

NOV 1 TOP

OVERHEAD EASEMENT (RIGHT OF WAY) NO. R-9501080-01R

On 10/11, 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:

Capital Properties, Inc., a Michigan Corporation, 6625 Torybrooke, West Bloomfield, Michigan 48323

"Grantee" is:

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

"Grantor's Land" is in The City of Wixom, Oakland County, described as:

See attached Appendix "A". Sidwell No. 22-05-476-038

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

As shown on the attached Detroit Edison Company drawing No. R-9501080-01R, dated August 10, 1995. Width of Right of Way is ten (10) feet.

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)

Tracy D. Wolfe
TRACY D. WOLFE

Mary E. McKinstry
MARY E. MCKINSTRY

Grantor:(type or print name below signature)

Capital Properties, Inc., a Michigan Corporation

BY: Eric L. Wolfe
ERIC L. WOLFE

ITS: PRESIDENT

Acknowledged before me in Oakland County, Michigan, on 10/11, 1995 by ERIC WOLFE the PRESIDENT of Capital Properties, Inc., a Michigan Corporation, for the Corporation.

THOMAS D MCKINSTRY
 NOTARY PUBLIC STATE OF MICHIGAN
 OAKLAND COUNTY
 MY COMMISSION EXPIRES MAY 27, 1999

Notary's Stamp _____ Notary's Signature _____
 (Notary's name, county and date of commission)

Thomas D. McKinstry

Prepared by and Return to: Terry Benedict, 56500 Grand River, New Hudson, MI 48165

\$ 11.00 MISCELLANEOUS RECORDING
 \$ 2.00 REMONUMENTATION
 28 NOV 95 3:29 P.M.
 PAID
 RECORDED - OAKLAND COUNTY
 LYNN B. ALLEN, CLERK/REGISTER OF DEEDS

O.K. -S.R.

APPENDIX "A"

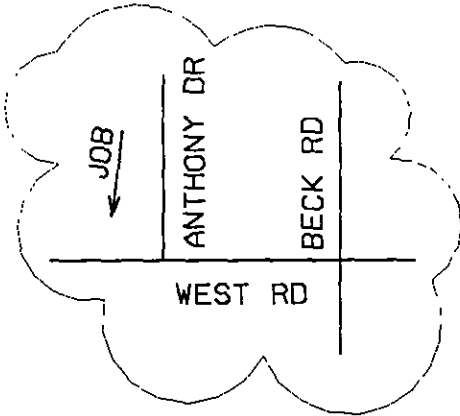
PROPERTY DESCRIPTION:

- 01 T1N, R8E, SEC 5
- 02 PART OF SE 1/4
- 03 BEG AT PT DIST
- 04 W 2041.40 FT &
- 05 N 00-03-24 E 60 FT
- 06 FROM SE SEC COR,
- 07 TH N 00-03-24 E 312.20 FT,
- 08 TH E 309.77 FT,
- 09 TH S 00-10-58 W 312.50 FT,
- 10 TH W 309.08 FT
- 11 TO BEG 2.22 A
- 12 12-13-93 FR 021

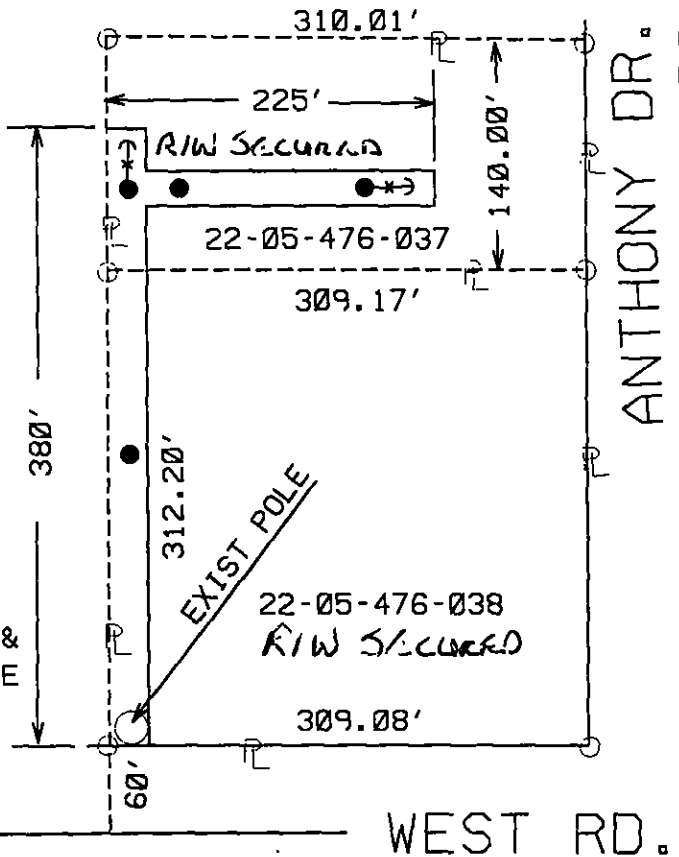
Novi

47982

North



REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH		PERMITS TO:	
BY	JERRY WITALEC	RECORD CENTER	_____
DATE	08-10-95	R/W FILES	_____
DATE WANTED	08-21-95	MBT	_____
DISTRICT FIELDMAN	_____	ORIGINATOR	_____
		TOTAL	_____



- - NEW 45' POLES
- - ANCH & GUY WIRE

OWNER: CAPITAL PROPERTIES
 6625 TORYBROOKE
 WEST BLOOMFIELD MI 48323
 ATTN: ERIC WOLFE
 (810)682-0800

WEST RD.

ANTHONY DR.

BECK RD.

47982

S.E. COR
 SEC 5

JPL 9501080

LEGEND ○ EXIST. D.E.CO. POLE ● PROPOSED POLE ○ FOREIGN POLE → EXIST. ANCHOR ← PROPOSED ANCHOR ☁ TREE - - - 120/240 V LINE - - - 4800 V LINE - - - 13,200 V LINE - - - 40,000 V LINE	THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT			
	CITY OR TWP.	COUNTY	TWP SEC QTR	DEPT. ORDER NO.
	WIXOM	OAKLAND	5 SE	
	MAP SECT.	TOWN RANGE	JOINT R/W REQ'D	R/W NO.
	1-217-368	1N. 8E.	NO	R-9501080-01R
	PROJECT NAME	TEL. ENGR. & DIST.		MBT MEMO#
	TOWNSHIP	SERVICE CENTER	COMP. CODE	MAILING CITY
NOV	NHS			
CIRCUIT			D.F.W.	
REASON			BUDGET ITEM NO.	
R/W FOR O.H. LINE EXTENSION				
PLANNER	SCALE		DATE	
JERRY WITALEC X185-3920	1" = NTS'		08-10-95	