

**OVERHEAD EASEMENT (RIGHT OF WAY) NO. R-20045**

On February 5, <sup>1996</sup>1995, 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:**

American Aggregates of Michigan, Inc., a Michigan Corporation, 3101 Honeywell Lake Road, Milford, Michigan 48380

**"Grantee" is:**

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

\$ 11.00 MISCELLANEOUS RECORDING  
\$ 2.00 REINUMENTATION  
4 MAR 96 12:29 P.M. RECEIPT# 88A  
RECORDED - OAKLAND COUNTY  
LYNN D. ALLEN, CLERK/REGISTER OF DEEDS

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

See Appendix "A". Sidwell No. 16-05-200-003.

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

As shown on the attached Detroit Edison Company drawing No. R-20045, dated December 4, 1995. Width of Right of Way is three (3) 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. 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.
- 7. Liability:** The Grantee shall indemnify and hold harmless the Grantor, its successors and assigns, lessees thereof, and all of their agents, employees and/or representatives from and against all claims, damages, losses, suits and actions, including attorneys' fees, arising or resulting from the installation, construction, operation, maintenance, repair, renewal, replacement and/or removal of said overhead utility line on, over and across the subject premises and any damages and losses on contiguous real estate unless caused by the negligence of Grantor, its successors, assigns, lessees thereof or their agents, employees and/or representatives.

**Witnesses:**(type or print name below signature)

**Grantor:**(type or print name below signature)

American Aggregates of Michigan, Inc.,  
a Michigan Corporation

① Paula J. Buehrer  
PAULA J. BUEHRER

BY: P. Trimble, Vice President

② Kristin A. Rice  
KRISTIN A. RICE

ITS: Julie Strait  
Julie Strait, secretary

Acknowledged before me in Montgomery County, Michigan, on February 5, 1996, 1995 by P. Trimble, Vice Pres. & Julie Strait, secretary of American Aggregates of Michigan, Inc., a Michigan Corporation, for the Corporation.



**PAULA BUEHRER**  
Notary Public, State of Ohio  
My Commission Expires June 6, 2000 Notary's Signature Paula J Buehrer  
(Notary's name, county and date of commission)

RECORDED RIGHT OF WAY 48556

APPENDIX "A"

PROPERTY DESCRIPTION:

- 01 T2N, R7E, SEC 5
- 02 PART OF SEC
- 03 ALL THAT PART OF FOL DESC
- 04 PARCEL LYING IN SEC 5 &
- 05 WLY OF WLY R/W LINE OF
- 06 STONERIDGE RD (86 FT WIDE)
- 07 BEG AT W 1/4 COR,
- 08 TH N 00-25-34 W 2059.02 FT,
- 09 TH N 89-05-34 E 659.97 FT,
- 10 TH N 00-25-25 W 660.55 FT,
- 11 TH N 89-03-17 E 1989.45 FT
- 12 (TO N 1/4 COR),
- 13 TH S 00-17-39 E 300 FT,
- 14 TH N 89-09-39 E 369.24 FT,
- 15 TH N 00-17-39 W 300 FT,
- 16 TH N 89-54-23 E 2274.45 FT
- 17 (TO NE SEC COR),
- 18 TH N 89-54-23 E 321.12 FT
- 19 (TO SE COR OF SEC 32 T3N, R7E
- 20 SD POINT IN HONEYWELL LAKE),
- 21 TH S 89-49-06 E 1024.17 FT,
- 22 TH S 01-24-03 E 401.61 FT,
- 23 TH S 00-14-54 E 2305.98 FT,
- 24 (TO POINT ON E-W 1/4 LINE
- 25 OF SEC 4),
- 26 TH S 00-18-36 E 1003.76 FT,
- 27 TH S 89-21-35 W 1340.84 FT,
- 28 TH S 00-27-27 E 330.14 FT,
- 29 TH S 89-22-07 W 2059.09 FT,
- 30 TH N 55-45-54 W 2295.84 FT,
- 31 TH N 89-13-33 W 1348.03 FT
- 32 TO BEG 343 A
- 33 3-7-94 FR 003

SIDWELL NO. (6-05-200-004)

16-05-200-004 NE, NW, SE, SW 1/4 SEC. 5  
 16-04-100-015 NE, SE 1/4 SEC. 5  
                     NW 1/4 SEC. 4  
 16-04-100-004 NW 1/4  
 16-04-301-001 SW 1/4  
                     -002 SW 1/4

16-05-200-004 48556

LISER 16067pc411

North

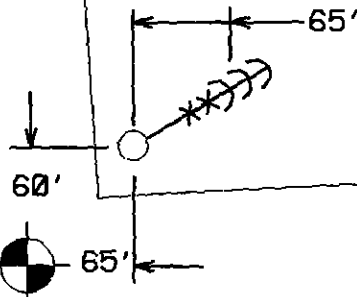
R/W Secured

16-5-200-004  
 AMERICAN AGGREGATES CORP  
 3101 HONEYWELL LAKE  
 MILFORD MI 48380  
 CONTACT-BRADLEY J RICE  
 PH (810)685-1534  
 C/O PO BOX 147514  
 DAYTON OH 45413-7515

HICKORY RIDGE

SW 1/4 SECT. 5  
 T2N R7E

COMMERCE



16-5-200-004 RIGHT OF WAY 48556

PLEASE SECURE OH R/W FOR ANCHORS  
 & GUYS @ 65', 61', & 57' AS SHOWN.

REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH  BY _____ DATE _____ DATE WANTED <u>12-29-95</u> DISTRICT FIELDMAN _____	PERMITS TO: RECORD CENTER _____ R/W FILES _____ MBT _____ ORIGINATOR _____ TOTAL _____
---	---

JPL RFW 20045

<b>LEGEND</b> ○ EXIST. D.E.CO. POLE ● PROPOSED POLE ○ FOREIGN POLE — EXIST. ANCHOR — PROPOSED ANCHOR ○ TREE - - - 120/240 V LINE - - - 4800 V LINE - - - 13,200 V LINE - - - 40,000 V LINE	THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT			
	CITY OR TWP. <b>MILFORD</b>	COUNTY <b>OAKLAND</b>	TWP SEC QTR <b>5 NW</b>	DEPT. ORDER NO.
	MAP SECT.	TOWN RANGE <b>2N 7E</b>	JOINT R/W REQ'D	R/W NO. <b>R-4849</b>
	PROJECT NAME <b>PRIZM-G.M.</b>	TEL. ENGR. & DIST.		MBT MEMO# <b>NONE</b>
	TOWNSHIP <b>MIL</b>	SERVICE CENTER <b>NHS</b>	COMP. CODE	MAILING CITY
	CIRCUIT <b>120 KV PLACID-PROUD</b>			CATV MEMO# <b>NONE</b>
	REASON <b>NEW SUBSTATION</b>			D.F.W. <b>5KV2F9/B05</b>
	PLANNER <b>J BURGESS</b>	SCALE <b>1" = 100'</b>		BUDGET ITEM NO. <b>5KV2F-KIM</b>
			DATE <b>12-4-95</b>	