

OVERHEAD EASEMENT (RIGHT OF WAY) NO. O-1699

On April 15, 1992, 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:

Roland T. Gerhart and Joanne J. Gerhart, Husband and Wife, 4000 Grondinwood Lane, Milford, Michigan 48380

"Grantee" is:

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

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

T2N, R7E, Sec. 35, part of SE 1/4, beginning at SE section corner, th W 407.90 ft., th N 00°20'00" E 435.60 ft., th E 408.22 ft., th S 00°22'32" W 435.630 ft., to beginning. 4.08 Acres. Sidwell No. 16-35-451(018). 027 028

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

The north 10 feet of the southerly 63 feet of the above described property.

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. 0001 OCT.06'92 12:22 PM 5080 MISC 7.00

~~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.

O.K. — LM

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

Constance D. Wilson
Constance D. Wilson

Roland T. Gerhart
ROLAND T. GERHART

Alice D. Lancaster
Alice D. Lancaster

Joanne J. Gerhart
JOANNE J. GERHART

Acknowledged before me in Oakland County, Michigan, on April 15, 1992 by ROLAND T. GERHART and JOANNE J. GERHART, Husband and Wife.

Notary's Stamp SUSAN K. HARRIS
Notary Public, Oakland County, MI
My Commission Expires July 18, 1993

Notary's Signature Susan K. Harris
2#92 REG. FEES PAID
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5080 MISC 7.00

Prepared by and Return to: James D. McDonald, 30400 Telegraph Road, Room 277, Bingham Farms, Michigan 48025

7100
2.00RMT

RECORDED RIGHT OF WAY NO. 43769