

Detroit Edison Overhead Easement (Right of Way) No. SRW: #30141457 Child: #30141455

On _____, 2009, for the consideration of system betterment, Grantor grants to Grantee a permanent overhead 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 MUNICIPAL CORPORATION
1000 Rochester Hills Drive, Rochester Hills, MI 48309

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
AT & T 54 Mill Street, Pontiac, Michigan 48342
Comcast 6095 Wall Street, Sterling Heights, Michigan 48312
Wide Open West, (WOW) 950 East Whitcomb, Madison Heights, Michigan 48071

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

PARCEL NO: 15-28-226-025 PART OF THE NE 1/4, SECTION 28, T3N, R11E
SEE EXHIBIT "A" FOR LEGAL DESCRIPTION, which is attached hereto and made a part hereof.

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

An Overhead Easements as indicated on the City of Rochester Hills, Department of Public Service drawing, File: 1:/Eng/PUBL/E92-023 Esmt 15-28-226-025 which is attached hereto and made a part hereof.
The Width of the Easement is as shown on the drawing..

- 1. Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain overhead utility line facilities consisting of poles, guys, anchors, wires, 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. 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.
- 5. 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.
- 6. Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors and assigns.
- 7. 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 MUNICIPAL CORPORATION

X _____

By: _____

X _____

Its: _____

Acknowledged before me in _____ County, Michigan, on _____, 2009,
by: _____, the _____ of the CITY OF ROCHESTER
HILLS, A MUNICIPAL CORPORATION on behalf of the Municipal Corporation

Notary's
Stamp

Notary's
Signature

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

EXHIBIT "A"

LEGAL DESCRIPTION:

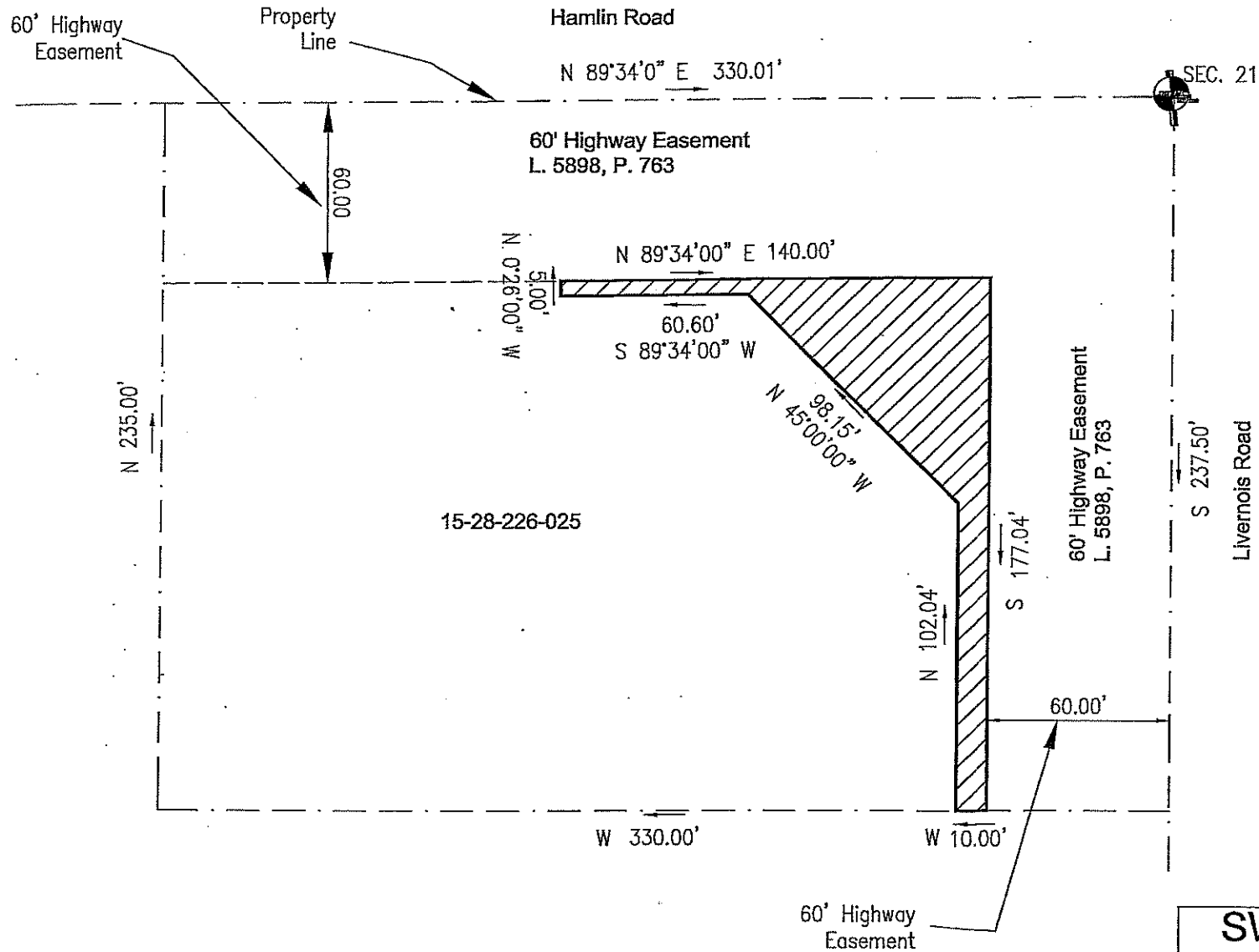
Land in the City of ROCHESTER HILLS, OAKLAND County, Michigan, described as:

