

EASEMENT TO CONSTRUCT AND MAINTAIN UNDERGROUND ELECTRIC CABLE

FOR AND IN CONSIDERATION OF One Dollar and 00/100 (\$1.00)

_____ in hand paid, the receipt of which is hereby acknowledged, the STATE OF MICHIGAN by the DEPARTMENT OF NATURAL RESOURCES acting under authority of the NATURAL RESOURCES COMMISSION, and by virtue of the authority conferred by Act No. 10, P.A. 1953, does hereby Convey and Quit-Claim to Detroit Edison Company a corporation, whose post office address is 2000 Second Ave., Detroit, Michigan 48226 and to its successors and assigns the easement and right to lay, construct, maintain, repair, remove, patrol, improve and enlarge underground cables, conduits, wires, conductors, surface-mounted pedestals, subsurface junction vaults, subsurface transformer vaults and transformers, together with concrete pads or other supports therefor, and other fixtures and appurtenances for the purpose of transmitting and distributing electricity and/or conducting a communication business on, in, under, over, through and across the following described parcel of land, including all public highways and upon or adjacent to said land, which land is situate in the City of Detroit, County of Wayne and State of Michigan, to wit:

State owned land in City of Detroit being a part of E $\frac{1}{2}$ of NW $\frac{1}{4}$, Section 2, T 1 S, R 11 E which is the Site of the State Fair Grounds.

This easement is granted subject to the following regulations and conditions:

(1) The route to be taken by said underground cables, conduits, wires and conductors on, in, under, over, through and across said land being more specifically described as follows; AND, GRANTEE shall work with the Department's authorized field representative to provide appropriate aboveground markers for the underground electric lines:

A ten foot wide underground easement, 5 foot on each side whose centerline is described as follows: Commencing at the SW corner of the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Sec. 2, T1S, R11E (now City of Detroit), thence N 00°17' E 33.0 ft, thence N 89°43' W 689.40 ft, thence N 25°22' W 1731.80 ft, thence N 89°30' E 1158.50 ft to the point of beginning of said centerline, thence S 13°22'26" E 35.90 ft, thence S 00°30' E 257.93 ft, thence S 27°03'54" E 98.05 ft to the point of ending.

It is further made a requirement of this easement that the applicant give notice to the public utilities in accordance with Act 53, Public Acts of 1974 (460.701 et seq M.C.L.) and comply with each of the requirements of the act.

If required - valid permits must be issued in compliance with the Soil and Sedimentation Control Act being Act 347, P.A. 1972 (282.101 et seq M.C.L.) before any construction may proceed.

(2) Said surface-mounted pedestals, subsurface junction vaults, subsurface transformer vaults, transformers, transformer pads or other supports, and other fixtures and appurtenances shall be constructed at such locations along said route as may be required.

(3) Grantor hereby agrees that no buildings or other structures will be placed over said facilities and that no buildings or other structures will be placed within such close proximity to any of said facilities as to interfere with or, in the opinion of Grantee, threaten to interfere with the construction, operation or maintenance of said electrical and/or communication facilities.

(4) Grantor covenants and agrees that the average ground elevation within 6 feet of any such cable, conduit, wire, conductor or other underground facility will be maintained at a level not to exceed 12 inches above or 6 inches below the level established at the time of installation of said underground facilities. Grantor further covenants and agrees to maintain the ground surface elevation in an area 4 feet wide around any transformer pad, subsurface transformer, junction vault or other support at an elevation of not less than 3 inches and not more than 6 inches below the base of any transformer mounted on a pad or other support and not more than 6 inches below the top of any subsurface transformer or junction vault.

33428

(5) Grantee, its successors or assigns by the acceptance of this instrument, agrees to notify the authorized representative of the Department of Natural Resources prior to commencing operations under this easement, so that the Department shall be properly notified as to the time and place that such operations shall begin on the state-owned land herein described. Said Department representative is William Upina, Michigan State Fair, 1120 W. State Fair Avenue, Fairgrounds, Detroit, Michigan 48203 or his successor.

(6) Grantee, its successors or assigns by the acceptance of this instrument, agrees that any relocation of the line constructed under this easement will be made only upon approval of the Department of Natural Resources before such relocation takes place.

