

OVERHEAD EASEMENT (RIGHT OF WAY) NO. R-9312937-01

On February 14, 1994, 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 Dearborn, a Michigan Municipal Corporation,
1700 General Motors, Milford, Michigan 48380

"Grantee" is:

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

"Grantor's Land" is in the Township of Milford, Oakland County, Michigan, described as:

Town 2 North, Range 7 East, Section 3, 4, 9 & 10, that part of the Southwest one-quarter (1/4) of the Section 3 lying Southwesterly of Commerce Road, also that part of the Southeast one-quarter (1/4) of Section 3 lying Southerly of Commerce Road, also East one-half (1/2) of Section 9 except that part lying Southeasterly of center line of Huron River, also South three-quarters (3/4) of West one-half (1/2) of Section 9, also Northwest one-quarter (1/4) of Northwest one-quarter (1/4) of Section 9, also part of Section 10 beginning at West one-quarter (1/4) corner, thence North 32°43'00" East 1613.82 feet, thence North 02°00'00" East 1019.91 feet to centerline of Commerce Road, thence North 65°24'02" West to North section line thence West to Northwest corner of Section 10, thence South to beginning, also beginning at West one-quarter (1/4) corner, thence North 28°00'02" East 394.99 feet, thence South 02°25'17" East 1625 feet to centerline of River, thence along said centerline South 64°57'02" West 122 feet and North 77°28'50" West 90.46 feet, thence North 02°25'17" West 1308 feet to the beginning, containing 623.83 acres more or less, Oakland County Records. Sidwell No. 16-09-200-002.

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

As shown on Detroit Edison Company drawing R-9312937-01 dated 11/17/93, which is attached hereto and made a part hereof. The Right-of-Way is Ten (10) feet in width.

- 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. Building 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. Trees, Bushes, Branches or Roots:** Grantee may trim, cut down, remove or otherwise control any trees, bushes, branches or roots in the Right of Way Area (or that could grow into 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 shall 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, lessees, licensees and assigns.
- 7. Relocation:** If the Grantor deems it necessary to adjust or relocate all or any portion of the utility line facility, the Grantee shall cause such adjustment or relocation to be accomplished at no cost to the Grantor.

Witnesses:(type or print name below signature)

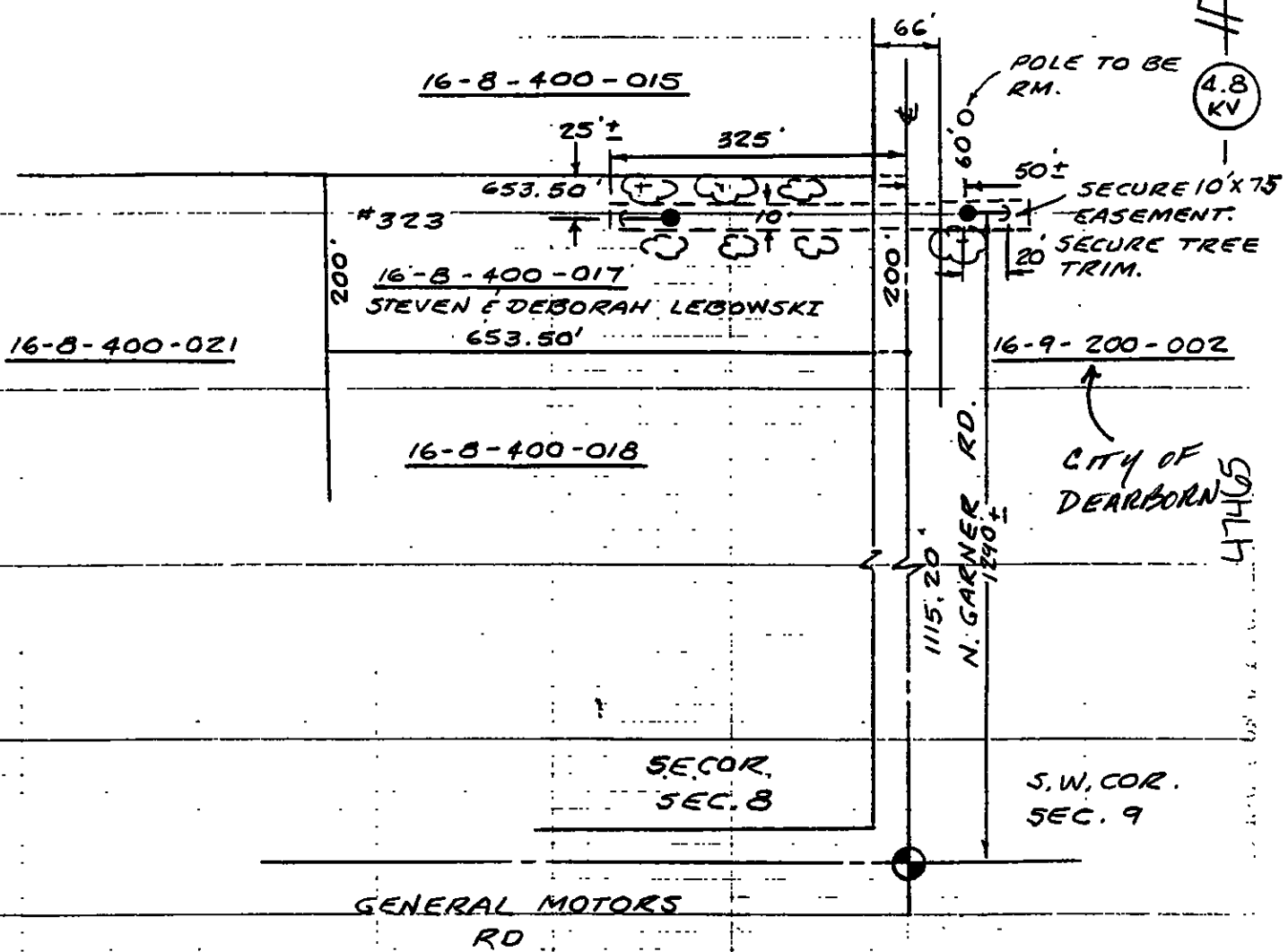
Judy Van Ooteghem
JUDY VAN OOTEGHEM
Mary Ushman
Mary Ushman

