

Detroit Edison

Real Estate and Rights of Way
Underground Right of Way Agreement

90 005696
LIBER 11221 PG 214

September 18, 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 Township of Brandon, County of Oakland, State of Michigan, further described as:

Parcel D

See Attached Appendix "A"

DEC 01

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

#

RECORDED RIGHT OF WAY NO. 40947

as shown on the attached drawing Ø-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 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:

Grantors:

[Signature]
BARRY W. LOYANG
[Signature]
A. LEE STEINHUFF

Curtiss-Eynon, a registered
co-partnership
[Signature]
GARY J. EYNON, PARTNER
[Signature]
REX CURTISS, JR., PARTNER

Annie P. Grimmett/vkc
Prepared by: The Detroit Edison Company
30400 Telegraph Road, Suite 277
Birmingham, MI 48010

Address: 4928 Curtiss Drive
Lapeer, MI 48446

O.K. - RR

APPROVED AS TO FORM 11/6/89 DATE
LEGAL DEPARTMENT [Signature]

Appendix "A"

Parcel "D"

Part of the N.W. $\frac{1}{4}$ of Section 22, T5N, R9E, Brandon Township, Oakland County, Michigan. Being more particularly described as commencing at the North $\frac{1}{4}$ corner of said Section 22, thence N. $89^{\circ}55'36''$ W., 480.00 ft. along the North line of said Section 22 to a point, thence S. $00^{\circ}13'03''$ East 833.48 ft. to the point of beginning, thence proceeding S. $24^{\circ}51'59''$ W. 248.54 ft. to a point on the Northerly line of the Detroit Edison Right of Way, thence along a curve to the right (having a radius of 5690.58 ft. and a long chord bearing N. $71^{\circ}00'33''$ W. 73.28 ft.) an arc distance of 73.28 ft. along the Northerly line of the Detroit Edison Right of Way, thence N. $70^{\circ}38'25''$ W., 450.94 ft. along the Northerly Right of Way line of the Detroit Edison Right of Way to the intersection of a 66 ft. easement for ingress and egress with public utilities, thence N. $01^{\circ}02'45''$ E. 165.00 ft. along the centerline of said 66 ft. easement to a point, thence S. $79^{\circ}17'10''$ E. 606.81 ft. to the point of beginning. Containing 2.624 acres. Reserved therefrom all easements and right of way of record. Together with and subject to easement rights for ingress and egress with public utilities described hereafter.

Description of easement for private road right of way

A private easement 66 ft. in perpendicular width for ingress and egress with public utilities over, across and under a strip of land described as part of the Northwest $\frac{1}{4}$ of Section 22, T5N, R9E, Brandon Township, Oakland County, Michigan. Being more particularly described as commencing at the N. $\frac{1}{4}$ corner of said Section 22, thence N. $89^{\circ}55'36''$ W. 1259.90 ft. along the North line of said Section 22 to the point of beginning, thence proceeding N. $89^{\circ}55'36''$ W. 66.00 ft. along the North line of said Section 22 to a point, thence S. $00^{\circ}04'54''$ W. 33.00 ft. to a point of curvature thence along a curve to the left (having a radius of 263.00 ft. and a long chord bearing S. $29^{\circ}36'44''$ E. 260.56 ft.) an arc distance of 272.60 ft. to a point of reversed curvature, thence along a curve to the right (having a radius of 197.00 ft. and a long chord bearing S. $29^{\circ}07'48''$ E. 198.05 ft.) an arc distance of 207.51 ft. to a point, thence S. $01^{\circ}02'45''$ W. 524.61 ft. to a point, thence S. $03^{\circ}28'58''$ E. 15.19 ft. to a point of curvature, thence along a curve to the right (having a radius of 47.00 ft. and a long chord bearing S. $17^{\circ}18'50''$ W. 33.40 ft.) an arc distance of 34.14 ft. to a point of reverse curvature, thence along a curve to the left (having a radius of 60.00 ft. and a long chord bearing N. $86^{\circ}31'23''$ E. 89.72 ft. an arc distance of 275.64 ft. to a point of reverse curvature, thence along a curve to the right (having a radius of 47.00 ft. and a long chord bearing N. $24^{\circ}17'32''$ W. 33.40 ft.) an arc distance of 34.14 ft. to a point, thence N. $01^{\circ}02'45''$ E. 534.52 ft. to a point of curvature, thence along a curve to the left (having a radius of 263.00 ft. and a long chord bearing N. $29^{\circ}07'48''$ W. 264.40 ft.) an arc distance of 277.03 ft. to a point of reverse curvature, thence along a curve to the right (having a radius of 197.00 ft. and a long chord bearing N. $29^{\circ}36'44''$ W. 195.18 ft.) an arc distance of 204.00 ft. to a point, thence N. $00^{\circ}04'54''$ E. 33.00 ft. to the point of beginning. Reserved therefrom all easement and right of ways of record. Together with and subject to easement rights for ingress and egress with public utilities.

