

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

DEC 5, 1989

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 Avenue, Detroit, Michigan 48164, 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 underground line facilities consisting of poles, conduits, wires, cables, manholes, transformers and accessories required to provide electric and communication services in, under, upon, over and across property located in the Township of Addison, County of Oakland, State of Michigan, further described as follows:

Parcel "B"

H

The East 5 ft. of Part of the Northwest 1/4 of Section 26, T5N, R11E, Addison Township, Oakland County, Michigan, described as: Beginning at a point on the North section line located North 87° 14' 55" West 769.73 ft. from the North 1/4 corner of Section 26, thence South 01° 03' 18" West 532.00 ft., thence North 87° 14' 55" West 205.00 ft., thence North 01° 03' 18" East 532.00 ft., thence along the North section line South 87° 14' 55" East 205.00 ft. to the point of beginning. Contains 2.5026 acres. Subject to easements of record.

A#36 REG/DEEDS PAID
0001 JUL.31.91 10:32AM
1091 MISC 9.00

SIDWELL NO. 05-26-126-013

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 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 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:

Felicia Collins
FELICIA COLLINS

John C. Greenlee
JOHN C. GREENLEE

Michael P. Kabalka
Michael P. Kabalka

Nancy D. Kabalka
Nancy D. Kabalka, his wife

A#36 REG/DEEDS PAID
0001 JUL.31.91 10:32AM
1091 RMT FEE 2.00

9.00
2.00 RMT
RL

Prepared by: John C. Greenlee/vkc
The Detroit Edison Company
30400 Telegraph Road, Suite 277
Birmingham, Mi 48010

Address: P.O. Box 186
Romeo, MI 48065

OK - LM

APPROVED AS TO FORM 5/2/91 DATE
LAW DEPARTMENT

Return on Back

RECORDED RIGHT OF WAY NO. 11848

RECEIVED

1981 MISC 800
0001 JUL 31 1981
#38 RECEIVED PAID



1981 MISC 800
0001 JUL 31 1981
#38 RECEIVED PAID

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

STAG _____ MICH OF EA COMPANY
BIRMINGHAM, ALA

Acknowledgement - Individual

State of Michigan

County of OAKLAND) SS.

On this 5 day of DECEMBER, 1989, the foregoing instrument was acknowledged before me, a notary public in and for said county, by _____

MICHAEL P. KABALKA AND NANCY D. KABALKA, HIS WIFE

My Commission Expires: _____

John C. Greenlee

Notary Public, _____ County, Michigan

JOHN C. GREENLEE
Notary Public, Oakland County, MI
My Commission Expires Sept. 19, 1993

RECORDED HIGHWAY DE FAX NO. 41848

1111 1111 1111

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



PHILIP R. SEAVER TITLE COMPANY, Inc.

2700 N. Woodward / Bloomfield Hills, Michigan 48013 / (313) 647-2171 — (313) 338-7111

202985
WAI TY DEED—Statutory Form
C.L. 1948, 365.131 M.S.A. 26.571
LIBR 16837421

KNOW ALL MEN BY THESE PRESENTS: That **ELIZABETH RAMSAY**

whose address is **1300 Yule Road, Leonard, MI 48038**

Convey(s) and Warrant(s) to **MICHAEL P. KABALKA and NANCY D. KABALKA, his wife,**

whose address is **464 Mack, Leonard, MI 48367**

the following described premises situated in the **Township** of **Addison**
County of **Oakland** and State of Michigan, to-wit:

SEE ATTACHED FOR LEGAL DESCRIPTION

STATE OF MICHIGAN REAL ESTATE
TRANSFER TAX
Dept. of Taxation DEC 26 '90
31.35

3#52 REG/DEEDS FRID
0001 DEC.26'90 02:17PM
8657 DEEDS 7.00

3#52 REG/DEEDS FRID
0001 DEC.26'90 02:17PM
8657 TRNSF TX 31.35

for the full consideration of **Twenty-eight Thousand Two Hundred Fifty and 00/100 (\$28,250.00) Dollars**
subject to easements and restrictions of record and acts and omissions of parties other than
the Grantor from the 21st day of September A.D., 1989.

