

Detroit Edison

LIBER **14937PC199**

*Portiac Twp
Sec 14
94 233751*

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9313095-01

\$ 9.00 MISCELLANEOUS RECORDING
\$ 2.00 REMONUMENTATION
26 AUG 94 2:52 P.M. RECEIPT# 1318
PAID - RECORDED - OAKLAND COUNTY
LYNN D. ALLEN, CLERK/REGISTER OF DEEDS

On 13 MAY, 1994, 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:

BKS Company, a Michigan co-partnership, 2430 E. Walton Blvd., Auburn Hills, Michigan 48326

"Grantee" is:

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

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

Part of Northwest 1/4 of Section 14, T3N, R10E, beginning at point distance South 86°38'00" E 1381.92 feet and North 01°26'00" E 44.50 feet and North 01°11'00" E 600 feet and North 00°56'00" E 920.83 feet and South 89°04'00" E 50 feet and North 00°56'00" E 828.27 feet and North 34°09'00" E 182.43 feet from West 1/4 corner; thence North 34°09'00" E 51.11 feet; thence North 89°24'20" E 217.33 feet; thence South 00°35'40" E 42 feet; thence North 89°24'20" E 730.86 feet; thence South 01°35'36" W 550.61 feet; thence North 88°04'11" W 670.73 feet; thence North 00°56'00" E 220 feet; thence North 88°04'11" W 90.06 feet; thence North 00°56'00" E 296.88 feet; thence South 89°24'20" W 210.03 feet to beginning. 9.13 acres.

Sidwell No: 14-14-126-025

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

As shown on the attached D.E. Company Drawing No. R-9313095-01 dated 04-18-94. The right of way is 10 feet in width.

- 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.

Witnesses:(type or print name below signature)

X Craig S. Hult
CRAIG S. HULT
John C. Greenlee
JOHN C. GREENLEE

Grantor:(type or print name below signature)

BKS Company, a Michigan co-partnership

by: Scott Lassel
SCOTT LASSEL

its: PARTNER

46271
900
200

Acknowledged before me in OAKLAND County, Michigan, on MAY 13, 1994 by BKS Company, a Michigan co-partnership, for the co-partnership.

JOHN C. GREENLEE

Notary Public, Oakland County, MI

My Commission Expires Dec. 3, 1997

Notary's Stamp

Notary's Signature

John C. Greenlee

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

Prepared by and Return to: John C. Greenlee, 1970 Orchard Lake Road, Sylvan Lake, Michigan 48320/kjk.

O.K. - J.S.

APRIL 18, 1994



PLEASE OBTAIN RECORDED EASEMENTS
R/W DRAWING # R-9313095-01

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 1-800-482-7171 (Miss Dig).

