

Real Estate and Rights of Way Overhead Right of Way Agreement

January 22, 1988

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 overhead line facilities consisting of poles, guys, anchors, wires, cables, transformers and accessories required to provide electric service in, upon, over and across property located in the City of Auburn Hills, County of Oakland, State of Michigan, further described as follows:

E. 1/2 of N.W. fractional 1/4 of Section 2, T3N, R10E, except beginning at point on westerly line of M-24 Hwy., distant N. 1565 ft., & W. 34.35 ft. from center of Section, th N. 01°10'00" E. 219.55 ft., th N. 00°28'45" E. 226.30 ft., th S. 88°07'15" W. 781 ft., th S. 00°38'45" W., 445.78 ft., th N. 88°07'15" E. 779.66 ft. to point of beginning, also except that part taken for relocation of M-24 Hwy., also except beginning at point distant N. 88°13'04" W. 135.77 ft. & N. 01°41'56" W. 340 ft. from center of Section, th S. 88°13'04" W. 681.06 ft., th N. 01°41'56" W. 445.35 ft., th N. 88°13'04" E. 681.06 ft., th S. 01°41'56" E. along hwy R/W line 445.35 ft. to point of beginning, also except N. 60 ft., also except S. 10 ft. of N. 70 ft. of E. 580 ft. taken for hwy. 66.19 Acres. Sidwell 14-02-100-009

#/

DECO2

The route of the line facilities is described as follows: As shown on the attached Detroit Edison Drawing No. 0-8837 dated 10-27-87. A 3 ft. X 30 ft. easement.

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 brush and trees 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 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: Lawrence R. Ternan, Carole Sue Rudolph, John C. Greenlee, JOHN BODEN, KAREN COON

Grantors: Gerald J. Underwood as to an undivided 61.680% interest, Beverley M. Underwood, his wife, Judith A. Ditttrich, as to an undivided 38.320% interest

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

Address: 74 W. Long Lake Rd., Suite 1

Bloomfield Hills, MI 48013

RECORDED RIGHT OF WAY NO.

31605

STATE OF FLORIDA )  
 )  
 COUNTY OF )

On this 15 day of January, 1988, the foregoing instrument was acknowledged before me, a notary public in and for said county, by JUDITH A. DITTRICH, as to an undivided 38.320% interest.

*[Handwritten Signature]*

Notary Public,  
 County, Florida

Notary Public, State of Florida

My Commission Expires:

My Commission Expires Jan. 16, 1989

Notary Public, State of Florida

RECORDED RIGHT OF WAY NO. 38605

*[Faint, illegible text]*

LIBER 105820007

STATE OF MICHIGAN)  
 )  
COUNTY OF OAKLAND )

On this 22nd day of January, 1988, the foregoing instrument was acknowledged before me, a notary public in and for said county, by GERALD J. UNDERWOOD, as to an undivided 61.680% interest, and BEVERLEY M. UNDERWOOD, his wife.



\_\_\_\_\_  
Lawrence R. Ternan  
Notary Public,  
County, Michigan  
My Commission Expires: 8/13/88

Oakland

RECORDED RIGHT OF WAY NO. 31605

APPLICATION FOR RIGHT OF WAY

OE 963-0811 5-7485 (MS 80)

2-1-87 - Top  
SEC. 2

PLEASE SECURE RIGHT OF WAY AS FOLLOWS

DATE 9-1-87

LOCATION M-24 S OF BROWN APPLICATION NO. Ø-8837 I

CITY OR VILLAGE AUBURN HILLS DEPT ORDER NO \_\_\_\_\_

TOWNSHIP \_\_\_\_\_ COUNTY OAKLAND O F W NO 7GBAE9/H03

DATE BY WHICH RIGHT OF WAY IS WANTED 11-13-87 BUDGET ITEM NO 7GBAE-KIH

THIS R/W IS 20 % OF TOTAL PROJECT NO. 7GBAE 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 INSTALL ANCHORS AND CUT TREES

PURPOSE OF RIGHT OF WAY RELOCATE LINE FOR NEW COLORADO CIRCUITS

SIGNED J B Brouse

OFFICE

DEPARTMENT

RECORDED RIGHT OF WAY NO. 38605

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

Recordable overhead right of way obtained as requested per attached drawing.

