

OVERHEAD EASEMENT (RIGHT OF WAY) NO. R-9401638-01R

On 11-7, 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:

Anthony DeGennaro and Michele L. DeGennaro, Husband and Wife,
28030 Middlebelt, Farmington Hills, Michigan 48334-4118,

"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

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

North one-half (1/2) of Lot 14, Supervisor's Plat No. 9, of part of the Southwest one-quarter (1/4), Section 12, Town 1 North, Range 9 East, Farmington Township, as recorded in Liber 54, Page 32 of Plats, Oakland County Records. Sidwell No. 23-12-351-008.

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

The Easterly Ten (10) feet of the Westerly ~~Forty-Five (45)~~ ^{FIFTY-FIVE (55)} feet of Grantor's land.
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)

Patricia A. Wilson
PATRICIA A. WILSON

John O'Connell
JOHN O'CONNELL

Anthony DeGennaro
Anthony DeGennaro

Michele L. DeGennaro
Michele L. DeGennaro

Acknowledged before me in OAKLAND County, Michigan, on Nov. 7, 1994 by Anthony DeGennaro and Michele L. DeGennaro, Husband and Wife.

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

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

Prepared by and Annie P. Grimmett, 30400 Telegraph Road, Suite 210, Birmingham, Michigan 48025/kad

\$ 7.00 MISCELLANEOUS RECORDING
\$ 2.00 MONUMENTATION
5 APR 95 1:44 P.M. RECEIPT# 133B
PAID RECORDED - OAKLAND COUNTY
L. J. KALLEN, CLERK/REGISTER OF DEEDS

RECORDED IN DEPT. OF STATE 46833