

OVERHEAD EASEMENT (RIGHT OF WAY) NO. O-1252

On 9-13, 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".

2#92 REG/DEEDS PAID
0001 OCT.11 '91 11:52AM
5668 MISC 9.00

"Grantor" is:

Rochester Land and Building Company, a Michigan corporation, 300 South Street, Rochester, Michigan 48307

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
United Cable of Oakland County, Inc., a Michigan corporation, 4500 Delemere, Royal Oak, Michigan 48073

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

T3N., R11E., Sec. 14, NW 1/4 Supervisor's Plat No. 2 E 75 ft of Lot 53. Sidwell No: 15-14-176-009

DEED 1 The "Right of Way Area" is a part of Grantor's Land described as: *54A092*
The east ten (10) feet of the above described 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:

Grantor:
Rochester Land and Building
Company

Richard L. Ruedisueli

RICHARD L. RUEDISUELI
James D. McDonald

JAMES D. McDONALD

By: *Lawrence H. Wetting*

Its: LAWRENCE H. WETTING
PRESIDENT

O.K. - LM

Prepared by and Return to:

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

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5668 RMT FEE 2.00

*9.00
2.00 RMT*

RECORDED RIGHT OF WAY NO. 42281