

OVERHEAD EASEMENT (RIGHT OF WAY) NO. R-9410414-01

On 4-22, 1995, 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:

Colin J. Kelly and Melissa C. Kelly,
414 Baldwin, Royal Oak, Michigan 48067-3674,

\$ 7.00 MISCELLANEOUS RECORDING
\$ 2.00 REMONUMENTATION
9 NOV 95 12:57 P.M. RECEIPT# 166B
PAID RECORDED - OAKLAND COUNTY
ELLEN ALLEN, CLERK/REGISTER OF DEEDS

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
Michigan Bell Telephone, a Michigan corporation, 444 Michigan Ave., Detroit, Michigan 48226
T.C.I., a Michigan Corporation, 4500 Delemere Boulevard, Royal Oak, Michigan 48073

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

Part of the West one-half (1/2) of Southwest one-quarter (1/4), Section 15, Town 1 North, Range 11 East, Lawson, Baldwin & Hilzinger Add, Lot 37, also one-half (1/2) of vacated alley adjacent to same, as recorded in Liber 7, Page 20 of Plats, Oakland County Records. Sidwell No. 25-15-309-008.

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

The South Six (6) feet of Grantor's land.

- 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. Building 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:(type or print name below signature)

James D. McDonald
JAMES D. McDONALD
Pamela Wallingford
PAMELA WALLINGFORD

Grantor:(type or print name below signature)

[Signature]
Colin J. Kelly
[Signature]
Melissa C. Kelly

Acknowledged before me in OAKLAND County, Michigan, on 4-22, 1995 by Colin J. Kelly and Melissa C. Kelly, Husband and Wife.

JAMES D. McDONALD
Notary Public, Oakland County,
My Commission Expires 4-24-95

Notary's Stamp _____ Notary's Signature James D. McDonald
(Notary's name, county and date commission expires)

Prepared by and Return to: James D. McDonald, Royal Oak Service Center, 3425 Starr Road, Royal Oak, Michigan 48073/kad