

Detroit  
Edison

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

12-27, 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 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, gas and communication services in, under, upon and across property located in the Township of Genoa, County of Livingston, State of Michigan, further described as:

Part of the Southeast ¼ of the Southeast ¼ of Section 16, T2N, R5E, Genoa Township, Livingston County, Michigan, described as: Beginning at the Southeast corner of said Section 16; thence S 87°59'01" W along the centerline of Crooked Lake Road, said centerline also being the South line of Section 16, 413.47 feet; thence N 00°00'28" E 220.00 feet; thence N 87°59'01" E 413.30 feet to the centerline of Fishbeck Road and the East line of said Section 16; thence S 00°02'15" E along said centerline and East line, 220.00 feet to the Point of Beginning, containing 2.09 acres, more or less, subject to the rights of the Public over the existing Crooked Lake Road and Fishbeck Road.

RECORDED  
SEP 14 1 22 PM '90  
NANCY HAVILAND  
REGISTER OF DEEDS  
LIVINGSTON COUNTY, MI  
48843

as shown on the attached drawing HS-3603 which is made a part hereof.

The right of way is Ten (10) feet in width.

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 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 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:  
*Mark McMacken*

MARK McMACKEN

*Edwin R. Martin & Pamela R. Martin*  
DORREN E. GAY

EDWINSTON R. MARTIN

*Edwin R. Martin*  
HUSBAND & WIFE

*Pamela R. Martin*  
PAMELA R. MARTIN

Prepared by:  
Mark McMacken

316 E. Grand River  
Howell, MI 48843

Address:  
2383 Itsell Road

Howell, MI 48843

--OVER--

RECORDED RIGHT OF WAY NO  
410114

Acknowledgement-Individual

STATE OF MICHIGAN

County of LIVINGSTON

On this 21<sup>st</sup> day of December, 19 89, the foregoing instrument was acknowledged before me, a notary public in and for said county, by EDMINSTON R. MARTIN & ANITA R. MARTIN, husband & wife

C. MARK McMAKER  
Notary Public, Livingston County, MI  
My Commission Expires Feb. 6, 1994

*C. Mark Macker*

Notary Public, \_\_\_\_\_ County, Michigan

My commission expires: \_\_\_\_\_

Acknowledgement-Individual

~~STATE OF MICHIGAN~~

~~County of \_\_\_\_\_ 1988~~

~~On this \_\_\_\_\_ day of \_\_\_\_\_, 19 89, the foregoing instrument was acknowledged before me, a notary public in and for said county, by \_\_\_\_\_~~

~~Notary Public, \_\_\_\_\_ County, Michigan~~

~~My commission expires: \_\_\_\_\_~~

RECORDED  
INDEXED  
MAY 1 1989  
LIVINGSTON COUNTY, MI

RETURN TO:

RICHARD LONGWISH  
THE DETROIT EDISON COMPANY  
420 MAIN STREET, ROOM 332  
ANN ARBOR, MI 48104

|  |                         |                                   |                  |
|--|-------------------------|-----------------------------------|------------------|
| To (Supervisor, RE & R/W)<br><b>RICHARD LONGWISH</b> | For RE & R/W Dept. Use  | Date Received                     | DE/Bell/C.P. No. |
| Division<br><b>ANN ARBOR</b>                         | Date<br><b>10/26/88</b> | Application No.<br><b>HS-3603</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<br>BY <u>M. McMacken</u><br>DATE <u>3-10-90</u><br>DATE WANTED _____<br>DISTRICT <u>Richard Longwish</u><br>FIELDMAN _____ | PERMITS TO:<br>RECORD CENTER <u>1</u><br>R/W FILES <u>1</u><br>MBT <u>1</u><br>ORIGINATOR <u>1</u><br>TOTAL <u>1</u> |
|---|--|

Note: Do not submit application for URD easements until all above material has been acquired.

**Information**

|   |                             |
|---|-----------------------------|
| 1. Project Name<br><b>ONICA RESIDENCE</b> | County<br><b>LIVINGSTON</b> |
| City/Township/Village<br><b>GENOA</b>     | Section No.<br><b>16</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<br><b>PARCEL 1-A EDMUND BAPRAWSKI</b> | Phone No.<br><b>313-229-6723</b> |
|--|----------------------------------|

Address  
**6269 ACADEMY, BRIGHTON, MI. 48116**

Owner's Representative \_\_\_\_\_ Phone No. \_\_\_\_\_

Date Service is Wanted  
**NOV. 28, 1988**

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  
**F. J. U. MEMO # H-480-8 TO MBT (LANSING DISTRICT)  
 BASEMENT IS IN + HOUSE IS TO BE MODULAR.  
 NO TITLE INFORMATION AVAILABLE.**

Note: Trenching letter  attached  will be submitted later.

|                                       |   |
|---------------------------------------|---|
| Service Planner<br><b>DAVE EISELE</b> | Signed (Service Planning Supervisor)<br><i>Walt A. Hall</i> |
| Phone No.<br><b>EXT. 3314</b>         | Address<br><b>HOWELL S. C.</b>                              |