Grantor:(type or print name below signature) **O.K. — LM**
City of Dearborn, a Michigan Municipal Corporation

Michael Guido
By: Michael A. Guido
Its: Mayor

Acknowledged before me in Wayne County, Michigan, on February 14, 1994 by Michael A. Guido the Mayor of The City of Dearborn, a Michigan Municipal Corporation, for the Michigan Municipal Corporation.

Notary's Stamp **MARY USHMAN**
Notary Public, Wayne County, Mich:
My Commission Expires: 11-13-95
Notary's Signature Mary Ushman



CITY OF DEARBORN
4745

SECOR.
SEC. 8

S.W. COR.
SEC. 9

GENERAL MOTORS
RD

- NOTE:
1. SECURE 10' EASEMENT ALONG N. SIDE OF LOT AS SHOWN.
 2. SECURE TREE TRIM PERMIT FOR 10' CLEARANCE N.E.S. OF PROPOSED POLE LINE.

ATLAS # 9312937

| THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT | | | |
|--|--------------------------|--------------------------------------|---|
| CITY OR TOWNSHIP MILFORD | COUNTY OAKLAND | QTR. & TWP. SECT. NO. 5E 8 | DEPT. ORDER NO. A-52281 |
| MAP SECT. 1-184-394 | TOWN T2N | RANGE R7E | JOINT R/W REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> |
| PROJECT NAME LEBOWSKI | | TEL. ENGR & DIST. | R/W NO. R-9312937-01 |
| CIRCUIT DC-8828 PAGE | | | PROJ. OR PART NO. |
| REASON N.B. @ 323 N. GARNER RD. | | | O.F.W. S.O. OR P.E. NO. |
| PLANNER RON GRAY 645-4027 | | SCALE 1" = 200' | BUDGET ITEM NO. 3MNOA-MAH |
| | | | DATE 11-17-93 |

State of Michigan)
County of Wayne) SS
City of Dearborn)

I hereby certify that the annexed paper is a true copy of Council Resolution No. 2-63-94 adopted by the Council of the City of Dearborn at a meeting held on February 1, 1994 as appears from the official minutes of said file in the office of the City Clerk of Dearborn, that I have caused the same to be compared with the original and the same is a correct transcript therefrom and of the whole of such original.

47465

In witness whereof, I have hereunto set my hand and affixed the corporate seal of the City of Dearborn on February 15, 1994.



DUANE WYDENDORF
City Clerk

By Mericas supported by Hubbard.

2-63-94. WHEREAS: The Detroit Edison Company requested an Overhead Easement (Right-of-Way) at Camp Dearborn through the City of Dearborn Engineering Division, and

WHEREAS: The subject easement is necessary to provide overhead electrical service to the residential area north of General Motors Road, west of Camp Dearborn across Garner Road; be it

RESOLVED: That the Mayor be and is hereby authorized to execute the easement (Right-of-Way) Agreement with the Detroit Edison Company within the parcel of City-owned property described as follows:

