

MAY 28 96 127204 11

# Edison

## OVERHEAD AND UNDERGROUND EASEMENT (RIGHT OF WAY) NO. 25418-5

On 4-15, 1996, for the consideration of system betterment, Grantor grants to Grantee a permanent non-exclusive 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:**

Oakland University a Michigan Statutory corporation, 101 North Foundation Hall, Rochester, Michigan 48309-4401

AVON

**"Grantee" is:**

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

**"Grantor's Land" is in the City of Rochester, Oakland County, described as:**

Northeast 1/4 of Section 18, T3N, R11E, excluding the Northerly 140 feet taken for Walton Boulevard for widening, also, excluding the East 60 feet of the North 1000 feet taken for Adams Road widening. 15-18-200-001

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

Easements as shown on attached sketch 25418-5.

- 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.
- Access:** Grantee has the right of access to and from the Right of Way Area.
- 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.
- 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.
- 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 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.
- 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.
- Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors, lessees, licensees and assigns.
- Indemnification:** Grantee shall defend, indemnify, and hold Grantor harmless from all claims of damage to persons or property arising from the construction, maintenance or use of the Right of Way, except for claims arising from the act or omission of the Grantor.
- Acceptance of Right of Way:** This Right of Way, and its terms and conditions, shall be deemed accepted by the Grantee upon recording this document or upon commencement of construction within the Right of Way area, whichever is earlier.
- Abandonment of the Right of Way:** In the event that the Grantee ceases to use the Right of Way area for utility line facilities, the Right of Way shall be considered abandoned and terminated, unless the Grantor and the Grantee reach an agreement to extend the duration of the Right of Way.

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

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

Susan A. Putrycus  
SUSAN A. PUTRYCUS

Robert Hornby  
ROBERT HORNBY

Oakland University a Michigan Statutory corporation

Paul E. Bissonnette  
Paul E. Bissonnette, Vice President for Finance & Administration

RECORDING  
\$ 2.00 RENOVATION  
28 MAY 96 9:27 A.M. RECEIPT# 109A  
PAID RECORDED OAKLAND COUNTY  
LYNN D. ALLEN, CLERK/REGISTER OF DEEDS

Acknowledged before me in Oakland County, Michigan, on 4-15, 1996, by Paul E. Bissonnette the Vice President for Finance & Administration of Oakland University a Michigan Statutory corporation

Susan Anne Putrycus  
Notary Public, Macomb County, MI  
My Commission Expires Oct. 7, 1999

Acting in Oakland County  
Susan Anne Putrycus  
Notary's Signature

Prepared by and Return to: Susan A. Putrycus, 6301 23 Mile Road, Shelby Township, Michigan 48313

O.K. - J.S.

RECORDED RIGHT OF WAY NO 25418-5

Detroit  
Edison

**TREE REMOVAL AGREEMENT**

Dated 4-15 1996


The tree(s) specified below may be **trimmed** on my property described as: Northeast 1/4 of Section 18, T3N, R11E, City of Rochester, Oakland County, Michigan; excluding the Northerly 140 feet taken for Walton Boulevard for widening, also, excluding the East 60 feet of the North 1000 feet taken for Adams Road widening.

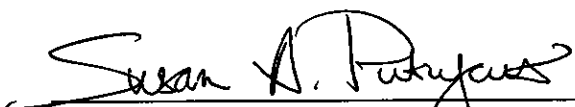
I understand that there is:  no charge for this service \_\_\_\_\_ a charge for this service

Tree(s) to be removed: See attached sketch 25418-5 for exact location of trees

NOTE: ALL STUMPS ARE TREATED WITH AN APPROVED HERBICIDE TO PREVENT REGROWTH.

		Leave on Site	Remove & Dispose	Comments
Disposition of:	wood	<u>N/A</u>	<u>N/A</u>	_____
	brush	<u>N/A</u>	<u>N/A</u>	_____
	chips	<u>N/A</u>	<u>N/A</u>	_____

  
Property Owner Paul E. Bissonette, V.P. (R) Finance & Admin.