RECORDED RIGHT OF WAY NO. 41077

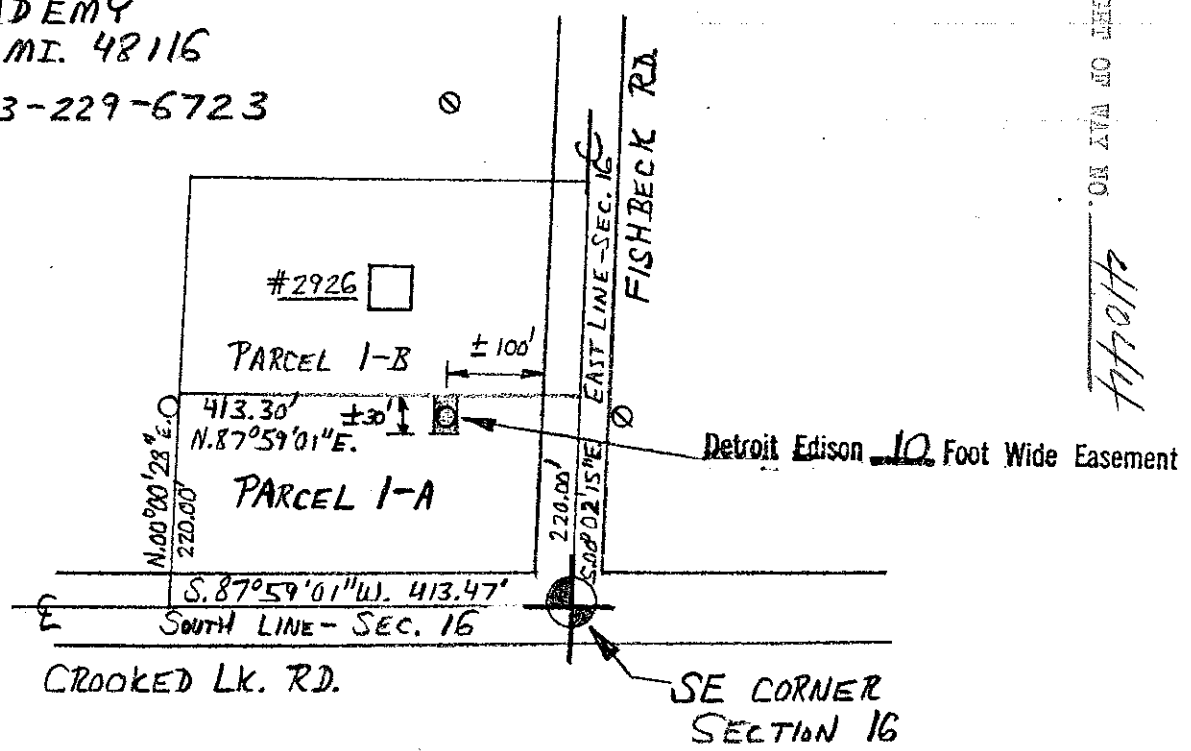


# NOTICE

Locations of underground facilities on this drawing are not guaranteed. Locations of electrical and/or steam underground facilities must be determined by THE DETROIT EDISON COMPANY. For locations of underground lines, telephone MISS DIG 48 hours before doing any power excavating as required by Public Act 53 of 1974. The toll free telephone number is 1-800-482-7171..

LIBER 1430 PAGE 0692

OWNER PARCEL 1-A  
 EDMUND BAPRAWSKI  
 6269 ACADEMY  
 BRIGHTON, MI. 48116  
 PHONE: 313-229-6723



RECORDED RIGHT OF WAY NO. 41044

F. J. U. MEMO #H-480-8 TO MBT

| LEGEND |                     | THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT |                        |                       |   |
|--------|---------------------|--|------------------------|-----------------------|---|
|        | FOREIGN POLE        | TOWNSHIP   | COUNTY                 | QTR. & TWP. SECT. NO. | DEPT. ORDER NO.   |
|        | EXIST D.E. CO. POLE | GENOA  | LIVINGSTON             | SE 1/4 - 16           |   |
|        | PROPOSED POLE       | MAP SECT.  | TOWN                   | RANGE                 | JOINT R/W REQUIRED  |
|        | EXIST ANCHOR        | 2-124-384  | 2N.                    | 5E.                   | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> |
|        | PROPOSED ANCHOR     | PROJECT NAME   | TEL. ENGR' & DIST.     |                       | R/W NO.   |
|        | TREE                | ONICA RESIDENCE  | DAN SKIRCHAK (LANSING) |                       | HS-3603   |
|        | 120/240 VOLT LINE   | CIRCUIT  |                        |                       | PROJ. OR PART NO.   |
|        | 4800 VOLT LINE      | D.C. 9806 GENOA (4.8KV)                                |                        |                       | O.F.W. S.O. OR P.E. NO.   |
|        | 13,200 VOLT LINE    | REASON   |                        |                       | BUDGET ITEM NO.   |
|        | 40,000 VOLT LINE    | TO SERVE NEW HOME AT 2926 FISHBECK                     |                        |                       | 8MJOB-MDJ   |
|        |                     | PLANNER  | SCALE                  |                       | DATE  |
|        |                     | DAVE EISELE  | 1"=200'                |                       | 10/26/88  |