Town 2 North, Range 7 East, Section 3, 4, 9 & 10, that part of the Southwest one-quarter (1/4) of the Southwest one-quarter (1/4) of Section 3 lying Southwesterly of Commerce Road, also that part of the Southeast one-quarter (1/4) of Section 4 lying Southerly of Commerce Road, also East one-half (1/2) of Section 9 except that part lying Southeasterly of center line of Huron River, also South three-quarters (3/4) of West one-half (1/2) of Section 9, also Northwest one-quarter (1/4) of Northwest one-quarter (1/4) of Section 9, also part of Section 10 beginning at West one-quarter (1/4) corner, thence North 32 degrees 43' 00" East 1613.82 feet, thence North 02 degrees 00' 00" East 1019.91 feet to centerline of Commerce Road, thence North 65 degrees 24' 02" West to North section line thence West to Northwest corner of Section 10, thence South to beginning, also beginning at West one-quarter (1/4) corner, thence North 28 degrees 00' 02" East 394.99 feet, thence South 02 degrees 25' 17" East 1625 feet to centerline of River, thence along said centerline South 64 degrees 57' 02" West 122 feet and North 77 degrees 28' 50" West 90.46 feet, thence North 02 degrees 25' 17" West 1308 feet to the beginning, containing 623.83 acres more or less, Oakland County records.

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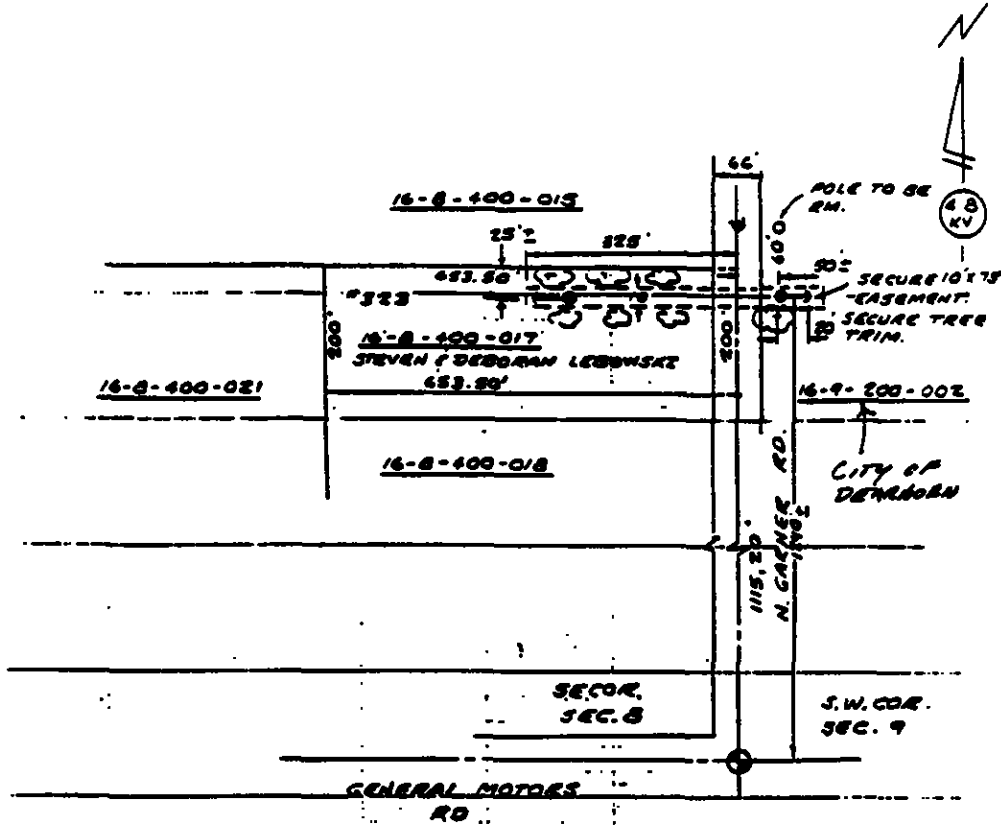
Sidwell No. 16-09-200-002

The proposed Right-of-Way is ten (10) feet in width (see attachment).

be it further

RESOLVED: That the Detroit Edison Company agreement be conditioned upon the execution of a "Revocable Permit to Occupy Agreement" and a "Hold Harmless Agreement" acceptable to the Legal Department; be it further

RESOLVED: That this resolution be given immediate effect.



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NOTE:
 SECURE 10' EASEMENT ALONG N. SIDE OF LOT AS SHOWN.
 SECURE TREE TRIM PERMIT FOR 10' CLEARANCE N.E. OF PROPOSED POLE LINE.

ATLAS # 931225T

| THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT | | | |
|--|----------|----------------|--------------|
| DATE OF ORDER | CITY | ON (TYPE) DATE | BY (NAME) |
| MILFORD | OAKLAND | 59 | A-53281 |
| LINE NO. | TYPE | NO. OF Poles | NO. OF |
| 1-176-396 | TEN | 478 | K-9312937-01 |
| NAME | | NO. OF Poles | NO. OF |
| LEBOWSKI | | 12 | |
| DC-8028 AGE | | NO. OF Poles | NO. OF |
| N. B. @ 323 N. GARDNER RD. | | NO. OF Poles | 3MNGA-MAN |
| DATE | NO. | DATE | NO. |
| RAW GRAY | 645-4027 | 1-2-200 | 11-17-93 |

The resolution was unanimously adopted.