

Detroit Edison

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

LIBER 11221 PG 210

October 17, 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 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 TOWNSHIP of BRANDON, County of DAKLAND, State of Michigan, further described as:

PARCEL B

SEE ATTACHED APPENDIX "A"

DECOI

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B#92 REG/DEEDS PAID
0001 JAN.10'90 11:56AM
1299 MISC 11.00

RECORDED RIGHT OF WAY NO.

40193

as shown on the attached drawing 0-9593 dated 8-23-89 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 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 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:

Grantors:

Gerald S. Mistak
GERALD S. MISTAK
Annie Grimmett
ANNIE GRIMMETT

Dennis V. Mirku
DENNIS V. MIRKU
Ignazia Mirku
IGNAZIA MIRKU, HIS WIFE

O.K. — RR

Prepared by:
Annie Grimmett
THE DETROIT EDISON COMPANY
30400 TELEGRAPH Rd. Suite 277
BIRMINGHAM, MS. 38210

Address: 3375 BURRIS COURT
ORTONVILLE, MICH. 48462

APPROVED AS TO FORM 11/1/89 D-T
LEGAL DEPARTMENT John DE 963 6114 1 87 CS (DE UGL)