

Real Estate and Rights of Way

Detroit Edison

Underground Right of Way Agreement

March 23, 19 87

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 _____ Madison Heights _____, County of _____ Oakland _____, State of Michigan, further

described as:
so much of the following described land as is shown on the attached diagram as "Underground 10' Easement 5' either side of line" Part of the NW 1/4 of Section 11, T1N, R11E, beginning at point distant S. 00°06'24" E. 60 ft. from N. 1/4 Corner, thence S. 00°06'24" E. 1680.77 ft., thence S. 88°57'06" W. 760.29 ft., thence along curve to right, radius 38020 ft., Chord Bears N 03°11'13" W. 787.33 ft., distance of 787.34 ft., thence N. 88°58'36" E. 762.62 ft., thence N. 00°06'24" W. 894.17 ft., thence N. 88°58'36" E. 40 ft. to beginning, also that part of lot 11 of "Supervisor's Plat of Royal Acres Subdivision" and that part of N.E. 1/4 lying W. of westerly right-of-way line of I-75 freeway. 15.05 Acres

(Sidwell No. 25-11-127-012) R.O.

#(1)

REG/DEEDS PAID
0001 MAY.12 '87 02:07PM
1664 MISC 9.00

RECORDED RIGHT OF WAY NO. 37149

as shown on the attached drawing 0-8557 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 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 Edison recognizes that the easement is over a private road and agrees not to permanently erect anything above ground which would interfere with the private road and to interfere with the use of the private road as little as possible during any necessary construction. No buildings or structures are to be placed within said right of way herein granted without the written consent of EDISON. Edison also agrees to restore the private road to as good or better condition after any construction as it was prior to said construction.

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:
Joseph J. Sturdy
JOSEPH J. STURDY
Patricia A. Barlow
PATRICIA A. BARLOW

Grantors:
Borden, Inc., a New Jersey Corporation
By: [Signature] OKC
LEON J. HACKMAN
DIRECTOR OF REAL ESTATE

APPROVED AS TO FORM 4-9-87 DATE
LEGAL DEPARTMENT [Signature]

Prepared by: Omer V. Racine
The Detroit Edison Company
30400 Telegraph Road, Suite 264
Birmingham, MI 48010

Address:
180 E. Broad St.
Columbus, OH 43215 R.O. in back

State of Ohio

County of Franklin) SS.

On this 23 day of MARCH, 1987, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Jerome S. Hackman whose title(s) is/are DIRECTOR OF REAL ESTATE of Borden, Inc., a New Jersey corporation, on behalf of the corporation.

My Commission Expires: 8-18-91

Joseph J. Standly
Notary Public, Franklin County, Ohio

JOSEPH J. STANDLY
Notary Public, State of Ohio
My commission expires 8-18-91

RECORDED RIGHT OF WAY NO. 37149

APPLICATION FOR RIGHT OF WAY
DE FORM MS 60 5-74 55

PLEASE SECURE RIGHT OF WAY AS FOLLOWS

DATE 1-15-87

LOCATION THIRTEEN MILE RD AND
STEPHENSON HWY. M-150

APPLICATION NO. 08557

CITY OR VILLAGE MADISON HEIGHTS

DEPT ORDER NO. _____

TOWNSHIP ROYAL OAK COUNTY OAKLAND

O F W NO _____

DATE BY WHICH RIGHT OF WAY IS WANTED FEB. 13, 1987

BUDGET ITEM NO. _____

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

INQUIRY NO. _____

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 10' UNDERGROUND EASEMENT

PURPOSE OF RIGHT OF WAY To CROSS BORDEN PROPERTY WITH CONDUIT AND
CABLE TO REACH CABLE POLE

RECORDED RIGHT OF WAY NO

SIGNED W.M. WILLIAMSON RM
SERVICE PLANNING
OFFICE DEPARTMENT

3716
6/16/87

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

Recordable underground right-of-way agreement secured as requested per attached sketch. Contacts made by Omer V. Racine, Real Estate, Rights-of-Way & Claims, Oakland Division.

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

NO. OF PERMITS 1 NO OF STRUCTURES _____ NO OF MILES _____ PERMITS TO MBT - 0 -

DATE 4-27-87 SIGNED James D. McDonald
James D. McDonald, Sr. Representative

1-20-87 WD 3-3-87

DEED C

THIS INDENTURE, Made this 18th day of June, 1962, between DONALD L. HOCEVAR, a single man, party of the first part, and THE BORDEN COMPANY, a New Jersey corporation, party of the second part.

