

OVERHEAD EASEMENT (RIGHT OF WAY) NO. R-9404638-01

On JUNE 30th, 1994, 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:

Steven A. Babinchak and Denise T. Babinchak, Husband and Wife, 45900 Eleven Mile Road, Novi, Michigan 48060; 48374-2410

\$ 9.00 MISCELLANEOUS RECORDING
\$ 2.00 REMONUMENTATION
23 AUG 94 1:37 P.M. RECEIPT# 1578
PAID RECORDED - OAKLAND COUNTY
LARRY D. ALLEN, CLERK/REGISTER OF DEEDS

"Grantee" is:

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

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

Part of Southwest one-quarter (1/4) of Southeast one-quarter, Section 16, Town 1 North, Range 8 East, beginning at point distant East 1157.5 feet from South one-quarter (1/4) corner, thence North 00°27'20" East 1319.39 feet, thence South 89°56'50" East 182.40 feet, thence South 00°59'40" West along one-eighth (1/8) line 1319.36 feet, thence West 170 feet to beginning, containing approximately 5.41 acres, more or less, Oakland County Records. Sidwell No. 22-16-451-019.

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

As shown on the attached Right-of-Way drawing No. R-9404638-01, dated 06/15/94. The Right-of-Way is Ten (10) feet in width.

- 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)

Grantor:(type or print name below signature)

James D. McDonald
JAMES D. McDONALD
Annie Grimmer
ANNIE GRIMMETT

Steven A. Babinchak
Steven A. Babinchak
Denise T. Babinchak
Denise T. Babinchak

RECORDED RIGHT OF WAY NO. 46265

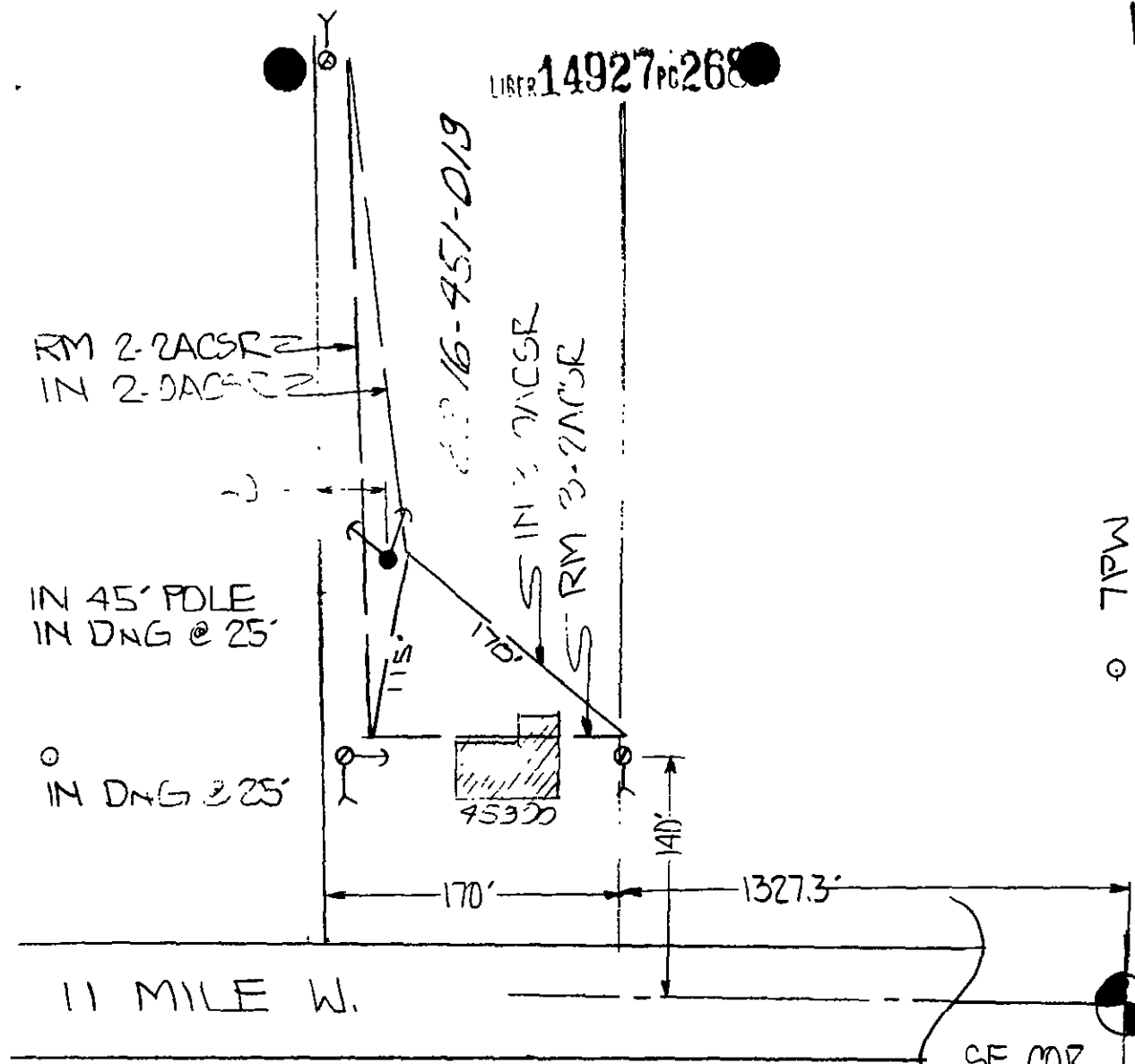
Acknowledged before me in OAKLAND County, Michigan, on JUNE 30, 1994 by Steven A. Babinchak and Denise T. Babinchak, Husband and Wife.

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 210, Birmingham, Michigan 48025/kad

LIBER 14927 PG 268



RM 2-2ACSR
IN 2-2ACSR

16-451-019

5 IN 2-2ACSR
RM 3-2ACSR

IN 45' POLE
IN DNG @ 25'

IN DNG @ 25'

170'

1327.3'

11 MILE W.

SE COR
SEC 16

REQUIRES 6' DIST. ESMT.
AND 25' x 6' ANCHOR SLOT

TAKT

RECORDED RIGHT OF WAY NO.

46265

LEGEND				THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT			
○	FOREIGN POLE	CITY OR TOWNSHIP	NOVI	COUNTY	OAKLAND	QTR & TWP. SECT. NO.	DEPT ORDER NO.
●	EXIST D.E. CO. POLE	MAP SECT.	1-223-358	TOWN	IN.	RANGE	8E
○	PROPOSED POLE	PROJECT NAME			TEL. ENGR & DIST		
○	EXIST ANCHOR	CIRCUIT	DC 3964 AKRON		JOINT R/W REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		
○	PROPOSED ANCHOR	REASON	RELOCATE PRI. OVER HOUSE		R/W NO. R-9404638-01		
○	TREE	PLANNER	D.J. ESCHENBURG		PROJ. OR PART NO.		
---	120/240 VOLT LINE	SCALE	1"=100'		OF.W. SO OR PE NO.		
---	4800 VOLT LINE	DATE	6-15-94		BUDGET ITEM NO.		
---	13,200 VOLT LINE						
---	40,000 VOLT LINE						