

Detroit Edison

LIBER 130177-283

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. O-1704

On SEPT 2, 1992, 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:

Charter Township of Highland, 205 John St., Highland, Michigan 48031

"Grantee" is:

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

"Grantor's Land" is in Township of Highland, Oakland County, described as:

T3N, R7E, Section 8, part of N 1/2 of Sec & part of E 1/2 of Sec. beginning at W 1/4 corner, th N 00°51'23" E 660 ft., th N 89°15'29" E 2685.36 ft., th S 01°08'34" W 274.34 ft., th N 89°15'21" E 1356.64 ft., th S 01°17'27" W 385.69 ft., th S 89°15'21" W 365.65 ft., th S 01°08'25" W 1634.33 ft., th S 89°15'21" W 990 ft., th N 01°08'25" E 1634.33 ft., th S 89°15'21" W 2682.06 ft., to beginning. 89.77 Acres. Sidwell No. 11-08-100-006. - NW1/4, NE1/4 & SE1/4

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

Underground lines are located in accordance with attached drawing O-1705 which is made a part hereof. The right of way is ten 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.

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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 NO. 48825

O.K. — LM

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)
CHARTER TOWNSHIP OF HIGHLAND

WILLIAM E. BRIAN
WILLIAM E. BRIAN
WILLIAM E. BRIAN

BY: Thomas P. Dunleavy
ITS: Twp Supervisor

9.00
2.00 RMT

Acknowledged before me in OAKLAND County, Michigan, on SEPT 2 1992 by THOMAS P. DUNLEAVY the SUPERVISOR of CHARTER TOWNSHIP OF HIGHLAND, for the township of Highland

WILLIAM E. BRIAN
Notary's Stamp Notary Public, Oakland County, MI
My Commission Expires Jan. 31, 1995 Notary's Signature W E Brian