proper maintenance and protection of GRANTEE, the undersigned covenant and agree that:

- 1. The right of way will be graded to within 10 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 within 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:

x Margaret A. Manz
Margaret A. Manz
x Monica Wylembelski
Monica Wylembelski

PINE PROPERTIES LIMITED a Michigan Corporation

BY: Robert J. Bretmeyer
ROBERT J. BRETMAYER V.P.

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

Address: 300 North Avenue Mt. Clemens, MI 48043

Being Re-Recorded to include Appendix B

RECORDED RIGHT OF WAY NO. 41686

5

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 _____

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 _____

Acknowledgement-Corporation

STATE OF MICHIGAN

County of MACOMB)SS

On this 27TH day of JULY, 1990, the foregoing instrument was acknowledged before me, a notary public in and for said county, by ROBERT J. BREITMEYER

whose title(s) is /are V.P.
of PINE PROPERTIES LIMITED, a Michigan corporation, on behalf of the corporation.

Margaret A. Manz
Notary Public, Macomb County, Michigan

My commission expires 8/10/93

MARGARET A. MANZ
Notary Public, Macomb County, MI
My Commission Expires August 10, 1993

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 _____

RECORDED
RIGHT OF WAY NO. 416876

APPENDIX "A"

LIBER 04930PG424

LIBER 05093PG403

"THE PINES CONDOMINIUMS," Part of the Northwest 1/4 of Section 36, Town 3 North, Range 13 East, Macomb Township, Macomb County, Michigan and being described as: Commencing at the Northwest corner of said section, thence S 01°11'55" East along the West line of said section also being the centerline of North Avenue (66 feet wide) 910.42 feet to the point of beginning. thence N 88°48'05" East 60.00 feet to a point of curvature to the left; thence along a curve to the left having: An arc length of 175.80 feet, a radius of 510.00 feet; a central angle of 19°45'01", a chord bearing of N 78°55'36" East and a chord distance of 174.93 feet; thence N 02°01'55" West 157.43 feet (162.28 record); thence N 88°03'23" East 768.30 feet; thence N 01°03'46" West 723.79 feet to the centerline of 21 Mile Road (66 feet wide) also being the North line of said section; thence N 88°11'04" East along the centerline of said 21 Mile Road, also being the North line of said section 342.48 feet; thence S 01°19'29" East 1070.17 feet; thence S 87°58'05" West 1009.44 feet (1009.66 record); thence N 01°11'55" West 163.26 feet; thence S 69°03'01" West 88.06 feet to a point of curvature to the right: thence along a curve to the right having: An arc length of 196.47 feet, a radius of 570.00 feet, a central angle of 19°44'57", a chord bearing of S 78°55'36" West and a chord distance of 195.50 feet; thence S 88°48'05" West 60.00 feet to the West line of said section also being the centerline of said North Ave.; thence N 01°11'55" West along the West line of said section also being the centerline of said North Ave. 60.00 feet to the point of beginning.

RECORDED RIGHT OF WAY NO.

41686

**Detroit
Edison**

Date: May 24, 1991

To: Record Center

From: Michael J. Mc Cabe, *MJM*
Sr. Real Estate and Right of Way Rep.
Macomb Division

Subject: Right of Way Agreement for Underground Residential
Distribution for The Pines Condominiums, located
in part of the Northwest 1/4 of Section 36, Town 3
North, Range 13 East, Macomb Township, Macomb County,
Michigan.

Attached for Record Center is the executed Right of Way
Agreement dated July 27, 1990 for the above named project.

Easement for this project was requested by Robert Burcar
Service Planning, Macomb Division. The Agreement was
negotiated by Michael J. Mc Cabe, Representative, Real
Estate and Rights of Way, Macomb Division.

Detroit Edison Company, Comcast Cablevision and Michigan Bell
Telephone Company made this agreement with Pine Properties Limited
Robert Breitmeyer, Vice President, the developer of The Pines
Condominiums.

Please make the attached papers a part of recorded Right of Way
file.

MJM

Attachment

RECORDED RIGHT OF WAY NO.

