

Detroit Edison

Real Estate and Rights of Way Underground Right of Way Agreement

LIB# 049071386

B519771

October 15, 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 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 _____ City _____ of Sterling Heights _____, County of Macomb, State of Michigan, further described as:

Land in the Northeast 1/4 of Section 28, T2N, R12E, City of Sterling Heights, Macomb County, Michigan, described as commencing at the Northeast corner of Section 28; thence S 89°18'00" West 60.00 feet; thence S 00°12'00" West 506.67 feet to the point of beginning; thence continuing S 00°12'00" West 151.34 feet; thence S 89°18'00" West 311.00 feet; thence N 00°12'00" East 151.34 feet; thence N 89°18'00" East 311.00 feet to the point of beginning.

RECORDED IN MACOMB COUNTY RECORDS AT: 1:20p NOV - 2 1990 M.

CLERK - REGISTER OF DEEDS MACOMB COUNTY, MICHIGAN

[Signature]

as shown on the attached drawing MC-M425 which is made a part hereof.

The right of way is six (6) 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 employees, 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:

[Signature]
[Signature]

Grantors:

CARPORTS DEVELOPMENT W.S.H.,
a Michigan Limited Partnership

[Signature]
NEEL GOVINDA
VICE PRESIDENT, CARPORTS
BY: *[Signature]* PARTNER

Prepared by & return to:
Susan Putrycus
15600 - 19 Mile Road
Mt. Clemens, MI 48044

Address:
3000 Town Center, Suite 1000
Southfield, MI 48075

APPROVED AS TO FORM 11/25/90 DATE
LEGAL DEPARTMENT *[Signature]*

RECORDED RIGHT OF WAY NO. 40977

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 _____)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 OKLAHOMA)SS

On this 15TH day of OCTOBER, 1990, the foregoing instrument was acknowledged before me, a notary public in and for said county, by NEIL GAROSH, VICE PRESIDENT, CARPORTS DEVELOPMENT W.S.H., a Partnership. GENEVA PARTNER

[Signature]
Notary Public, OKLAHOMA County, Michigan

My commission expires 11-13-93

APPLICATION FOR RIGHT OF WAY

DE 963-0811 5-7455 (MS 80)

Sterling Twp
Sec. 28

9004305

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

DATE 9-11-90

LOCATION 36797 VANDYKE APPLICATION NO. MR-M 425

CITY OR VILLAGE STERLING HEIGHTS DEPT. ORDER NO. A-74980

TOWNSHIP _____ COUNTY MACOMB O. F. W. NO. _____

DATE BY WHICH RIGHT OF WAY IS WANTED 9-21-90 BUDGET ITEM NO. _____

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 6' WIDE EASEMENT FOR UG UTILITIES

PURPOSE OF RIGHT OF WAY TO PROVIDE SERVICE TO PARCEL 2

SIGNED Suzanne Rinaldi

OFFICE

DEPARTMENT

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

R/W secured as requested.

