

**Detroit Edison**

Real Estate and Rights of Way LIBER 10347 598

**Underground Right of Way Agreement**

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FEBRUARY 2nd, 19 88

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 Troy, County of Oakland, State of Michigan, further described as:

A 10' X 22' Detroit Edison easement located in part of the N.W.  $\frac{1}{4}$  of Section 9, T2N, R11E, City of Troy, Oakland County, Michigan, further described as commencing at the W.  $\frac{1}{4}$  corner of Section 9, thence N. 02°30'26" W. 1026.33' thence N. 87°37'47" E., 60.00 ft., thence S. 02°30'26" E. 46.00 ft. to the point of beginning of the easement, thence N. 87°37'47" E. 22.00 ft., thence S. 02°30'26" E. 10.00 ft., thence S. 87°37'47" W. 22.00 ft., thence N. 02°30'26" W. 10.00 ft. to the point of beginning.

RECORDED RIGHT OF WAY NO. 38193

Sidwell # 20-09-151-004

#1

E#92 REG/DEEDS PAID  
0001 MAR.23'88 11:54AM  
9917 MISC 9.00

as shown on the attached drawing U1-1-3428 which is made a part hereof

The right of way is 10' X 22' ~~XXXXXXXXXXXX~~

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.

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:

James W. Sealey  
James W. Sealey  
Valerie J. Piccirillo  
Valerie J. Piccirillo

Grantors:

[Signature]  
N. H. Motel Enterprises, Inc.  
A Michigan Corporation  
[Signature]  
William A. Meyer, President

Gerald S. Misiak

Prepared by: The Detroit Edison Company  
30400 Telegraph Rd., Suite #264  
Birmingham, MI 48010

Address: 1601 Belvedere Rd., Suite 501

West Palm Beach, FL 33406

Acknowledgement - Corporation

State of ~~Michigan~~  
FLORIDA  
County of PALM BEACH ) SS.

On this 2nd day of FEBRUARY, 1988, the foregoing instrument was  
acknowledged before me, a notary public in and for said county, by \_\_\_\_\_

WILLIAM A. MEYER

whose title ~~(is)~~ is ~~as~~ PRESIDENT

of NH MOTEL ENTERPRISES, INC., a MICHIGAN corporation, on  
behalf of the corporation.

Notary Public State of Florida at Large  
My Commission Expires March 22, 1988  
Bonded Thru Cornelius Johnson & Clark, Inc.

My Commission Expires: \_\_\_\_\_

*Valerie J. Puccirillo*

Notary Public,  
STATE OF FLORIDA  
COUNTY OF PALM BEACH

RECORDED RIGHT OF WAY NO. 38193

APPLICATION FOR RIGHT OF WAY

DK 963-0811 5-7455 (MS 80)

Troy Twp  
SEC. 9

Lockdale Sub  
Job 87-099

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

DATE November 2, 1987

LOCATION Cross 1200' ± south of I-75

APPLICATION NO. \_\_\_\_\_

CITY OR VILLAGE Troy

DEPT ORDER NO. \_\_\_\_\_

O. F. W. NO. 7JA5A8/H01

TOWNSHIP \_\_\_\_\_ COUNTY Oakland

BUDGET ITEM NO. \_\_\_\_\_

DATE BY WHICH RIGHT OF WAY IS WANTED \_\_\_\_\_

INQUIRY NO. \_\_\_\_\_

THIS R/W IS \_\_\_\_\_ % 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 Proposed 10' x 22' DECO easement.

PURPOSE OF RIGHT OF WAY For the installation of P.S.C. for the removal of O.H. Line in area.

SIGNED R. F. Budwell  
520 S.B.  
Engineering Plan. & Layout Division Services  
OFFICE DEPARTMENT

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

Underground recordable right of way obtained as requested per attached drawing.  
Contacts made by Gerald S. Misiak, Representative; Oakland Division Real Estate, Rights of Way & Claims.

RECORDED RIGHT OF WAY NO.

38123

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

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

DATE March 2, 1988 SIGNED James D. McDonald  
James D. McDonald, Sr. Representative

11-4-87 W.D. 12-16-87