4686

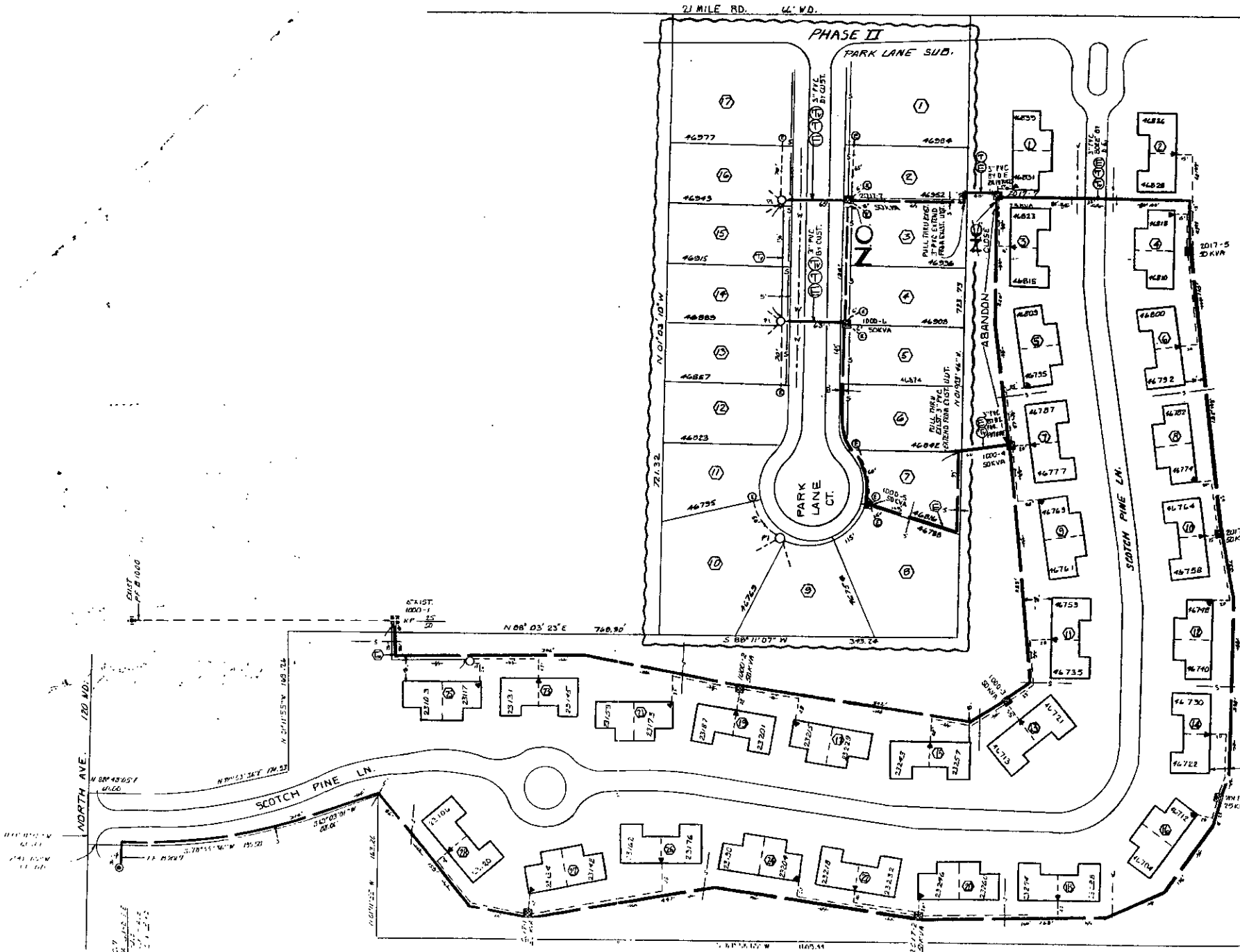
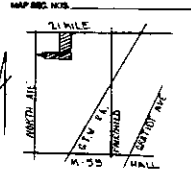
Serving Customers

We're all a part of it!

APPENDIX B



LOCATION SKETCH



TRANSFORMER DATA

Table with columns: U.D.T. NO., SIZE, ED. STK. NO. and rows of transformer specifications.

Table with columns: TRANSFORMER SPEC., PED. STK. NO., NO. OF FEEDERS, etc.

- Code legend for symbols: TRANSFORMER SPEC., PED. STK. NO., etc.

Phase II CABLE SUMMARY

Table listing cable types, sizes, and lengths for Phase II.

CABLE SUMMARY

Summary table for cable items and lengths.

TRENCH SUMMARY

Summary table for trenching work.

TRENCH SUMMARY

Summary table for trenching items.

GENERAL NOTES

General notes detailing construction standards and requirements.

PERMITS REQUIRED

Table indicating required permits for City, County, and State.

Project information: D.O. 20072908, R.D. 20782724, Start Date 7-22-20, Finish 7-27-20.

Project summary and administrative form with fields for revision, date, and signatures.

RECORDED R1077 OF 118 9879