

OVERHEAD EASEMENT (RIGHT OF WAY) D. O-1170

On 3-8-91, 1991, 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:

Ultimate Investment Company, a Michigan Partnership, 31302 Stephenson Hwy., Madison Heights, Michigan 48071

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226  
Michigan Bell Telephone, a Michigan corporation, 444 Michigan Avenue, Detroit, Michigan 48226

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

Part of E 1/2 of SW 1/4, T1N., R11E., Sec. 2, beg at pt dist N 89° 35'00" W 832.90 ft and N 00° 06'00" E 1120.00 ft from S 1/4 cor, th N 00° 06'00" E 200.00 ft, th S 89° 35'00" E 507.70 ft, th S 00° 56'00" W 200.00 ft, th N 89° 35'00" W 506.89 ft to beginning. 2.33 acres. Sidwell No: 25-02-378-001 PD

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

The southerly six (6) feet of the above described property.

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- 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. 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. 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.

Witnesses:

John C Greenlee  
JOHN C GREENLEE

C. George Williams  
C. George Williams

Grantor:

Ultimate Investment Company  
A Michigan Partnership

Donald W Osborn  
Donald W. Osborn, General Partner

8492 REG/DEEDS PAID  
2001 MAY 30 10:30AM  
8617 MISC 9.00

8492 REG/DEEDS PAID  
2001 MAY 30 10:30AM  
8617 RMT FEE 2.00

Prepared by (and Return to):

C. George Williams, Detroit Edison Representative, 30400 Telegraph Rd., Ste. 277, Birmingham, Mi 48010

RECORDED RIGHT OF WAY NO.

41775

O.K. - LM

900  
200  
int

RW #O-1170

Acknowledged before me in Oakland County, Michigan, on March 8, 19 91

by Donald W. Osborn, <sup>GENERAL</sup> a partner of Ultimate Investment Company,

a Michigan Partnership, for the partnership.

*Adrian Kaminsky*

Notary's Signature  
Adrian Kaminsky  
Macomb County acting in Oakland  
Commission Expires: 2-2-93

ADRIAN KAMINSKY  
Notary Public, Macomb County, MI  
My Commission Expires Feb. 2, 1993

Notary's Stamp

RECORDED RIGHT OF WAY NO. 41775

NOTARY PUBLIC  
STATE OF MICHIGAN  
COMMISSION EXPIRES FEBRUARY 2, 1993  
OFFICE: 1000 BROADVIEW AVENUE, SUITE 100  
TROY, MICHIGAN 48063-1000

KNOW ALL MEN BY THESE PRESENTS: That Reliance Electric Company, a Delaware Corporation whose address is 29325 Chagrin Blvd., Cleveland, Ohio 44122 Conveys and Warrants to Ultimate Investment Company, A Michigan Partnership whose address is 29370 Stephenson Highway, Madison Heights Michigan 48071

the following described premises situated in the City of Madison Heights County of Oakland and State of Michigan, to-wit: A part of the E. 1/2 of the S.W. 1/4 of Sec. 2, T1N, R 11 E., City of Madison Heights, being more particularly described as beg. at a pt. distant on the E. line of Stephenson Hwy. (204 ft. wide) distant N. 89° 35' 00" W. 832.90 ft. and N. 00° 06' 00" E. 1120.00 ft. from the S. 1/4 corner of said Sec. 2; thence continuing N. 00° 06' 00" E. 200.00 ft., thence S 89° 35' 00" E 507.70 ft. record (S. 89° 37' 20" E. 506.50 ft. measured) to the W line of "Mally's Industrial Sub. No 3"; thence S. 00° 56' 00" W. 200.00 ft. record (S. 00° 20' 31" W. 200.00 ft. measured) along the W. line of Mally's Industrial Sub. no. 3"; thence N. 89° 35' 00" W. 506.89 ft. record (N. 89° 37' 20" W. 506.65 ft. measured) to the point of beginning.

for the full consideration of THREE HUNDRED THOUSAND AND NO/100 (\$300,000.00) subject to easements and restrictions of record.

