

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

On 5-28, 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:

Zina Smith and Sandra Smith, Husband and Wife, 29441 W. Eight Mile, Livonia, Michigan 48154

"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, Section 35, part of SE ¼ beginning at point distant E 669.66 ft. & N 182 ft., from S ¼ corner, th N 150 ft., th E 656.93 ft., th S 00°20'00" W 150 ft., th W 656.06 ft. to beginning. 2.26 Acres. Sidwell No. 16-35-451-025.

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

The south ten (10) 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.
- 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 and 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)

James D. McDonald
JAMES D. McDONALD

Zina Smith
ZINA SMITH

OMER V TRACIE

Sandra L Smith
SANDRA SMITH

O.K. — LM

Acknowledged before me in OAKLAND County, Michigan, on 5-28, 1992 by ZINA SMITH and SANDRA SMITH, Husband and Wife.

JAMES D. McDONALD
Notary Public, Oakland County, MI
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 Return to: James D. McDonald, 30400 Telegraph Road, Room. 277, Bingham Farms, Michigan 48025/PEW

B#92 REG/DEEDS PAID 7.00
0001 OCT.06'92 12:22PM
5080 RMT FEE 2.00 RMT

RECORDED RIGHT OF WAY NO. 43790