

OVERHEAD EASEMENT (RIGHT OF WAY) NO. R 9204175-02

On NOV 6, 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:

Laval Malphrus and Ester R. Malphrus, husband and wife
2110 W. Commerce Road, Milford, Michigan 48380-3618

E#92 REG/DEEDS PAID
0001 JAN.14.93 03:36PM
6878 MISC 9.00

"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 4, part of SW ¼, beginning at point distant S 1337.72 ft. and S 54°04'47" E 1114.67 ft. from W ¼ corner, th N 00°09'25" W 368.32 ft., th N 89°50'19" E 215.78 ft., th along curve to left, radius 80 ft., chord bears S 21°27'08" E 58.10 ft., distance of 59.46 ft., th S 00°09'25" E 147.49 ft., th S 11°41'06" W 63.35 ft., th S 00°92'25" 267.83 ft. th N 54°04'47" W 277 ft. to beginning. 2.36 acres. Sidwell No. 16-04-301-022.

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

As shown on Detroit Edison Company drawing R 9204175-02 dated 10/23/92 which is attached hereto and made a part hereof. The right of way is 10 ft. 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.

RECORDED RIGHT OF WAY NO. 44161

E#92 REG/DEEDS PAID
0001 JAN.14.93 03:36PM
6878 RMT FEE 2.00

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

Ruth A. Johnson
Ruth A. Johnson
Wendy L. Noggle
Wendy L. Noggle

Laval Malphrus
LAVAL MALPHRUS
Esther R. Malphrus
ESTHER R. MALPHRUS

Acknowledged before me in DAKLAND County, Michigan, on NOVEMBER 6, 1992 by LAVAL MALPHRUS and ESTHER R. MALPHRUS, husband and wife.

ANNE P. GRIMMETT
Notary Public, Oakland County, MI
Notary's Stamp My Commission Expires Oct 3, 1996
(Notary's name, county and date commission expires)

Notary's Signature Annie P. Grimmett

Prepared by and Return to: Annie P. Grimmett, 30400 Telegraph Road, Room 222, Bingham Farms, Michigan 48025/JLF.