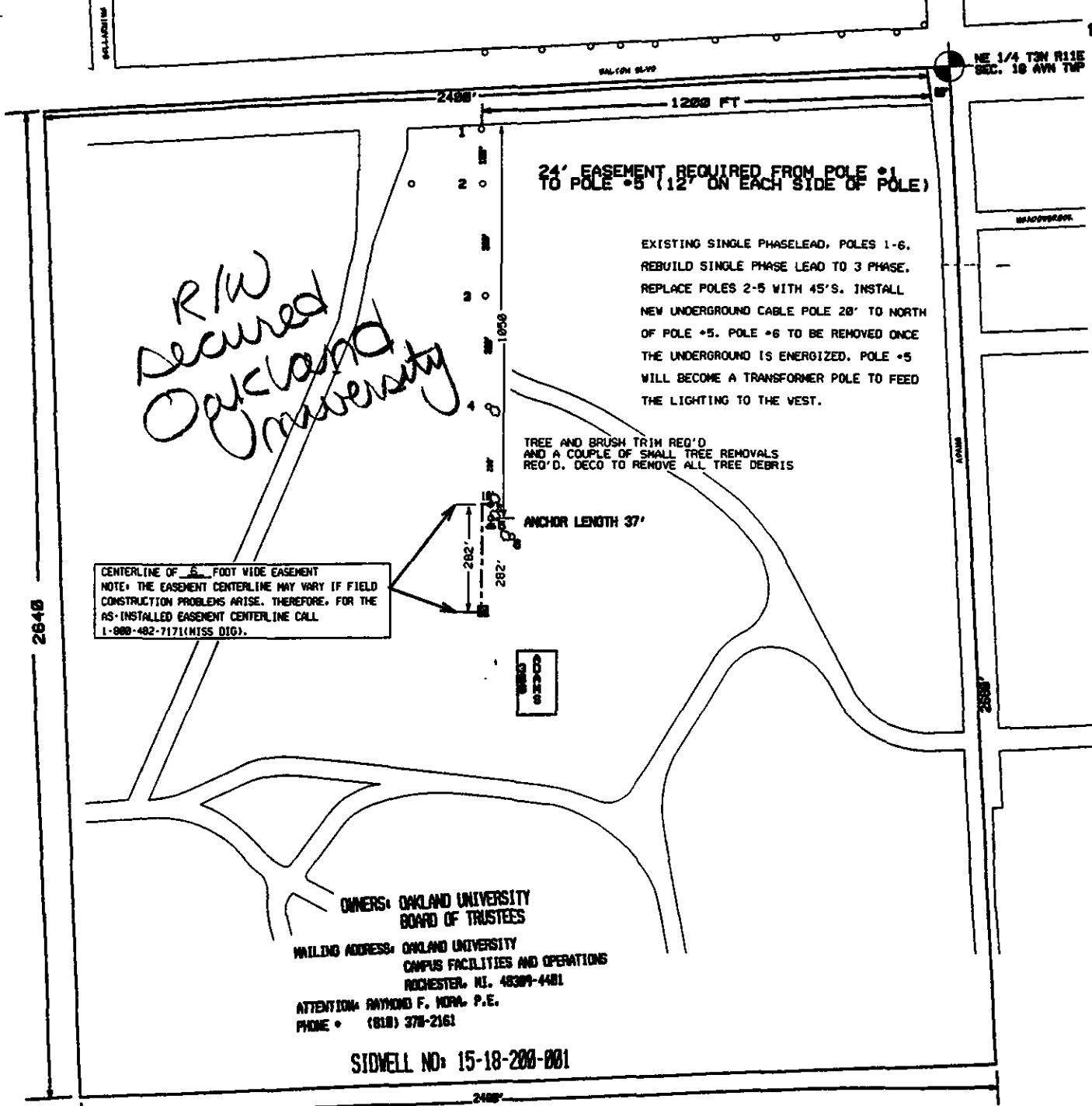
  
Detroit Edison Representative

Department Order Number \_\_\_\_\_ Work Order Number \_\_\_\_\_ L.C. Area No. \_\_\_\_\_

Tree work complete by \_\_\_\_\_ Date \_\_\_\_\_

RECORDED RIGHT OF WAY NO. 49182

R/W REQUESTED FOR 3 PHASE 13.2 KV  
 CROSSARM CONSTRUCTION, POLES/ANCHORS  
 INCLUDED ALSO R/W REQUESTED FOR UNDERGROUND  
 DISTRIBUTION



RECORDED RECORD OF MAY 26 1989

JPL 25418 J20

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT			
CITY OR TWP.	COUNTY	TWP SEC QTR	DEPT. ORDER NO.
ROCHESTER HILLS	OAKLAND	18 NE	B-58957
MAP SECT.	TOWN RANGE	JOINT R/W REQ'D	R/W NO.
304-432 / 304-430	3N 11E	NO	25418-5
PROJECT NAME	TEL. ENGR. & DIST.		MBT MEMO#
OAKLAND UNIVERS			
TOWNSHIP	SERVICE CENTER	COMP. CODE	MAILING CITY
AVN	SBY		
CIRCUIT			O.F.W.
CARTER 8878			
REASON			BUDGET ITEM NO.
CUSTOMER REQUEST 3 PHASE FOR A/C NEEDS			
PLANNER	SCALE	DATE	
ROBERT J. HORNBY	1" = 400'	3-21-96	

- LEGEND**
- EXIST. D.E.CO. POLE
  - PROPOSED POLE
  - FOREIGN POLE
  - ⊥ EXIST. ANCHOR
  - ⊥ PROPOSED ANCHOR
  - ☁ TREE
- 120/240 V LINE  
 --- 4800 V LINE  
 --- 13,200 V LINE  
 --- 40,000 V LINE