

OVERHEAD EASEMENT (RIGHT OF WAY) NO. O-1571

On 12-5, 1991, 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:

DiMaria Homes & Associates, Inc., a Michigan Corporation, 2617 Beacon Hill Drive, Auburn Hills, Michigan 48326

"Grantee" is:

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

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

Parcel "C": Lot 8 except the North 144.0 feet thereof of Donald W. Young Subdivision of a part of Lot 63, Northern Addition Village of Birmingham (now City of Birmingham), Oakland County, Michigan, according to the plat thereof as recorded in Liber 21 of Plats, Page 25, Oakland County Records. Part of the Southwest quarter (1/4), Section 25, Town 2 North, Range 10 East. Part of Sidwell No. 19-25-304(047) 050

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

The East Ten (10) feet of the above described property.

- 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.
- Access:** Grantee has the right of access to and from the Right of Way Area.
- Buildings 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.
- 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.
- 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.
- Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors, lessees, licensees and assigns.

R#36 REG/DEEDS PAID
0001 MAR.06/92 12:34PM
3424 MISC 7.00

Witnesses:(type or print name below signature)

James D. McDonald
JAMES D. McDONALD

John C. Greenlee
JOHN C. GREENLEE

Grantor:(type or print name below signature)

DiMaria Homes & Associates, Inc.

Salvatore P. Munaco Jr
By: SALVADORE P. MUNACO JR

Its: President
R#36 REG/DEEDS PAID
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O.K. - LM

Acknowledged before me in Oakland County, Michigan, on 12-5, 1991 by Salvatore P. Munaco Jr the PRESIDENT of DiMaria Homes & Associates, Inc., a Michigan Corporation, for the corporation.

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 277, Birmingham, Michigan 48025

RECORDED RIGHT OF WAY NO. 43624

SEE ALSO: MISC RIGHT OF WAY FILE NO.

053462