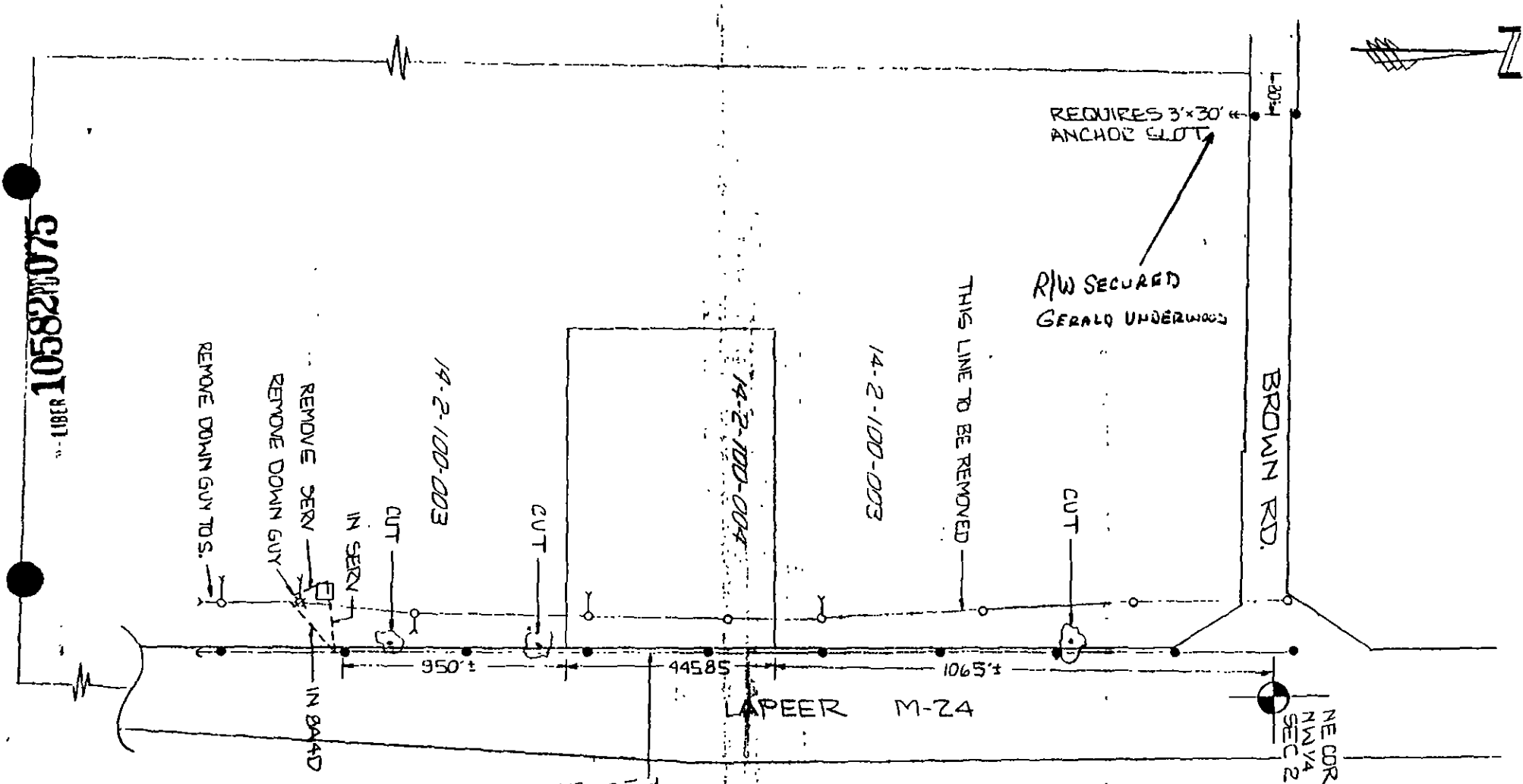
Contacts made by John C. Greenlee, Representative; Real Estate, Rights of Way & Claims; Oakland Division.

PERMITS IN RECORD CENTER 1 R.E. & R/W DEPT. FILE 1 GRANTOR Underwood & Dittrich

NO. OF PERMITS 1 NO OF STRUCTURES \_\_\_\_\_ NO OF MILES \_\_\_\_\_ PERMITS TO MBT 0

DATE September 1, 1988 SIGNED James D. McDonald  
James D. McDonald, Sr. Representative

RECORDED RIGHT OF WAY NO. 386 05



LIBER 105821075

14-2-100-003

14-2-100-004

14-2-100-003

THIS LINE TO BE REMOVED

REQUIRES 3'x30' ANCHOR SLOT

R/W SECURED GERALD UNDERWOOD

BROWN RD.

LAPEER M-24

NE COR NVA4 SEC 2

REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH	
BY	PERMITS TO:
DATE	RECORD CENTER
DATE WANTED <u>11-13-87</u>	R/W FILES
DISTRICT FIELDMAN	MBT
	ORIGINATOR
	TOTAL

THIS LINE TO BE INSTALLED 2E OF R.O.W. LINE 50' TO 55' POLES 3-6368 WIRE

THE DETROIT EDISON COMPANY - SERVICE PLANNING DEPARTMENT	
CITY OR TWP <u>WILBURN HILLS</u>	COUNTY <u>OAKLAND</u>
ST. & TWP. SECT. NO. <u>NVA4 SEC 2</u>	DEPT. ORDER NO.
MAP SECT. <u>1-272-440 &amp; 442</u>	TOWN RANGE JOINT R/W REQUIRED <u>YES</u>
PROJECT NAME	NO. DEPT. NO.
CIRCUIT <u>DC 8078 CARTER</u>	TEL. ENGR. & DIST.
PLANNER <u>D.J. ESCHENBURN</u>	SCALE <u>1" = 200'</u>
	DATE <u>11-22-87</u>