

Detroit Edison Underground Easement (Right of Way) No. 729608-71

On _____, 2007, for the consideration of system betterment, Grantor grants to Grantee a permanent 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
1000 Rochester Hills Dr.
Rochester Hills, Michigan 48309-3034

"Grantee" is:

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

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

PART OF THE SE 1/4 OF SECTION 26, T3N, R11E
BEGINNING AT PT DIST N 89-34-45 E 610 FT FROM S 1/4 CORNER, TH N 89-34-45 E 783.72 FT, TH N 00-25-15 W 622.15 FT, TH N 37-57-53 W 60.35 FT, TH S 89-34-45 W 746.90 FT, TH S 00-25-00 E 670 FT TO BEG. EXCEPT S 60 FT TAKEN FOR AUBURN RD 10.95 ACRES PARCEL NO: 15-26-451-033

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

AS INDICATED ON EXHIBIT "A", WHICH IS ATTACHED HERETO AND MADE A PART HEREOF.

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

X _____

By: _____

X _____

Its: _____

Acknowledged before me in _____ County, Michigan, on _____, 2007,
by : _____, the _____ of the City of Rochester Hills, for the
City of Rochester Hills.

Notary's
Stamp

Notary's
Signature

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

Prepared by and Return to:

Annie Grimmert, Detroit Edison Company, Macomb Center, 15600 19 Mile Road, Clinton Township, MI. 48038

ok'd per
J. Stacum
4-17-07

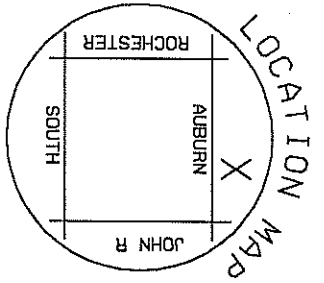
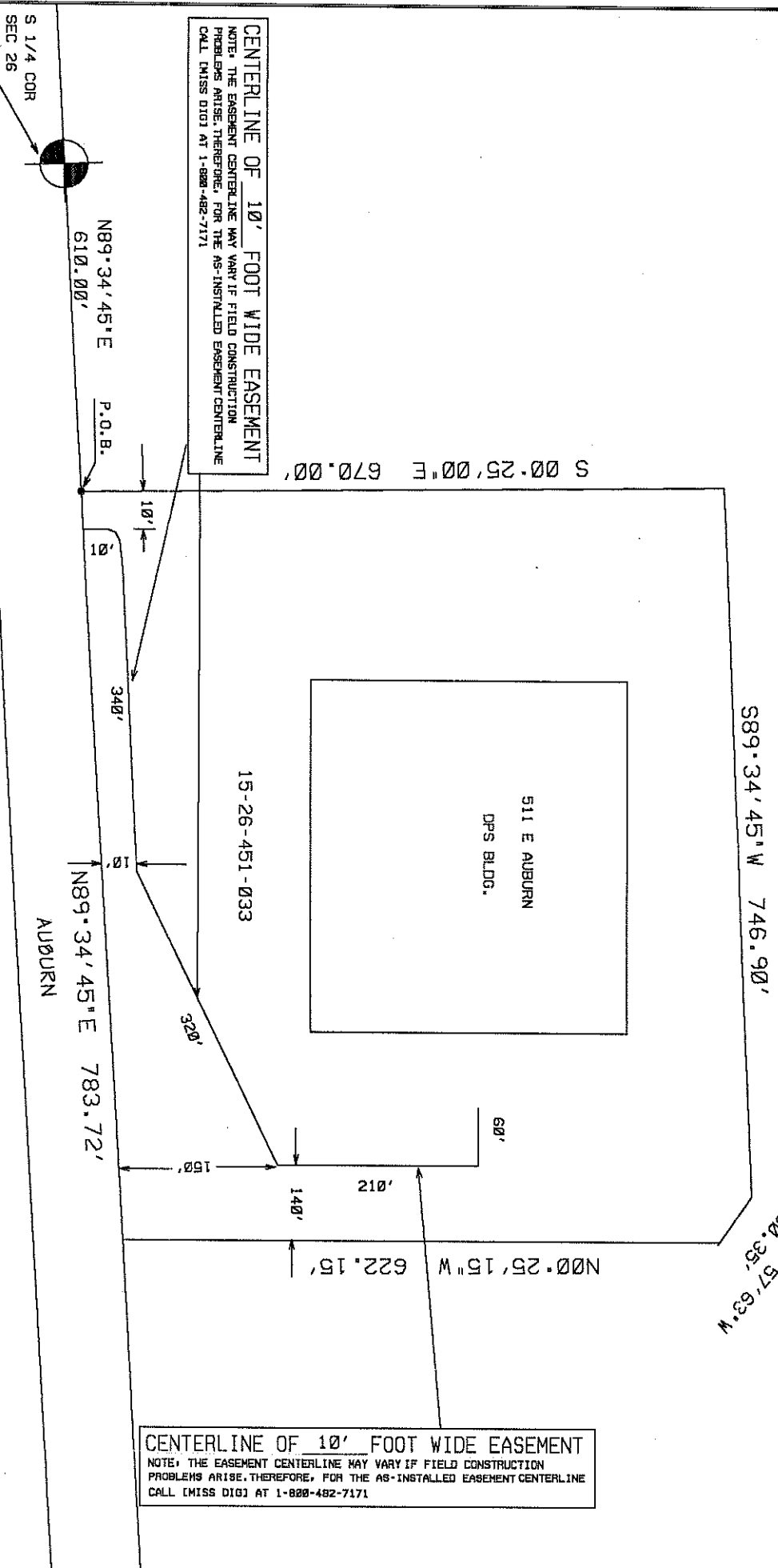


EXHIBIT "A"

North

CENTERLINE OF 10' FOOT WIDE EASEMENT
 NOTE: THE EASEMENT CENTERLINE MAY VARY IF FIELD CONSTRUCTION PROBLEMS ARISE. THEREFORE, FOR THE AS-INSTALLED EASEMENT CENTERLINE CALL (MISS DIO) AT 1-888-482-7171

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S 1/4 COR
 SEC 26

N89°34'45"E
 610.00'

P.O.B.

S 00°25'00"E 670.00'

10'

340'

15

15

N89°34'45"E 783.72'

AUBURN

60'

140'

210'

622.15'

N00°25'15"W

60.35'

N87°57'63"W

589°34'45"W 746.90'

RFW Description		511 AUBURN ROCH HILLS, DPW BLDG		PD	70	SRW	71	PH	0	PLC	0	Conj. Group	D	RFW Number	729608
Circuit #1	DC 8940	SENCA	Circuit #2	Service Center #1	Pontiac	Service Center #2	Shelby	COH	0	CUG	84	CUL	81	CUR	0
Worksite City		ROCHESTER HILLS		Worksite Twp.		AVON		Worksite County							
Town	Range	Sect	Qtr	Planner Name		Souza, Robert		Commit Date	3/1/2007	Scale	1" = 150'	Plot Date	3/1/2007		

325961-416318

OK'd per
 M. Taur
 4-18-07