

Real Estate and Rights of Way  
Overhead  
Right of Way Agreement

April 2, 1990

For good and valuable consideration of system betterment, the undersigned hereby grant and convey to THE DETROIT EDISON COMPANY, a Michigan corporation of 2000 Second Avenue, Detroit, Michigan, hereinafter referred to as "EDISON," the right to construct, reconstruct, modify, add to, operate and maintain overhead line facilities consisting of poles, guys, anchors, wires, cables, transformers and accessories required to provide electric services in, upon, over and across property located in the City of Farmington Hills, County of Oakland State of Michigan, further described as follows:

FARM

A part of the North 1/2 of Section 16, T1N, R9E, City of Farmington Hills, Oakland County, Michigan, being described as: Beginning at the North 1/4 corner of Section 16, thence North 87° 45' 28" East 151.47 ft. along the Northerly line of Section 16, thence South 02° 05' 10" East 411.95 ft., thence South 87° 54' 50" West 587.82 ft., thence North 02° 23' 23" West 411.37 ft. to the North line of Section 16, thence North 87° 53' 28" East 438.54 ft. along said line to the point of beginning and containing 5.564 acres.

PART OF

Tax Parcel No. 23-16-104-006 - NW 1/4 NW 1/4

DECO 1  
#

A#36 REG/DEEDS PAID  
0001 MAY.21 '90 08:58AM  
6622 MISC 11.00

The route of the line facilities is described as follows: An anchor slot as shown on the attached Detroit Edison drawing 0-9698 dated 11/15/89 and made a part hereof.

O.K. — LM

The right of way is three (3) feet in width.

The rights hereby granted include the right of access to and from the right of way and the right to trim, cut down or otherwise control brush and trees either within the right of way or on property adjoining the right of way which in the opinion of EDISON interferes with the construction or operation of the line facilities. It is expressly understood and agreed that EDISON shall, at no time, trim or cut down any trees unless, in EDISON'S opinion, it is absolutely necessary to do so. EDISON shall restore premises to its original condition or as near as can be in the event of damages caused by its employes, contractors, vehicles and equipment entering premises for the purposes set forth herein. No buildings or structures are to be placed within said right of way herein granted without the written consent of the GRANTEE. This grant is declared to be binding upon the heirs, successors, lessees, licensees and assigns of the parties hereto.

RECORDED RIGHT OF WAY NO. 40537

IN WITNESS WHEREOF, the undersigned have hereunto set their hand(s) on the date of this agreement.

Witnesses:

Grantors:

11.00

Linda Gloviak  
Linda Gloviak

June Johnston  
June Johnston

OAK HILLS LIMITED PARTNERSHIP, a Michigan limited partnership

By: Samelson Development Company  
Its: General Partner

By: Garry K. Stolicker  
Its: President

Garry K. Stolicker  
Address: 355 South Woodward  
Suite 175  
Birmingham, Michigan 48009

Prepared by: Gerald S. Misiak/vkc  
The Detroit Edison Company  
30400 Telegraph Road, Suite 277  
Birmingham, Mi 48010

APPROVED AS TO FORM 4/25/90 DATE  
LEGAL DEPARTMENT [Signature]

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