

**Detroit Edison**  
**Real Estate and Rights of Way**  
**Joint Underground**  
**Right of Way Agreement** LIBER **116190218**

August 28, 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, and MICHIGAN BELL TELEPHONE COMPANY, a Michigan corporation of 444 Michigan Avenue, Detroit, Michigan 48164, CONCORD TELECOMMUNICATIONS, a Delaware corporation of 121 S. Washington Street, Oxford, MI 48051, 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 Brandon, County of Oakland, State of Michigan, further described as follows:

An easement 6 ft., and 12 ft., easement in perpendicular width over, across and under a strip of land described as part of the N.E. 1/4 of section 36, T5N, R9E, Brandon Township, Oakland County Michigan. Being more particularly described as commencing at the N.E. corner of said section 36; thence S. 00°09'03" E. 686.88 ft., along the E. line of said section 36 to the point of beginning for the 6 ft., easement, thence proceeding S. 89°46'24" W. 706.99 ft., to the point of ending for the 6 ft., easement and the point of beginning of the 12 ft., easement; thence proceeding N. 00°09'03" W. 9 ft., to a point, thence S. 89°46'24" W. 159.00 ft., to point of ending.

4425 REG/DEETS 2410  
0001 NOV01/90 0444PM  
9198 M150 709

~~Sidwell No. 03-36-200-053 - Parcel "A"~~

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:

*David P. Ross*  
David P. Ross

*Gary W. Molnar*  
Gary W. Molnar

*Pamela A. Ross*  
Pamela A. Ross

*Charlene K. Molnar*  
Charlene K. Molnar, His Wife

*Susan M. Molnar*  
Susan M. Molnar, A Married Woman

Prepared by: Gerald S. Misiak/nkg  
The Detroit Edison Company  
30400 Telegraph Road, Suite 277  
Birmingham, Mi 48010

Address: 339 Leetonia  
Troy, MI 48098

OK. — LM

APPROVED AS TO FORM 9/4/90 DATE  
LEGAL DEPARTMENT *[Signature]*

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

*4/1007*


Acknowledgement - Individual

LIBER 116191219

State of Michigan )  
County of (Oakland) ) SS:

On this 28th day of August, 1990, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Garry W. Molnar and Charlene K. Molnar,  
his wife and Susan M. Molnar, a married woman

My Commission Expires: May 5, 1993

  
John R. Thompson  
Notary Public, Oakland  
County, Michigan

RECORDED HEREIN ON MAY 10, 1990

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