

OVERHEAD EASEMENT (RIGHT OF WAY) NO. O-1262

On MAY 30, 1991, 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:

Thomas Witte and Carol Beatty, husband and wife, 4410 Glenmeade Lane, Auburn Hills, Michigan 48326

"Grantee" is:

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

"Grantor's Land" is in the City of Auburn Hills, Oakland County, Michigan described as:

Part of NE 1/4, Sec. 3, T3N., R10E., beg at NE sec cor, th S 00° 18'45" W 499.85 ft, th S 89° 59'10" W 436.38 ft, th N 00° 18'45" E 499.85 ft, th N 89° 59'10" E 435.07 ft to beg. 5 acres. Sidwell No: 14-03-227-001 *Partice*

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

A strip of land twelve (12) feet wide running parallel to the east boundary line of the property, the centerline of which strip of land is located 73.5 feet from the east boundary line of the 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. **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.

Witnesses:

[Signature]

 RICHARD P. DOPP

[Signature]

 Kim Comisso
 Kim Comisso

Grantor:

[Signature]

 Thomas Witte

[Signature]

 Carol Beatty
 Carol Beatty

O.K. — LM

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9.00
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Prepared by and Return to:

James D. McDonald, 30400 Telegraph Rd., Suite 277, Birmingham, MI 48010

RW #O-1262

Acknowledged before me in Oakland County, Michigan, on MAY 30, 1991

by THOMAS WITTE AND CAROL BEATTY, HUSBAND AND WIFE.

Notary's Stamp
MARINA LONDON
Notary Public, Wayne County, MI
My Commission Expires April 22, 1992
Acting in Oakland County, MI

Notary's Signature Marina London

11836