Dated this 14th day of July 19 82

Witnesses:

Signed and Sealed:

Handwritten signatures of witnesses.

Reliance Electric Company, a Delaware (s.) Corporation By R.J. Filer Vice President, Its Controller and Treasurer

Handwritten signature of W.R. Norton, Its Assistant Secretary

STATE OF ~~MICHIGAN~~ Ohio COUNTY OF Cuyahoga

The foregoing instrument was acknowledged before me this 14th day of July 1982 by Reliance Electric Company by R. J. Filer, its Vice President, Controller and Treasurer and W. R. Norton, its Assistant Secretary, who acknowledged that they did sign the foregoing instrument and that the same is the free act and deed of said corporation and the free act and deed of each of them personally and as such officers.

My commission expires

Handwritten signature of Notary Public, Cuyahoga County, Ohio

Note. Insert at (1) name(s) of officer(s) (2) title(s) of officers(s) (3) name of corporation (4) state of incorporation

Instrument Arthur F. Shaw Drafted by Catalano/Shaw & Associates, Inc. Business Address 29201 Telegraph Rd #302 Southfield, Mich. 48034

WARREN COUNTY TREASURER'S CERTIFICATE: I HEREBY CERTIFY that the foregoing instrument is a true and correct copy of the original as filed in my office and that all TAXES on same are paid for five years previous to the date of this instrument, as appears by the records in this office except as stated.

CITY TREASURER'S CERTIFICATE: 08125 REAL ESTATE TRANSFER TAX

Recording Fee 300 State Transfer Tax \$330.00 Tax Parcel # 25-02-378-001 = 44

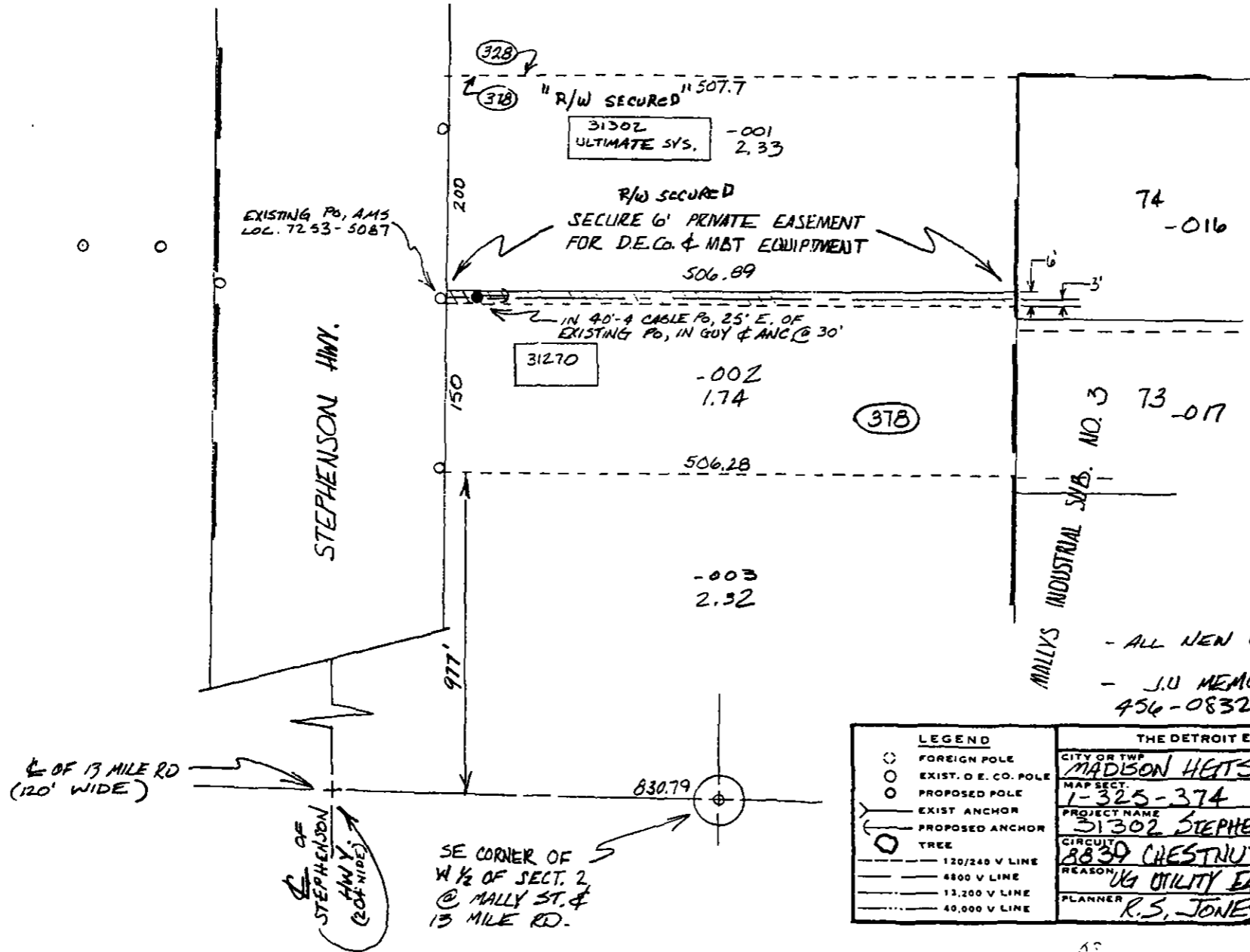
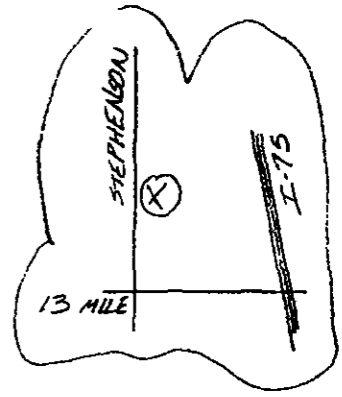
When recorded return to Frank B. Vecchio Suite 700, Renaissance Center Detroit, Mi. 48243