All that part of the northeast 1/4 of section 28, town 3 north, range 11 east City of Rochester Hills, Oakland County, Michigan, described as: Beginning at the northeast corner of said section 28; thence south 237.50 feet; thence west 330.00 feet; thence north 235.00 feet; thence north 89 degrees 34 minutes 00 seconds east 330.01 feet (recorded 330.31 feet) to the point of beginning. Subject to a 60.00 feet Highway Easement, as recorded in liber 5898, page 736 and in liber 6196, page 479, Oakland County Records.

Commonly known as: VACANT LAND HAMLIN, CITY OF ROCHESTER HILLS, MI 48309
Parcel Identification No. 15-28-226-025

DETROIT EDISON SRW# 30141457

EXHIBIT "B"




Parcel Description as recorded in Liber 40561 Pages 353 - 355 inclusive:
 Land in the City of Rochester Hills, Oakland County, Michigan described as:

All that part of the northeast $\frac{1}{4}$ of section 28, town 3 north, range 11 east City of Rochester Hills, Oakland County, Michigan, described as: Beginning at the northeast corner of said section 28; thence south 237.50 feet; thence west 330.00 feet; thence north 235.00 feet; thence north 89 degrees 34 minutes 00 seconds east 330.01 feet (recorded as 330.31 feet) to the point of beginning. Subject to a 60.00 feet Highway Easement, as recorded in liber 5898, page 736 and in liber 6196, page 479, Oakland County Records.

Easement: Part of a parcel of land in the City of Rochester Hills, Oakland County, Michigan located in the northeast $\frac{1}{4}$ of section 28, town 3 north, range 11 east described as: Starting at the northeast corner of said section 28; thence south 237.50 feet; thence west 60 feet to a point at the southeast corner of a 60 feet Highway Easement, said point being the Point of Beginning: Thence continuing west 10 feet; thence north 102.04 feet; thence northwest 45 degrees 00 minutes 00 seconds west, 95.15 feet; thence south 89 degrees 34 minutes 00 seconds west, 60.60 feet; thence north 00 degrees 26 minutes 00 seconds west, 5.00 feet; thence north 89 degrees 34 minutes 00 seconds east, 140.00 feet; thence south 177.04 feet to the Point of Beginning. 4846.39 S.F., 0.111 acres.

DETROIT EDISON
 SRW# 30141457

SW Corner Hamlin and Livernois Easement	
	CITY OF ROCHESTER HILLS Department of Public Service 1000 ROCHESTER HILLS DRIVE ROCHESTER HILLS, MICHIGAN 48309 PHONE : (248) 656-4640
	File: i:\Eng\PUBL\E92-023\Esmr 15-28-226-025