

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

LOCATION 164 E Maple Rd

DATE 5-19-89

APPLICATION NO. 09465

DEPT. ORDER NO. 464194

CITY of Troy

O. F. W. NO. _____

TOWNSHIP Troy COUNTY Oakland

BUDGET ITEM NO. _____

DATE BY WHICH RIGHT OF WAY IS WANTED 6-9-89

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 6' private easement for public utilities

PURPOSE OF RIGHT OF WAY To serv "Mapleside Shoppes" @ 164 E. Maple

SIGNED M. Jones / DTS.

OFFICE _____ DEPARTMENT _____

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

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

RECORDED RIGHT OF WAY NO. 39962

39964

PERMITS IN RECORD CENTER 3 R.E. & R/W DEPT. FILE 3 GRANTOR Hirsch, & Singer,

NO. OF PERMITS 3 NO. OF STRUCTURES _____ NO. OF MILES _____ PERMITS TO MBT 0

DATE September 9, 1989 SIGNED James D. McDonald
James D. McDonald, Sr. Representative

Detroit Edison

LIBER 11149 PC 412
Estate and Rights of Way
Underground Right of Way Agreement

89

175774

7/3, 19 89

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: #

Part of N.W. 1/4 of Section 34, T2N, R11E, beginning at a point distant N. 89°59'30" E. 805 ft. from N.W. Section corner, thence S. 00°02'15" W. 360 ft., thence N. 89°59'30" E. 125 ft., thence N. 00°02'15" E. 360 ft., thence S. 89°59'30" W. 125 ft. to point of beginning, except N. 60 ft. taken for Maple Road.

Sidwell No. 20-34-101-019

B#92 REG/DEEDS PAID
0001 NOV.15'89 10:55AM
1683 MISC 7.00

RECORDED RIGHT OF WAY NO. 39962

as shown on the attached drawing 0-9465 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 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:
[Signature]
MICHAEL D. GEORGE
[Signature]
GERALD S. MISIAK

Grantors:
700
Maple/Liverngis Associates
A Michigan Partnership
[Signature]
ALAN A. SINGER, PARTNER

O.K. RR

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

Address:
30833 Northwestern Highway
Farmington Hills, MI 48018

APPROVED AS TO FORM 8/21/89 DATE
LEGAL DEPARTMENT [Signature]

put over

LIBER 11149 PG 413

State of Michigan)
County of OAKLAND) SS:

On this 3rd day of July, 1989, the foregoing instrument was acknowledged before me, a notary public in and for said county, by ALAN A. SINGLE,
PARTNER

a general/managing partner(s), on behalf of Maple/Livernois Associates, a Michigan Partnership.

My Commission Expires: 3/8/92

Esther Ann Graef

Oakland Notary Public,
County, Michigan

ESTHER ANN GRAEF
NOTARY PUBLIC-OAKLAND COUNTY, MICH
MY COMMISSION EXPIRES 3-8-92

RECORDED RIGHT OF WAY NO. 39962