

*Avon Twp.
Sec 2*

5-9 -, 1990

For good and valuable consideration of system betterment, the undersigned hereby grant and convey to THE DETROIT EDISON COMPANY, a Michigan corporation of 2000 Second Avenue, Detroit, Michigan, hereinafter referred to as "EDISON," the right to construct, reconstruct, modify, add to, operate and maintain overhead line facilities consisting of poles, guys, anchors, wires, cables, transformers and accessories required to provide electric services in, upon, over and across property located in the City of Rochester Hills, County of Oakland, State of Michigan, further described as follows:

Lot 18, Waverly Woods Subdivision, part of the Northwest 1/4, Section 2, T3N, R11E

Tax Parcel No. 15-02-101-001

The route of the line facilities is described as follows: As shown on attached drawing 0-9757, dated 1/25/90.

The right of way is three (1) feet in width.

The rights hereby granted include the right of access to and from the right of way and the right to trim, cut down or otherwise control brush and trees either within the right of way or on property adjoining the right of way which in the opinion of EDISON interferes with the construction or operation of the line facilities. It is expressly understood and agreed that EDISON shall, at no time, trim or cut down any trees unless, in EDISON'S opinion, it is absolutely necessary to do so. EDISON shall restore premises to its original condition or as near as can be in the event of damages caused by its employes, contractors, vehicles and equipment entering premises for the purposes set forth herein. No buildings or structures are to be placed within said right of way herein granted without the written consent of the GRANTEE. This grant is declared to be binding upon the heirs, successors, lessees, licensees and assigns of the parties hereto.

IN WITNESS WHEREOF, the undersigned have hereunto set their hand(s) on the date of this agreement.

Witnesses:

Grantors:

James D. McDonald
JAMES D. McDONALD

James A. Johnston
JAMES A. JOHNSTON
Jean B. Johnston
JEAN B. JOHNSTON

40820

Prepared by: James D. McDonald/vkc
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