

LIBER 12223 PG 727

OVERHEAD EASEMENT (RIGHT OF WAY) NO. O-1451

On 10/17, 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:

Childs Lake Road Company, 1313 Bay Ridge Drive, Highland, Michigan 48356

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
GTE North, Incorporated, a Wisconsin corporation, 455 E. Ellis, Muskegon, Michigan 49443

"Grantor's Land" is in the Township of Milford, Oakland County, described as:

Part of SE 1/4, Sec 25, T2N, R7E, beg at S 1/4 cor, th N 00°14'33" E 700 ft, th N 89°29'30" E 623 ft to S 1/4 cor, th S 00°14'33" W 700 ft, th S 89°29'30" W 623 ft to beg 10.01 acres. Sidwell No: 16-25-401-012

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

The easterly 10 feet of the westerly 58 feet of the northerly 35 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. 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.
- 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)

NOTES 7+8 BELOW

Richard C. Giest
RICHARD C. GIEST

Annie Grimmett
ANNIE GRIMMETT

CHILDS LAKE ROAD COMPANY
a Michigan corporation CO-PARTNERSHIP

Ben DiPonio
BEN DI PONIO

#92 REG/DEEDS PAID
0001 DEC 10 '91 02:33PM
7:00 PM FILE 2.00

Acknowledged before me in OAKLAND County, Michigan, on 10/17, 1991 by BEN DI PONIO of Childs Lake Road Company, a Michigan corporation, for the corporation:

CO-PARTNERSHIP CO-PARTNERSHIP

JACOB A. DI PONIO
NOTARY PUBLIC-OAKLAND COUNTY, MI
MY COMMISSION EXPIRES 11-3-92

Notary's Stamp

Notary's Signature

Jacob A. DiPonio

Prepared by and Return to: Annie P. Grimmett, 30400 Telegraph Rd., Suite 277, Birmingham, MI 48025

7) THIS OVERHEAD EASEMENT WILL VOID AND VACATE ANY PREVIOUS LIKE AGREEMENT ON THIS PROPERTY

8) IN CONNECTION WITH THE NEW POLE INSTALLATION, DETROIT EDISON WILL REMOVE ITS EXISTING POLES AND EQUIPMENT AT NO CHARGE TO THE GRANTOR.

RECORDED-RIGHT OF WAY NO. 13000

7:00
2000 PMT