**2*

Dated this **14th** day of **December** 19 **90**

Witnesses:

Signed and Sealed:

Shirley M. Stern
Shirley M. STERNE

Elizabeth Ramsay (L.S.)
ELIZABETH RAMSAY

Diane Barringer
DIANE BARRINGER

(L.S.)

(L.S.)

STATE OF MICHIGAN
COUNTY OF Oakland ss.

(L.S.)

The foregoing instrument was acknowledged before me this **14th** day of **December** 19 **90**
by **Elizabeth Ramsay**

My commission expires
7/11/1992

Jerry E. Nawrocki
JERRY E. NAWROCKI
Notary Public **OAKLAND** County, Michigan

Instrument Drafted by **L. Nicholas Treinen** Business Address **P.O. Box 310, Lake Orion, MI 48361**

OAKLAND COUNTY TREASURER'S CERTIFICATE
I HEREBY CERTIFY THAT THE ABOVE INSTRUMENT OF TITLE IS IN FULL PAYMENT OF ALL TAXES AND FEES...
P. High
P. HIGH, County Treasurer
Jan. 12, Art. 22, Sec. 203 as amended

City Treasurer's Certificate
033425

Recording Fee **\$8.00**

When recorded return to **Greene**

State Transfer Tax **\$31.35**

Send subsequent tax bills *kw*

Tax Parcel # **(05-26-126-006)**

to _____

O.K. - TS

RECORDED RIGHT OF WAY NO 418477 418499

7.00
31.35
kw
kel

Parcel B: Part of the Northwest 1/4 of Section 26, T5N, R11E, Addison Township, Oakland County, Michigan, described as: Beginning at a point on the North section line located N 87°-14'-55"W 769.73 feet from the North 1/4 corner of Section 26; thence S 01°-03'-18"W 532.00 feet; thence N 87°-14'-55"W 205.00 feet; thence N 01°-03'-18"E 532.00 feet; thence along the North section line S 87°-14'-55"E 205.00 feet to the point of beginning. Contains 2.5026 acres. Subject to easements of record.

05-26-126-013

Parcel C: Part of the Northwest 1/4 of Section 26, T5N, R11E, Addison Township, Oakland County, Michigan, described as: Beginning at a point located N 87°-14'-55"W 487.37 feet and S 00°-08'-53"E 482.41 feet from the North 1/4 corner of Section 26; thence S 00°-08'-53"E 403.34 feet; thence N 87°-14'-55"W 505.96 feet; thence N 01°-03'-18"E 353.00 feet; thence S 87°-14'-55"E 205.00 feet; thence N 01°-03'-18"E 50.00 feet; thence S 87°-14'-55"E 292.49 feet to the point of beginning. Contains 4.4045 acres. Net acreage (not including private road area) 4.1448 acres. Subject to easements of record.

05-26-126-015



KNOW ALL MEN BY THESE PRESENTS: That EDITH M. WALDBOTT, Attorney in fact for Elizabeth Ramsay under Power of Attorney recorded in Liber 9189, Page 01, Oakland County Records whose address is 11670 Martin Road, Warren, MI 48093

Convey(s) and Warrant(s) to MICHAEL P. KABALKA AND NANCY D. KABALKA, his wife, whose address is P. O. Box 186 Romeo, MI 48065

the following described premises situated in the Township of Addison County of Oakland and State of Michigan, to-wit:

Parcel A - Part of the NW 1/4 of Section 26, T5N, R11E, Addison Township, Oakland County, Michigan, described as: Beginning at a point on the N section line located N 87°14'55" W 487.37 feet from the N 1/4 corner of Section 26; thence S 00°08'53" E 482.41 feet; thence N 87°14'55" W 292.49 feet; thence N 01°03'18" E 482.00 feet; thence along the N section line S 87°14'55" E 282.36 feet to the point of beginning.

