

**OVERHEAD EASEMENT (RIGHT OF WAY) NO. 01659**

On 3-19, 1992, 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:**

Calvin J. Rice, Jr., a/k/a Calvin J. Rice, a single man, 26001 John R, Madison Heights, Michigan 48071-3607

**"Grantee" is:**

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226  
The Michigan Bell Telephone Company, a Michigan corporation, 444 Michigan Avenue, Detroit, Michigan 48226  
Continental Cablevision, a Michigan corporation, 23999 West Ten Mile Road, Suite B, Southfield, Michigan 48034

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

Part of the South one-half (1/2) of the Northeast one-quarter (1/4), Section 23, Town 1 North, Range 11 East, Stephenson Super Highway Subdivision No. 2, Lot 989, also one-half (1/2) vacated alley adjacent to same, as recorded in Liber 36, Page 24 of Plats, Oakland County Records. Sidwell No. 25-23-282-022. *pt 2*

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

The West Ten (10) feet of the above-described property.

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.

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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.

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0884 RMT FEE 7.00

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. \* D.E. WILL RELOCATE SAID FACILITIES IF LINE INTERFERES WITH GRANTOR'S PROPOSED BUILDING ADDITION, RELOCATION WILL BE AT D.E. EXPENSE.

Detroit Edison will relocate said facilities if line interferes with Grantor's proposed building addition and will be at Detroit Edison's expense.

RECORDED RIGHT OF WAY NO. 44018

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

O.K. — LM

James D. McDonald  
JAMES D. McDONALD  
Cher V Racine  
CHER V RACINE

Calvin J. Rice, Jr.  
Calvin J. Rice, Jr.  
A#36 REG/DEEDS PAID  
0001 OCT 29 '92 01:24PM  
0884 RMT FEE 2.00  
2.00 RMT

Acknowledged before me in OAKLAND County, Michigan, on 3-19, 1992 by CALVIN J. RICE, JR., a/k/a Calvin J. Rice, a single man.

JAMES D. McDONALD  
Notary Public, Oakland County, MI  
My Commission Expires April 24, 1995

Notary's Stamp \_\_\_\_\_ Notary's Signature James D. McDonald

Prepared by and Return to: James D. McDonald, 30400 Telegraph Road, Suite 207, Birmingham, Michigan 48025