

OVERHEAD EASEMENT (RIGHT OF WAY) NO. R-9310309-02

On 3-31, 1994, 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:

Nevada Equipment Investment Associates, a Michigan Partnership, P. O. Box 426, Milford, Michigan 48380,

"Grantee" is:

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

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

Part of Northwest one-quarter (1/4), Section 25, Town 2 North, Range 7 East, beginning at point distant South 00°52'15" West 450 feet and North 89°29'14" West 827.08 feet and South 05°43'31" West 599.70 feet, from North one-quarter (1/4) corner, thence North 89°07'45" West 150.54 feet, thence North 05°43'31" East 598.76 feet, thence South 89°29'14" East 150.62 feet, thence South 05°43'31" West 599.70 feet to beginning, containing approximately 2.06 acres, more or less, Oakland County Records. Sidwell No. 16-25-100-012.

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

The North Ten (10) feet of the Easterly Twenty-Five (25) feet of Grantor's land. The Right-of-Way is Ten (10) feet 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.

Witnesses:(type or print name below signature)

Handwritten signatures of Raymond B. Henricks and Howard H. Rose with printed names below.

Grantor:(type or print name below signature)

Nevada Equipment Investment Associates, a Michigan Partnership

Handwritten signature of Laverne E. Rose with printed name and title: By: LAVERNE E. ROSE, Its: General Partner

Acknowledged before me in Milford in Oakland County, Michigan, on 3-31, 1994 by Laverne E. Rose the General Partner of Nevada Equipment Investment Associates, a Michigan Partnership, for the Michigan Partnership.

Notary's Stamp: CHRISTOPHER MAKI, Notary Public, My Commission Expires 05-28-97, 6-23-97 Notary's Signature

Prepared by Annie P. Grimmett, 30400 Telegaph Road, Suite 210, Birmingham, Michigan 48025/kad

RECORDED EIGHTH OF MAY NO 46703