(7) Grantee, its successors or assigns, accepts this easement subject to all prior and valid easements, permits, licenses, leases and other rights existing or pending at the time of the issuance of this easement, which may have been granted on said land.

(8) Grantee, its successors or assigns, and its or their agents and employees may cut, trim and remove all brush and trees which may interfere or threaten to interfere with or be hazardous to the construction, operation and maintenance of said facilities on the above-described right-of-way; provided, no herbicides to control tree, shrub, or other plant growth on the land herein described shall be used without first securing written permission from the Grantor or its authorized field representative.

(9) Grantee, its successor or assigns, agrees that all commercial forest products cut by the Grantee hereunder in the construction and maintenance of said line shall be the property of the Department of Natural Resources and shall be cut and piled or decked as directed by the Department's authorized representative.

(10) Grantee, its successors or assigns, for themselves and their agents and employees agrees to take all reasonable precautions to prevent and suppress forest fires and shall cause no unnecessary damage to natural tree growth or to any plantation, and shall pay all damage other than ordinary to state property arising out of its negligent acts or failure to act.

(11) Grantee, its successors or assigns, shall obtain the required permit from the Department of Natural Resources or its authorized representative before burning any refuse or setting any fires whatsoever.

(12) It is understood that all slash and forest growth cut, resulting from operations under this easement, shall be handled in accordance with the provisions of Act 35, P.A. 1955, and the rules and regulations pertaining thereto.

(13) In case the said easement herein conveyed shall not be used by Grantee, its successors and assigns, for a period of 10 years, from and after the date of issuance, then and in that event said easement shall terminate. The Grantee herein, for itself, its successors and assigns, agrees upon abandonment of its line and upon request of the owner of said land showing a prima facie title to same, to release and Quit-Claim all rights secured hereby on said land to the then owner.

(14) In the event of abandonment of the rights herein conveyed, Grantee agrees to remove in a good and workmanlike manner all or any portion of its property from the premises as may be required in a condition satisfactory to the Department's authorized field representative.

(15) It is expressly understood that the Grantee shall not assign this easement or any portion thereof to any person other than the owner of said land, as provided in paragraph 13 hereof, without first securing the written approval of the Department of Natural Resources for the State of Michigan. No application to assign will be considered unless the assignee is organized for the purpose of operating a public utility business.

(16) The Grantee, its successors or assigns, shall hold harmless the State of Michigan for all damages or losses caused to third persons or property outside of the right-of-way conveyed by this easement arising out of the negligence of the Grantee in its operations on the right-of-way hereby conveyed.

IN WITNESS WHEREOF, the Department of Natural Resources by authority of the Natural Resources Commission has caused this instrument to be executed for the State of Michigan by its Assistant Chief, Bureau of Resources this 12th day of August, 19 80.

Signed, Sealed and Delivered in the Presence of:

DEPARTMENT OF NATURAL RESOURCES FOR THE STATE OF MICHIGAN

Marian Lindley
Marian Lindley

Jay A. Schafer
Jay A. Schafer

Robert J. Compeau
Robert J. Compeau, Assistant Chief
Bureau of Resources

STATE OF MICHIGAN }
COUNTY OF INGHAM } ss.

On this 12th day of August A.D. 19 80 before me a Notary Public in and for said County, personally appeared Robert J. Compeau, Assistant Chief, Bureau of Resources of the Department of Natural Resources for the State of Michigan, to me known to be the same person who executed the within instrument, and who acknowledged the same to be his free act and deed and the free act and deed of the Department of Natural Resources pursuant to authority granted by the Natural Resources Commission for the State of Michigan, in whose behalf he acts.

