

Underground Right of Way Agreement

OCTOBER 16, 19 90

LIBER 1441 PAGE 0194

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 underground line facilities consisting of poles, conduits, wires, cables, manholes, transformers and accessories required to provide electric service in, under, upon and across property located in the Township of Green Oak, County of Livingston, State of Michigan, further described as:

A twelve (12) foot wide easement as described on Detroit Edison Drawing HS-4224, dated 10-5-90 attached hereto and made a part hereof, over and across and under the following described land:

Commencing at the SE corner of Section 31, T1N, R6E, Green Oak Township, Livingston County, Michigan; thence S. 87°33'16" W., 1951.62 feet along the south line of said section; thence N. 03°08'52" W., 1120.00 feet for a place of beginning; thence N. 03°08'52" W., 1068.44 feet; thence N. 89°45' E., 1442.63 feet along the E-W 1/4 line of said Section; thence S. 03°09'45" E., 1066.65 feet; thence S. 87°33'15" W., 200.00 feet; thence S. 03°09'45" E., 519.81 feet; thence S. 71°03'40" W., 62.35 feet along the North line of Whitmore Lake Road; thence N. 03°09'45" W., 590.47 feet; thence S. 87°35' W., 1181.15 (recorded as S. 87°33'16" W., 1181.33 feet) to the place of beginning; being a part of the SE 1/4 of said Section 31

RECORDED RIGHT OF WAY NO. 41748

RECORDED

NOV 7 2 38 PM '90
NANCY HALLAND
REGISTER OF DEEDS
LIVINGSTON COUNTY, MI
48844

as shown on the attached drawing HS-4224 which is made a part hereof

The right of way is Twelve (12) feet in width.

The rights hereby granted include the right of access to and from the rights of way and the right to trim, cut down or otherwise control trees, brush or roots of any kind either 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 the written consent of EDISON.

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:

Timothy M. Loth signature and name

REAL VENTURES PARTNERS - a registered Co-partnership

Peter J. Rosenig signature and name, General Partner

Teresa Heidelberg signature and name

Prepared by: James M. Davenport, 316 E. Grand River, Howell, Mi. 48843

Address: 11655 Venture Drive, Whitmore Lake, Mi. 48189

APPROVED AS TO FORM 11/6/90 DATE LEGAL DEPARTMENT

over

Acknowledgement-Partnership

STATE OF MICHIGAN

County of Washtenaw ss

LIBER 1441 PAGE 0195

On this 16<sup>th</sup> day of October, 1990, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Peter J Rosewig Jr

(a) general/managing partner(s), on behalf of REAL VENTURES PARTNERS a partnership.

Sandra Mary Maw  
Notary Public, Washtenaw County, Michigan

My commission expires 3-20-93

SANDRA MARY MAW  
Notary Public, Washtenaw County, MI  
My Commission Expires Mar. 20, 1993

RETURN TO:  
RICHARD LONGWISH  
THE DETROIT EDISON COMPANY  
425 S. MAIN STREET, ROOM 332  
ANN ARBOR, MI 48104

STATE OF MICHIGAN  
NOTARY PUBLIC  
ANN ARBOR, MI

To (Supervisor, RE & R/W) <b>RICHARD LONGWORTH</b>	For RE & R/W Dept. Use	Date Received	DE/Bell/C.P. No.
Division <b>ANN ARBOR</b>	Date <b>10-5-90</b>	Application No. <b>HS-4224</b>	

We have included the following necessary material and information:

**Material:**

- A. Proposed Subdivision
  - 1. copy of complete final proposed plat - All pages or
- B. Other than proposed subdivision (condo., apts. mobile home park - other)
  - 1. Property description.
  - 2. Site plan.
  - 3. title information (deed, title commitment, contract with title commitment, or title search).

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH BY <u>J. DAVENPORT</u> DATE <u>12-12-90</u> DATE WANTED _____ DISTRICT FIELDMAN <u>Richard Longworth</u>	PERMITS TO: RECORD CENTER <u>1</u> R/W FILES <u>1</u> MBT <u>1</u> ORIGINATOR <u>1</u> TOTAL <u>1</u>
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Note: Do not submit application for URD easements until all above material has been acquired.

**Information**

1. Project Name <b>CONTRACTOR CONTAINER CORP.</b>	County <b>LIVINGSTON</b>
City/Township/Village <b>GREEN OAK</b>	Section No. <b>SEC. 31</b>
Type of Development <input type="checkbox"/> Proposed Subdivision <input type="checkbox"/> Apartment Complex <input type="checkbox"/> Condominium <input type="checkbox"/> Subdivision <input type="checkbox"/> Mobile Home Park <input checked="" type="checkbox"/> Other	
2. Name of Owner <b>REAL VENTURE PARTNERS</b>	Phone No.
Address <b>11655 VENTURE DR. P.O. BOX 666 WHITMORE LK, MI. 48189</b>	
Owner's Representative	Phone No.