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of One Dollar (\$1.00) to him in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, has granted, bargained, sold, remised, released, aliened and confirmed, and by these presents does grant, bargain, sell, remise, alien and confirm unto the party of the second part, and to its successors and assigns, FOREVER, All that certain piece or parcel of land, situate, lying and being in the City of Madison Heights, County of Oakland, State of Michigan, known and described as follows to-wit:

That part of the Northwest Quarter of Section 11, fractional, Town 1 North, Range 11 East, City of Madison Heights, Oakland County, Michigan, described as follows: Beginning at a point on the North and South Quarter Line of Section 11, Town 1 North, Range 11 East, distant North 0 degrees 50' 00" East approximately 890.05 feet from the center corner of said section, said point being coincident with the intersection of the northerly boundary line of property owned by the Royal Oak Tool and Machine Company; this point is also the center line of Woodside Street in the east adjoining Supervisor's Plat of Royal Acres

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OAKLAND COUNTY MICHIGAN
REGISTER OF DEEDS REC'D
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RECORDED RIGHT OF WAY NO.

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Subdivision as recorded in Liber 55 of Plats, Page 39, Oakland County Records; thence westerly along a line coincident with the north line of the Royal Oak Tool and Machine Company to the easterly boundary of the Stephenson Highway, thence northerly along the eastern boundary of the Stephenson Highway to the northerly line of Section 11, which is also the center line of the Thirteen Mile Road, thence easterly along the said northerly line of Section 11, to the North and South Quarter line of said section; thence southerly along the North and South Quarter line of said section to the point of beginning, subject to an easement of right-of-way to The Detroit Edison Company as recorded in Liber 2165, Page 318, Oakland County Records; and likewise to an easement of right-of-way to the Twelve Town Drain District as recorded in Liber 4263, Page 561, Oakland County Records, together with any and all rights of reversion in the easterly one-half of the Stephenson Highway, lying north of the southern boundary line of the hereinbefore described parcel of land, subject to zoning ordinances of the City of Madison Heights;

Together with all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining; and the reversion or reversions, remainder or remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim or demand whatsoever, of the said party of the first part, either in Law or Equity, of, in and to the above bargained premises, with the said hereditaments and appurtenances, To Have and to Hold the premises as before described, with the appurtenances, unto the said party of the second part, its successors and assigns, FOREVER. And the said party of the first part, for his heirs, executors, and administrators, does covenant, grant, bargain and agree to and with the said party of the second part its successors and assigns, that he the said party of the first part, has not heretofore done, committed or wittingly or willingly suffered

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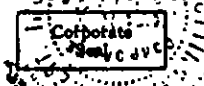
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than the Grantors
deed is given.

by its duly authorized offi-

Michigan Corporation

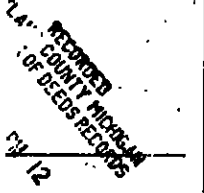
President



to me personally known,
resident
Michigan Corporation
instrument was signed and
acknowledged the said instru-

County, Michigan

IG DATA



100275

UNCI4313 PAGE 784

to be done or committed, any act, matter or thing whatsoever, whereby the
premises hereby granted, or any part thereof, is, are or shall, or may be
charged or incumbered in title, estate or otherwise howsoever.

IN WITNESS WHEREOF, The said party of the first part has here-
unto set his hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED

