

Overhead Right of Way Agreement

OCTOBER 24TH, 1999

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 service in, upon, over and across property located in the Township of Highland, County of Oakland, State of Michigan, further described as follows:

Part of N. 1/2 of Section 9, T3N, R7E, beginning at a point distant N. 89°49'30" W. 195.71 ft. & S. 00°10'30" W. 675.18 ft. from N. 1/4 corner, thence S. 00°10'30" W. 123.61 ft., thence S. 84°12'00" E. 131.77 ft., thence S. 55°48'00" E. 231.74 ft., thence S. 27°24'00" E. 185 ft., thence S. 57°03'00" E. 117.95 ft., thence N. 01°30'30" E. 498.10 ft., thence S. 89°44'30" W. 519.61 ft. to point of beginning. Together with a 50 foot wide easement for ingress and egress, centerline of said easement is described as: Beginning at the S.W. corner of the above described property, thence N. 00°10'30" E. 789.79 ft. to a point of ending in Clyde Road. Sidwell #11-09-201-008

*Also, GENERAL TELEPHONE COMPANY OF MICHIGAN, a Michigan corporation of 455 E. Ellis, Muskegon, Michigan, 49441.

Re: 1325 Clyd Road

The route of the line facilities is described as follows: In a northerly and southerly direction along and adjacent to the East line of Camille Road (as shown on attached sketch R/W 0-9212) DATED 5.28.88

RECORDED RIGHT OF WAY NO. 31931

The right of way is twelve (12) 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 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 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:

Lisa M. Lehto

Deana Vanderveere

C. GEORGE WILLIAMS

C. George Williams

Prepared by: the Detroit Edison Company 30400 Telegraph Road, Suite 277 Birmingham, MI 48010

Address: 2361 Oltesvig Highland, MI 48031

APPLICATION FOR RIGHT OF WAY

DE 943-0211 2-7495 (MS 88)

PLEASE SECURE RIGHT OF WAY AS FOLLOWS.

DATE 9-30-88

LOCATION 1385 CAMILLE

APPLICATION NO. Ø 9212

CITY OR VILLAGE _____

DEPT ORDER NO. _____

TOWNSHIP HIGHLAND COUNTY OAKLAND

O F. W. NO _____

DATE BY WHICH RIGHT OF WAY IS WANTED ASAP

BUDGET ITEM NO. _____

THIS R/W IS 100 % OF TOTAL PROJECT NO. _____ ACCUM. _____ %.

INQUIRY NO. _____

JOINT RIGHT OF WAY REQUIRED YES NO

NOTE: Identify on print or sketch the subdivisions as to section location and liber and page.

GTE MEMO # Ø 8451
BARBARA BREWER 1-653-9746

KIND AND DESCRIPTION OF RIGHT OF WAY REQUESTED 10' X 460' RECORDED EASEMENT

AS SHOWN ON SKETCH. EASEMENT FOR PUBLIC UTILITIES

PURPOSE OF RIGHT OF WAY TO PROVIDE U.G. SERVICE TO 1385 CAMILLE

SIGNED R. M. [Signature]

OFFICE _____ DEPARTMENT _____

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

2 Joint recordable underground rights of way & 3 unrecordable rights of way obtained as requested per attached drawing. Contacts made by C. George Williams; Representative; Real Estate, Rights of Way & Claims; Oakland Division.

RECORDED RIGHT OF WAY NO. 38931-38935

PERMITS IN RECORD CENTER 5 R.E. & R/W DEPT. FILE 5 GRANTOR Zach, Chwalek, Vandervere, Brown, DeVoll

NO. OF PERMITS 5 NO. OF STRUCTURES _____ NO. OF MILES _____ PERMITS TO ~~NET~~ GTE - 5

DATE November 28, 1988 SIGNED James D. McDonald
James D. McDonald, Sr. Representative