October 12, 1981
My Commission expires

Jay A. Schafer
Jay A. Schafer Notary Public, Ingham County
Acting in Ingham County Eaton

PREPARED BY J. A. SCHAFER
D.N.R., LANDS BOX 30028
LANSING, MICH. 48909

STATE OF MICHIGAN



NATURAL RESOURCES COMMISSION

JACOB A. HOEFER
CARL T. JOHNSON
E. M. LAITALA
HILARY F. SNELL
HARRY H. WHITELEY
JOAN L. WOLFE
CHARLES G. YOUNGLOVE

WILLIAM G. MILLIKEN, Governor

DEPARTMENT OF NATURAL RESOURCES

HOWARD A. TANNER, Director

August 12, 1980

STEVENS T. MASON BUILDING
BOX 30028
LANSING MI 48909

RECEIVED

AUG 26 1980

REAL ESTATE &
RIGHTS OF WAY
DEPARTMENT

L. G. Sundstrom
The Detroit Edison Company
2000 Second Avenue
Detroit, Michigan 48226

Re: L-6088
Underground Electric Cable

Dear Mr. Sundstrom:

Your application for a right of way across certain state-owned lands in City of Detroit, Wayne County has been reviewed by the Department and approved by the Assistant Chief, Bureau of Resources pursuant to authority granted by the Natural Resources Commission.

You are now authorized to begin construction under the terms and conditions contained in the easement, the original, fully executed copy of which is enclosed.

Please note that the Department's representative to be contacted in the course of construction with respect to the requirements outlined in the easement is William P. Upina, Michigan State Fair, 1120 West State Fair Avenue, Fairgrounds, Detroit, Michigan 48203 or his successor.

Yours very truly,

Jay A. Schaffer
JAY A. SCHAFER
Easements - Exchanges
Lands Division

JAS/ml
Encl.
cc: William P. Upina
Howard Walker



RECORDED
INDEXED
MAY 10 1980
33428

PLEASE SECURE RIGHT OF WAY AS FOLLOWS.

DATE May 30, 1980

LOCATION Michigan State Fair Grounds

APPLICATION NO. _____

CITY OR VILLAGE Detroit

DEPT ORDER NO. _____

TOWNSHIP _____ COUNTY Wayne

O F W NO _____

DATE BY WHICH RIGHT OF WAY IS WANTED A.S.A.P.

BUDGET ITEM NO _____

THIS R/W IS _____ % OF TOTAL PROJECT NO _____ ACCUM. _____ %

INQUIRY NO. _____

JOINT RIGHT OF WAY REQUIRED YES NO

NOTE: Identify on print or sketch the subdivisions as to section location and liber and page.

KIND AND DESCRIPTION OF RIGHT OF WAY REQUESTED Proposed 10' Detroit Edison easement with rights of ingress and egress as shown on Drawing U1-2-3307

PURPOSE OF RIGHT OF WAY To construct, operate and maintain 5" F.C.M. conduit because of overhead vacation for building expansion.

SIGNED R. F. Burtwell
R. F. Burtwell, Supervisor
Eng. Planning & Layout Division Services
OFFICE DEPARTMENT

