

**Detroit Edison**

LISTED 15694 PG 001

SEP 22 95 183664 Sec 9 Sr 1/4

\$ 11.00 MISCELLANEOUS RECORDING  
\$ 2.00 REMONUMENTATION  
22 SEP 95 1:46 P.M. RECEIPT# 1638  
PAID RECORDED - OAKLAND COUNTY  
LYNN D. ALLEN, CLERK/REGISTER OF DEEDS

**OVERHEAD AND UNDERGROUND EASEMENT (RIGHT OF WAY) NO. 9841-27**

On June 15, 1995, for the consideration of system betterment, Grantor grants to Grantee a permanent overhead and underground easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

**"Grantor" is:**

Orchard Commons, a Michigan co-partnership, 26699 W. 12 Mile, Suite 205, Southfield, Michigan 48034-7809

**"Grantee" is:**

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

**"Grantor's Land" is in Orchard Lake Village, Oakland County, Michigan, described as:**

See Appendix "A" - Sidwell No: 18-02-451-017

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

As shown on attached Detroit Edison Company drawing No: 9841-27 dated 03/23/95, Appendix "B".

1. **Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain overhead and 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, licenses and assigns.

**Witnesses:**(type or print name below signature)

x Jacquelyn Baby  
 x Jacquelyn Baby  
 x Alan W. Daskins  
 x Alan W. Daskins

**Grantor:**(type or print name below signature)

Orchard Commons  
 a Michigan co-partnership  
 x Maria Romanski  
 x By: MARIA ROMANSKI  
 x Its: GENERAL PARTNER

Acknowledged before me in Oakland County, Michigan, on June 15, 1995 by Maria Romanski the General Partner of Orchard Commons, a Michigan co-partnership, for the co-partnership.

JACQUELYN A. BABY  
NOTARY PUBLIC - OAKLAND COUNTY, MICHIGAN

Notary's Stamp \_\_\_\_\_ Notary's Signature Jacquelyn Baby  
(Notary's name, county and date commission expires)

Prepared by and Return to: Marcia Romanski, 1970 Orchard Lake Road, Sylvan Lake, Michigan 48320

O.K. -S.R.

LIBER 15694 PG 002

## Appendix "A"

Sec. 2., T2N., R9E., parts of SE 1/4, beg at pt dist N 23°11'00" E 187.68 ft and S 88°15'00" E 440.53 ft from SE cor of Lot 42 of "Assessors Plat of Harbor Hills" th S 88°15'00" E 660.00 ft., th N 01°45'00" E 494.96 ft., alg cen line Orchard Lake Road th N 88°14'00" W 335.45 ft., th S 01°34'36" E 42.41 ft th S 88°32'00" W 134.85 ft th alg curve to right, rad 839.74 ft., chord bears N 85°00'38" W 191.76 ft., dist of 192.18 ft., th S 01°45'00" W 457.44 ft to beg, also beg at pt dist N 23°11'00" E 187.68 ft and S 88°15'00" E 440.53 ft and N 01°31'00" E 457.44 ft from SE cor of sd Lot 42, th N 01°31'00" E 37.71 ft., th S 88°26'00" E 324.45 ft th S 01°34'36" E 42.41 ft., th S 88°32'00" W 134.85 ft., th alg curve to right, rad 839.74 ft, chord bears N 85°00'38" W 191.76 ft., dist of 192.18 ft to beginning. 7.50 acres. Sidwell NO: 18-02-451-017

47862

APPENDIX "A"

LISEP 15694pc003

R/W DRAWING NO• 9841-6/27

PREPARED BY S. PREDIUM

3-23-95

R/W FOR OVERHEAD LINE EXTENSION  
FOR 12' WIDE EASEMENT FOR OVERHANG,  
POLE, WIRES

~~R/W FOR UNDERGROUND LINE EXTENSION~~

~~10' WIDE UNDERGROUND EASEMENT~~

REQUESTING OWNER 18-02-451-017

TRI-CITY FIRE STATION

2327 WILLOW BEACH ROAD

KEEGO HARBOR, MICH 48230

810-682-6161

ORCHARD LK

PR SHAN

North

CENTER LINE OF 10' WIDE EASEMENT

NOTE: THE EASEMENT CENTER LINE MAY VARY  
IF FIELD CONSTRUCTION PROBLEM ARISE.  
THEREFORE, FOR THE AS-INSTALLED EASEMENT  
CENTERLINE CALL 1-800-482-7171 (MISS DIG).

60'

N85°01'45"W 351.00'

10'

S 01°58'15" W 250.00'

*R/W secured  
M. Romonahi  
18-02-451-017  
orchard common*

S 01°58'15" W 250.00'

N88°01'45"W 351.00'

18-11-201-001

387' ±

ORCHARD LK

VARJO C-

RECORDED & INDEXED 10/27/95 47862

1320'

SW 1/4