also

Road Easement - A 60 foot wide private road and utility easement in the NW 1/4 of Section 26, T5N, R11E, Addison Township, Oakland County, Michigan, the centerline being described as: Beginning at a point on the N section line located N 87°14'55" W 517.44 feet from the N 1/4 corner of Section 26; thence S 00°08'53" E 542.41 feet; thence N 87°14'55" W 30.00 feet to the point of ending at the center of a 120 foot diameter cul-de-sac.

for the full consideration of Twenty-eight Thousand Two Hundred Fifty (\$28,250.00) Dollars

subject to easements and restrictions of record and acts and omissions of parties other than the Grantor from the ___ day of September, A.D., 1989, and reserving unto the Grantor, her heirs and assigns, all oil gas and mineral rights.

Dated this 21st day of September 19 89

Witnesses:

L. NICHOLAS TREINEN
BRIGETTE R. CREAMER

Signed and Sealed:

Edith M. Waldbott att in fact for Elizabeth Ramsay (L.S.)
EDITH M. WALDBOTT, attorney in fact for Elizabeth Ramsay (L.S.)

(L.S.)

STATE OF MICHIGAN }
COUNTY OF Oakland }

The foregoing instrument was acknowledged before me this 21st day of September 1989 by Edith M. Waldbott, attorney in fact for Elizabeth Ramsay

My commission expires 4/7/92

BRIGETTE R. CREAMER
Notary Public Oakland County, Michigan

Instrument Drafted by L. Nicholas Treinen Business Address 1429 S. Lapeer Rd., Lake Orion, MI 48035

County Treasurer's Certificate

City Treasurer's Certificate

Recording Fee \$6.00

State Transfer Tax \$31.35

When recorded return to Michael P. Kabalka
P.O. Box 186 Romeo, MI 48065

Send subsequent tax bills

to P.O. Box 186 Romeo, MI 48065

Tax Parcel # 05-26-126-014

RECORDED RIGHT OF EKS NO 41847
41848

APPLICATION FOR RIGHT OF WAY

DR 003-7031 2-7473 (MS 89)

Hoedberg

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

DATE 10-26-89

LOCATION 424 MACK

APPLICATION NO. _____

DEPT. ORDER NO. 0-9672

CITY OR VILLAGE ADDISON TWP

O. F. W. NO. _____

TOWNSHIP _____ COUNTY OAKLAND

BUDGET ITEM NO. _____

DATE BY WHICH RIGHT OF WAY IS WANTED _____

INQUIRY NO. _____

THIS R/W IS 100 % OF TOTAL PROJECT NO. _____ ACCUM. _____ %.

JOINT RIGHT OF WAY REQUIRED YES NO

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

KIND AND DESCRIPTION OF RIGHT OF WAY REQUESTED Underground utility easement 5' wide by 532.00 and 5' wide by 482.00' side-by-side from the C of Mack Rd S. Centerline of easement is 205.00' east of West PL of 5-26-126-006.

PURPOSE OF RIGHT OF WAY Utility easement for Edism, MBT and CATV facilities.

SIGNED Mary Hobart ro

OFFICE _____

DEPARTMENT _____

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

Underground right of way secured as per attached sketch. Contacts made by John C. Greenlee, Representative, Real Estate, Rights of Way, Oakland Division.

RECORDED RIGHT OF WAY TO 418477
418478

PERMITS IN RECORD CENTER 2 R.E. & R/W DEPT. FILE 2 GRANTOR Kabalka

2-MBT

NO. OF PERMITS _____ NO. OF STRUCTURES _____ NO. OF MILES _____ PERMITS TO MBT 2-U, Cable

DATE 08/19/91

SIGNED James McDonald
James McDonald, Sr. Representative