Sidwell No. 03-22-100-043 *Part*
Parcel

RECORDED RIGHT OF WAY NO. 40194

RECORDED RIGHT OF WAY NO. 40194

State of Michigan)
County of OAKLAND) SS:

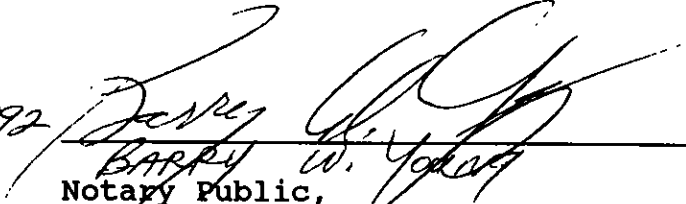
LIBER **11221** PC **216**

On this 18th day of Sept., 1989, the foregoing instrument was acknowledged before me, a notary public in and for said county, by

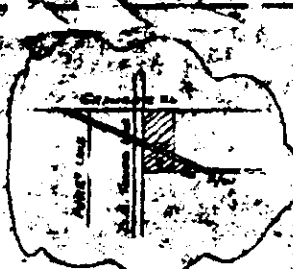
Rex Curtiss, JR. & Gary J. Eynon

(a) general/managing partner(s), on behalf of Curtiss-Eynon, a registered Co-Partnership.