IN PRESENCE OF

Edgar C. Howbert
Edgar C. Howbert

Donald L. Hocevar
Donald L. Hocevar

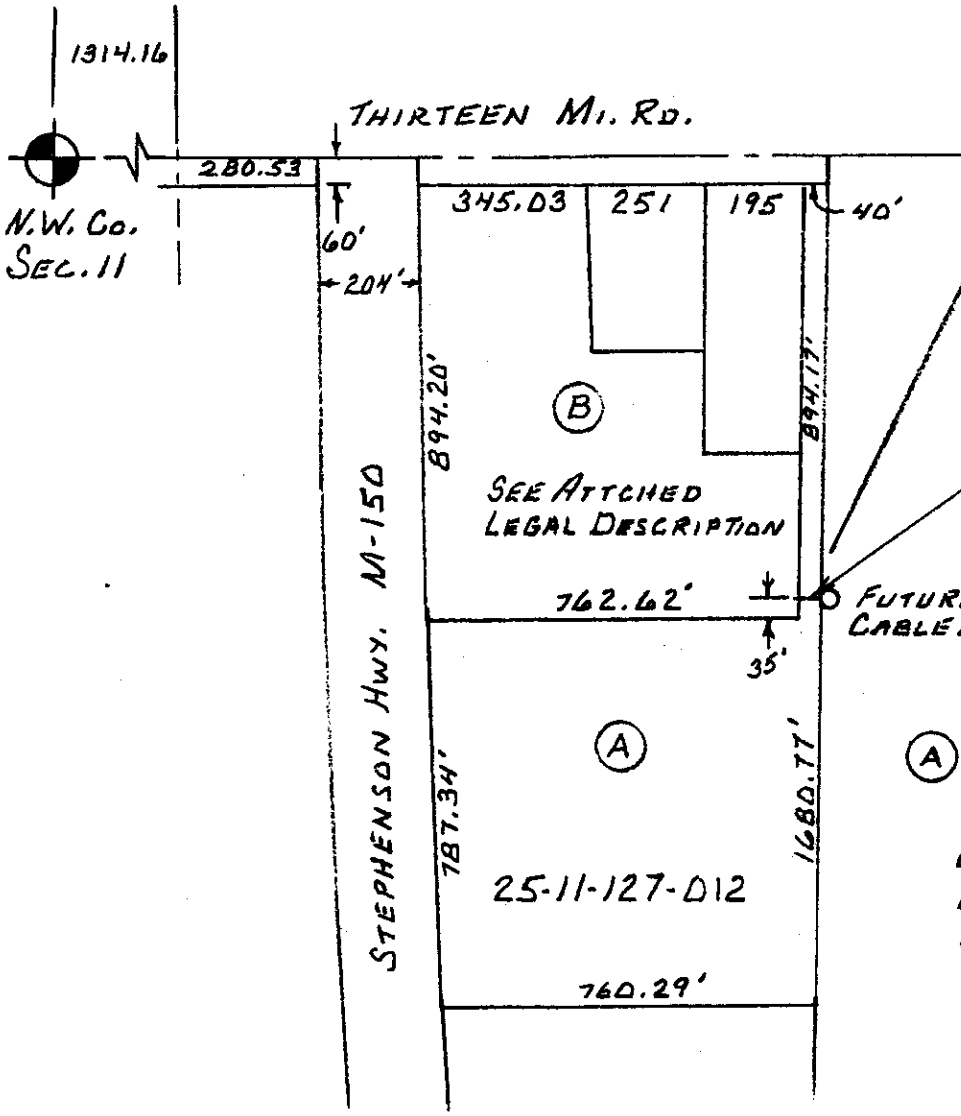
Mary P. Cousins
Mary P. Cousins

STATE OF MICHIGAN)
COUNTY OF WAYNE) SS.:

On this 18th day of June, 1962, before me, a Notary Public in
and for said County, personally came the before named DONALD L. HOCEVAR
known to me to be the person who executed the foregoing instrument, and
acknowledged the same to be his free act and deed.

Mary P. Cousins
Mary P. Cousins
Notary Public, Wayne County, Michigan
MARY P. COUSINS
My Commission Expires Notary Public, Wayne County, Michigan
My Commission Expires Dec. 1, 1965

RECORDED RIGHT OF WAY NO. 87179



R/W SECURED
BORDEN, INC.
A NEW JERSEY CORP.

UNDERGROUND
10' EASEMENT
5' EITHER SIDE OF LINE

FUTURE
CABLE POLE

(A) BORDEN INC.
180 E. BROAD ST.
COLUMBUS, OHIO 4321
614-225-4134
SUSAN PATTERSON

RECORDED RIGHT OF WAY NO. 37149

LEGEND	
	FOREIGN POLE
	EXIST D.E. CO. POLE
	PROPOSED POLE
	EXIST ANCHOR
	PROPOSED ANCHOR
	TREE
	120/240 VOLT LINE
	4800 VOLT LINE
	13,500 VOLT LINE
	40,000 VOLT LINE

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT			
CITY OR TOWNSHIP MADISON Hts.	COUNTY OK	QTR. & TWP. SECT. NO. N.W. 1/4 11	DEPT. ORDER NO.
MAP SECT. 1-328-372	TOWN 1N	RANGE 11E	JOINT R/W REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
PROJECT NAME HIGH TECH INDUSTRIAL OFF. PK.	TEL. ENGR & DIST. D.C. 8293 CHESTNUT		R/W NO. 08557
REASON TO COMPLETE PRIMARY FEEDER LOOP	PLANNED BY WM. W. WILLIAMSON	SCALE 1" = 400'	DATE 1-15-87
			PROJ. OR PART NO.
			OFW. S.O. OR PE NO.
			BUDGET ITEM NO.