

Detroit Edison Overhead and Underground Easement (Right of Way) No. 26483531

On _____, 2008, for the consideration of system betterment, Grantor grants to Grantee a permanent overhead and underground easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area."

"Grantor" is:

City of Rochester Hills, a Michigan Municipal Corporation
1000 Rochester Hills Drive
Rochester Hills, Michigan 48309

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226

"Grantor's Land" is in City of Rochester Hills, Oakland County, Michigan described as:

PART OF THE SE 1/4 SECTION 35, T3N, R11E
SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION OF PARCEL NO. 15-35-476-004

The "Right of Way Area" is a part of Grantor's Land and is described as:

A TWELVE FEET WIDE OVERHEAD EASEMENT
AND A TEN (10) FEET WIDE UNDERGROUND EASEMENT AS INDICATED ON EXHIBIT "B"
SRW # 26483531 Dated 08-27-2008 WHICH IS ATTACHED HERETO AND MADE A PART HEREOF.

The easement centerline may vary if field construction problems arise. Therefore, the location of the easement is approximate; the centerline of the easement is where the cable is installed.

1. **Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain underground utility line facilities consisting of poles, guys, anchors, wires, manholes, conduits, pipes, cables, transformers and accessories.
2. **Access:** Grantee has the right of access to and from the Right of Way Area.
3. **Buildings or other Permanent Structures:** No buildings or other permanent structures are allowed in the Right of Way Area without Grantee's prior written consent.
4. **Excavation:** Under 1974 Public Act 53, you must call MISS DIG (1-800-482-7171) before excavating in the Right of Way Area.
5. **Trees, Bushes, Branches, Roots, Structures and Fences:** Grantee may trim, cut down, remove or otherwise control any trees, bushes, branches and roots in the Right of Way Area (or that could grow into the Right of Way Area) and remove structures and fences in The Right of Way Area that Grantee believes could interfere with the safe and reliable construction, operation and maintenance of Grantee's facilities. No trees, plant life, structures and fences can be planted, grown or installed within 8 feet of the front door and within 2 feet of the other sides of transformers and switching cabinet enclosures. Grantee will not be responsible to Grantor for damages to or removal of trees, plant life, structures and fences placed in front of transformer doors.
6. **Restoration:** If Grantee's employees, contractors, vehicles or equipment damage Grantor's Land while entering Grantor's Land for the purposes stated in this Right of Way, then Grantee will restore Grantor's Land as nearly as can be to its original condition.
7. **Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors and assigns.
8. Exempt under MCL 207.505 (a) and MCL 207.526 (a)

(2) **Witnesses:** (Type or print name in black ink only below signature)

Grantor: (Type or print name in black ink only below signature)

City of Rochester Hills, a Michigan Municipal Corporation

X _____

By: _____

X _____

Its: _____

Acknowledged before me in _____ County, Michigan, on _____, 2008,
by _____ the _____ of the City of Rochester Hills, a Michigan
Municipal Corporation, for the Corporation

Notary's
Stamp _____

Notary's
Signature _____

(Notary's name, county, and date commission expires)

EXHIBIT 'A'

No property address available

[View Map](#)

Parcel ID

15-35-476-004

Municipality

City of Rochester Hills

Owner(s)