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

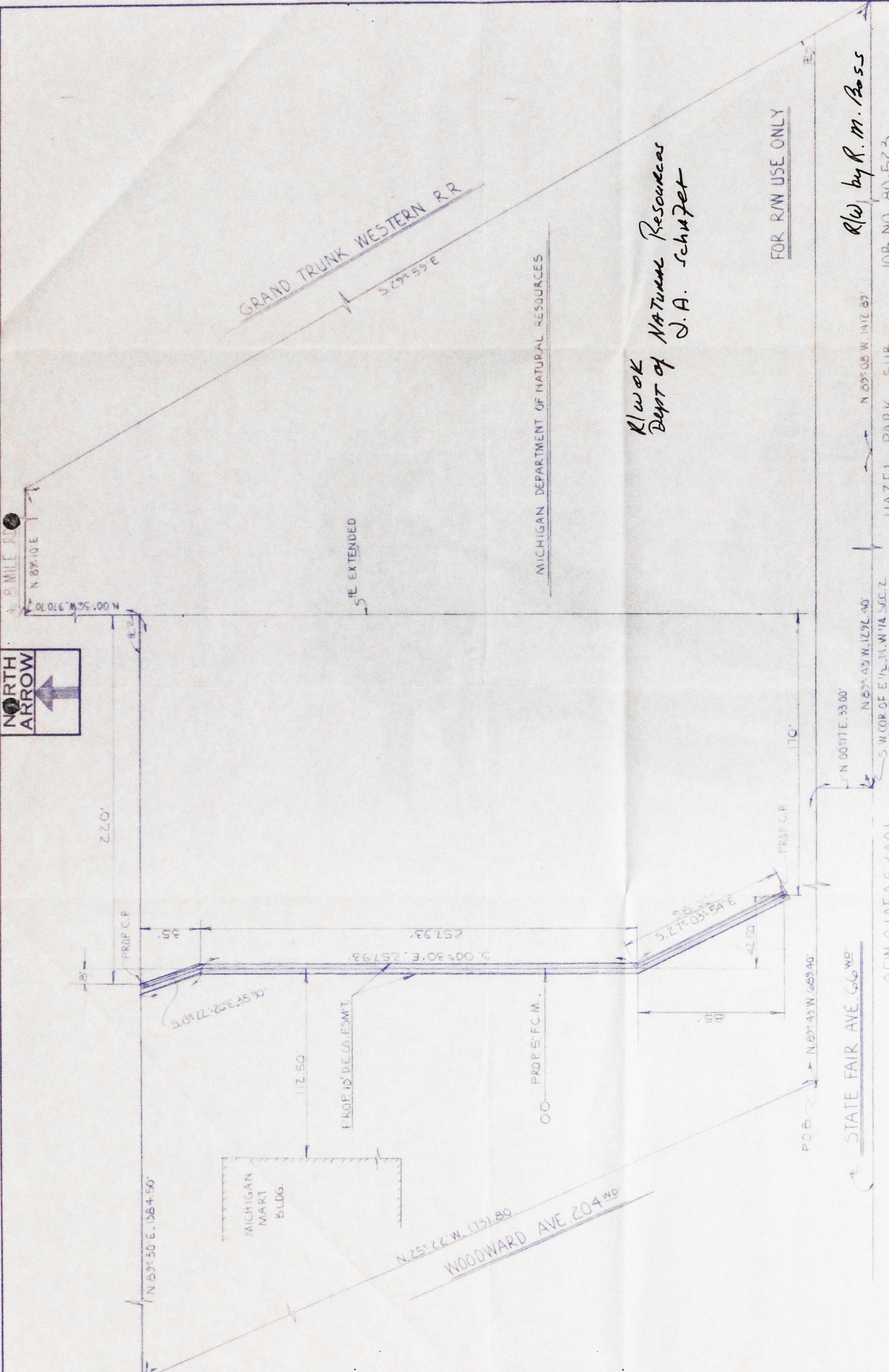
Right of Way secured as shown on attached drawing U1-2-3307. Contacts made by R. Boss.

PERMITS IN RECORD CENTER 1 R.E. & R/W DEPT. FILE 1 GRANTOR _____

NO. OF PERMITS _____ NO. OF STRUCTURES _____ NO. OF MILES _____ PERMITS TO MBT 0

DATE 9/4/80 SIGNED E. J. Garrison
E. J. Garrison, Supervisor
Real Estate, R/W & Claims--Wayne Division

33428



GRAND TRUNK WESTERN RR
S 27° 59' E

MICHIGAN DEPARTMENT OF NATURAL RESOURCES

R/W of NATURAL Resources
DEPT of J.A. Schaefer

FOR R/W USE ONLY

R/W by R. M. Boss

THE DETROIT EDISON COMPANY
TRANSMISSION AND DISTRIBUTION DEPT. DETROIT, MICH
JOB NO 80-523
SCALE 1"=40' PRINTED U1-2-3307

HAZEL PARK SUB
MICHIGAN STATE FAIR GROUNDS
PROP DE CO EASEMENT
WAYNE CO.
CITY OF DETROIT

DRAWN	5-30-80	5-30-80	5-30-80
OK	RHC	5-30-80	5-30-80
APPROVED	127B	5-30-80	5-30-80
USE DIMENSIONS ONLY			

NOTE REVISIONS: RETURN TO UNDERGROUND LINES DEPT ALL PRINTS MADE PREVIOUS TO LAST REVISION

OFW-0JA5A8/A01
STATE FAIR AVE 66' WD
WOODWARD AVE 204' WD