

OVERHEAD EASEMENT (RIGHT OF WAY) NO. R9311955-01R

On DECEMBER 2, 1993, 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:

Orchard Ridge Plaza, a Michigan Co-Partnership,
4266 Woodlands Lane, Orchard Lake, Michigan 48323

"Grantee" is:

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

\$ 7.00 MISCELLANEOUS RECORDING
\$ 2.00 REMONUMENTATION
11 MAY 94 9:50 A.M. RECEIPT# 25A
PAID RECORDED - OAKLAND COUNTY
LYNN D. ALLEN, CLERK/REGISTER OF DEEDS

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

Part of the Southwest one-quarter (1/4), Town 1 North, Range 9 East, Section 11, beginning at a point distant North 89°33'00" East 220 feet and North 00°15'00" West 60 feet from Southwest section corner, thence North 00°15'00" West 130 feet, thence North 89°33'00" East 50.00 feet, thence North 00°15'00" West 20 feet, thence South 89°33'00" West 200 feet, thence North 00°15'00" West 23.80 feet, thence North 89°34'00" East 200 feet, thence North 00°15'00" West 46.50 feet, thence North 89°34'00" East 166 feet, thence South 00°15'00" East 220.22 feet, thence South 89°33'00" West 216 feet to the beginning, containing 1.10 acres more or less, Oakland County Records. Sidwell No. 23-11-351(41) 048 pt. *4732*

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

The Westerly Five (5) feet of the Easterly Seventy-Five and one-half (75.5) feet of the Northerly Twenty-Five (25) feet of Grantor's land.

The Right-of-Way is Five (5) 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)

Orchard Ridge Plaza, a Michigan Co-Partnership

Annie P. Grimmett
ANNIE P. GRIMMETT

Louis C. Bosco, Jr.
By: LOUIS C BOSCO, JR.

Mary Margaret Bosco
MARY MARGARET BOSCO

Its: Partner OK - LM

Acknowledged before me in CAYLAND County, Michigan, on DECEMBER 2, 1993 by LOUIS C. BOSCO, JR the PARTNER of Orchard Ridge Plaza, a Michigan Co-Partnership, for the Michigan Co-Partnership.

Notary's Stamp **ANNIE P. GRIMMETT**
Notary Public, Oakland County, MI
My Commission Expires Oct. 3, 1995
(Notary's name, county and date commission expires)

Notary's Signature *Annie P. Grimmett*