

OVERHEAD EASEMENT (RIGHT OF WAY) NO. O-1226

On Aug 23, 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:

Angelo's Crushed Concrete, Inc., a Michigan corporation, 26400 Sherwood Ave., Warren, Michigan 48091

"Grantee" is:

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

#36 REG/DEEDS PAID
0001 JAN 16 '92 02:06PM
4449 RMT FEE 2.00

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"Grantor's Land" is in Rochester Hills, Oakland County, Michigan described as:

Part of NE 1/4, Sec. 29, T3N., R11E., beg at pt dist N 03°25'16" E 316.58 ft from cen of sec, th N 84°23'54" E 427.00 ft, th N 05°36'06" W 273.67 ft, th N 24°05'15" E 123.82 ft to NW cor of lot 12 of "Avon Industrial Sub", th N 84°23'54" E 28.06 ft, th alg curve to right, rad 80 ft, chord bears N 39°43'24" E 151.53 ft, dist of 199.02 ft, th alg curve to left, rad 70 ft, chord bears N 88°12'23" E 54.22 ft, dist of 55.68 ft, th N 65°25'07" E 78.00 ft, th N 24°34'53" W 500.00 ft to NW cor of sd sub, th S 65°25'07" W 484.79 ft, th S 03°25'16" W 835.02 ft to beginning. 10.17 acres. Sidwell No: 15-29-251-015

Avon

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

The north 16 feet of the south 38 feet and also the east 15 feet of the south 170 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:

Kelly Cusumano / Kelly Cusumano

Angelo's Crushed Concrete, Inc.

O.K. LM

Sheryl Pyszalocki / Sheryl Pyszalocki

By: Domonik Iskanik

Its: V. P.

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Prepared by and Return to:

DECOI

2.00 RMT

RECORDED RIGHT OF WAY NO. 42795

RW #O-1226

Acknowledged before me in Oakland County, Michigan, on Aug 23, 19 91

by *Dominic LaHara* the V.P.

of ANGELO'S CRUSHED CONCRETE, INC., a Michigan corporation, for the corporation.

Kelly Lynn Casarano
Notary's Signature

NOTARY PUBLIC
Notary Public, Macomb County, MI
My Commission Expires June 20, 1994

Notary's Stamp

RECORDED RIGHT OF WAY NO. 42795