Send subsequent tax bills to

85021

RECORDED RIGHT OF WAY NO. 219115

REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH		PERMITS TO:	
BY <u>C GEORGE WILLIAMS</u>		RECORD CENTER	<u>2</u>
DATE <u>3-19-91</u>		R, W FILES	<u>-</u>
DATE WANTED		MBT	<u>2</u>
DISTRICT		ORIGINATOR	<u>2</u>
FIELDMAN		TOTAL	<u>2</u>



- SECURE 6' WIDE PRIVATE EASEMENT FOR DETROIT EDISON & MBT EQUIPT. ALONG S. PROPERTY LINE OF LOT -001/SIDWELL NO. 25-02-378-001  
 - PERSON APPLYING FOR SERVICE: HANK PETERS / PROFESSIONAL ENGINEERING ASSOCIATES, 950 NORTH HUNTER BLVD., BIRMINGHAM, MI, 48011

LEGEND				THE DETROIT EDISON COMPANY - SERVICE PLANNING DEPARTMENT			
○	FOREIGN POLE	CITY OR TWP	MADISON HETTS. OAKLAND	COUNTY	QTR. & TWP. SECT. NO.	DEPT. ORDER NO.	A 64595
○	EXIST. D.E.CO. POLE	MAP SECT.	1-325-374	TOWN	RANGE	JOINT R/W REQUIRED	R/W NO. 41170
○	PROPOSED POLE	PROJECT NAME	31302 STEPHENSON (REAR)	TEL. ENGR. & DIST.		PROJ. OR PART NO.	
○	EXIST ANCHOR	CIRCUIT	8839 CHESTNUT 13.2 KV			O.F.W. S.O. OR P.E. NO.	
○	PROPOSED ANCHOR	REASON	UG UTILITY EASEMENT			BUDGET ITEM NO.	1 MDOB MDH
○	TREE	PLANNER	R.S. JONES	SCALE	1" = 100'	DATE	2-15-91
○	120/240 V LINE						
○	4800 V LINE						
○	13,200 V LINE						
○	40,000 V LINE						