CITY OF ROCHESTER HILLS

Mailing Address of Property Owner

1000 ROCHESTER HILLS DR, ROCHESTER HILLS, MI 48309-3034

c/o PAUL SHUMETKO

Property Description

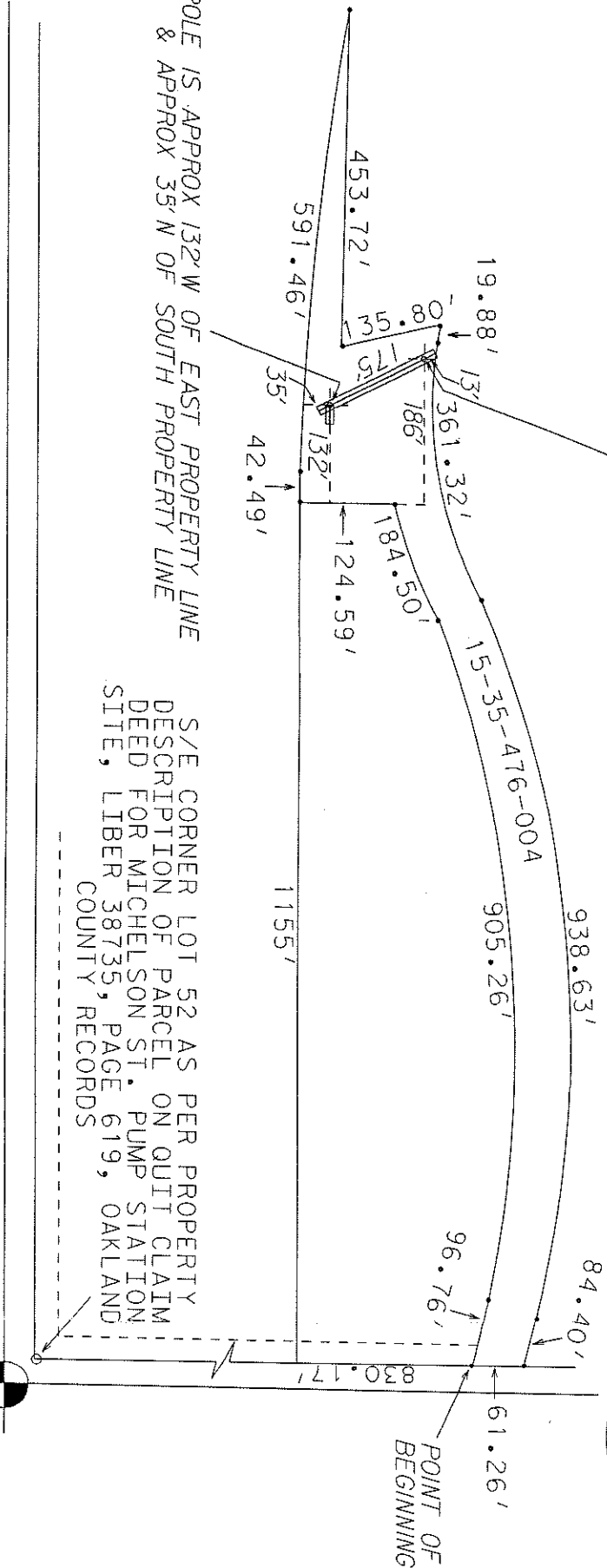
T3N, R11E, SEC 35 BROOKLANDS PART OF LOT 52 BEG AT PT DIST N 02-45-57 E 830.17 FT FROM SE LOT COR, TH N 75-35-51 W 96.76 FT, TH ALG CURVE TO LEFT, RAD 1627.15 FT, CHORD BEARS S 88-27-52 W 893.63 FT, DIST OF 905.26 FT, TH ALG CURVE TO RIGHT, RAD 597.34 FT, CHORD BEARS S 70-28-38 W 183.60 FT, DIST OF 184.50 FT, TH S 02-26-41 W 124.59 FT, TH N 87-33-19 W 42.49 FT, TH ALG CURVE TO RIGHT, RAD 4386.66 FT, CHORD BEARS N 83-41-34 W 591.01 FT, DIST OF 591.46 FT, TH S 88-17-20 E 453.72 FT, TH N 13-41-35 W 135.80 FT, TH S 80-40-05 E 19.88 FT, TH ALG CURVE TO LEFT, RAD 537.34 FT, CHORD BEARS N 80-04-06 E 354.55 FT, DIST OF 361.32 FT, TH ALG CURVE TO RIGHT, RAD 1687.15 FT, CHORD BEARS N 88-27-52 E 926.58 FT, DIST OF 938.63 FT, TH S 75-35-51 E 84.40 FT, TH S 02-45-57 W 61.26 FT TO BEG

SRW# 2648 3531

EXHIBIT "B"

Michelson St. Pump Station Site: Part of Lot 52 of "Brooklands Subdivision" located in Section 35, T3N, R1E, City of Rochester Hills, Oakland County, Michigan as recorded in Liber 25 of Plats 10A, Oakland County Records. Parcel number 15-35-476-004.

EXISTING POLE IS APPROX 13' S OF NORTH PROPERTY LINE AND APPROX 186' W OF LINE EVEN WITH THE EAST PROPERTY LINE SEGMENT EQUAL TO 124.59'



POLE IS APPROX 132' W OF EAST PROPERTY LINE & APPROX 35' N OF SOUTH PROPERTY LINE

S/E CORNER LOT 52 AS PER PROPERTY DESCRIPTION OF PARCEL ON QUIT CLAIM DEED FOR MICHELSON ST., PUMP STATION SITE, LIBER 38735, PAGE 619, OAKLAND COUNTY RECORDS

12' WIDE OVERHEAD EASEMENT IS APPROX 175' IN LENGTH FROM NORTH PROPERTY LINE TO SOUTHERN OF THE 2 POLES INCLUDING GUYING TO SOUTHEAST FROM THAT POLE: & 10' WIDE UNDERGROUND EASEMENT RUNS EAST APPROX 25' FROM THAT POLE TO PAD-MOUNT TRANSFORMER.

SOUTHEAST 1/4 CORNER, SECTION 35, T3N, R1E, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN

CITY OF ROCHESTER HILLS
1000 ROCHESTER HILLS DRIVE
ROCHESTER HILLS,
MI 48306

C/O PAUL SHUMEJKO
PHONE # 248-841-2489

Work Order # 26483493	Work Order Description 659 Michelson, Rochester Hills OH & UG Easement, new CF	GIS-DSN 26483530	SRW 26483531	PH 26483541	PLC 26483540
Service Center Shelby	Circuit #1 DC 8890 Seneca	COH	COG	CUL	CUS
Worksite City Rochester Hills	Worksite Twp. Rochester Hills	Worksite County OAKLAND			
Town 3N	Range 11E	Sect 35	Qtr E OF SE 1/4	Planner Name Molnar, Nancy E	586-412-4722
				Pilot Date 8-27-08	CUE Request # 81797
				Version 1	Scale NO SCALE
				Target Finish Date	