RECORDED RIGHT OF WAY NO. 409977

PERMITS IN RECORD CENTER 1 R.E. & R/W DEPT. FILE 1 GRANTOR 1

NO. OF PERMITS 1 NO. OF STRUCTURES _____ NO. OF MILES _____ PERMITS TO MBT _____

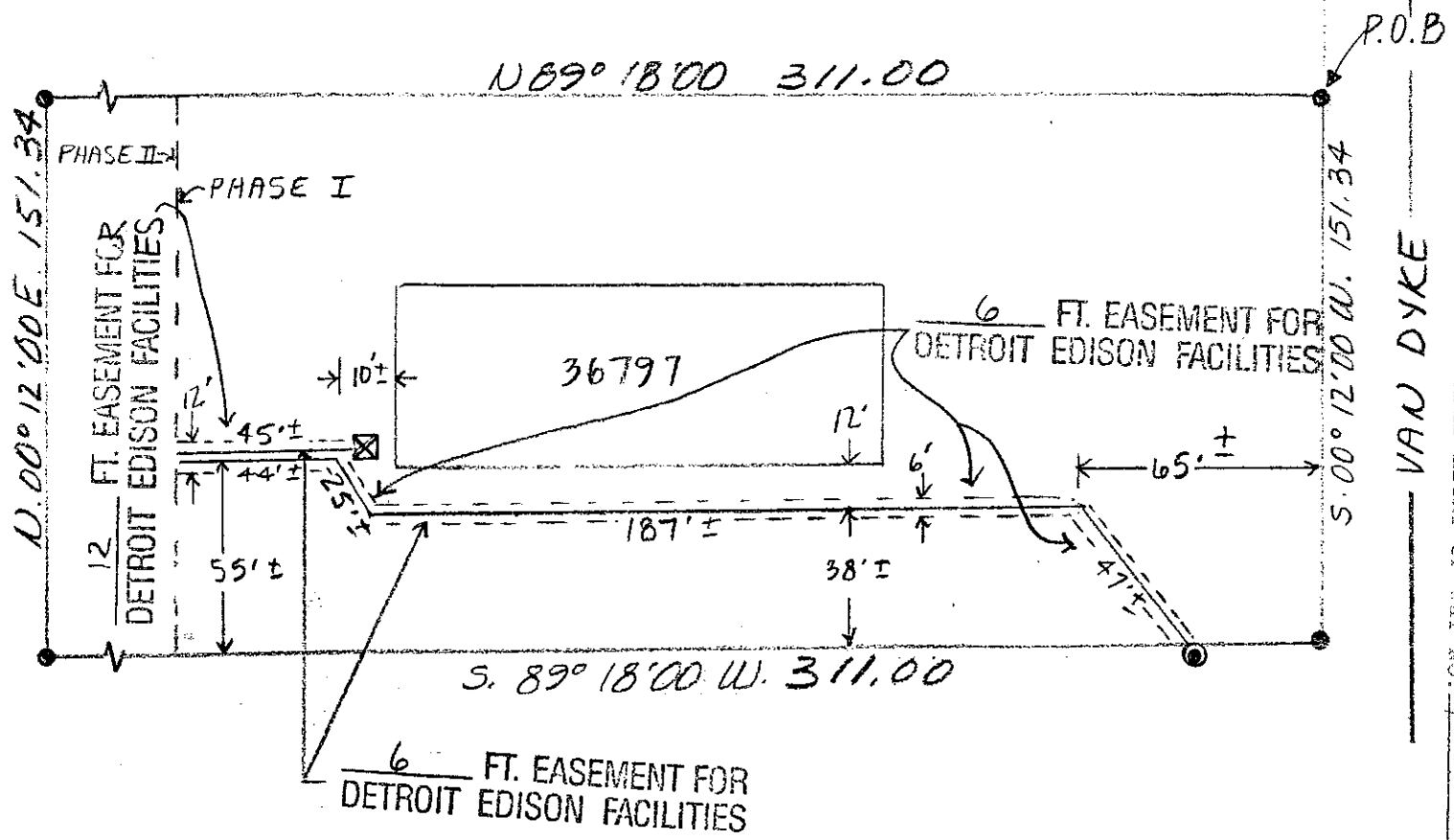
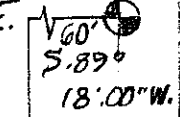
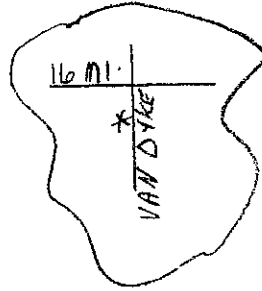
DATE 11/19/90 (8P) SIGNED Michael M. Cafe

OWNER:

CAR PORTS DEVELOPMENT U.S.H.
LIMITED PARTNERSHIP
3000 TOWN CENTER, STE. 1000
SOUTHFIELD, MICHIGAN 48075

LIBER 04987PG388

N.E. CORNER
SEC. 28
T2N. R.12E.



LIBER 04987PG388

RECORDED RIGHT OF WAY NO. 4097M

LEGEND		THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT			
	FOREIGN POLE	CITY OR TOWNSHIP	COUNTY	QTR. & TWP. SECT. NO.	DEPT. ORDER NO.
	EXIST D.E. CO. POLE	STERLING HTS. MACOMB			(H-74980)
	PROPOSED POLE	MAP SECT.	TOWN	RANGE	JOINT R/W REQUIRED
	EXIST ANCHOR	1-349-390			YES <input type="checkbox"/> NO <input type="checkbox"/>
	PROPOSED ANCHOR	PROJECT NAME	TEL ENGR & DIST.	R/W NO.	
	TREE	FIRESTONE MASTER CAR CARE CENTER			PROJ. OR PART NO.
	120/240 VOLT LINE	CIRCUIT	8527 SLOAN - 13.2KV		
	4800 VOLT LINE	REASON	EASEMENT FOR FUTURE USE		
	13,200 VOLT LINE	PLANNER	M. ROMANSKI		
	40,000 VOLT LINE	SCALE	1" = 50'		
		DATE	9-11-90		