

Royal Oak

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. 91-060

On July 29, 1991, 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".

#92 REG/DEEDS PAID
0001 DEC.10 '91 02:39PM
7491 MISC 15.00

"Grantor" is:

City of Royal Oak, a Michigan Municipal Corporation, 211 Williams Street, Royal Oak, Michigan 48067

"Grantee" is:

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

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

(14)

Sec. 21, T1N., R11E., Assessor's Plat No 20 part of Lots 1, 10 and 11, Blk 18, part of Lots 2 to 7 incl, all of Lots 8 to 12 incl Blk 7 all desc as beg at pt dist N 89° 18'40" W 5.00 ft and N 00° 48'41" E 265.47 ft from SE cor of Lot 5 Blk 18, th N 89° 18'40" W 140.52 ft, th S 00° 48'41" W 46.50 ft, th N 89° 18'40" W 129.04 ft, th N 00° 39'45" E 330.83 ft, th S 88° 30'07" E 175.08 ft, th S 00° 48'41" W 215.53 ft, th S 89° 18'40" E 95.36 ft, th S 00° 48'41" W 66.33 ft to beginning. 1.41 acres. Sidwell No: 25-21-226-028

53033

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

See attached drawing U1-2-3521 dated 06/05/91. DETAIL "A"

- 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 shall be placed in the Right of Way Area without Grantee's prior written consent.
- 4. Excavation:** As required by Public Act 53 of 1974, MISS DIG must be called on 1-800-482-7171 before anyone excavates 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 shall 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 shall 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 shall 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, lessees, licensees and assigns.

RECORDED
RIGHT OF
WAY
150
20
4/25/12

Witnesses:

Dolan Moretto
DOLAN MORETTO
7/29/91
Omer Racine
OMER V RACINE

#92 REG/DEEDS PAID
0001 DEC.10 '91 02:39PM
7491 RMT FEE 2.00
City of Royal Oak DOWNTOWN DEVELOPMENT AUTHORITY

Charles M. DiMaggio
EXECUTIVE DIRECTOR
CHARLES M. DiMAGGIO

Acknowledged before me in Oakland County, Michigan, on July 29, 1991
by *Charles M. DiMaggio* the *Executive Director*

of CITY OF ROYAL OAK, a Michigan Municipal corporation, for the corporation.
DOWNTOWN DEVELOPMENT AUTHORITY

OK - G.K.

Kathleen M. Vokes My Commission Expires
Notary's Signature KATHLEEN M. VOKES 11/1/94

Notary's Stamp
9/17/91
LEGAL DEPARTMENT

Prepared by and Return to:
Omer V. Racine, 30400 Telegraph Rd., Suite 277, Birmingham, MI 48010