Date Service is Wanted  
**ASAP**

4. Entire Project will be developed at one time .....  Yes     No

5. Joint easements required — Michigan Bell Telephone .....  Yes     No  
 — Consumers Power .....  Yes     No

a. Name of Other Utilities if Not Michigan Bell Telephone or Consumers Power

b. Other Utility Engineer Names \_\_\_\_\_ Phone Numbers \_\_\_\_\_

Addresses \_\_\_\_\_

6. Additional Information or Comments  
**SEE ATTACHED PROOF OF OWNERSHIP**

Note: Trenching letter  attached     will be submitted later

Service Planner  
**RALPH LORENC**

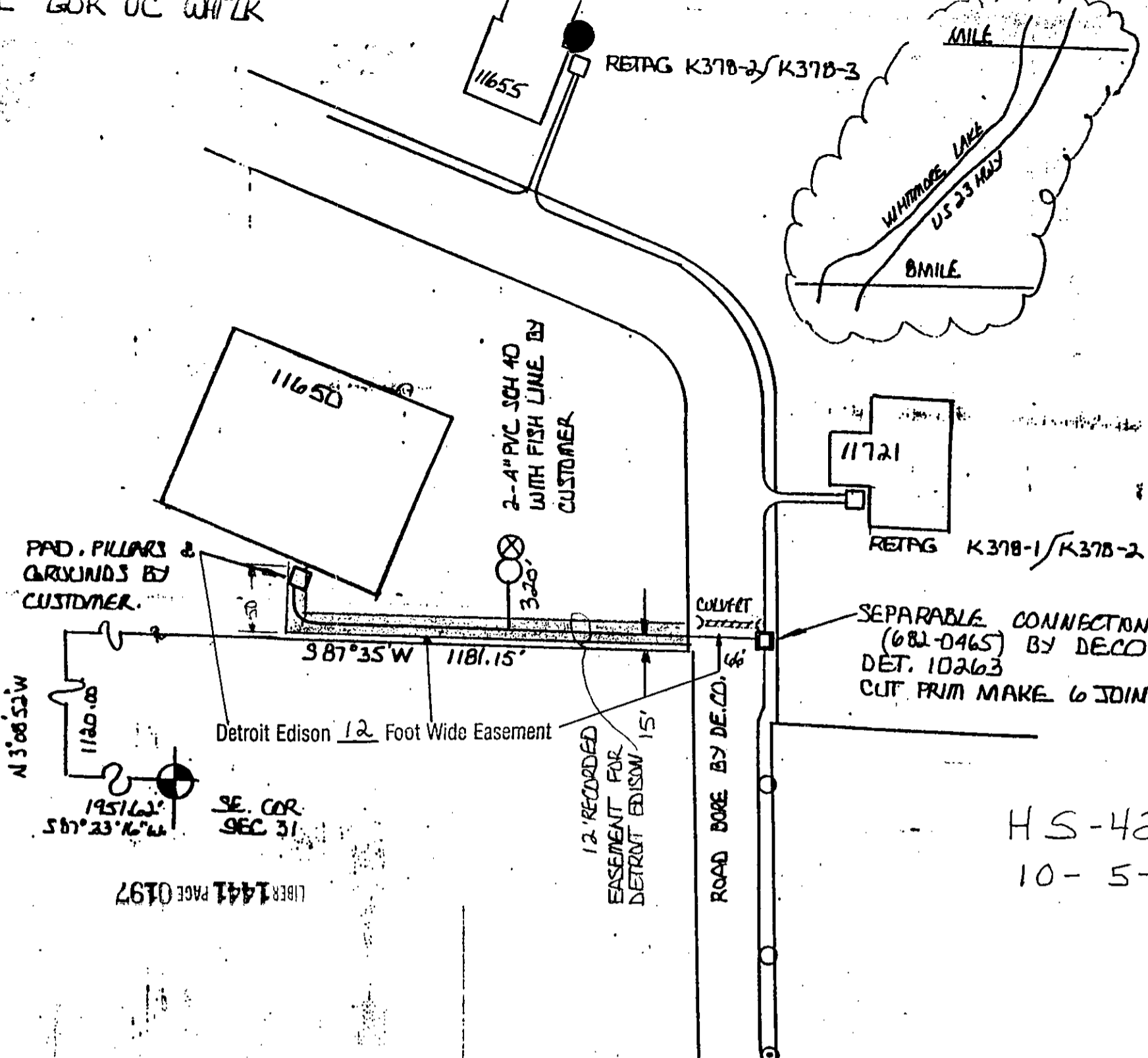
Signed (Service Planning Supervisor) \_\_\_\_\_

Phone No. **X-3313**      Address **HOWELL SERVICE PLANNING**

RECORDED RIGHT OF WAY NO.

41748

HWL GOK UC WH/LK



HS-4224  
10-5-90

**NOTICE**

Location of underground facilities on this drawing are only approximate. Exact locations must be determined by the UTILITY COMPANIES. For exact locations, telephone: MISS DIG on 800-482-7171 as required by Public Act 53 of 1974 before doing any power excavating.

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TRACKING # 90193133414

THE DETROIT EDISON COMPANY - SERVICE PLANNING DEPARTMENT			
CITY OR TWP. GOK	COUNTY LIVINGSTON	QTR. & TWP. SECT. NO. SE 31	DEPT. ORDER NO.
MAP SECT. 1-151-338	TOWN TIN	RANGE RGE	JOINT R/W REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
PROJECT NAME CONTRACTOR CONTAINER CORP.	TEL. ENG'R. & DIST.	R/W NO. HS-4224	
CIRCUIT D.C. BOBO WHITMORE LK	REASON TO SERVE 11650 VENTURE	PROJ. OR PART NO.	
PLANNER B. LORENC	SCALE 1" = 100'	O.P.W. E.O. OR P.E. NO.	
		BUDGET ITEM NO. DMJOB-MDJ	
		DATE 10-5-90	

**LEGEND**

- FOREIGN POLE
- EXIST. D.E. CO. POLE
- PROPOSED POLE
- EXIST. ANCHOR
- PROPOSED ANCHOR
- TREE
- 120/240 V LINE
- 4800 V LINE
- 13,200 V LINE
- 48,000 V LINE

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