My Commission Expires: MAY 13, 1992

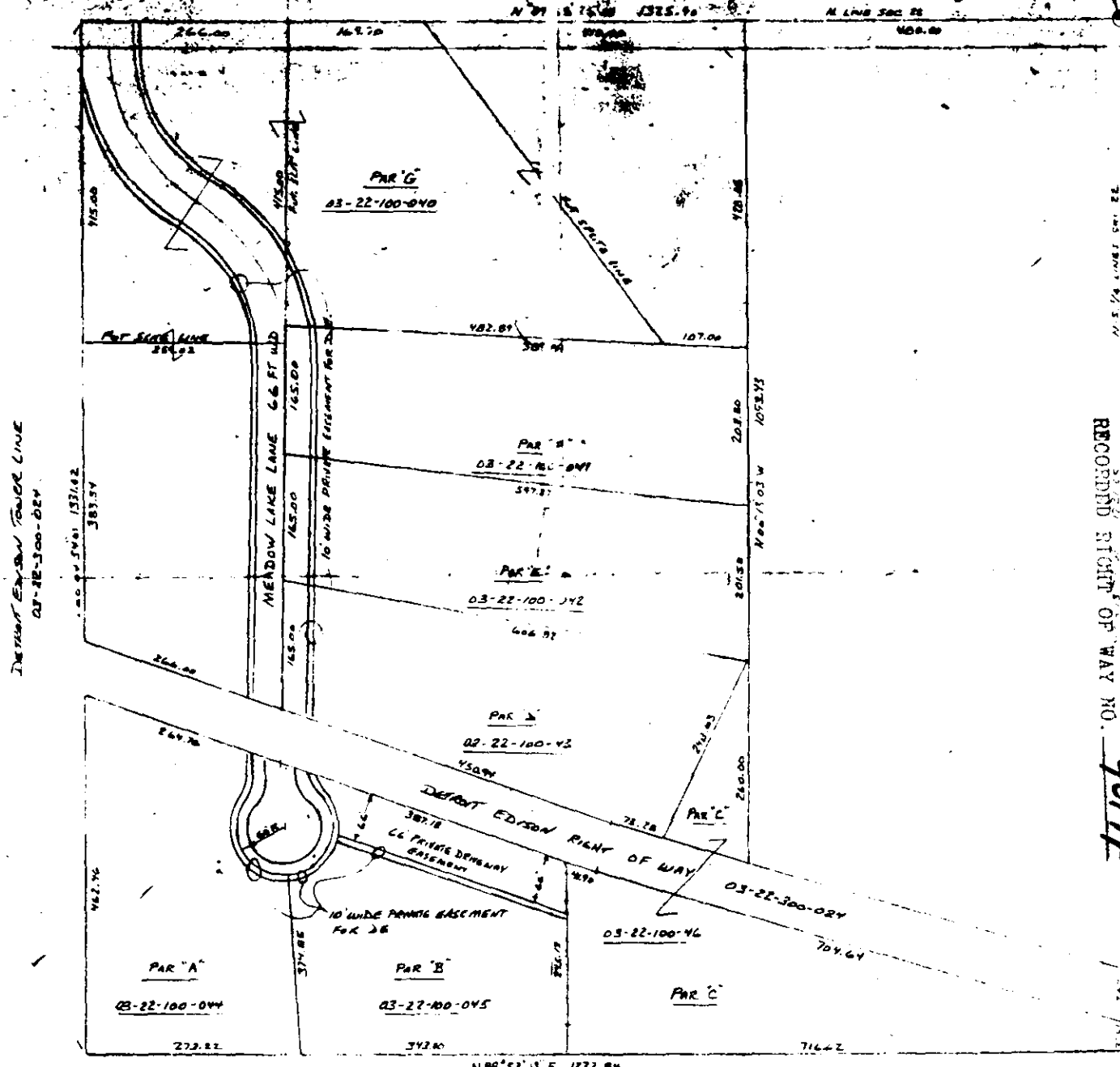

BARRY W. YORK
Notary Public,
County, Michigan OAKLAND

RECORDING FEE OR TAX NO. 40194



GRANGE RD 66 FT WID

N 1/4 COR. SEC 22
T 58 N 9 E
R 35 W 1/4



RECORDED RIGHT OF WAY NO. 40194

DETROIT EDISON TOWER LINE
03-22-100-024

N 89° 53' 13" E 1372.84

LEGEND				THE DETROIT EDISON COMPANY - SERVICE PLANNING DEPARTMENT			
○	POSITION POLE	CITY OF TOPEKA	EDISON	BY 6/17/02	REV. 02	DATE 06/17/02	BY 6/17/02
○	EXIST. D.E. CO. POLE	BOUNDARY	PK	N 1/4 22			
○	PROPOSED POLE	03-22-100-045	TYPE	5N	9E	20' X 20'	03-22-100-045
○	EXIST. ANCHOR	MEADOW LAKE ESTATE PARCELS	TYPE	5N	9E	20' X 20'	03-22-100-045
○	PROPOSED ANCHOR	TO SERVE 1200 - 1400 MEADOW LAKE LANE	TYPE	5N	9E	20' X 20'	03-22-100-045
○	TOWER	DOAN, YATES	TYPE	5N	9E	20' X 20'	03-22-100-045
○	12000 V LINE						
○	6000 V LINE						
○	15000 V LINE						
○	40000 V LINE						